

## Policy Statement - Safeguarding Children and Vulnerable Adults

### Definitions

The Children Act 1989 states the legal definition of a child is *“a person under the age of 18”*.

Section 115(4) of the Police Act 1997 states that a person can be vulnerable if they are

*“substantially dependent upon others in performing basic physical functions, or his ability to communicate with those providing services, or to communicate with others, is severely impaired, and, as a result, he would be incapable of protecting himself from assault or other physical abuse, or there is a potential danger that his will or moral well-being may be subverted or overpowered”*.

Brighton Language College International (BLCI) believes that children/young people have rights as individuals and should be treated with dignity and respect. Therefore, BLCI will strive to provide a safe environment for any young people (under 18) in its care while they are studying at BLCI, visiting or participating in activities.

This policy and procedures are based on the following basis:

- The welfare of young people and vulnerable adults is of primary concern
- All young people and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identify have the right to safeguarding from abuse
- It is everyone’s responsibility to report any concerns about abuse to the Designated Safeguarding Lead, and the responsibility of the Social Services Department and the Police to conduct, where appropriate a joint investigation
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.
- BLC will foster a culture where safeguarding is taken seriously through regular staff training and commitment to safeguarding procedures.

### Definition of Abuse

Abuse is any behaviour towards a person that deliberately or unknowingly causes harm, endangers life or violates their rights. Abuse may be:

- Physical
- Sexual
- Psychological – repeatedly being made to feel unhappy, humiliated, afraid or devalued by others
- Financial or material – stealing or denying access to money or possessions
- Neglect
- Discriminatory – abuse motivated by discriminatory attitudes towards race, religion, gender, disability or cultural

Please see Appendix C Recognising Abuse.

### Our Responsibilities

The Designated Safeguarding Lead (DSL) at BLCI is our Welfare Officer, Luke Kramer. The DSL can be contacted on 01273 647370 or an email can be sent to [luke@brightonlc.co.uk](mailto:luke@brightonlc.co.uk). Alternatively, cases can be brought directly to the DSL in the main admin office. If the DSL is absent, all cases should be reported to the Centre Director, Gary Charles Farmer, during low season or the additional safeguarding level 3 qualified member of staff during high season (employed seasonally).

The Centre Director has responsibility for the oversight of the College’s Safeguarding Children and Vulnerable Adults Policy with delegated responsibility to relevant members of the Management Team.

The Director has nominated the DSL responsible for child and vulnerable adult safeguarding issues within the school and the homestay and they will liaise directly with the School Director as deemed necessary.

## Accommodation

- To visit and vet all applicants before accepting as a homestay. All members of the family and any regular visitors to the household must be declared to the college on the initial questionnaire.
- To ensure that there is a bank of DBS-checked homestays that can be used for under 18-year-olds.
- The main carer in each homestay for under-18s must have a current and enhanced DBS disclosure.
- To re-visit homestays who host under 18-year-olds at least once every 2 years.
- To check host details and profile annually to ensure that details have not changed.
- To ensure that all under-18s and their hosts follow the school's agreed evening curfew times.
- Homestays, which prove to be unsuitable for whatever reason, are to be removed from the homestay register.
- To ensure that students' parents or guardians provide written consent for activities outside of the agreed curfew.
- To offer only homestay half or full board homestay accommodation to under 18-year-olds to ensure that they are not to eat take-away or cook for themselves in the evenings.

## Administration

- To ensure that all class registers list the students' age in order that teachers can inform the safeguarding officer immediately of any absences of any student under 18.

## Staff/Students

- BLCI staff and students are required to take shared responsibility for the safeguarding and safety of any young people and vulnerable adults in school. They must be aware of and abide by BLC Safeguarding Children and Vulnerable Adults Policy.
- Staff are in a position of trust, in particular those staff who teach, support, guide or in any way interact with students, young people and vulnerable adults visiting the school.
- To ensure that all staff have a current and enhanced DBS disclosure.
- All members of staff should be aware that it is inappropriate to exchange phone numbers, interact on social media or meet privately with students who are under the age of 18. A professional attitude must be always maintained, both in and out of school.
- Members of staff that participate in the social programme must ensure that under 18s adhere to curfews, do not drink alcohol and are protected from potential harm.
- They Welfare Officer is introduced during the welcome induction in the first week when the officer introduces themselves and their role, go through the rules and check everything is OK with them.

