

Sandwell Adult Family Learning

SAFEGUARDING POLICY AND GUIDANCE

Author: Tonia Green
Date of issue: October 2018
Review date: October 2019

Key Personnel

Designated Safeguarding Lead: Mrs Tonia Green

Designated Safeguarding Officer: Mrs Lisa Espinosa

Designated Safeguarding Officer: Mrs Sian Breese

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

Policy Review

This policy will be reviewed in full on an annual basis.

The policy was last reviewed in October 2018.

It is due for review in October 2019.

Designated Safeguarding Lead:

Signature: *Tonia Green*

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

SAFEGUARDING AND PROMOTING THE WELFARE OF CHILDREN/ADULTS

INTRODUCTION

SAFL recognises that it has an important role to play with regard to the safety and welfare of all children, young people and vulnerable adults attending courses. SAFL has a statutory and moral duty to support all individuals who attend courses and is committed to working with all agencies to support individuals where there is an identified concern of risk. Safeguarding aims to keep children, young people and vulnerable adult's safe from a wide range of potential harm.

At SAFL we strive to be inclusive, to meet the needs of all learners and to treat all learners, parents, staff and members of the wider community with equal respect. We celebrate diversity and actively work to create a cohesive community. Our safeguarding policies are designed to promote this ethos and to create clear systems for any stakeholder with a complaint.

This document is the safeguarding policy for SAFL and any extended services through partners that it provides .

Safeguarding is a part of promoting welfare; it refers to the activity that is undertaken to protect specific children/vulnerable adults who are suffering, or are likely to suffer, significant harm.

Staff refers to anybody working for or on behalf of SAFL in a full time, part time, temporary or permanent basis, in either a paid or unpaid capacity.

A parent refers to birth parents and other adults who are in a parenting role, e.g. step-parents (by marriage), foster carers and adoptive parents or legal guardians.

This policy applies to all teaching and non-teaching staff, volunteers, and parents and relates to all children/adults.

SAFL expects that:

- All teaching and non-teaching staff, volunteers and parents must understand what child/adult safeguarding is and that they have a vital role to play in promoting the welfare of children/adults.
- All teaching and non-teaching staff, volunteers and parents must understand the Safeguarding Policy and follow it if a concern is witnessed or disclosed.

Parents and learners must understand how SAFL responds to incidents giving rise to concerns about the welfare of children and adults and what they should do if they have a concern about their own welfare or that of a child or adult.

Definitions:

Tonia Green

Page 3 of 15

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

3

Children are defined under the Children Act 1989 and the Education Act 2002 as:

Those below the age of 18

Those below the age of 25 with recognised Special Educational Needs

A **vulnerable adult** is defined as:

A person aged 18 or over, who is in receipt of or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

Safeguarding children/adults is consequently more than contributing to the safeguarding of individual children/adults, SAFL is committed to the development of policy and practice that supports children/adults and their families to be safe, healthy, enjoy and achieve, contribute positively and achieve economic wellbeing.

SAFL strives to promote the welfare of our learners by:

1. Creating and maintaining a safe learning environment.
2. Identifying child /adult welfare concerns and taking appropriate action.
3. Using the curriculum to enable our children/adults to develop keep safe strategies.
4. Creating a listening culture to hear the children/adults voice.
5. Operating safe recruitment and selection procedures to prevent unsuitable people working with our children/adults.

LEGAL FRAMEWORK

To safeguard and promote the welfare of children/adults SAFL will act in accordance with the following legislation and guidance:

- The Children’s Act 1989
- The Children’s Act 2004
- The Human Rights Act 1998
- Sexual Offences Act 2004
- Mental Capacity Act 2005
- Education Act 2002/2011

Section 175 of the Education Act 2002 places a duty on local authorities to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children. In March 2013, the definition of safeguarding children was revised in the document “Working Together to Safeguard Children” to the following:

- Protecting children from maltreatment
- Preventing impairment of children’s health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

