

WEA SAFEGUARDING POLICY (England)

Introduction:

The WEA Safeguarding Policy operates across the WEA in England and Scotland. There are some differences in the Safeguarding legislative framework between England and Scotland, but the aim of the WEA is to implement a unified approach to safeguarding children, young people and adults at risk across the areas in which we operate. However, to ensure clarity in the use of different terminology and legislation, we provide two policy documents: WEA Safeguarding Policy (England) and WEA Safeguarding Policy (Scotland).

Policy Summary:

The WEA is committed to:

- promoting and protecting the safety and wellbeing of children, young people and adults, including staff engaged in the range of its activities.
- preventing abuse wherever possible and ensuring that robust procedures are in place for dealing with safeguarding concerns, allegations of abuse or disclosures.
- protecting children, young people and adults from exploitation and grooming by extremists, as defined by the Prevent duty.
- establishing and maintaining an environment where children, young people and adults feel safe and secure, are able to talk and are listened to.
- ensuring that clear direction is given to staff, governors, members volunteers and others about expected behaviour and action when identifying and responding to safeguarding issues.
- making explicit the responsibilities of everyone in relation to safeguarding children, young people and adults, including those defined as “vulnerable” or “at risk”, in response to current legislation and guidance.
- promoting safeguarding through recruitment processes and ensuring required checks are completed prior to the appointment of any individual, in line with current legislation and good practice.

1. Purpose

The WEA is committed to providing a welcoming environment where everyone is respected and valued, and can feel safe and secure. This includes students, staff, members, volunteers and individual visitors who access its facilities and services.

The WEA applies the concept of safeguarding to students and staff in a range of situations regardless of whether they are receiving services that are classed as “regulated” activities or whether they are defined as “vulnerable” or “at risk of abuse or neglect”.

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This policy applies to all senior leaders, salaried and hourly paid staff, members, volunteers, students, trustees, partnership organisations and agency or contractor staff (e.g. consultants, researchers or advisors).

2. Definitions:

2.1 Scope of learning provision:

*The WEA is an adult (aged 19+) learning provider with a wide scope of provision which includes adults who may be considered “vulnerable”. However, the WEA may also be engaged in activities or project work within community centres, children’s centres or schools which directly or indirectly involve children or young adults. Therefore this policy encompasses all age groups that are directly or indirectly involved in the WEA’s learning activities.

2.2 Child:

A child is anyone under the age of 18.

2.3 Adult:

An adult is anyone aged 18 or over.

2.4 Vulnerable adult

An adult (a person aged 18 or over) may be considered as vulnerable when they are receiving one of the following services defined as a “regulated” activity: Health care; relevant personal care; social care work; assistance in relation to general household matters by reason of age, illness or disability; conveying (due to age, illness or disability in prescribed circumstances)

(Safeguarding of Vulnerable Adults Act 2006/ with some amendments in the Protection of Freedoms Act 2012).

However, the WEA recognises that “vulnerability” is not a rigid concept confined to certain settings. The description can also include a person who:

- is frail due to age, ill health, physical disability or cognitive impairment
- has a learning disability and/or sensory impairment
- has mental health needs
- has a long term illness
- misuses substances or alcohol
- is a carer who provides personal assistance to a family member/friend and is subject to abuse
- is unable to demonstrate the capacity to make a decision and is in need of care and support
- may be subject to other circumstances, not prescribed here, where a reasonable person would consider them vulnerable.

2.5 Abuse (vulnerable adults):

Abuse is defined as “a violation of an individual’s human and civil rights by another person or persons”. It may consist of a single act or repeated acts. It may be physical, verbal or psychological. It may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of the person subjected to it”. (Department of Health: “No secrets, Section 2; amended by the Care Act 2014).

2.6 Child Abuse:

Keeping Children Safe in Education (updated September 2018) defines abuse as “a form of maltreatment of a learner. Somebody may abuse or neglect a learner by inflicting harm, or by failing to act to prevent harm. They may be abused by an adult or adults or another learner or learners.”

16 areas of abuse are identified including sexual, physical, emotional abuse, neglect, cyber-bullying, domestic violence, drugs, fabricated or induced illness, faith abuse, forced marriage, gangs and youth violence, private fostering, female genital mutilation (FGM), gender based violence against women and girls, radicalisation, sexting, teenage relationship abuse, trafficking, mental health.

