

# Safeguarding and Prevent Policy

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## Summary

Our policy and procedures for safeguarding adults, setting out Corndel's commitment to providing a safe environment for all. This policy incorporates the Prevent Duty, our Child Protection Plan and Anti-bullying, Discrimination and Harassment procedures. The policy applies to the Corndel Group (Corndel Limited of 5<sup>th</sup> floor, 80 Old Street, London EC1V 9AZ company number 10369857 and Corndel Education Limited of 17 Grosvenor Street, London, W1K 4QG, company number 13486506 and their associated brands).

### DESIGNATED SAFEGUARDING LEAD AND PREVENT LEAD

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# Safeguarding and Prevent Policy,

## Section A: Safeguarding and Reporting

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### 1.0 Introduction

Corndel Limited and Corndel Education Limited (hereafter 'Corndel', 'we', 'us') recognises its statutory and moral duties to safeguarding the welfare of children, young people, and adults at risk from any form of abuse or harm. Corndel expects all staff, volunteers, and partners to endorse and practice these duties at all times, adopting a zero-tolerance approach to abuse, radicalisation, bullying, discrimination, harassment, and other harmful behaviours.

Corndel has developed this policy and procedures in line with, and taking account of, guidance issued by the Department for Education, Leaders in Safeguarding and other relevant bodies. As a national provider, Corndel will safeguard individuals in line with the requirements of the relevant local authority's safeguarding arrangements.

Corndel complies with all relevant guidance and UK legislation.

### 1.1 How to use this document

All operational staff should read Section A: Safeguarding and reporting, maintain a broad understanding of the main policy document, and be familiar with the list of appendices so they may be referred to as needed.

If you have a safeguarding concern, please go directly to  
**Appendix A: Summary of reporting procedures and key contacts.**

## 1.2 Our Approach to Safeguarding

Our core principle is to welcome and treat everyone equitably and with respect. Everyone deserves to live a life free from abuse, harm, and neglect.

We recognise that adults, with capacity, have the right to make their own choices; therefore, we have adopted the six key principles of adult safeguarding: empowerment, prevention, proportionality, protection, partnership, and accountability.

Where, during the course of providing our services, we become aware of a child experiencing or at risk of harm or abuse we will follow our Child Protection Plan and commit fully to sharing information and engaging in multi-agency cooperation as required.

Radicalisation, bullying, discrimination, and harassment are incorporated into this policy to reflect the fact they are safeguarding concerns and should always be treated seriously.

## 1.3 What is Safeguarding?

Safeguarding is about promoting wellbeing and helping to protect adults and children, including those who are vulnerable (such as those with a learning disability or those who become vulnerable because of circumstances, such as experiencing domestic violence or experiencing mental health problems), from harm, including abuse and neglect. This includes equipping people to protect themselves from the risk of radicalisation and adopting a zero-tolerance approach to bullying, harassment and/or discrimination. It involves being alert, confident and knowledgeable.

Effective safeguarding reflects these principles throughout our culture and values, recruitment and training, policies, and procedures. We can all make a difference. **Safeguarding is everyone's responsibility.**

## 2.0 Purpose

CornDel is committed to safeguarding and promoting the welfare of all learners, staff, volunteers, visitors, and partners.

CornDel is dedicated to creating a learning environment in which all learners – including 'adults with safeguarding needs' who may be particularly vulnerable – feel valued, respected, encouraged, and supported through the curriculum, support services, and regular reviews to raise any concerns they have about their own or others' safety and welfare.

CornDel aims to:

- ensure that CornDel's practices adhere to all relevant guidance and that all statutory requirements are in place.
- ensure we have an up-to-date Safer Recruitment Policy in place, all staff go through appropriate checks and receive an appropriate level of training.
- ensure responsibilities and procedures are fully understood and that everyone can recognise signs and indicators of abuse, neglect, bullying, discrimination, harassment, or radicalisation and respond to them appropriately.
- provide a safe real world and virtual environment in which to work and study.
- teach learners about Safeguarding and Prevent, including online risks, by providing resources and teaching and learning opportunities as part of providing a broad and balanced curriculum, helping to prepare and equip learners for life in modern Britain.
- ensure we take appropriate action, in a timely manner, to safeguard and promote the welfare of all learners.
- share information appropriately and without delay if we become aware of an adult or child at risk of harm, including playing our full part in multiagency support arrangements.
- create and sustain a culture of vigilance among our staff and learners
- to recognise, respond, report and record safeguarding concerns, and to provide a proportionate response.

## 2.1 Scope

All staff are expected to take responsibility for understanding and committing to their role in safeguarding and should always seek clarification where in doubt.

This policy applies to the safeguarding of all learners, particularly 'adults at risk', and more broadly, 'adults with safeguarding needs' who may need support, and sets out responsibilities for all staff, volunteers and partners visiting or working on behalf of CornDel, other external facilities, in the workplace, or involved in distance/online learning. Separate HR policies are developed to ensure the safeguarding of staff and these policies should be consulted where concerns involve staff safety and wellbeing.

Any reference to an **adult at risk** or **vulnerable adult** applies to anyone aged 18 years or over who may, for a variety of reasons, need community services and/or be unable to protect themselves from significant harm or exploitation, or who may be considered vulnerable under wider definitions of vulnerability, i.e., an **adult with safeguarding needs**. Where individuals do not fall within this policy but are in difficulty, we will refer or signpost to other services in order to provide the help they require.

In order to help ensure that everyone is protected from abuse, all complaints, allegations, or suspicions will be taken seriously and in accordance with this policy.

**A DBS check will be required for everyone employed in CornDel as part of our commitment to Safer Recruitment.**

**Corndel does not enrol children (those under 18 years of age) but is fully prepared to perform its wider duties to keep children safe. Corndel commits to engage in multiagency responses to safeguarding concerns as required and will work to the core principles outlined in Keeping Children Safe in Education (DfE 2024).  
See Appendix F: Child Protection Statement and Plan.**

Whilst overall responsibility for safeguarding is vested in the Chief Executive Officer with oversight by Corndel's Board; Corndel has a Safeguarding Group – including a named Designated Safeguarding Lead (DSL) and Prevent Lead, Deputy Safeguarding and Prevent Leads, and a Human Resources (HR) Director who are responsible for ensuring compliance to this policy and its procedures.

**Roles, responsibilities and contact details of the Safeguarding Group members can be found in Appendix A.**

## 3.0 The role of all Staff

Everyone in the organisation:

- must know the name of the Designated Safeguarding Lead: See Appendix A
- must know where to find a copy of this policy
- is responsible for reading and understanding this policy\*
- is expected to always follow this policy, its principles, and the reporting procedures (summarised in Appendix A)
- is responsible for asking their line manager for clarification of any part of the policy they do not understand
- must refer to this policy to help them identify and respond to abuse, radicalisation, bullying and harassment, or risks thereof
- must take active steps to ensure we are providing a safe environment
- must set a positive example in everything they do
- should oversee their visitors and ensure guest speakers are appropriately checked (see 3.1)
- must be alert to any potential harm to, or inappropriate behaviour by, people who are at risk
- should raise low level concerns about inappropriate behaviour by staff with their line manager and/or HR Director
- must never make inappropriate friendships or arrange to meet vulnerable learners in circumstances unconnected to their work
- must keep a note of any situations that make them feel uncomfortable and share in the first instance with their line manager and/or raise with the HR Director
- must respect individuals' rights to privacy and ensure they follow our Data Protection Policy when recording information about those at risk

***\*Staff should read Section A of this policy and be familiar with the appendices.***

**Managers are responsible for making sure staff in their teams understand this policy and have the knowledge, skills, and confidence to follow it, checking with the Designated Safeguarding Lead where required.**

## 3.1 Visitors

Any member of staff hosting a visitor is responsible for providing access to this policy via our website and ensuring they are aware of the following expectations:

All visitors will be expected to:

- act responsibly and in accordance with health and safety and to seek clarification from a member of staff if they do not understand something
- report any safeguarding concerns they identify or notice during a visit to a member of staff immediately

All staff inviting external speakers should ensure they follow the procedures for authorisation set out in the Freedom of Expression and Free Speech Policy.

## 4.0 Definitions, concepts, and key principles

### 4.1 Children

Within the context of this policy a 'child' is defined as anyone under the age of 18 (the Children Act 1989, Education Act 2002).

See **Appendix F: Child Protection Statement and Plan.**



## 4.2 Adults with Safeguarding Needs

### Who do we consider to be a vulnerable adult, an adult in need, or an adult at risk?

Those who are the subject of safeguarding concerns may often be 'vulnerable'. **The Care Act 2014** defines individuals who are potential subjects of safeguarding procedures as someone who:

- has needs for care and support, whether the local authority is meeting any of those needs, and;
- is experiencing, or at risk of, abuse or neglect, and;
- as a result of those care and support needs, they are unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

Certain groups might generally be considered as vulnerable or in need:

- Older people
- People with learning disabilities/difficulties
- People experiencing mental health problems
- People who are homeless
- People who have issues with substance misuse
- People who experience domestic violence

Corndel's staff and Board must always be aware of the need to safeguard these groups, but will always try to help everyone in need, whether they fall within these definitions or not, as they may still be considered an '**adult with safeguarding needs**.'

## 4.3 Types of Abuse

There are many different types of behaviour which constitute abuse and/or neglect. Whilst every individual and each circumstance will be different, Corndel recognises the following types of behaviour as those generally considered as abuse and neglect.



The Care Act Guidance sets out the following as behaviours recognised as abuse and neglect:

- Psychological/emotional abuse
- Physical abuse
- Sexual abuse
- Neglect, including self-neglect and acts of omission
- Domestic abuse
- Financial or material abuse
- Discriminatory abuse
- Organisational abuse
- Modern slavery

The list above is not exhaustive and should staff see another issue which is of potential concern, they will raise it through the procedures set out in this Policy.

See **Appendix G: What we understand about abuse and neglect** for further details on each type of abuse, as well as further recognised types of abuse including sexual and criminal exploitation, organised crime, County Lines, and cuckooing.

## 4.4 Locations of abuse

Abuse can take place anywhere, including in:

- the person's own home, whether living alone, with relatives or others
- day or residential centres, supported housing or care homes
- clinics or hospitals
- prisons
- work settings or educational establishments
- other places in the community

## 4.5 Who might commit abuse?

Abuse can occur in any relationship and may result in harm to, or exploitation of, the adult with safeguarding needs. A wide range of people may harm adults. These include:

- a spouse/partner
- other family members, including children
- friends, neighbours, or other residents
- paid staff or professionals
- volunteers and strangers
- another adult with care and support needs
- people who deliberately exploit adults they perceive as vulnerable to abuse

Abuse and neglect may not always be malicious or intended as such, e.g., a parent may not be able to properly care for a child for whatever reason; however, although it may not be malicious, it still requires a safeguarding referral.