- Taking action to enable all children to have the best outcomes
- Education Regulations 2003
- Keeping Children Safe In Education (2014)
- Working Together to Safeguard Children (2013)
- The Education Regulations 2005
- Dealing with Allegations of Abuse Against Teachers and Other Staff (DfE 2011)
- Sandwell Safeguarding Children and Adults Boards Inter-Agency Procedures

DESIGNATED SAFEGUARDING LEAD DUTIES

- Ensure that there is appropriate cover at all times. All steps should be taken to make sure that the DSL and DSOs are not out of SAFL at the same time.
- Undertake appropriate training to carry out the role and maintain CPD.
- Act as a source of support, advice and expertise to the whole SAFL community with regards to child/adult safeguarding.
- Ensure all staff that work with children/adults undertake appropriate training to equip them to carry out their responsibilities. This training should be regularly updated.
- Keep a record of staff attendance at Safeguarding training.
- Ensure there are effective induction processes which include relevant policies and procedures for all new starters.
- Make sure that all policies are available publicly on SAFL’s website.
- Encourage a listening culture so the wishes and feelings of learners, especially children/vulnerable adults are taken in to account.
- Be alert to the specific needs of children/adults in need, those with special educational needs, looked after children and young carers.
- Have a working knowledge of LSCB procedures for child safeguarding matters and the locally agreed early help processes.
- Have a working knowledge of LSAB procedures for adult safeguarding matters and locally agreed early help processes.
- Keep securely stored safeguarding records of all child/adult welfare concerns separate from main learner’s file. These records must be reviewed on a regular basis.
- Refer cases of suspected abuse to children/adult’s social care or police as appropriate.
- Refer criminal matters to the police as required.
- Refer to the Local Authority Designated Officer (LADO) and/or the Disclosure and Barring Service (DBS) all cases concerning a member of staff as required.
- Ensure parents are aware of SAFL’s role in safeguarding and that referrals about suspected abuse and neglect may be made.

SAFL PROCEDURES

All SAFL staff and volunteers need to be alert to the potential abuse of children and adults within SAFL and in the wider community.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

All SAFL staff will be made aware through training that our children/adults must be treated with respect and dignity in relation to their age, disability, ethnicity, gender, religion and belief and sexual orientation.

If any member of staff is concerned about a child/adult a DSO/the DSL must be informed immediately. There is an absolute responsibility for all members of SAFL to respond to any suspected or actual abuse of a child/adult in accordance with these procedures.

The member of staff must record information regarding the concerns and ensure the written record is made on the same day. The recording must be a clear, precise and factual account of the interactions that have taken place. The DSL will decide whether the concerns should be referred on to any further agencies.

With regard to a child if it is decided that a referral to children's social care is required; this will be discussed with the parents, unless to do so would:

- Place the child at risk of significant harm or further risk of significant harm
- Place a vulnerable adult at risk of further harm
- Compromise any enquiries that need to be undertaken by children/adult's social care or the police

All staff, volunteers and governors, through going training, must be aware that the main categories of abuse are:

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect

All staff and volunteers should be concerned about a child/adult if he/she presents with indicators of possible significant harm. Some children/adults may have an increased risk of abuse due to specific circumstances including prejudice and discrimination, isolation, social exclusion, communication issues and reluctance on the part of some adults to accept that abuse can occur. To ensure that all of our learners receive equal safeguarding, we will ensure that staff receive appropriate information and support to meet the needs of the whole SAFL community.

DEALING WITH A DISCLOSURE

Where a learner actually discloses that he/she has been abused, the following guidelines must be followed:

LISTEN

- If a child/adult wants to talk to you, never ask them to come back later. Ask them what they want to talk to you about and, if you are concerned about their welfare give them the time to speak to you.
- Never promise confidentiality, inform the child/adult that you are happy to talk to them but if they tell you anything which you believe may be putting them at harm you will have to talk to your DSO's/DSL.
- Listen carefully to the child/adult; do not stop a child/adult who is freely recalling information.
- Where a child/adult is visibly upset or has an obvious injury, it is good practice to ask the child/adult why they are upset or how an injury was caused, or respond to a child /adult wanting to talk to you to help clarify vague concerns and result in the right action being taken.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