BLCI staff is in a position of trust, in particular those staff who teach, support, guide or in any way interact with students, children, and vulnerable adults. It is incumbent all staff to be aware of this and to always act accordingly.

BLCI has a rigorous recruitment process that includes safeguarding measures to ensure that candidates have been suitably vetted.

## Social Programme

The managerial responsibility for any programme or activity rests with, firstly, the Social Programme Coordinator and secondly the individual who is directing or organising the activity. Staff are expected:

- To ensure that the activity is planned, organised and delivered in accordance with the Safeguarding Children and Vulnerable Adults Policy.
- To arrange the checking, training, induction and guidance for all staff.
- To complete a health and safety risk assessment for each activity.
- To ensure that students are familiar with 24-hour emergency telephone number and that they feel happy to be able to call this number at any time.
- To take all allegations of abuse seriously and to respond appropriately.

## Supplier Contact and Accommodation

- To ensure that all suppliers (taxi drivers, excursion company staff) who have regulated activity with under 18's have also signed disclaimer forms with their employers.

## DBS Checks

BLCI will consider any convictions which have been recorded in terms of the following:

Nature, seriousness and relevance of the offence

- How long ago the offence occurred
- If the offence was a one-off or part of a history
- Circumstances of the offence being committed
- Country of conviction
- Decriminalisation

If the Director consider that there is no threat, a rationale will be provided and kept on file stating the reasons.

All staff or host families still employed to look after children must report any subsequent criminal convictions to the Centre Director. Failure to do so will result in disciplinary action being taken.

## Establishing a Caring Environment

All staff are responsible for making BLCI a safe and caring environment for all including young people and vulnerable adults.

A caring environment is one:

- in which the health, safety and welfare of young people has been assessed and catered for.
- in which staff are alive to the possibility of abuse and take measures to prevent that possibility.
- where there is a sound and known reporting system for any incident
- where staff take reasonable and practical precautions to avoid any suspicions of abuse being brought against

## **Child Safeguarding Procedures**

Where under-18s are concerned there are statutory responsibilities for any organisation to follow regarding the safety of young people.

BLC has a Designated Welfare Officer, Luke Kramer, to be the lead person regarding child safeguarding issues. This employee is the official Designated Safeguarding Lead.

All school staff must contact the DSL or the Centre Director if they have any cause to believe the student or young person involved in any activity in BLCI, covered by this policy is in any way at risk.

Records will be kept of all such incidents and their outcomes and held in accordance with the Data Protection Act.

All staff should be aware that in accordance with statutory requirements where child safeguarding issues are involved, it is not possible to offer confidentiality to a person under 18 as any disclosures must be reported.

## **Vulnerable Adults**

Where possible BLCI will identify vulnerable adults and ensure that there are appropriate support measures in place. This is most likely to be when the student presents to, or is referred to, Student Services and clearly has mental health difficulties or a disability that puts them into the legal definition of 'vulnerable'.

Any member of staff across BLCI with concerns regarding an adult student whom they believe or know to be vulnerable must contact the DSL.

## **Reporting and Monitoring Procedures**

All members of staff working closely with children must be alert to possibilities of abuse and any concerns about the behaviour of any adult with respect to that child should be reported.

It is the duty of staff to inform only, not to investigate.

If staff, in the course of their work at BLC, have a child safeguarding issue brought to their notice, this must be treated as a priority over all other work.

Guidance about a specific incident may be obtained from the DSL.

An oral, and then written report should be provided to the DSL who will keep a confidential record of any such incidents.