Whilst the legislation and procedures are different when responding to child protection concerns and Adult Safeguarding, most of the principles and procedures for staff are the same. Adult and child safeguarding is the responsibility of all.

3. Scope and Responsibilities

3.1 Responsibility of all staff

All salaried and hourly paid staff, senior leaders, students, members, volunteers and trustees are responsible for creating an environment that promotes well-being and ensures personal safety. They will act promptly in accordance with the safeguarding policy and inform the Regional Designated Safeguarding Person or the WEA Safeguarding lead, of any issues of suspected or reported abuse of children, young people or adults.

3.2 Trustees and Senior Leaders

Trustees and Senior Leaders will receive appropriate training on safeguarding and will know their responsibilities and legislative requirements with respect to the protection of children, young people and vulnerable adults. They will comply with the “Strategy for dealing with safeguarding issues in charities” (6.12.17) to ensure that beneficiaries or others who come into contact with the WEA do not, as a result, come to harm.

They will ensure that:

- A culture of vigilance is promoted; students and staff feel safe.
- Safeguarding policies and procedures are regularly reviewed and reflect both the law and best practice.

- There is a public commitment to safeguarding with clear information about the WEA approach and the Safeguarding policy on the WEA website.
- There is a Senior Manager, normally the Director for Curriculum and Quality who is the overall strategic lead for Safeguarding and Prevent in the WEA.
- There is a designated WEA national safeguarding lead for England and Scotland.
- There is a Senior Manager, normally the Director for Scotland, who is directly responsible for managing and implementing safeguarding procedures in Scotland.
- Within each region, there is a designated safeguarding person. Safeguarding designates are trained to an appropriate level with updated training every two years.
- There is a designated Association Trustee who has a responsibility for safeguarding, champions its importance, and ensures appropriate scrutiny.
- WEA's Safeguarding policy, procedures and reporting systems are implemented effectively
- There are procedures in place to handle allegations against staff and volunteers.
- Allegations of abuse against staff and volunteers are handled effectively, including submission of a serious incident report to the Charities commission (see section 7) and a referral to the Disclosure and Barring Scheme (DBS) as appropriate.
- There is a clear approach to implementing the Prevent duty, protecting children, young people and adults from exploitation and grooming by extremists.
- Safe recruitment processes are followed; required checks are completed prior to the appointment of any individual, in line with current legislation and good practice. A single central record is maintained.
- Safe use of electronic and social media is promoted.
- Appropriate information sharing policies are in place.
- Appropriate whistleblowing policies are in place.

3.3 WEA National Safeguarding Lead Officer (England and Scotland)

The Safeguarding Lead Officer has responsibility for:

- the safeguarding policy and framework; annual review and update.
- Implementation of the Safeguarding and Prevent Duty training plan and the development of training resources which are current and appropriate.
- facilitating regular meetings of the Regional Designated Safeguarding persons
- facilitating regular meetings with the designated Association Trustee who has a responsibility for safeguarding,
- maintaining the Safeguarding and Prevent central record
- providing advice to the Director for Scotland and Regional Safeguarding Designates on safeguarding issues, disclosures or referrals.
- providing support and advice to Association Trustees, Managers and HR staff in dealing with matters that have a safeguarding dimension.
- promoting a culture where all staff and volunteers feel able to raise concerns about safeguarding practice and addressing concerns in a timely manner.

- consulting with the HR team in cases where a safeguarding disclosure involves a member of staff or volunteer and, in association with HR, managing the investigation process.
- In association with HR and the designated Association trustee, managing referrals to the Disclosure and Barring Scheme (England) or Disclosure Scotland/PVG scheme and serious incidents reports to the Charities Commission, as appropriate.
- implementation of the Prevent duty, annual risk assessment and action plan.
- providing regular and annual reports to the SMT, the Board of Trustees and appropriate sub-committees.
- Contributing to the annual Self-Assessment and Quality Improvements processes.

3.4 Regional Designated Safeguarding persons

Each region has a named Designated Safeguarding Person (DSP) who is responsible for:

- maintaining a culture of vigilance
- ensuring that all Safeguarding procedures are followed in the Region.
- being the first point of contact in that area should any safeguarding issues arise.
- following the procedures set out in the Safeguarding procedure document (SAFE 3) when dealing with an incident of concern or disclosure of abuse.
- maintaining confidential and secure written records.
- making referrals to Local Adult Safeguarding Boards, Children's Social Care, or local Prevent officer, as appropriate.
- working with other agencies , as required, within the framework of Local Authority Safeguarding Board Policy and Procedures
- providing an annual report for the Regional Committee
- reporting, as required, to the Safeguarding Designate Lead.
- maintaining the currency of their training, as advised by the Safeguarding Designate Lead.
- organising staff safeguarding and prevent training in their region.
- supporting investigations into safeguarding allegations against staff, as appropriate.