RESPOND

- If you need to clarify information ask open-ended questions e.g. "Is there anything you'd like to tell me?", "Can you explain to me...", "Can you describe to me..."
- **Never** ask leading or suggestive questions e.g. 'Did he/she do anything that they shouldn't have done?'
- **Never** ask 'accusing' questions e.g. "Why didn't you tell someone earlier?"
- **Never** criticise the alleged perpetrator, it may be someone that they will continue to live with.
- **Never** ask the learners to repeat their disclosure for any other member of staff; it is your responsibility to share the information.
- These four factors may compromise enquiries that need to be made later by child /adult's social care or police.

SUPPORT

- Ensure that the child/adult is aware that they have done the right thing in talking to you and that they have not done anything wrong.
- If you have any concerns that the child/adult has been, or is at risk of harm, you must tell them that you will speak to someone to get help.

RECORD

- Make notes as soon as possible afterwards using the appropriate record of concern with the words that the child /adult has used.
- Do not record your assumptions and interpretations just what you heard and observed.
- Do not destroy original notes even if you later write things up more neatly and fully.
- Record the date, time and place of the disclosure.
- Sign any written records and identify your position in SAFL.
- Do not ask a child /adult to write an account or sign any documentation or take any pictures of potential injuries as this may compromise enquiries undertaken by the child's/adult's social care or the police.

SPEAK

- Immediately inform a DSO/DSL for safeguarding who will take responsibility for following the appropriate procedures, please note that to consult with your DSL does not mean a referral has been made. This decision will remain with the DSL who will contact the appropriate agency if and when required. If the DSL is unavailable you can discuss your concern if needed with the LEAD Manager.
- If the concern is with an adult the same protocols apply.

Remember anybody can make a referral if there are concerns that a /adult is at risk of significant harm!

UNDER NO CIRCUMSTANCES SHOULD YOU LEAVE SAFL WITHOUT DISCUSSING YOUR CONCERNS WITH SOMEONE.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

MAKING A REFERRAL

Emergency Response

If a /adult is at imminent risk of significant harm/immediate danger you should consider calling 999 in the first instance (for police or ambulance) or :

Adults: Assist 0121 569 2266

Children: Access 0121 569 3100

Emergency Duty team: 0121 569 2355

COMMUNICATION WITH PARENTS

SAFL will always discuss concerns with parents/carers unless to do so would:

- Place the child at risk of significant harm or further risk of significant harm
- Place a vulnerable adult at risk of harm
- Compromise any enquiries that need to be undertaken by children's/adult's social care or the police.

In these situations, SAFL will always seek advice from children's/adult's social care team. SAFL will endeavour to ensure that parents have an understanding of the responsibilities placed on SAFL and staff for safeguarding children/adults. In situations where it is unclear whether information should be discussed with parents, the DSL will seek advice from the local teams.

SHARING INFORMATION AND CONFIDENTIALITY

Safeguarding children/adults raises issues of confidentiality that must be clearly understood by all staff/volunteers in SAFL.

- All staff in SAFL, both teaching and non-teaching staff and volunteers have a responsibility to share concerns about the welfare of a child/adult or young person with the DSL or, in situations where the concern is not SAFL based, other professionals, particularly children/adults social care and the police.
- If a child/adult wishes to confide in a member of staff/volunteer and requests that the information is kept secret, the member of staff/volunteer will tell the child/adult, in an appropriate manner to the individual needs of the child/adult, that they cannot promise confidentiality and may need to pass the information on to help keep the child/adult or other children/adults safe.
- Staff/volunteers who receive information about children/adults and their families in the course of their work should share that information within the expectations of SAFL's confidentiality policy and other relevant policies.
- Child/adult safeguarding information will be stored and handled in line with Data Safeguarding Act 1998 principles.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

Safeguarding files will be stored in a locked facility and any electronic information will be password protected and only made available to those individuals who are authorised to have access. Every effort will be made to prevent unauthorised access. Any sensitive information held by the SAFL will not be held on laptop computers. If it is necessary to store child/adult safeguarding information on moveable devices, such as memory stick, they will be encrypted and stored securely.