## **Allegations of Abuse or Inappropriate Behaviour Involving Staff**

Allegations involving a member of staff and a person under-18 or a vulnerable adult should be reported to the School Director and to the DSL.

Consideration will be given as to whether the situation falls within the definition of abuse.

It should be noted that whilst a young person can consent to sexual activity once they reach the age of 16, the Sexual Offences (Amendment) Act 2000 makes it a criminal offence for a person to engage in any kind of sexual activity with a person under 18 where the adult is in a position of trust.

## **Health and Safety**

All users of BLC must be made aware of Health and Safety requirements and be prepared to abide by them.

## **Code of Practice for Staff**

All staff must be familiar with BLCI Code of Practice for Staff attached as Appendix A.

## **Code of Behaviour for Young People**

All staff must be familiar with BLCI Code of Behaviour attached as Appendix B.

Parents/carers of children participating in BLCI activities must be made aware of the Code of Behaviour.

## **Data Safeguarding**

It should be noted that although technically a “child”, consent is still required from young people in the same way as for an adult about matters of data protection.

## Appendix A: Code of Good Practice for Staff, Students and Volunteers

The following guidelines are intended to be a common-sense approach that both reduce opportunities for the abuse of young people and vulnerable adults and help to protect staff, students, and volunteers from any false allegation.

### You Should

- Treat all young people and vulnerable adults with respect and respect their right to personal privacy
- Ensure that, whenever possible, there is more than one adult present during activities or that you are within sight or hearing of others
- Exercise caution when discussing sensitive issues with children or vulnerable adults
- Exercise caution in initiating any physical contact with a young person or vulnerable adults
- Operate within the guidance offered by this Code
- Challenge all unacceptable behaviour and report all allegations or suspicions of abuse
- Avoid becoming personally involved in a student's personal affairs.
- To be aware that their personal web profiles on social media can be viewed by anyone and therefore should be especially cautious about their public web profiles and privacy settings

### You Should Not

- Establish or seek to establish social contact with under 18s/pupils during or after the course.
- Give personal email addresses or personal phone numbers to students under 18.
- Communicate via email, text, phone, social networking sites, blogs, web pages or messaging services with under 18s.
- Post photos or videos of students under 18 on any social networking sites.
- Distribute (by any means) images or information about students of any age.
- Spend excessive time alone with young people or vulnerable adults away from others
- Take young people or vulnerable adults alone in a car journey, however short
- Take young people or vulnerable adults to your home
- Engage in physical or sexually provocative games including horseplay
- Allow or engage in inappropriate touching of any form
- Make over-familiar or sexually suggestive comments or approaches to a young person or vulnerable adult even as a 'joke'
- Let allegations, over familiar or sexually suggestive comments or approaches made by a young person or vulnerable adult go unchallenged or unrecorded.
- Do things of a personal nature that young people or vulnerable adults can do for themselves.
- Take photographs, videos or other images of a young person without the express permission of their parents

### Under 18s seeking contact with staff:

- If an under 18 seeks to establish social contact, the member of staff must exercise his/her professional judgement and be aware that such social contact could be misconstrued.
- Staff must seek advice from a line manager if students do try to establish contact and copy such communications to the line manager.

### Appropriate social contact (electronic or otherwise):

- Staff must maintain neutral, friendly relationships with pupils while avoiding exclusivity or over familiarity.
- Staff must resist any attempt by a pupil to develop an over familiar or exclusive social relationship.
- If a pupil confides sensitive personal information staff have a duty to listen and respond in a professional manner in accordance with organisational guidelines.

## Electronic Contact

- In any electronic contact with pupils, staff must pay particular attention to use neutral language that will not be misconstrued.
- Staff must not exchange any information with a pupil that they would not be happy to share with the child's parent or carer.
- Staff must avoid the exchange of personal information, personal photos, virtual gifts or the use of any application that suggests or encourages the sharing of personal feelings.
- Staff should be aware that personal information about them may be available in various forms online.
- Staff should be particularly cautious about their public web profiles and privacy settings.
- Staff should attempt to find ways of setting up and maintaining separate 'personal' and 'professional' electronic profiles.