## 4.6 The Mental Capacity Act 2005

One of the most challenging aspects of adult safeguarding is balancing key principles and duties, e.g., where someone may be at risk of harm but does not wish for CornDel's staff to take action or share information. In assessing CornDel's response to concerns the following principles from the Mental Capacity Act should be followed:

- Assume a person has the capacity to make a decision themselves unless it is proved otherwise.
- Wherever possible, help people to make their own decisions.
- Do not treat a person as lacking the capacity to make a decision just because they make an unwise decision.
- If you make a decision for someone who does not have capacity, it must be in their best interests.
- Treatment and care provided to someone who lacks capacity should be the least restrictive of their basic rights and freedoms.

## 4.7 Mental Health and Safeguarding

Staff will be made aware through training, resources, and access to the Safeguarding Team that some learners may pose a risk to themselves. The usual safeguarding reporting procedures must be followed to ensure that learners' safety is the priority, working within the principles outlined in Section 4.

## 4.8 Covid-19 and the Pandemic

CornDel acknowledges that Covid-19 has had a huge impact on the physical and mental health and wellbeing of many learners. Information, advice, and support is provided for staff to be able to support learners who are impacted personally or in the workplace. This includes advice on misinformation and disinformation regarding the virus and vaccines, and the heightened risk of radicalisation or online exploitation as more learners have spent more time online. Staff seeking additional advice and support are aware they can contact the DSL.

## 4.9 The Care Act 2014

The Act sets out six key principles of adult safeguarding: **empowerment, prevention, proportionality, protection, partnership, and accountability.**

Corndel recognises each and all of these principles in all work that we do and believes that safeguarding should always be about the individual. It must be person-led, focused on real outcomes, and should always endeavour to empower people to make their own choices.

**The Care Act** sets out the following principles that should underpin the safeguarding of adults:

Principle	How the principle may sound in practice
<b>Empowerment</b>  People being supported and encouraged to make their own decisions and with informed consent.	“I am asked what I want the outcomes to be from the safeguarding process, and these directly inform what happens.”
<b>Prevention</b>  It is better to take action before harm occurs.	“I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.”
<b>Proportionality</b>  The least intrusive response should be identified and must be appropriate to the risk presented.	“I am sure that the professionals will work in my interest, and they will only get involved as much as needed.”
<b>Protection</b>  Support and representation for those in greatest need.	“I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want.”
<b>Partnership</b>  Communities have a part to play in preventing, detecting, and reporting neglect and abuse.	“I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.”
<b>Accountability</b>  Being accountable and transparent about the safeguarding practices that are used to support people.	“I understand the role of everyone involved in my life and so do they.”

## 5.0 The Prevent Duty

The Prevent Duty is a crucial element of safeguarding, and it aims to protect people from the dangers of extremism and radicalisation (the process of being drawn into extremism).

The Government has defined extremism in the Prevent Duty as:

**‘vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. This also includes calls for the death of members of the British armed forces.’**

All staff should ‘have due regard to the need to prevent people from being drawn into terrorism’ (The Counter Terrorism and Security Act 2015) and must play their part in order to ‘to safeguard vulnerable people to stop them becoming terrorists or supporting terrorism.’ (Guidance for further education providers on work-Based learners and the Prevent statutory duty, updated 2021).

All staff will undergo Prevent training at induction, will receive regular updates and will have access to a range of resources to develop their own knowledge and awareness. These resources will also be used to help learners to develop their understanding of these topics.

Staff should use their professional judgement and **contact the Designated Safeguarding Lead, who acts as Corndel’s Prevent Lead**, if they have any concerns.

Some possible behavioural indicators could be:

- use of inappropriate language
- possession of violent extremist literature
- behavioural changes
- the expression of extremist views
- advocating violent actions and means
- association with known extremists
- seeking to recruit others to an extremist ideology
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For more information about Corndel’s fulfilment of the Prevent Duty, see **Appendix E: The Prevent Duty**

## 6.0 Bullying, Discrimination and Harassment

CornDel considers all potential incidents of bullying, discrimination or harassment as serious; therefore, all instances are overseen by the **Safeguarding Group**.

CornDel operates under the principle that bullying, discrimination or harassment is completely unacceptable. All staff are expected to challenge bullying, discrimination or harassment in all its forms and take quick clear and decisive action to address incidents and allegations in order to protect learners.

**Bullying** can be defined as offensive, intimidating, malicious or insulting behaviour that undermines, humiliates, denigrates, or injures the recipient (emotionally or physically).

**Harassment** may include bullying behaviour, and it refers to unwelcome treatment that is related to a protected characteristic.

**Discrimination** means treating someone 'less favourably' than someone else, because of a 'protected characteristic' as set out in the Equality Act. These are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

**Victimisation** is treating someone unfavourably because they have taken some form of action relating to the Equality Act, e.g., made a complaint under the Act or supported somebody who is doing so, such as appearing as a witness.

**Any staff member who suspects or witnesses potential bullying, discrimination or harassment, should immediately:**

- involve their line manager
- read and follow the Anti-bullying, Discrimination and Harassment Procedures set out in Appendix D

## 7.0 Reporting a concern

### 7.1 Before concerns arise

- Try to discuss the **limits of confidentiality** early on and explain your duty to pass on concerns under this policy. This helps to maintain trust and transparency.
- Practise **active listening** and engage your '**professional curiosity**' when talking to learners. If a situation doesn't feel right, it often isn't
- Practise the '**one-chance rule**.' A learner may choose to disclose something once only, so **be prepared to listen** and give them that opportunity as they may never do this again
- If **abuse is suspected**, but has not been disclosed, you should approach the Designated Safeguarding Lead (DSL) or a Deputy DSL for advice.

If you have concerns about a learner, but do not believe that they are being abused or are at risk of immediate harm, you should:

- Speak to the learner about the concerns.
- Speak to the Designated Safeguarding Lead (DSL) or a Deputy DSL, who will consider and advise whether CornDEL should register the concern.

A learner may disclose to you that they are being abused, may be at risk of significant harm, or may be a risk to themselves.

**If a disclosure of abuse or harm is made, you must follow these steps:**

### 7.2 During the disclosure or concern raised

- It is good practice to remind learners early on in any disclosure that you may need to share information if you are worried about their safety or that of someone else.
- Listen carefully and stay calm.
- Question without pressure to be sure that what is being said is properly understood.
- Reassure the individual concerned that they have done the right thing
- Explain to the individual who has disclosed that the information must be passed on but only to those who need to know about it. Say who will receive the information.
- Note the main points carefully:
  - what the individual said/did.
  - the questions you asked.
  - any names, dates, times, and places.
- Consider if the concern also relates to someone else, e.g., a child/family member.

**Do not:**

- ask leading questions or put words into the mouth of the disclosing individual.
- investigate concerns/ allegations.
- promise or indicate confidentiality.
- make any judgments or promises.

In such circumstances where adults disclose that they are being abused or neglected, but do not want it to be reported, staff members should tell the person that they must raise the concern in confidence with the Designated Safeguarding Lead (or a deputy) as is your duty under this policy.

Staff should assure the adult concerned that they will be informed of any action which is taken and the reasons why it was taken.

## 7.3 Following the disclosure or concern raised

**Reporting procedure:**

1. If a learner is at **immediate risk** of significant harm, contact a first aider or the emergency services first.
2. Record your concern or the allegation that has been made as soon as possible
3. Contact the Designated Safeguarding Lead (DSL) or Deputy DSL (DDSL) as soon as possible (or within one working day).
4. Contact the DSL/deputy by Teams call or phone. If unavailable, email [safeguarding@cornedel.com](mailto:safeguarding@cornedel.com) to request a call back.
5. If requested to do so, complete the [Safeguarding Referral](#) secure form.
6. Continue to update the DSL/deputy and to safeguard the learner(s).

**If an allegation or disclosure concerns a member of staff, staff should immediately refer to Appendix I: Procedure for managing abuse allegations against staff and follow the reporting procedures set out.**



## Completing the form

1. Make a note of the full name/s of the person you are concerned about and anyone else involved.
2. Include the dates, times, locations, and full details of anyone who has provided information or may be at risk.
3. Consider whether the disclosure places anyone else at risk of harm (e.g., a child) and include details where possible.
4. Describe your concerns clearly. Try to keep the record factual and free from judgments.
5. Record any actions you have taken already to protect the person.

Any records should be stored and retained in accordance with our Data Protection Policy.

## What will we do with the information?

The DSL will follow the principles of information sharing outlined in this policy under Appendix H: Case Management and will issue guidance and/or coordinate appropriate actions to support the learner and to address the risks, involving others as required.

## Will I receive updates?

Yes. The DSL will update you with an appropriate amount of information, following the principles of information sharing set out in Appendix H: Case Management. You should receive enough information to allow you to support and protect the learner concerned.

Note that if you disagree with the course of action proposed by the DSL, you are encouraged to contact social services independently. You should update the DSL on the progress of these referrals, where information concerns a learner.

## Additional guidance and effective practice

- Be person-led and outcome-focused.
- Be prepared to talk, within the limits of your own confidence.
- Engage the person in a conversation about how best to respond to their safeguarding situation that:
  - enhances involvement, choice, and control.
  - improves their quality of life, wellbeing, and safety.
- Do not hold onto information. Always act immediately and contact the Designated Safeguarding Lead (or deputy) with your concerns.
- Never assume someone else is doing something or has passed information on already.
- Continue to update the DSL with relevant information.

## Practise self-care

Remember:

- Corndel and the Safeguarding Group are there to support you.
- Contact HR for advice or support if a situation is affecting you.
- Consider using the Employee Assistance Programme.

Be careful not to:

- provide or offer support beyond professional boundaries.
- provide support beyond your level of confidence

## Further reading to support you:

- Appendix C: Good Practice in Responding to Concerns
  - Corndel's Whistleblowing Policy available to all staff
  - General guidance on whistleblowing: [Advice on Whistleblowing](#)
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# Safeguarding and Prevent Policy,

## Section B: Leadership, governance, and compliance

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### 8.0 Safer Recruitment and Training

Staff within our organisation receive DBS checks in accordance with their role and in line with the current law. Information about DBS checks is explained in our Employee Recruitment and Selection Policy.