Child safeguarding records are normally exempt from the disclosure provisions of the Data Protection Act, which means that children and parents do not have an automatic right to see them. If any member of staff receives a request from a learner or parent to see safeguarding records, they must refer the request to the DSL or LEAD Manager. They will not be able to deal with the request themselves.

The Data Protection Act does not prevent SAFL staff from sharing information with relevant agencies, where that information may help to protect a child. The education guidance “Keeping Children Safe in Education” 2014 clearly states that anyone can make a referral to children’s social care when they are concerned that a child is at risk of harm.

SPECIFIC SAFEGUARDING CIRCUMSTANCES

The nature of work undertaken by SAFL means that there will be other circumstances when the welfare of children/adults, young people and the wider SAFL community needs to be taken in to consideration. These include:

- **SAFL and off-site arrangements-** Where activities are provided by and managed by SAFL, our own child/adult safeguarding procedures apply. If other organisations provide services or activities on our sites, SAFL will undertake checks to ensure that they provide adequate safeguarding arrangements.

When learners attend off-site activities, including day and residential visits and work-related activities, SAFL will ensure that the proprietors of the activity/venue operate safe practices to maintain the safety of our children/adults/young people and liaise with investigating agencies in the locality relevant to where the concern has taken place.

- **E-Safety-**As members of the whole SAFL community are using electronic media more frequently we are aware that we need to keep everyone safe in the virtual world as well. Some people will use technologies to harm others whether by sending harmful or inappropriate messages or enticing others in to unsafe situations. SAFL have an e-safety policy and procedures, which are available on the SAFL website, explains how we try to keep learners and the wider SAFL community safe. Any incidences of cyber bullying will be dealt with through the SAFL anti-bullying procedures.

We endeavour to support parents and carers to help keep their children/adult’s safe whilst online or using social media. SAFL has an e-safety coordinator who can advise parents and carers on how to keep their children/adults safe. SAFL’s staff code of conduct makes it clear about how staff can use social media and electronic technologies to ensure that they, and children/adults, are kept safe.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

- **Bullying-** This can cause distress for children as well as adults. Serious incidents can have a profound and lasting effect on individuals. All incidences of bullying, including cyber-bullying and prejudice-based bullying should be reported and managed through SAFL anti-bullying procedures. If the bullying is particularly serious, or actions taken to resolve a situation are ineffective, the DSL or LEAD Manager will consider involving other appropriate agencies and may implement safeguarding and child/adult safeguarding procedures if required.
- **Children Missing Education** -A child who begins to miss education without explanation is a potential indicator of abuse and neglect, including sexual abuse and sexual exploitation. The DSL will monitor unauthorised absence, particularly where children go missing on repeated occasions.
- **Child/adult Sexual Exploitation** –Relates to children and young people under 18 being involved in exploitative situations, contexts and relationships where young people (or a third person or persons) receive ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing, and/or others performing on them, sexual activities. It can occur through use of technology without the child/adult’s immediate recognition, for example the persuasion to post sexual images on the internet/mobile phones with no immediate payment or gain. In all cases those exploiting the child or young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are commonly involved in exploitative relationships. Staff will be briefed on the indicators of possible sexual exploitation and will refer any concerns to the DSL immediately.
- **Forced Marriage and Honour Based Violence** - A forced marriage is where one or both people do not (or in cases of people with learning disabilities cannot) consent to the marriage and pressure or abuse is used. In the UK, it is recognised as a form of violence against women and men, child/adult abuse and a serious abuse of human rights. Honour based violence can be described as a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code.

Staff need to be vigilant about absenteeism, depression, self-harming, talks about fears about an upcoming family holiday etc. which may indicate possible forced marriage and honour based violence is taking place.

