



YMCA **Wales** Community College



Protection of Children and Vulnerable Adults Policy





Introduction

YMCA Wales Community College (the College) is committed to ensuring that the welfare of children and vulnerable adults is safe guarded by its staff and governors.

It is recognised that all staff employed by the College have a duty to prevent the physical, sexual or emotional abuse of all children or vulnerable adults with whom they come into contact. The College will seek to plan its work so as to reduce to a minimum any situations that might give rise to concern.

The College complies with the Data Protection Act 1998 that allows for the disclosure of personal data where it is necessary to protect the interests of a vulnerable adult.

The College recognises its responsibilities under the Children Act 1989, the Protection of Children Act 1999, and the Safeguarding Vulnerable Groups Act 2006, and the responsibilities under these acts of the education and training providers that the institution works with, in partnership or collaboration.

Definitions

The definition of a child is anyone who is below the age of eighteen.

The definition of a vulnerable adult is defined as a person who is aged eighteen years or over and who:

- Is living in residential accommodation, such as a care home or a residential special school
- Is living in sheltered housing
- Is receiving domiciliary care in their own home
- Is receiving any form of healthcare
- Is detained in lawful custody
- Is under the supervision of the probation services
- Is receiving a welfare service defined as the provision of support, assistance or advice by any person, the purpose of which is to develop an individual's capacity to live independently in accommodation or support their capacity to do so
- Is receiving a service or participating in an activity for people who have particular needs because of their age or who have any form of disability
- Is an expectant or nursing mother living in residential care
- Is receiving direct payments from a local authority or health and social care trust in lieu of social care services
- Requires assistance in the conduct of their own affairs

The Head of College is designated as the person responsible for ensuring that appropriate action is taken in cases of alleged abuse.

This statement applies to all staff, partner organisations, visitors to the College and learners.

Pre-Employment Processes

All new College staff will comply with the following procedures:

- Confirmation of identity. Appropriate documentation will be requested. (The College will retain photocopies of the relevant parts of the documents.)
- References. References are required and are verified when necessary.
- Disclosure. Candidates are required to disclose all unspent convictions.
- Further Checks. A check is made with the Criminals Record Bureau.

In the case of staff employed to carry out 'regulated activity', as defined by the Independent Safeguarding Authority (ISA), the College will require confirmation of ISA registration.

Criminal Record Bureau Disclosure

All College staff and tutors must undergo an enhanced Criminal Records Bureau (CRB) check. Where a CRB check is required the employee / prospective employee will be asked to complete a CRB Disclosure Application Form and produce evidence of identity to one of the College's nominated staff members. The CRB check may take several weeks to complete. When completed the CRB sends the disclosure to the individual who has applied and a copy to the College. The disclosure will give details of any criminal record or other related matters which have been recorded.

Once the disclosure has been obtained from the CRB, the Head of College will consider if the disclosure is satisfactory to enable the employee to commence or continue their employment with the College. If there are issues raised in the disclosure the Head of College will invite the individual to meet to discuss the disclosure form and its content. If it is determined that the employment should not commence or continue, the Head of College will notify the employee in writing within 5 working days of the meeting taking place. If the Head of College's decision is that the employee shall not be employed or shall be dismissed there will be the right of appeal to a panel of governors.

All College staff and tutors are rechecked 3 years after their original disclosure date and must advise their line manager if they are convicted of an offence subsequent to the date of their last CRB disclosure.

All College governors must undergo a standard Criminal Records Bureau (CRB) check which will be rechecked every 3 years after the original disclosure date and must advise the Head of College if they are convicted of an offence subsequent to the date of the last CRB disclosure.

Once the disclosure has been obtained from the CRB, the Head of College will consider if the disclosure is satisfactory to enable the governor to commence or continue their role with the college. If there are issues raised in the disclosure the Head of College will invite the individual to meet to discuss the disclosure form and its content.

Independent Safeguarding Authority Registration

The College will comply with the legal requirement to confirm the ISA registration status of employees and volunteers before taking them on in regulated activity. The College will comply with its duty to refer relevant information to the ISA where there is a concern relating to the harm or risk of harm to children or vulnerable adults.

Appropriate Behaviour

All learners are entitled to appropriate behaviour from College staff. The following behaviour by a tutor would be cause for concern:

- Meeting alone with a learner
- Asking excessively personal questions
- Sending offensive material or making suggestive remarks
- Suggesting a personal relationship could develop
- Bullying or being aggressive
- Any physical contact that could be interpreted as of a sexual nature
- Asking for money or favours.

In the case of a member of staff being accused of inappropriate behaviour the staff member will be suspended with pay pending an investigation under the disciplinary and grievance procedure. Should a police investigation be pending the disciplinary procedure may not be carried out until after the investigation is completed.

If a learner feels another learner is showing inappropriate behaviour they should inform their tutor who will ask the Head of College to investigate.

All staff employed by the College have a duty to report any suspicion of abuse or concern that a child or vulnerable adult is at risk of abuse by a person employed by the College to the Head of College. Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety of the vulnerable adult or child is their first concern.

Once the Head of College is satisfied that there are clear grounds for suspicion or evidence of abuse is apparent he/she will pass this information immediately, and in writing within 24 hours to the appropriate agencies.

The Head of College is responsible for ensuring that information on each case is recorded, including all notes, and kept in a safe secure place.

If the allegation concerns the Head of College then the matter will be referred to the Governing Body.