#### 8.1 Summary of recruitment and selection procedures

CornDel has in place robust recruitment procedures which ensure that care is taken to protect adults at risk. The procedures apply to all staff and volunteers, and they are reviewed regularly to take account of the following principles:

- The post or role will be clearly defined
- The key selection criteria for the post or role will be identified
- Our commitment to safeguarding will be included in all job descriptions and adverts
- Vacancies will be advertised widely in such a way as to ensure a diversity of applicants
- Requirement of documentary evidence of academic and vocational qualifications as necessary
- Obtaining professional and character references, where possible
- Verification of previous employment history including the explanation of any gaps

#### 8.2 Staff training

As part of our induction programme, all staff and board members are appropriately trained in all aspects of safeguarding, including passing basic safeguarding and Prevent training courses. A copy of this policy together with related policies is available on our staff intranet page and explained on induction to all new members of staff.

Every member of staff and board member receives more detailed training relevant to their respective roles and is expected to undertake this training, which is updated at least every two years. Topical and refresher training, supporting information and resources will be made available to all staff to enable Corndel to respond effectively to emerging concerns.

## 9.0 Leadership and Governance

The CEO, members of the Safeguarding Group, members of the Excellence Committee and all staff will receive training to familiarise them with safeguarding issues and the policy and procedures, with refresher training at least every two years. A copy of training records will be maintained and available for review by the DSL and made available if appropriate for inspection and audit purposes.

### 9.1 The Board

Corndel's Board must ensure policies and procedures are in place which cover:

- Adult safeguarding
- Behaviour
- Bullying, Discrimination and Harassment
- Child Protection
- IT usage/acceptable use of IT/e-safety
- Modern Slavery
- Prevent: radicalisation and extremism
- Safer Recruitment
- Whistleblowing

### 9.2 The Excellence Committee

The Excellence Committee is constituted by senior managers and an independent Chair. It meets quarterly to scrutinise the effectiveness of safeguarding arrangements in order to provide assurance to the CEO and the Board that safeguarding is robust and effective.

## 9.3 The role of the Safeguarding Group

The Safeguarding Group is committed to ensuring that Corndel:

- raises awareness of issues relating to safeguarding and promotes the welfare of all.
- provides a safe environment for all learners, including adults at risk.
- identifies those who are suffering or at risk of suffering significant harm and takes appropriate action to ensure they are kept safe.
- has procedures for reporting and dealing with allegations of abuse against members of staff and volunteers.
- gives learners access to the tools to keep them safe online and that an e-safety policy is in place and up to date.
- has safer recruitment procedures in place for all employees.
- confirms that any staff recruited to work for Corndel as part of a partnership organisation are covered by a safer recruitment policy for that organisation.
- designates members of staff with sufficient authority to take a lead role for safeguarding.
- remedies any weaknesses and areas for improvement relating to safeguarding that are brought to their attention.
- provides staff members with appropriate child protection, safeguarding and Prevent training which is regularly updated as part of our training plan and centralised records are kept.

## 9.4 The Designated Safeguarding Lead (DSL)

The Designated Safeguarding Lead is the designated member of staff with lead responsibility for safeguarding issues. They have the appropriate training and experience to fulfil the role and will maintain their knowledge on safeguarding issues.

The Designated Safeguarding Lead (DSL) is responsible for:

- ensuring that all staff and learners are aware of the Safeguarding and Prevent Policy and procedures.
- ensuring compliance with the Prevent Duty under Section 26 of the Counter-Terrorism and Security Act 2015.
- ensuring that all staff receive training about safeguarding and Prevent matters and procedures.
- giving advice and support to staff on matters relating to safeguarding and Prevent.
- overseeing the referral of cases of suspected abuse or allegations.
- dealing with individual cases, including attending case conferences and review meetings as appropriate.

- maintaining a proper record of any safeguarding referral, complaint or concern received, including those related to bullying, discrimination or harassment.
- liaising with other agencies as necessary.
- storing all information and recording in a secure manner and in accordance with Data Protection Act 2018 (GDPR) and CornDel's Data Protection Policy
- ensuring there is liaison with employers and training organisations providing learners with placements to ensure proper safeguarding arrangements are in place.
- providing monthly safeguarding reports to the Board and quarterly reports to the Excellence Committee.
- reporting any breaches in procedure to the Director of Excellence, Compliance and Learner Experience as soon as possible.
- engaging in updated safeguarding training at least every 2 years.

In the absence of the DSL, a nominated Deputy DSL will carry out the same responsibilities. The Safeguarding Group will make arrangements to ensure DSL responsibilities are carried out effectively. The Director of Excellence, Compliance and Learner Experience will make themselves available to the DSL to provide supervision and support for complex cases.

## 9.5 Confidential reporting

The Whistleblowing Policy is available to all staff employed by CornDel.

## 10.0 Dissemination and Compliance

The DSL will ensure this policy is known and used appropriately:

1. The policy will be reviewed annually
2. The procedures and implementation will be updated and reviewed regularly
3. The policy will be available publicly
4. Learners will be made aware of the policy and how to report concerns at the start of their programme
5. Links with local and national safeguarding organisations will ensure staff are aware of training opportunities and the latest policies on safeguarding

## 10.1 Monitoring compliance with and the effectiveness of the policy

This policy has been developed by the Safeguarding Group who are responsible for creating/adapting and updating the policy and assisting the Board in ensuring all staff have read and understood the policy, and for ensuring that everyone adheres to it.

## 10.2 Process for monitoring compliance

**Monthly:** Corndel's Board will receive monthly reports.

**Bi-monthly:** The Safeguarding Group will meet six times per year to address compliance, effectiveness and continuous improvement of the policy and procedures.

**Quarterly:** The Excellence Committee and senior leaders will receive a report on safeguarding incidents and activities.

**Annually:** The DSL and Safeguarding Group will review the Safeguarding and Prevent Policy and produce a redrafted policy for the Board.

## 10.3 Process for monitoring compliance and effectiveness of dealing with allegations against a member of staff.

At the conclusion of an investigation and any disciplinary procedures where an allegation has been made against a member of staff, the DSL, the CEO and Safeguarding Group, including the HR Director, will consider whether there are any matters arising that could lead to the improvement of the procedures and/or policies.

Consideration will always be given to the training needs of staff to minimise the risk of a repeat incident and a 'lessons learned' debrief will be shared with senior managers on the Safeguarding Group to enable a review of our policy and procedures after the conclusion of an investigation.



## 11.0 Legal framework, guidance, and related policies

### 11.1 The legal framework for the role of Corndel:

- The Equality Act 2010
- The Care Act 2014 and Statutory Guidance issued under the Act
- The Human Rights Act 1998
- The Mental Capacity Act 2005
- The Education Act 2002 - Sections 157 & 175
- The Female Genital Mutilation Act 2003
- The Safeguarding Vulnerable Groups Act 2006
- The Public Interest Disclosure Act 1998 (PIDA)
- The Protection of Freedoms Act 2012
- The Counter-Terrorism and Security Act 2015
- Prevent duty guidance: Guidance for specified authorities in England and Wales (updated 2024)

### 11.2 Further guidance to be considered:

- Department for Education Apprenticeships-Provider Agreement (October 2024, Version 4.4)
- Education Inspection Framework 2019, updated 2023
- Further education and skills inspection handbook 2023

#### **Further guidance for safeguarding children\*:**

- Keeping Children Safe in Education 2024
- Working together to Safeguard children 2023

\* referred to alongside other useful guidance in developing Corndel's Child Protection Statement and Plan.

**See Appendix J: Legal frameworks and guidance, for full details.**

## 11.3 Links to other policies

This policy should be read in conjunction with the following policies and procedures:

- Business Continuity Plan
  - Data Protection Policy
  - Equality and Diversity Policy
  - E-safety Policy
  - Employee Recruitment and Selection Policy
  - Ethics and Code of Conduct Policy
  - Freedom of Expression and Free Speech Policy
  - Modern Slavery Policy
  - Staff Disciplinary Policy and Procedures
  - Whistleblowing Policy
-

# Appendix A: Summary of reporting procedures and key contacts

<p><b><u>The Safeguarding Group</u></b></p> <p><b>Designated Safeguarding Lead (DSL) and Prevent Lead</b>  Mark Rossiter  07542 304508  <a href="mailto:safeguarding@cornedel.com">safeguarding@cornedel.com</a></p> <p><b>Deputy Designated Safeguarding Leads</b></p> <p>Jayne Robinson  Marina Eagar  Rachael Tyas  Lauren Ingham</p> <p><b>Deputy Prevent Lead</b>  Lisa Hurle  <a href="mailto:safeguarding@cornedel.com">safeguarding@cornedel.com</a></p> <p><b>HR (Human Resources) Director</b>  Amanda Blackmore  <a href="mailto:HR@cornedel.com">HR@cornedel.com</a></p>	<p><b><u>Summary of reporting procedures</u></b></p> <ol style="list-style-type: none"> <li>1. If a learner is at <b>immediate risk</b> of significant harm, contact a first aider or the emergency services first</li> <li>2. Record your concern or the allegation that has been made as soon as possible</li> <li>3. Contact the Designated Safeguarding Lead (DSL) or Deputy DSL as soon as possible (or within one working day)</li> <li>4. Contact the DSL/DDSL by Teams call or phone. If unavailable, email <a href="mailto:safeguarding@cornedel.com">safeguarding@cornedel.com</a> to request a call back</li> <li>5. If requested to do so, complete the <a href="#">Safeguarding Referral</a> secure form</li> <li>6. Continue to update the DSL/DDSL and to safeguard the learner(s)</li> </ol> <p>If an allegation or disclosure concerns a member of staff, staff should immediately refer to Appendix I: Procedure for managing abuse allegations against staff and follow the reporting procedures set out.</p>
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## Appendix B: Safeguarding Referral Form

### Corndel Safeguarding Referral Form

Date form completed: *automatically filled*

#### Your Details

Name (first) *	Name (last) *
Enter Email *	Confirm email *
Mobile number	Telephone number
How you know the adult at risk / your involvement with them: *	

#### Adult at risk details:

Name (first) *	Name (last) *
ULN *	Date of Birth *
Address *	
Street Address	
City	Region
Postcode	Country
Gender *	
Does the adult have any language or communication difficulties? *	Does the adult have any known mental capacity issues? *
Mobile number	Telephone number
Enter Email	Confirm email

#### Details of concern raised

<p><b>State exactly what was disclosed/observed. Include exact dates and times. Use the person's own words as much as possible: *</b></p> <p>Consider if a child under 18 may be affected.</p>
--

Are you aware of any previous concerns? \*

**Type of concern: \***

Please select all that apply

Neglect (including self-neglect)	Physical abuse	
Sexual abuse/exploitation	Emotional/Psychological abuse	
Bullying (including online)	Domestic Violence or relationship abuse	
FGM/Forced Marriage or Honour Based Violence	Radicalisation and/or extremist behaviour	
Criminal Exploitation / Modern slavery	Hate crime / hate crime (+ protected characteristics)	
Self-harm/ risk taking behaviour	Risk of suicide	
Discriminatory / organisational abuse	Financial/material abuse	
Any other - please state below:		

**Please tell us if you know whether other people are involved with the adult at risk.**

This may include people such as their GP, family, neighbours, professionals, other agencies. If possible, please include Name, Job Title (if any), Address and Telephone number.