- **Female Genital Mutilation** - Female Genital Mutilation (FGM) is the partial or total removal of external female genitalia for non-medical reasons. It is also known as female circumcision, cutting or Sunna. Religious, social or cultural reasons are sometimes given for FGM however it is a dangerous practice and has been a criminal offence in the UK since 1985. Legislation covering FGM makes it an offence for UK nationals or permanent UK residents to carry out FGM abroad even in countries where the practice is legal. There are no medical reasons to carry out FGM and it can cause severe and long-lasting damage to physical and emotional health. Staff will have been briefed on the indicators of possible FGM and will refer any concerns to the DSL immediately.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

- **Child grooming** – Grooming is defined by the HO as communication with a child or young person where there is an intention to meet and commit a sex offence it is generally a phased, gradual process. Whilst this is not a common occurrence it is something that should be recognised does happen. Abusers come from all sections of society and are often perceived by others as respectable, reliable and trustworthy people.
- **Domestic violence** – Domestic abuse is defined by the Home Office as ‘Any incident of threatening behavior, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been, intimate partners regardless of gender or sexuality’. The main characteristic of domestic abuse is that the behavior is intentional and is calculated to exercise powers and control within a relationship. Children and young people’s exposure to parental conflict, even where violence is not present, can lead to serious anxiety and distress amongst children, particularly when it is routed through them.
- **Trafficking** – Trafficking in people involves a collection of crimes spanning a variety of countries and involving an increasing number of victims, resulting in considerable suffering, slavery and even death of those being trafficked. It includes the exploitation of children and young people through force, coercion, threats and the use of deception and human rights abuses such as debt bondage, deprivation of liberty and lack of control over one’s labour. Exploitation occurs through prostitution and other types of sexual exploitation and through labour exploitation. It includes the movement of people across borders and also the movement and exploitation within borders.
- **Extremism and Radicalisation** - Extremist organisations can develop and popularise ideas which create an environment conducive to violent extremism and terrorism. Exploring ideas, developing a sense of identity and forming views are a normal part of growing up but we recognise that, children/adults and young people can be exposed to extremist influences or prejudiced views, particularly via the internet and other social media. We will endeavour to help learners learn about different cultures and faiths (as directed by the Department for Education) and gain an understanding of the British values we share which are defined in the Governments 2011 **Prevent Strategy** as:
 - Democracy
 - The rule of law
 - Individual liberty
 - Mutual respect
 - Tolerance of those of different faiths and beliefs

By providing a safe environment we will support young people to express their views but also appreciate the impact their views can have on others. We will encourage learners to take responsibility for their actions and to understand that the use of violence to further any cause is intolerable. Staff will be briefed on the indicators of possible extremism and radicalisation and will refer any concerns to the DSL immediately

SAFL COMMUNITY SUPPORT

Tonia Green

Page 11 of 15

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

11

If children/adults have been exposed to harm, it can have a profound and lasting effect on the individual and those supporting them. We will support the SAFL community by:

- Ensuring all disclosures or concerns will be taken seriously.
- Keeping safeguarding and /adult safeguarding records securely stored.
- Sharing information on a need-to-know basis only with relevant individuals and agencies.
- Cooperating fully with statutory agencies as required.
- Nominating a central point of contact when safeguarding processes are implemented. Where a member of staff is the subject of an allegation made by a learner, an individual will be identified to liaise with the child/adult and family to avoid any conflict of interest.
- Responding to any request from learners or staff for time out to deal with distress or anxiety in a sensitive and supportive manner.
- Offering details of support both in and out of SAFL as required.
- Following the procedures laid down in our whistleblowing, complaints and disciplinary procedures as required.

LOOKED AFTER CHILDREN

Looked After Children (LAC) are those who are accommodated by SMBC, away from their family, in a residential or foster placement, and all children and young people who are subject to a Care Order. The most common reason for children being placed in the care of the local authority is as a result of abuse or neglect. SAFL ensures that appropriate staff have pertinent information about a child with looked after status and care arrangements to ensure that their needs are met and maintained.

RECORD KEEPING

When a child/adult has made a disclosure, the member of staff/volunteer should:

- Make brief notes as soon as possible after the conversation using the appropriate forms utilised by SAFL.
- Not destroy the original notes in case they are needed by a court.
- Record the date, time, place and any noticeable non-verbal behaviour, and the words used by the child/adult.
- Record statements and observations rather than interpretations or assumptions.
- Distinguish fact from opinion.