## Social Networking Sites

- Any use of social network sites with under 18s is forbidden. Any staff wishing to set up a Facebook page for students must ensure that there are no under 18s involved.
- Staff and pupils must not share the same social networking group, other than those adults necessary to monitor and administer the group.
- Staff who monitor or administer social networking sites for pupils should use professional accounts that are as far as possible devoid of personal information.
- Staff must not initiate or agree to 'friendship' requests or similar with pupils that will result in the sharing of personal information, photos, status updates, etc.

## Duty to Report

- Staff have a duty to report to the employer any actual or perceived inappropriate development of the relationship between pupil and staff, electronic or otherwise.
- Any sensitive information communicated by a pupil to a member of staff, electronic or otherwise, must be reported to the employer.

## Failure to Comply

- Non-compliance with the above policy will result in disciplinary procedures.
- Employers have a duty to remove an individual from regulated activity where there is risk of harm to children.
- Employers have a 'duty to refer' to external authorities any suspicion or allegation of inappropriate contact by an individual engaged in regulated activity where there is risk of harm to child

## Appendix B: Code of Behaviour for Young People & Vulnerable Adults

Brighton Language College International (BLCI) is a language school for the education of students, including children aged under 18. All people visiting BLCI, either privately or with an organised group, are expected to respect BLC, its staff, students and its buildings and grounds.

BLC seeks to offer visitors a safe and caring environment. In return, you must:

- Respect the rights and dignity of each other and of the staff and other helpers
- Respect the rules BLCI which include:
- Purchase, sale and consumption of alcohol, recreational/non-therapeutic drugs and substances for abuse is forbidden.
- Smoking is banned in all buildings at BLCI and is only allowed within outdoor areas specifically designed for this practice.
- All rules and safety/emergency procedures such as fire drills must be followed
- Participants in organised events are expected to attend all timetabled activities unless they have been granted specific leave of absence.
- Inappropriate physical intimacy among participants is not permitted
- Serious incidents of misbehaviour such as fighting, racial/sexual abuse, damage to property, indecent language, and failure to obey instructions will normally lead to expulsion from the activity and BLC.



## Appendix C: Recognising Abuse

Abusers - some useful things to know about them. Abusers can be anyone and anywhere.

### Sexual Abusers

Some arrive in a job with a pre-meditated desire to abuse children; others develop it while in the job. Therefore, safer recruitment alone is not enough to provide adequate safeguarding for children.

A sexual abuser typically goes on a journey:

- Feeling emotionally connected to children and having few adult relationships / pastimes
- Overcoming his/her own conscience, by, for example, seeing that child porn is available on the Internet so it must be OK and/or by re-interpreting children's behaviour to be sexual and flirtatious when it isn't
- Grooming adults so they see the abuser as normal / respectable / responsible
- Grooming children, especially needy ones, testing their boundaries in minor ways at first, so that should there be any complaint, it would be easy to explain away.
- Slowly develop a relationship with the child, pushing the boundaries of sexual behaviour gradually further

Therefore, to be checked at interview:

- If applicant can recognise / respect boundaries of physical contact with children
- If applicant can understand or describe appropriate boundaries for a professional relationship with children

### Physical Abusers

- Are not usually pre-meditated (unless sadists) but are usually reactive abusers.
- They typically lack self-restraint and don't have appropriate strategies for managing conflict and/or difficult children

Therefore, to be checked at interview:

- Applicant's attitude to managing conflict and dealing with difficult children
- Applicant's attitude to displays of violence

### Emotional Abusers

- All sexual abusers are emotional abusers
- Other forms of emotional abuse include failing to provide support to children needing it, and through constantly directing negative attention to a particular child.
- Bullying is the classic form of emotional abuse

Therefore, to be checked at interview:

- Applicant's attitude to staff responsibilities in protecting children
- Applicant's attitudes to using positive reinforcement.