You can add further people by clicking the '+' button towards the right.

NAME	JOB TITLE
ADDRESS	CONTACT NUMBER

Signature \*

SUBMIT

Reflections and implementation of actions	
What action has been taken after the incident?	
Advise staff member to follow up with learner	Yes/No
Advise manager	Yes/No
Referral other	Yes/No
Safeguarding referral	Yes/No
Accident form completed	Yes/No
Review risk assessment	Yes/No
Instigate disciplinary procedure	Yes/No

<b>Have all actions been carried out?</b> <b>If no, reason why:</b>		
Follow up actions completed:		
<b>Date</b>	<b>Comments</b>	<b>Staff Name</b>

## Appendix C: Good Practice in Responding to Concerns

If somebody discloses to you that they are, or have been, suffering from abuse or neglect, you must respond in the following way:

- Try to find somewhere quiet to talk or arrange a one-to-one call (remember that a safe place will be different for each individual)
- Remain calm at all times
- Listen carefully and don't show signs that you might be upset or shocked by what you are hearing
- Do not make any judgments or promises
- Explain to the adult that you can't keep things secret, and you have responsibilities to tell your Designated Safeguarding Lead and/or Human Resources Director
- Explain that you will keep them informed, as much as possible, in what happens next
- Record the information
- Keep the information in a safe and secure place following CornDel's Data Protection procedures
- Report the matter to your Designated Safeguarding Lead, and to the Local Authority or Police if appropriate

### Good Practice in Recording Concerns

As soon as possible on the same day you must make a written record of what you have seen, been told or have concerns about. Try to make sure anyone else who saw or heard anything relating to the concern also makes a written report.

The written report will need be submitted securely using the [Safeguarding Referral secure form](#) and should include:

- the date and time when the disclosure was made, or when you were told about / witnessed the incident(s)
- who was involved, any other witnesses, including service-users, and other staff
- the relationship between any alleged perpetrator and alleged victim
- exactly what happened or what you were told, in the person's own words, keeping it factual and not interpreting what you saw or were told. Always record the exact words by the person disclosing and do not be tempted to put the disclosure into your own words
- the views and wishes of the adult
- any issues with capacity
- the appearance and behaviour of the adult and/or the person making the disclosure
- any injuries observed
- any actions or decisions taken at this point
- any other relevant information, such as previous incidents that have caused you concern



**Remember to include as much detail as possible:**

- Make sure the report is clear and unambiguous
- Keep the report factual as far as possible. However, if it contains your opinion or an assessment, it should be clearly stated as such and be backed up by factual evidence. Information from another person should be clearly attributed to them
- Keep the report(s) confidential, storing them in a safe and secure place.

If you need to amend your report, contact the DSL who will not delete anything but will make sure that the changes are clear. Explain why you need to make amendments or additions.

**Preserving Evidence**

In cases where there may be physical evidence of crimes, for example physical or sexual assault, you must contact the police immediately. Ask their advice about what to do to preserve evidence.

**As a guide:**

- Where possible, leave things as and where they are. If anything must be handled, keep this to an absolute minimum.
- Do not clean up. Do not touch anything you do not have to. Do not throw anything away which could be evidence.
- Do not wash anything or in any way remove fibres, blood etc.
- Preserve the clothing and footwear of the victim.
- Preserve anything used to comfort or warm the victim, like a blanket.
- Note in writing the state of clothing of both the victim and person alleged to have caused the harm. Note injuries in writing. As soon as possible, make full written notes on the conditions and attitudes of the people involved in the incident.
- Take steps to secure the room or area where the incident took place. Do not allow anyone to enter until the police arrive.

**In addition, in cases of sexual assault**

- Preserve bedding and clothing where appropriate, do not wash them.
- Try not to have any personal or physical contact with either the victim or the person alleged to have caused the harm. Offer reassurance and comfort as needed but be aware that anyone touching the victim or source of risk can contaminate evidence.

# Appendix D: Anti-bullying, Discrimination and Harassment Procedures

## (for incidents involving learners)

### General Principles

These procedures apply to all **learners** studying at CornDel. For bullying, discrimination and harassment incidents that do not involve learners please refer to the staff **Anti-harassment and Bullying Policy**.

This procedure sets out the actions all staff are expected to take to maintain a safe and welcoming environment that is free from bullying, discrimination and harassment and sets out clear expectations of all staff in preventing and addressing all instances.

### Definitions

**Bullying** can be defined as offensive, intimidating, malicious or insulting behaviour that undermines, humiliates, denigrates, or injures the recipient (emotionally or physically).

Bullying does not have a definition under the Equality Act; however, instances of bullying may (or may not) relate to the nine protected characteristics set out in the Act:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

**Harassment** may be 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading,

humiliating or offensive environment for that individual.' It may also be sexual in nature. It can include behaviour that an individual finds offensive even if it is not directed at them, and even if they do not have the relevant protected characteristics themselves.

Harassment may include bullying behaviour, and it refers to unwelcome treatment that is related to a protected characteristic.

**Discrimination** means treating someone 'less favourably' than someone else, because of a 'protected characteristic' as set out in the Equality Act.

**Victimisation** is treating someone unfavourably because they have taken some form of action relating to the Equality Act, e.g., made a complaint under the Act or supported somebody who is doing so, such as appearing as a witness.

## Forms of Bullying and Harassment

Behaviour can range from extremes, such as violence, to less obvious forms; for example, ignoring someone. Whatever the form, it will be unwanted behaviour which is unwelcome and unpleasant and results in pain and distress to the victim.

Bullying and/or harassment can be:

- physical – hitting, pushing, and shoving, tripping up, kicking, spitting, or any other use of physical contact.
- emotional/verbal – humiliating someone, name calling, using insulting names or comments, making derogatory remarks, intrusive questioning, goading, mimicking, or deliberately attempting to deceive.
- sexual – unwanted physical contact or inappropriate sexual comments and/or online sexual abuse.
- indirect – e.g., spreading rumours whether true or not.
- cyberbullying – any form of bullying using a mobile phone, the internet or other electronic device, including chat rooms, social networking sites, instant messaging, camera/video facilities or email.
- driven by prejudice – because of, or focusing on, diversity issues, particularly the nine protected characteristics: race, sexuality, disability, age, transgender identity, religion, gender, marital status, and pregnancy/maternity. This may include inappropriate language or taunts, gestures, graffiti etc.

It may also be bullying when someone or a group always leaves someone out or shuns them. Many forms of bullying could also constitute a criminal offence.

In all cases, Corndel will focus on the impact of bullying behaviour, rather than the intention of the perpetrator (whether malicious or not) to ensure no one continues to be exposed to further incidences of bullying.

## Reporting Bullying, Discrimination or Harassment.

Any staff member who becomes aware of an incident involving bullying, discrimination or harassment involving a learner should follow these procedures:

### **Stage 1: Day of incident, report, or disclosure.**

Report bullying, discrimination and/or harassment incidents to the learner's programme manager/Delivery Director who will try to deal with the case in the first instance by taking immediate action (where appropriate), making a record of actions taken and reporting the concern to the DSL or deputy, who are available to advise and support with formulating an appropriate response.

The DSL or deputy will keep a central record of the situation and monitor the situation until fully resolved. Where the victim of alleged bullying or harassment is a member of staff, the HR Director will be informed in order to provide support.

Where there is the **possibility of significant harm**, matters must be referred to Corndel's Safeguarding Team and dealt with under Corndel's Safeguarding and Prevent Policy.

### **Stage 2: Follow up actions, or more serious concerns.**

In cases of serious bullying, discrimination or harassment, or instances in which Stage 1 actions have not resolved the issue, the Designated Safeguarding Lead (DSL) will be notified. For urgent cases or periods where the Designated Safeguarding Lead is unavailable, the issue should be passed to a member of the Safeguarding Team, i.e., a Deputy DSL.

If necessary and appropriate, the Police or other appropriate organisations will be consulted for advice. Where a complainant has involved the Police and they are investigating or taking action, Corndel's

investigation should be paused so as not to interfere in an ongoing criminal matter. This should not restrict actions required of us to protect people from harm.

Bullying, discrimination, harassment, or threats of bullying must be investigated, and steps taken to ensure the behaviour is immediately prevented from recurring. Where alleged perpetrators are learners, they will be supported to understand and address their behaviour.

In cases involving apprentices, employers may need to be made aware. Where the apprentice is an alleged victim, this will usually be done by the learner themselves or with their consent if support to do this is appropriate and in their best interests. In cases where the alleged perpetrator is another member of the apprentice's workplace, e.g., a line manager, the DSL will take into account the considerations below and additionally consider involving a senior manager within Corndel to manage the employer relationship.

The DSL or deputy dealing with the situation should take into account:

- the key principles of working with adults set out in section 4 which includes the wishes of the learner.
- the principles of information sharing set out in Appendix H.
- the impact or risk of harm to others of actions to be taken (or not).
- the impact of informing an employer (or not) if applicable.

### **Stage 3: Escalation**

In cases involving learners who continue to engage in bullying, discrimination or harassment, and where issues cannot be resolved, or where the nature of the concern is so serious as to warrant it, the DSL will escalate to the Chief Operating Officer.

Learners should be informed that actions taken may include removal from their programme in order to safeguard others and support for the person at risk should always be prioritised in any response.

## **Recording Incidents**

The following information should be gathered.