All records need to be notified to the DSL as soon as possible. No paper copies should be retained by the member of staff or volunteer.

ALLEGATIONS AGAINST STAFF

It needs to be acknowledged that those who are concerned about the conduct of a colleague are placed in a challenging situation. Although they may worry that they have misinterpreted a situation it must be remembered that the welfare of the child/adult is paramount.

All concerns of poor practice or possible child/adult abuse by colleagues should be reported to the DSL who will liaise with the Lead Manager.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

Staff may also report their concerns directly to the LADO, children/adults social care or the police if they believe direct reporting is necessary to secure immediate action.

An allegation relates to an adult who works with children/adults (in a paid or unpaid capacity) and they have:

- Behaved in a way that has harmed or may have harmed a child/adult
- Possibly committed a criminal offence against, or related to, a child/adult
- Behaved towards a child/adult or children/adults in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children/adults.

It is not the responsibility of the person receiving the allegation to make any enquiries or discuss the allegation with any one other than the DSO team or if required the Lead Manager.

As with all other concerns about the welfare of children/adults, the member of staff receiving the allegation should make a written record of the allegation using the informant's words - including time, date and place where the alleged incident took place, brief details of what happened, what was said and who was present. This record should be signed, dated and immediately passed on to the DSL.

Under no circumstances should the informant be asked to make a written record of the allegation or asked to sign any documentation. This is the responsibility of the person receiving the allegation.

If it is decided that the allegation will proceed, procedures will be followed in accordance with SMBC SSCB/SSAB inter-agency procedures. If it is decided that the allegation does not meet the threshold for safeguarding the LEAD Manager will instigate SAFL's internal procedures.

COMPLAINTS PROCEDURE

Our complaints procedure will be followed where a learner or parent raises a concern about poor practice towards a learner that initially does not reach the threshold for child/adult safeguarding action. Poor practice examples include unfairly singling out a learner or attempting to humiliate them, bullying or belittling a learner or discriminating against them in some way.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	IL0	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

EQUALITY IMPACT ASSESSMENT

Policy	Safeguarding			
Purpose of Policy or Document	To keep children, young people and vulnerable adults safe from harm.			
Date of Impact Assessment	October 2018	Date of Future Review	October 2019	
Equality Impact Assessment carried out by: (Please list staff members involved in process)	Tonia Green			
How could this Policy/Document impact on the Protected Characteristics listed?				
Protected Characteristics	No Disproportionate Impact	Positive Impact	Negative Impact	Evidence (from consultation, sources of advice, guidance and feedback)
Race	<input checked="" type="checkbox"/>			Learner feedback CCC's SFG logs Pastoral care logs SFG reviews
Gender	<input checked="" type="checkbox"/>			As above
Disability	<input checked="" type="checkbox"/>			As above
Pregnancy/Maternity	<input checked="" type="checkbox"/>			As above
Religion / Belief	<input checked="" type="checkbox"/>			As above
Sexual Orientation	<input checked="" type="checkbox"/>			As above
Age	<input checked="" type="checkbox"/>			As above
Gender Reassignment	<input checked="" type="checkbox"/>			As above
Marriage & Civil Partnership	<input checked="" type="checkbox"/>			As above
If you have ticked the Negative Impact box of any of the above please complete necessary actions below				
Actions required	Date	Comments Received	Action Taken	

EQUALITY MONITORING REVIEW

Concerns / Issues Arising				
Equality Monitoring Review carried out by: (Please list staff members involved in process)	Tonia Green			
How could this Policy/Document impact on the Protected Characteristics listed?				
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Tonia Green

Page 14 of 15

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	ILO	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019

14

If you have ticked the Negative Impact box of any of the above please complete necessary actions below

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Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
SFG V4	ILO	T Green	T Green	T Drive POLICIES & PROCEDURES	02/2015	29/10/2018	29/10/2019