The Designated Safeguarding Persons will form a network team, facilitated by the Safeguarding Lead, to share and update training and practice. Networking events will normally take place remotely, with one annual face to face meeting.

3.5 Tutors and volunteers

All new tutors are required to complete online Safeguarding and Prevent training prior to the start of their contract and participate in an induction session in which staff are given

clear guidance on WEA values, the safeguarding approach and procedures, and safe working practices.

Standard tutor induction resources are provided to ensure consistency in the WEA approach and are available on the intranet:

<https://intranet.wea.org.uk/tutors/induction-learning-and-development>

All tutors have access to the WEA Tutor Handbook which also provides guidance on Prevent and Safeguarding procedures. At the beginning of a course, tutors will ensure that all students are aware of appropriate policies and how to report incidents and concerns. To support this responsibility, tutors are provided with a standard welcome session PowerPoint for students and an example of a Prevent/Safeguarding student induction discussion activity.

Refresher Safeguarding and Prevent training is an annual requirement and this provided on line and via ZOOM video training sessions.

All volunteers will receive a Safeguarding/Prevent Duty induction which is suitable for their role and will be aware of how to report incidents and concerns.

3.6. Line Managers

Line managers have a responsibility to ensure that all staff members and volunteers receive training relevant to their role, according to the Safeguarding and Prevent training plan. Where appropriate, staff appraisal reviews and line manager supervision meetings should include discussion of safeguarding issues. Line managers who are also recruiting managers are responsible for ensuring that DBS checks for tutors and volunteers, as appropriate, have been completed where necessary before a course starts.

3.7 Recruitment Managers

Those involved in recruiting to the WEA will be required to recruit and select staff or volunteers carefully and safely, assessing the risk, referring to the WEA DBS procedures without exception and seeking advice where necessary.

In relation to the recruitment of staff, the WEA undertakes not to discriminate unfairly against any individual on the basis of a conviction or other information revealed. The suitability of a person with a criminal record will vary, depending on the nature of the job and the details and circumstances of any convictions. When dealing with individual disclosures, the WEA DBS procedures must be followed at all times. The WEA will not normally employ individuals with prior convictions for sexual or violent offences.

Procedures and guidelines for carrying out DBS checks are made available separately. All related procedures will, as a minimum standard, be in line with the WEA code of conduct for staff, students and volunteers and any guidelines and policies of the Disclosure and Barring Service and the General Data Protection Regulations (2018).

4. Training

The WEA requires all appropriate staff and volunteers to undergo training with the aim of ensuring that they understand their Safeguarding responsibilities and act upon them accordingly. Training will be proportionate to the role using a range of formats which include e-learning, video conferences, face to face group sessions, and staff conferences. External training will be utilised as appropriate. WEA training resources will be provided and will be updated regularly to take into account topical issues, incidents or changes in legislation. All regions are required to comply with the WEA protocol for the completion and recording of Safeguarding training.

- The Safeguarding Lead Designate is a trained Safeguarding and Prevent duty facilitator, and will update facilitator training at least every two years, and safeguarding refresher training every year.
- All Regional Designated Safeguarding Officers will complete updated training, including the Prevent duty, annually and are responsible for ensuring that Safeguarding training needs are met in their region, in compliance with WEA policy.
- All Education Managers/co-ordinators will complete appropriate safeguarding training, including annual refresher training, and will ensure currency of knowledge of organisational policies and procedures related to safeguarding and the Prevent duty
- Tutors and volunteers will complete online training, with refresher training every year. There will be a strong focus on Safeguarding, including the Prevent duty, in their induction.
- All staff will have an introduction to safeguarding in their induction and be informed who their local Designated Safeguarding Officer is, including how to contact them.
- All staff will complete Prevent duty training, proportionate to their role

5. Professional confidentiality and information sharing in relation to safeguarding concerns.

“The General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately”. (HM Government: Information sharing. July 2018).