Statements from those involved, including:

- date(s), time(s), and place(s) or session recording(s), of incident(s)
- name(s) of any witnesses
- what happened
- how it made them feel

- previous requests for these behaviours to stop
- any action already taken, e.g., reported to a member of staff
- original copies of any correspondence or written material connected with the issue
- where cyberbullying has taken place, printouts should be obtained wherever possible, or the member of staff taking the statement should sign it to say they have seen any text messages/call records on the learner's mobile phone.

\*Note that staff should not view or ask to view content of a sexual nature or take copies of this material, e.g., where images of a learner have been shared without consent.

All incidents of bullying, discrimination and harassment and the outcomes are recorded centrally and securely by the Safeguarding Team and retained in accordance with safeguarding procedures.

## Supporting Individuals Involved

There is often an underlying reason for bullying behaviour. Perpetrators can be very insecure and may have been bullied themselves. They may:

- be afraid of becoming a victim to someone else
- want to be accepted into a certain group
- want to be well known for their physical status
- have low levels of self-esteem and self-confidence
- have experienced recent or historical physical or emotional trauma or have been the victims of abuse

Support coordinated by the Safeguarding Group alongside the PDE or Tutor may be required to enable learners to address and change their behaviour. Alleged perpetrators of bullying, discrimination or harassment should be encouraged to change their behaviour and should not be intimidated, humiliated, or made to feel uncomfortable when seeking support.

# Appendix E: The Prevent Duty

The Counter Terrorism and Security Act 2015 places a duty upon local authorities and educational providers to 'have due regard to the need to prevent people from being drawn into terrorism'.

The fundamental aims of Prevent, are to stop people from becoming terrorists or supporting terrorism. Prevent also extends to supporting the rehabilitation and disengagement of those already involved in terrorism.

Prevent is one of four main strategic areas:

**Prevent:** to stop people becoming terrorists or supporting terrorism

**Pursue:** to stop terrorist attacks

**Protect:** to strengthen our protection against a terrorist attack

**Prepare:** to mitigate the impact of a terrorist attack

The DfE has provided statutory guidance for educational providers: Prevent duty guidance: Guidance for specified authorities in England and Wales (Home Office 2023). The guidance summarises the requirements of providers in terms of four general themes:

- risk assessment
- working in partnership
- staff training
- IT policies

Corndel is committed to its responsibility to protect its learners from radicalisation, terrorism and violent extremism. It promotes an ethos designed to empower its learners to be resilient to extremism and protect the wellbeing of those who may be vulnerable to being drawn into violent extremism or crime.

## 15.1 Extremism

The Government has defined extremism in the Prevent Duty as: 'vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. This also includes calls for the death of members of the British armed forces.'



## 15.2 Implementation of the Duty

Corndel is committed to the effective implementation of the Prevent strategy through:

- effective and regular training to ensure:
  - staff know when and how to refer learners who may be at risk of radicalisation
  - staff are aware of the indicators of extremism and radicalisation and know how to respond in-keeping with local and national guidance
  - senior leaders and Corndel's Board members understand their responsibilities around Prevent
  - all staff challenge extremism with confidence and consistency
- effective delivery of Prevent information and learning to ensure learners can:
  - identify and protect against risk
  - access support
  - understand British values
- ensuring that vulnerable adults are safe from terrorist and extremist material when accessing the internet at Corndel
- identification and support of vulnerable learners
- appropriate sharing of information, and Channel referrals
- partnership working with local support networks and Channel members
- exemplification of British values of 'democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs' in Corndel's practices
- risk assessing visiting speakers and guest lecturers
- a commitment to equality, diversity, and inclusion

### **The role of the Designated Safeguarding Lead/Prevent Lead:**

- Maintaining an up to date Prevent Risk Assessment
- Keeping accurate records of all referrals and concerns
- Managing referral processes, including Channel referrals
- Reporting of concerns to the Safeguarding Group
- Attendance and representation at Excellence Committee
- Ensuring appropriate policies and procedures are in place, including for risk assessing external speakers
- Ensuring processes are being followed in respect of visiting speaker risk assessments and logs
- Ensuring that all new staff are trained on Prevent, including Corndel's policies and procedures
- Ensuring all staff have annual refresher training
- Working with the curriculum team to ensure that the promotion of British Values is embedded into the curriculum

Staff should use their professional judgement and contact the Designated Safeguarding Lead if they have any concerns. Some possible behavioural indicators could be:

- use of inappropriate language
- possession of violent extremist literature
- behavioural changes
- the expression of extremist views
- advocating violent actions and means
- association with known extremists
- seeking to recruit others to an extremist ideology

The 'Channel: Vulnerability assessment framework' (HMG 2012) explains three dimensions: **engagement**, **intent**, and **capability**, which are considered separately. 'It should not be assumed that the characteristics set out below necessarily indicate that a person is either committed to terrorism or may become a terrorist' but understanding these factors may assist in identifying a person who is vulnerable to radicalisation and/or a potential risk to others.'

## Engagement with a Group, Cause, or Ideology

Engagement factors are sometimes referred to as "psychological hooks". They include needs, susceptibilities, motivations, and contextual influences and together map the individual pathway into terrorism. They can include:

- feelings of grievance and injustice
- feeling under threat
- a need for identity, meaning and belonging
- a desire for status
- a desire for excitement and adventure
- a need to dominate and control others
- susceptibility to indoctrination
- a desire for political or moral change
- opportunistic involvement
- family or friends' involvement in extremism
- being at a transitional time of life
- being influenced or controlled by a group
- relevant mental health issues

## Intent to Cause Harm

Not all those who become engaged by a group, cause or ideology go on to develop an intention to cause harm, so this dimension is considered separately. Intent factors describe the mindset that is associated with a readiness to use violence and address what the individual would do and to what end. They can include:

- over-identification with a group or ideology
- 'Them and Us' thinking
- dehumanisation of the enemy
- attitudes that justify offending
- harmful means to an end
- harmful objectives

## Capability to Cause Harm

Not all those who have a wish to cause harm on behalf of a group, cause or ideology are capable of doing so, and plots to cause widespread damage take a high level of personal capability, resources, and networking to be successful. What the individual is capable of is therefore a key consideration when assessing risk of harm to the public. Factors can include:

- individual knowledge, skills, and competencies
  - access to networks, funding, or equipment
  - Criminal Capability
- Channel: Vulnerability assessment framework (HMG 2012)

If any member of staff has any concerns about a learner beginning to support terrorism and/or violent extremism, they should discuss them with the DSL/Prevent Lead or a Deputy DSL following the published safeguarding procedures so that actions to address the issues may be addressed immediately. The DSL/Prevent Lead will coordinate the organisation's response.

The '[Educate against Hate](#)' website provides further information and resources to support providers to recognise and address extremism and radicalisation in young and/or vulnerable people.

# Appendix F: Child Protection Statement and Plan

## Child Protection Statement

Corndel does not enrol children (those under 18 years of age) but is fully prepared to perform its wider duties to keep children safe where it becomes aware of a child experiencing or at risk of abuse or harm.

Corndel commits to engage in multiagency responses to safeguarding concerns and/or Early Help arrangements as required and will have due regard to Keeping Children Safe in Education (DfE 2024) and Working Together to Safeguard Children (2023) in responding to concerns about a child.

Corndel 'shall have regard to any guidance published, from time to time, by the Secretary of State for Education which sets out the expectations in relation to safeguarding practices including as if it applied to High Needs Apprentices aged up to 25 as if they were children.' Department for Education Apprenticeships-Provider Agreement (October 2024, Version 4.4)

## Child Protection Plan

**All internal reporting procedures relating to safeguarding of children are identical to those for adult safeguarding and all members of staff should follow the reporting procedures outlined in this policy where concerns involving a child become known.**

Child abuse can take many forms, but it is categorised under four main themes:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Neglect

**Where abuse or risk of harm to a child becomes known, all Corndel staff are expected to report this by following the procedures within this Policy.** Staff with concerns around child abuse should read the additional guidance: [What to do if you're worried a child is being abused: Advice for Practitioners \(2015\)](#).

Staff at Corndel may become aware of a child at risk or experiencing abuse or harm in several ways. This list is not exhaustive, but some examples are:

- A learner is a parent, guardian or carer and poses a risk to a child through actions or neglect
  - A learner is experiencing or perpetrating abuse within a household where children are also exposed, e.g., domestic violence or coercive control
  - A learner may disclose historical abuse where the perpetrator still has access to children
  - A learner poses a potential risk to children because of their own vulnerability, e.g., drug or alcohol dependency, gambling addiction
  - Child on child, which may include:
    - bullying (including cyberbullying, prejudice-based and discriminatory bullying)
    - abuse in intimate personal relationships between children
    - physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse)
    - sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence)
    - sexual harassment, such as sexual comments, remarks, jokes, and online sexual harassment, which may be standalone or part of a broader pattern of abuse
    - causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party
    - consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery)
    - upskirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm; and
    - initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element)
- (KCSiE 2024)

**Child Protection:** 'Part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.' (KCSiE 2024)

**Safeguarding and promoting the welfare of children** is defined as '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; and taking action to enable all children to have the best outcomes.' (KCSiE 2024)

## Responsibilities

All staff have responsibility to report their concerns about a child without delay to the DSL or a Deputy. Whilst the DSL will normally make referrals to Children's Services, anyone can refer their concerns to children's social care directly in emergencies or if they feel they need to do so.

Everyone has responsibility to escalate their concerns and 'press for reconsideration' if they believe a child's needs remain unmet or if the child is failing to thrive and in need or if the child is at risk of harm. Concerns about a child should always lead to help for a child at some point and the child's situation should improve.

'All staff should be aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments.' (KCSiE 2024)

Although the expectation is that staff will follow Corndel's procedures for reporting concerns, 'the [NSPCC's what you can do to report abuse dedicated helpline](#) is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled.'

**Staff can call 0800 028 0285 – the line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).' (KCSiE 2024).**

**Staff should read Corndel's Whistleblowing Policy and general guidance on whistleblowing can be found via: [Advice on Whistleblowing](#).**

In respect of child protection, **the Designated Safeguarding Lead will:**

- refer cases of suspected abuse to the local authority children's social care as required
- support staff who make referrals to local authority children's social care

The local authority responsible for responding to a concern about a child will normally be the one in which they live. **This tool allows a local authority to be identified by postcode and provides the contact details for referral to children's services:** <https://www.gov.uk/report-child-abuse-to-local-council>



If a member of the Safeguarding Team cannot be contacted (for example out of hours), the NSPCC, Childline or the local Safeguarding team in your area provide a safeguarding advice and support service:

**NSPCC 24 hours 7 days per week: Telephone: 0808 800 5000, [www.nspcc.org.uk](http://www.nspcc.org.uk)**

**Childline 24 hours 7 days per week: Telephone: 0800 1111, [www.childline.org.uk](http://www.childline.org.uk)**

## Specific Legal Duties

'Section 5B of the **Female Genital Mutilation Act 2003** (as inserted by section 74 of the Serious Crime Act 2015) places a Statutory duty upon teachers along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. The same definition of what is meant by 'to discover that an act of FGM appears to have been carried out' is used for all professionals to whom this mandatory reporting duty applies.

**Information on when and how to make a report can be found at:**

**<https://www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilationprocedural-information>**

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the teacher has a good reason not to, they should also still consider and discuss any such case with the Designated Safeguarding Lead and involve children's social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e., where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures.' (DFE, 2018)



# Appendix G: What we understand about abuse and neglect

Defining abuse or neglect is complex and depends on many factors. The term “abuse” can be subject to wide interpretation. It may be physical, verbal, or psychological, or it may occur where a person is persuaded to enter a financial or sexual transaction to which they have not consented or cannot consent to.

Incidents of abuse may be one-off or multiple and affect one person or more. Professionals and others should look beyond single incidents or individuals to identify patterns of harm. Repeated instances of poor care may be an indication of more serious problems and of what we describe as organisational abuse. In order to see these patterns, it is important that information is recorded and appropriately shared.

Abuse or neglect may be the result of deliberate intent, negligence, or ignorance. Exploitation can be a common theme in the experience of abuse or neglect. Whilst it is acknowledged that abuse or neglect can take different forms, the Care Act guidance identifies the following types of abuse or neglect:

- Physical abuse
- Domestic violence
- Sexual abuse
- Psychological abuse
- Financial or material abuse
- Modern slavery
- Discriminatory abuse
- Organisational abuse
- Neglect and acts of omission
- Self-neglect

Since the Act came into force in 2015 however, other types of abuse have since been recognised, including criminal and sexual exploitation and cuckooing.

## Physical Abuse

Physical abuse includes assault, hitting, slapping, pushing, kicking, misuse of medication, being locked in a room, inappropriate sanctions or force-feeding, inappropriate methods of restraint, and unlawfully depriving a person of their liberty.

## Possible indicators of physical abuse

- Unexplained or inappropriately explained injuries
- An adult exhibiting untypical self-harm
- Unexplained cuts or scratches to mouth, lips, gums, eyes, or external genitalia
- Unexplained bruising to the face, torso, arms, back, buttocks, thighs, in various stages of healing
- Collections of bruises that form regular patterns which correspond to the shape of an object, or which appear on several areas of the body
- Unexplained burns on unlikely areas of the body (e.g., soles of the feet, palms of the hands, back), immersion burns (from scalding in hot water or liquid), rope burns, or burns from an electrical appliance
- Unexplained or inappropriately explained fractures at various stages of healing to any part of the body
- Medical problems that go unattended
- Injuries that remain untreated
- Sudden and unexplained urinary and/or faecal incontinence
- Evidence of overusing or underusing medication
- The adult flinches or shy's away from physical contact
- The adult appears frightened or subdued in the presence of particular people.
- The adult asks not to be hurt
- The adult may repeat what the person causing harm has said (e.g., 'Shut up or I'll hit you')
- Reluctance to undress or uncover parts of the body
- The adult wears clothes that cover all parts of their body or specific parts of their body
- Changes in the adult's behaviour
- An adult with capacity not being allowed to go out of a care home when they ask to or when they are invited out by another person
- An adult without capacity not being allowed to be discharged at the request of an unpaid carer/family member

## Domestic Abuse

The Home Office offers the following definition of domestic abuse:

"An incident or pattern of incidents of controlling, coercive or threatening behaviour, violence, or abuse by someone who is or has been an intimate partner or family member regardless of gender or sexuality. It includes psychological, physical, sexual, financial, emotional abuse, so-called 'honour-based' violence, Female Genital Mutilation and forced marriage. Age range is 16 years old and above."

Coercive and controlling behaviour in intimate and familial relationships was introduced into the Serious Crime Act 2015. The offence imposes a maximum of 5 years' imprisonment, a fine or both.

Many people think that domestic abuse is restricted to abuse between intimate partners, but it also extends to other family members. Family members are defined as: mother, father, son, daughter, brother, sister, and grandparents, whether directly related, in-laws or step-family.

Domestic violence and abuse include any incident or pattern of incidents of controlling, coercive or threatening behaviour or violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members, regardless of gender or sexuality. It also includes honour-based violence, female genital mutilation and forced marriage.

### **Indicators of Domestic Abuse include:**

- Evidence of physical or sexual assaults
- Verbal and psychological abuse and humiliation in front of other people
- Low self-esteem
- Belief that the abuse is somehow their fault
- Fear of others and unwillingness to engage with outside intervention
- Damage to home or property
- Isolation, from friends, family, and the wider community
- Not having enough money for daily life because there is limited access to money
- Missing appointments without notice or explanation

### **Coercive and controlling behaviour is a core part of domestic violence.**

#### **Coercive behaviour can include:**

- Physical and sexual assault; including threats, humiliation, and intimidation
- A person being punished
- Making a person fearful
- Keeping the adult away from their friends, family, and sources of support
- Limiting access to resources or money
- Preventing the person from leaving or escaping abuse
- Regulating everyday behaviour and activities including what they can wear, where they can go, how to behave and who they see

## **Sexual Abuse:**

Sexual abuse includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

It includes penetration of any sort, incest, and situations where the person causing harm touches the abused person's body (e.g., breasts, buttocks, or genital area), exposes his or her genitals (possibly encouraging the abused person to touch them) or coerces the abused person into participating in or

looking at pornographic videos or photographs. Denial of a sexual life to consenting adults is also considered abusive practice.

Any sexual relationship that develops between adults where one is in a position of trust, power, or authority in relation to the other (e.g., a day centre worker, social worker, residential worker, health worker etc.) may also constitute sexual abuse.

### **Possible indicators of sexual abuse:**

- The adult has urinary tract infections, vaginal infections or sexually transmitted diseases that are not otherwise explained
- The adult appears unusually subdued, withdrawn or has poor concentration
- The adult exhibits significant changes in sexual behaviour or outlook
- The adult experiences pain, itching or bleeding in the genital/anal area
- The adult's underclothing is torn, stained or bloody
- The adult is fearful of contact
- The adult's behaviour changes
- The adult becomes introverted and does not want to talk when otherwise they are quite sociable
- A woman who lacks the mental capacity to consent to sexual intercourse becomes pregnant

## **Psychological Abuse**

- Enforced social isolation – preventing someone accessing services, educational and social opportunities and seeing friends
- Removing mobility or communication aids or intentionally leaving someone unattended when they need assistance
- Preventing someone from meeting their religious and cultural needs
- Preventing the expression of choice and opinion
- Failure to respect privacy
- Preventing stimulation, meaningful occupation, or activities
- Intimidation, coercion, harassment, use of threats, humiliation, bullying, swearing or verbal abuse
- Addressing a person in a patronising or infantilising way
- Threats of harm or abandonment
- Cyber bullying

### **Possible indicators of psychological abuse:**

- Untypical ambivalence, deference, passivity, or resignation
- The adult appears anxious or withdrawn, especially in the presence of the alleged abuser
- The adult exhibits low self-esteem
- Untypical changes in behaviour (e.g., continence problems, sleep disturbance).
- The adult is not allowed visitors and/or phone calls
- The adult is locked in a room or in their home

- The adult is denied access to aids or equipment (e.g., glasses, dentures, hearing aid, crutches, etc.)
- The adult's access to personal hygiene and the toilet is restricted
- The adult's movement is restricted by use of inappropriate furniture or other equipment
- Bullying via social networking internet sites and persistent texting

## Financial or Material Abuse

This includes theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions, or benefits.

### **Possible indicators of financial or material abuse:**

- Lack of heating, clothing, or food
- Inability to pay bills and/or unexplained shortage of money
- Lack of money, especially the day after receiving money, such as benefits
- Inadequately explained withdrawals from accounts
- Unexplained loss/misplacement of financial documents
- The recent addition of authorised signatories on an adult's accounts or cards
- Disparity between assets/income and living conditions
- Power of attorney obtained when the adult lacks the capacity to make this decision
- Recent changes of deeds/title of house or will
- Recent acquaintances expressing sudden or disproportionate interest in the adult and their money
- Service-user not in control of their direct payment or individualised budget
- Mis-selling/selling by door-to-door traders/cold calling
- Illegal money-lending

## Scams

These can arise from contact by email, letter, or telephone, or in person, and involve making false promises to con victims out of money.

There are many types of scams but some of the most common are:

- fake lotteries
- deceptive prize draws or sweepstakes
- clairvoyants
- computer scams
- romance scams

Individuals or gangs attempt to trick people with official-looking documents or websites or convincing telephone sales. They have the aim of persuading people to send a processing or administration fee,

pay postal or insurance costs, buy an overvalued product, transfer savings from their bank accounts or make a premium rate phone call.

Doorstep scams are crimes carried out by bogus callers, rogue traders and unscrupulous salespeople who call, often uninvited, at a person's home under the guise of legitimate business or trade.

## Modern Slavery

Modern slavery encompasses slavery, human trafficking, forced and compulsory labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive, and force individuals into a life of abuse, servitude, and inhumane treatment.

A large number of active organised crime groups are involved in modern slavery. However, it is also committed by individual opportunistic perpetrators.

There are many different characteristics that distinguish slavery from other human rights violations. However, only one needs to be present for slavery to exist.

Someone is in slavery if they are:

- forced to work - through mental or physical threat
- owned or controlled by an 'employer,' usually through mental or physical abuse or the threat of abuse;
- dehumanised, treated as a commodity or bought and sold as 'property'; or
- physically constrained or have restrictions placed on his/her freedom of movement.

Modern slavery takes various forms and affects people of all ages, gender, and races.

Human trafficking involves an act of recruiting, transporting, transferring, harbouring, or receiving a person through a use of force, coercion, or other means, for the purpose of exploiting them. Trafficking can be domestic, or it can involve trafficking adults into the UK.

If an identified victim of human trafficking is also an adult with care and support needs, the response will be coordinated under the adult safeguarding process. The police are the lead agency in managing responses to adults who are the victims of human trafficking.