A member of staff who receives a disclosure or has a concern should explain clearly to the person about what to expect next and how information could be shared with others who need to know. It is important to seek their agreement, except when to do so would put the child, adult or others at increased risk of significant harm. A degree of professional judgement is involved. There must be a legitimate purpose for sharing information with the overriding consideration being the individual’s safety and welfare. Information sharing will be based on “The Seven Golden Rules to Sharing Information”

(HM Government: Information sharing. July 2018) and will be “necessary, proportionate, relevant, adequate, accurate, timely and secure”.

There is a statutory or professional duty to share relevant information in circumstances where children need to be safeguarded. The Regional Safeguarding Designate, in association with the WEA National Safeguarding Lead, will decide whether to refer a case to the relevant Local Authority Adult Board or Children’s Social Care. The WEA applies the same policy in situations where an adult is at risk of abuse or neglect.

6. Whistleblowing

All staff will be made aware of their duty to raise concerns about the attitude or action of colleagues. The Whistleblowing policy provides guidance to all those who work within the organisation who think they need to “blow the whistle” on alleged bad practice. This may involve the disclosure of information by an employee or worker which relates to some danger, fraud or other illegal or unethical conduct connected with the workplace.

7. Management of Safeguarding Allegations against Staff/Volunteers

A Safeguarding allegation against a member of staff or volunteer is defined as any information that indicates that the member of staff/volunteer is behaving in a way that demonstrates unsuitability for working with children, young people or adults in their present position, or in any capacity. In relation to working with adults (aged 18 and over), this includes:

- Behaviour that has harmed, or may have harmed an adult
- Possibly committed a criminal offence against or related to an adult.
- Behaviour towards an adult that indicates that they may pose a risk of harm to other adults.
- Use/possession of sexual material relating to children.
- Use of sexually explicit images depicting violence against human beings (including possession of such images)
- Sexual behaviour involving a vulnerable adult.
- Inappropriate professional behaviour including initiating or seeking sexual activity with students.

Harm is defined by the DBS in its widest context and may include:

- Sexual harm
- Physical harm
- Financial harm
- Neglect
- Emotional harm
- Psychological harm
- Verbal harm

Safeguarding allegations about a member of staff or volunteer must be reported immediately to the WEA National Safeguarding Officer. If the allegation is about the National Safeguarding Officer, it must be reported immediately to the Director of Curriculum and Quality. A Case Manager will be appointed and an investigation into the allegation will be carried out in liaison with HR, following the WEA Safeguarding allegations against staff/volunteers procedures. The Trustee Safeguarding Lead will be kept informed of the progress and outcomes of the investigation and a case report provided for the Board of Trustees. A barring referral to the DBS will be submitted by the HR Department, if appropriate; a serious incident report to the Charities Commission will be submitted by the Board of Trustees, if appropriate. (refer to the WEA Managing Safeguarding Allegations against Staff/Volunteers procedures).

8. Evaluation

Safeguarding practice will be evaluated annually by the Safeguarding Lead Officer. This evaluation will inform judgements made in the Self-Assessment report against the Common Inspection Framework Safeguarding criteria. Quality Improvement actions will be identified and implemented, as appropriate.

9. Review

The Safeguarding Lead Officer is responsible for maintenance, regular review and updating of this policy.

10. Accessibility

If any aspect of this policy or its related procedures causes an employee difficulty on account of any disability that they may have, or if they need assistance because English is not their first language, they should raise this issue with their designated safeguarding person who will facilitate the appropriate arrangements.

11. Links to other policies and procedures

This policy needs to be read in conjunction with the following policies/procedures:
WEA policies and procedures:

- Prevent policy.
- Managing Allegations against Staff/Volunteers procedure
- Harassment policy
- Equality, Diversity and Inclusion
- Student Confidentiality policy
- Information sharing Guidance
- Complaint Handling Procedure
- WEA student code of conduct
- Unacceptable student behaviour procedure
- Whistleblowing
- Disciplinary and Grievance
- Data Protection Policy
- Recruitment and Selection/DBS Procedures.

- Volunteer Complaints policy

Other relevant policies and procedures

- Making Barring Referrals to the DBS (<https://www.gov.uk/>)
- Strategy for dealing with Safeguarding issues in Charities.(updated 6th December 2017)
<https://www.gov.uk/.../strategy-for-dealing-with-safeguarding-issues-in-charities>
- Keeping Children Safe in Education (updated September 2018)
<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
- Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (HM Government July 2018).

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