There is a national framework to assist in the formal identification of victims and help to coordinate the referral of victims to appropriate services. This is known as the National Referral Mechanism

### Possible Indicators of Modern Slavery:

Signs of various types of slavery and exploitation are often hidden, making it hard to recognise potential victims. Victims can be any age, gender or ethnicity or nationality. Whilst by no means exhaustive, some common signs that may indicate modern slavery are:

- An adult is not in possession of their legal documents (passport, identification, and bank account details) and they are being held by someone else



- The adult has old or serious untreated injuries, and they are vague, reluctant, or inconsistent in explaining how the injury occurred
- The adult looks malnourished, unkempt, or appears withdrawn
- They have few personal possessions and often wear the same clothes.
- The clothes they do wear may not be suitable for their work
- The adult is withdrawn or appears frightened, unable to answer questions directed at them, or speak for themselves and/or an accompanying third party speaks for them. If they do speak, they are inconsistent in the information they provide, including basic facts such as the address where they live
- They appear under the control and influence of others, rarely interact, or appear unfamiliar with their neighbourhood or where they work. Many victims will not be able to speak English
- They are fearful of people in general and the authorities in particular
- The adult perceives themselves to be in debt to someone else or in a situation of dependence
- The adult lives in inappropriate or unduly cramped accommodation
- Adults, sometimes in groups, are seen in places where you wouldn't expect. For example, groups of adults waiting in the countryside and not at a bus stop for a "lift"

## **Environmental Indicators to Modern Slavery**

Signs outside of a property that may indicate modern slavery is taking place include:

- Bars covering the windows of the property
- Curtains are always drawn
- There are coverings over the windows, such as reflective film or coatings
- The entrance has CCTV cameras installed
- The letterbox is sealed to prevent use
- There are signs that the electricity may have been tacked on from neighbouring properties or directly from power lines

Signs inside the property that may indicate modern slavery include:

- Locked rooms or no access to the back rooms of the property
- Overcrowding
- The house is in poor condition, needing repair work



## Discriminatory abuse

This includes discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation, and political views, along with racist, sexist, homophobic or ageist comments or jokes, or comments and jokes based on a person's disability or any other form of harassment, slur, or similar treatment.

Hate crime can be viewed as a form of discriminatory abuse, although it will often involve other types of abuse too. It also includes not responding to dietary needs and not providing appropriate spiritual support. Excluding a person from activities on the basis they are 'not liked' is also discriminatory abuse.

### Possible Indicators of Discriminatory Abuse

Indicators for discriminatory abuse may not always be obvious and may also be linked to acts of physical abuse and assault, sexual abuse and assault, financial abuse, neglect, psychological abuse, and harassment, so the indicators listed above may also apply to discriminatory abuse.

An adult who is suffering discriminatory abuse may also:

- Reject their own cultural background and/or racial origin or other personal beliefs, sexual practices, or lifestyle choices
- Make complaints about the service not meeting their needs

## Organisational Abuse

Organisational abuse is the mistreatment, abuse, or neglect of an adult by a regime or individuals in a setting or service where the adult lives or that they use. Such abuse violates the person's dignity and represents a lack of respect for their human rights.

Organisational abuse includes neglect and poor care practice within an institution or specific care setting, such as a hospital or care home, or where care is provided within an adult's own home. This may range from one-off incidents to ongoing ill-treatment. It can occur through neglect or poor professional practice as a result of the structure, policies, processes, and practices within an organisation.

Organisational abuse occurs when the routines, systems and regimes of an institution result in poor or inadequate standards of care and poor practice, which affect the whole setting and deny, restrict or curtail the dignity, privacy, choice, independence, or fulfilment of adults with care and support needs.

Organisational abuse can occur in any setting providing health or social care. Several inquiries into care in residential settings have highlighted that organisational abuse is most likely to occur when staff:

- receive little support from management
- are inadequately trained
- are poorly supervised and poorly supported in their work
- receive inadequate guidance.

Or where there is:

- unnecessary or inappropriate rules and regulations
- lack of stimulation or the development of individual interests
- inappropriate staff behaviour, such as the development of factions, misuse of drugs or alcohol, failure to respond to leadership
- restriction of external contacts or opportunities to socialise

## Neglect and Acts of Omission

Neglect and acts of omission include ignoring medical, emotional, or physical care needs, failing to provide access to appropriate health, social care or educational services, and the withholding of the necessities of life such as medication, adequate nutrition, and heating. Neglect also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk for themselves.

Neglect and poor professional practice may take the form of isolated incidents or pervasive ill treatment and gross misconduct. Neglect of this type may happen within an adult's own home or in an institution. Repeated instances of poor care may be an indication of more serious problems. Neglect can be intentional or unintentional.

Possible indicators of neglect are:

- The adult has inadequate heating and/or lighting
- The adult's physical condition or appearance is poor (e.g., ulcers, pressure sores, soiled or wet clothing)
- The adult is malnourished, has sudden or continuous weight loss and/or is dehydrated
- The adult cannot access appropriate medication or medical care
- The adult is not afforded appropriate privacy or dignity
- The adult and/or a carer has inconsistent or reluctant contact with health and social service
- Callers/visitors are refused access to the adult
- The adult is exposed to unacceptable risk

## Self-Neglect

Self-neglect entails neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. It is also defined as the inability, intentional or unintentional, to maintain a socially and culturally accepted standard of self-care with the potential for serious consequences to the health and wellbeing of the individual and sometimes to their community.

Self-neglect may not prompt a section 42 enquiry, and an assessment will be made on a case-by-case basis. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. However, there may come a point where they are no longer able to do this without external support.

### **Indicators of self-neglect may include:**

- living in very unclean, sometimes verminous, circumstances;
- poor self-care, leading to a decline in personal hygiene
- poor nutrition
- poorly healing sores
- poorly maintained clothing
- isolation
- failure to take medication
- hoarding
- neglecting household maintenance
- portraying eccentric behaviour/lifestyles

Poor environments and personal hygiene may be a matter of personal or lifestyle choice or other issues, such as insufficient income.

## Exploitation

Abuse of adults with care and support needs often occurs within a context of exploitation.

Exploitation is an act where someone will use another person for profit, labour, sexual gratification or some other personal or financial advantage. Exploitation can take many forms and result in different types of harm, such as financial, emotional/psychological or sexual. These types of abuse have been covered in the sections above, but some forms of criminal exploitation are explained in the paragraphs below.

## Sexual exploitation

The sexual exploitation of adults with care and support needs involves exploitative situations, contexts and relationships where adults with care and support needs, or a third person or persons, receive 'something' (e.g., food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money, attention, understanding, company) as a result of performing sexual activities, and/or having others performing sexual activities on them.

Sexual exploitation can occur through the use of technology without the person's immediate recognition. This can include being persuaded to post sexual images or videos on the internet or send them on a mobile phone with no immediate payment or gain or being sent such an image by the person alleged to be causing harm. In all cases, those exploiting the adult have power over them by virtue of various factors, including their age, gender, intellect, physical strength, and/or economic or other resources.

## Organised Crime and County Lines

Organised crime is 'serious crime planned, coordinated and conducted by people working together on a continuing basis. Their motivation is often, but not always, financial gain.' Organised crime groups are 'organised criminals working together for a particular criminal activity or activities.' (National Crime Agency; 2018)

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other forms of "deal lines".

They are likely to exploit children and adults, including those with care and support needs, to move, locally supply and store the drugs and money. They will often use coercion, intimidation, violence (including sexual violence) and weapons. (Home Office; 2018)

## Cuckooing

The term 'cuckooing' is 'named after the nest stealing practices of wild cuckoos. It describes the situation where a county lines dealer 'takes over' accommodation located in the provincial drugs market, using it as a local dealing base.' (Coomber and Moyle: 2017)

An individual or group can do this by taking over the homes of local adults and families, including children and adults with care and support needs, through an abuse of power or vulnerability by coercion, control and/or force so that they can provide a base for the supply of drugs into the local community. This places the adult and/or families at an increased risk of eviction if they are in social or privately rented housing, and isolation from their communities due to the anti-social activity it can

create. Cuckooing often forms part of wider 'county lines' activity and is also a form of criminal exploitation.

## Signs of Cuckooing

Cuckooing not only has an impact on the individual or family whose home has been taken over, but also the neighbours and neighbourhood of the property that has been cuckooed; therefore, signs of cuckooing may be more evident to neighbours than professionals in the first instance. This means that comments and reports from neighbours must be noted and considered by professionals working with individuals or families.

Cuckooing can take place in rented or social housing, including multiple occupancy housing provision. However, individuals who own their own homes, particularly those in the vulnerable groups listed above, may also be targeted.

The following signs may indicate that an individual or family's property has been cuckooed:

- Unknown people frequently staying at/moving into the property; often described by the individual or families as "friends"
- The individual or family moving out or regularly staying away from the property while the unknown individuals remain
- New vehicles regularly parking or remaining outside the property
- An increase in the number of comings and goings throughout the day and/or night, including people/vehicles that have not been seen before
- An increase in anti-social behaviour, such as property damage, littering, regular loud music or 'parties', or evidence of verbal or physical aggression, in and around the property
- The individual/family refusing entry or restricting access to certain parts of the property to neighbours, friends, or professionals, particularly if they have allowed it before

As with all areas of exploitation, referral to the relevant agencies in a timely manner is essential. Such options could include:

- Police involvement and intervention
- Ongoing support from Mental Health services
- Housing providers
- Any physical health services
- Community services and resources
- Education services
- The Salvation Army, who can provide specialist support including access to confidential legal advice, health care, counselling, educational opportunities, financial support, and support with accessing housing and employment

## Criminal exploitation

Criminal exploitation occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child, young person, or an adult, including those with care and support needs, into any criminal activity:

- (a) In exchange for something the victim needs or wants, and/or
- (b) For the financial or other advantage of the perpetrator or facilitator, such as to support serious organised crime and/or terrorism, and/or
- (c) Through violence or the threat of violence to ensure compliance

Because they are more likely to be easily detected, individuals who are exploited are more likely to be arrested and criminalised for criminal behaviour, than those individuals or groups who are exploiting them. The victim may have been criminally exploited even if the activity appears consensual. Criminal exploitation does not always involve physical contact; it can also occur using technology and/or social media.

Individuals who are being criminally exploited can be involved, linked to, or considered to be, by themselves or others, as part of a “gang” (taken from research and publication by Factor et al: 2015). It is important when children or adults, including those with care and support needs, identify or are identified as being affected or involved with gang-related activity that involves the use of actual or threatened violence and/or drug dealing, that professionals also consider that they may be victims of criminal exploitation.

Criminal exploitation is broader than, but often part of, organised crime and county lines.

## The Context of Criminal Exploitation

Criminal exploitation, including cuckooing, can include several different types of abuse. The types of abuse that can often be present, or relied upon for the purposes of power, include:

- Modern slavery and trafficking.
- Domestic abuse.
- Sexual abuse, including sexual exploitation.
- Physical abuse.
- Psychological abuse.
- Financial abuse.
- Neglect, including self-neglect.
- Emotional abuse

Criminal exploitation can involve complex and organised abuse involving one or more abusers and several children and/or adults, including those with care and support needs.



Criminal exploitation can take place outside of the family or home environment. It is often a combination of the interplay between the relationships and circumstances both inside and outside of the family/home environment that can lead to a child or adult being criminally exploited.

It is now recognised that it is crucial to have a multi-agency contextual safeguarding approach and look at the victim's surrounding environment. An approach should be adopted which considers and addresses the individual needs, risks, and protective factors within, including the needs and capacity of parents/carers, and outside, including the impact of social conditions, of the family/home. This approach should also be taken when a child or adult, including those with care and support needs, is being considered as a potential perpetrator.

## **Vulnerable Groups at Risk**

As with other types of exploitation, individuals, both adults and children, who fall into the following vulnerable groups are more likely to be at risk of being criminally exploited. Individuals or families who fall into more than one of the groups, and show the signs of criminal exploitation or cuckooing as outlined below, should be considered at the greatest risk if they:

- are teenage children and young adults
- have previously or are currently experiencing abuse or other Adverse Childhood Experiences (ACEs)
- lack a safe/stable home environment, now or in the past. For example, due to domestic violence, parental substance misuse, mental health issues or criminality
- are homeless or have insecure accommodation status
- are exposed to violent crime, gang-related activity, and deprivation
- are socially isolated, lonely or experience social difficulties
- are economically vulnerable
- are migrants
- have a physical or learning disability
- experience mental health issues or substance misuse
- are or have been in care, particularly those in children's residential care and those with interrupted care histories
- are children excluded from school, either permanently or temporarily, or who are not fully engaged or attending their educational provision or an alternative learning provision (Tapper: 2018). [List adapted from Home Office: 2018]

## **Signs of Criminal Exploitation**

Any sudden changes or presence of the signs should be discussed with the individual, where possible, in the first instance to explore with them the reasons behind their behaviour and try to improve their own understanding of the potential risks.



# Appendix H: Case Management

Once a concern has been raised the Designated Safeguarding Lead (DSL) or Deputy will manage the referral referring to the following principles, guidance, and procedures.

## Information Sharing

When sharing information, Corndel always acts within all legislative, common law and other related provisions concerning information processing and sharing including, but not limited to, the Data Protection Act 2018 and General Data Protection Regulations. Staff, and the Board must understand and act within the rules set out in our Data Protection Policy. We use the Caldicott Principles as a guide to good practice when determining the sharing of information in connection with safeguarding concerns. These principles, adapted for education, are as follows:

Principle	How the principle may look in practice
<b>Justify the purpose(s)</b> for using confidential information	Every proposed use or transfer of personal confidential data within or from Corndel should be clearly defined, scrutinised, and documented.
Personal confidential data items should not be included unless it is <b>essential for the specified purpose(s)</b> .	The need for learners to be identified should be considered at each stage of satisfying the purpose(s).
Use the <b>minimum necessary</b> personal confidential data.	Where use of personal confidential data is considered to be essential, the inclusion of each individual item of data is considered and justified. This is so that the minimum amount of personal confidential data is transferred or accessible as is necessary for a given function to be carried out.
Access to personal confidential data should be on a strict <b>need-to-know</b> basis.	Only those individuals who need access to personal confidential data should have access to it, and they should only have access to the data items that they need to see.

Everyone with access to personal confidential data should be <b>aware of their responsibilities</b> .	Those handling personal confidential data are made fully aware of their responsibilities and obligations to respect learner confidentiality.
<b>Comply with the law.</b> Every use of personal confidential data must be lawful.	Corndel has a Data Protection Officer who handles personal confidential data and is responsible for ensuring that the organisation complies with legal requirements.
<b>The duty to share information.</b>	The duty to share information can be as important as the duty to protect learner confidentiality.

Corndel recognises that safeguarding vulnerable adults raises significant issues in relation to information sharing, especially when trying to balance an adult's right to free choice, including the choice about sharing of information, with the responsibility to keep people safe. Adults who have capacity are free to make certain choices which objectively could be considered as abuse or neglect, and they may object to further sharing of information; however, it is also recognised that there might be circumstances where, despite the choices made by the adult, information can be shared in the context of safeguarding.

**If an issue arises where there is a serious conflict between safeguarding an adult and that adult's rights to consent, either to the behaviour or the sharing of information, then Corndel will seek advice from the relevant agency. This may be done anonymously in the first instance.**

Agencies can be asked to deal with the matter in confidence. The police and local authority adult safeguarding team are trained to deal with such disclosures in line with all relevant statutory and common law rules.

Corndel recognises that, where:

- there is a real risk of serious harm
- there is a risk of harm to the wellbeing and safety of the adult or others
- other adults or children could be at risk from the person causing harm
- it is necessary to prevent crime or if a crime may have been committed
- the person lacks capacity to consent

that the safety of the adult must be paramount, and a report should be made either in an emergency via 999, to the Police non-emergency line (101), or to the relevant Multi Agency Safeguarding Hub (MASH).

## Requests for information to be produced to assist an investigation

Statutory agencies, such as the Police or a local authority, recognise that adults have a general right to independence, choice, and self-determination, including control over information about themselves; however, they are clear that, in the context of adult safeguarding and when investigating crime, these rights can be overridden. In certain circumstances, such as in an emergency or life-threatening situations, it may be warranted to share relevant information without consent.

The Care Act 2014, particularly section 45 - the 'supply of information' - covers the responsibilities of others to comply with any requests for information from the Safeguarding Adults Board for the purposes of progressing an enquiry.

CornDel recognises our responsibilities for information sharing and will always seek to comply with such requests, where properly requested, in order to:

- prevent death or serious harm
- coordinate effective and efficient responses
- enable early interventions to prevent the escalation of risk
- prevent abuse and harm that may increase the need for care and support
- maintain and improve good practice in adult safeguarding
- reveal patterns of abuse that were previously undetected and that could identify others at risk of abuse
- identify low-level concerns that may reveal people at risk of abuse
- help people to access the right kind of support to reduce risk and promote wellbeing
- help identify people who may pose a risk to others
- where possible, work to reduce offending behaviour
- reduce organisational risk and protect reputation

### **If there is any concern about sharing information, we will seek advice.**

The management interests of the organisation should not override the need to share information to safeguard adults at risk of abuse. All staff and Board members should understand the importance of sharing safeguarding information and the potential risks of not sharing it. All staff and Board members must inform the DSL who will ensure compliance with this policy when dealing with requests to produce information.

## Record Keeping and Information Storage

Good record keeping is an essential part of our accountability to those who use our services and is vital to each individual's safety. If records are inaccurate, decisions may be taken based on inaccurate information and harm may be caused to the individual.

Where an allegation of abuse is made, Corndel will keep clear and accurate records. It is fundamental to ensure that evidence is protected, and records show what action has been taken, what decisions have been made, and why. It is equally important to record when actions have not been taken and why, for example, if an adult with care and support needs with mental capacity chooses to make decisions that professionals consider to be unwise.

Corndel will ensure that the following key questions are answered, and abided by, when determining what information to record, store and share:

- What information do staff need to know in order to provide a high-quality response to the adult concerned?
- What information do staff need to know in order to keep adults safe under our duty to protect people from harm?
- What information is not necessary to record or share?
- What is the basis for any decision to share, or not share, information with a third party?

All written records will be kept in a secure area with access available only for those who need to know. All personal information regarding a vulnerable adult, including that which identifies them, will be retained, and destroyed at the appropriate time in line with Corndel's Data Protection Policy. For full information about data protection, please see our data policies and procedures.

## Role of Key Agencies

The Care Act 2014 puts partnership working, wellbeing and empowerment at the heart of local authority and other statutory bodies' duty to adults. As a result, there are Multi-Agency Hubs, an Adult Safeguarding Group and local authority websites where resources can be found.

**The relevant authority will normally be the local authority in which the adult at risk lives.**

This tool allows a local authority to be identified by postcode and provides the contact details for the council and a link to their website: <https://www.gov.uk/find-local-council>

Adult Social Care is the lead agency for safeguarding adults, and the Adult Safeguarding Team, or Multi Agency Safeguarding Hub, is the lead within the council for all safeguarding issues concerning

an adult. A concern will, in the first instance, be made to this team by calling them, usually followed up with a written referral as required.

**If the issue or concern is an emergency, the police will be contacted on 999 or 101.** The police are a key partner in safeguarding and have a duty to protect the public and prevent crimes.

**Health services** are also central to safeguarding, including mental health services:

<https://111.nhs.uk/>

**NHS advice: Tel: 111 (24hrs/day, 7 days/week)**

**Urgent help in a crisis:**

<https://www.nhs.uk/service-search/mental-health/find-an-urgent-mental-health-helpline>

**Find an NHS psychological therapies service (IAPT):**

<https://www.nhs.uk/service-search/find-a-psychological-therapies-service/>

## Raising a concern with the Adult Safeguarding Team

A concern should be raised when there is reason to believe an adult at risk may have been, is, or might be, the subject of harm, abuse or neglect by any other person or persons. This also includes anyone self-neglecting where there is a significant risk to their health or wellbeing.

In circumstances where there are serious immediate risks, a response from Adult Safeguarding services or the police will be provided the same day.

Whilst reporting a concern to the local safeguarding team, it is important that anyone who is aware of the concern also considers if the risk or experience of immediate serious harm is so severe that urgent action is required to prevent it.

## What happens when a referral is made?

Urgent actions will be taken to safeguard anyone at risk of immediate harm if any of the following concerns are apparent:

- active abuse is witnessed
- an active disclosure is made by an adult or third party
- there is suspicion or fear that something is not right or there is evidence of possible abuse or neglect

Local Authorities make enquiries, or require others to do so on their behalf, if they reasonably suspect an adult meets the following criteria:

- they have needs for care and support (whether or not the Local Authority is meeting any of these needs);
- they are experiencing, or at risk of, abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

The Local Authority will assess whether they consider the individual unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

Where the referral is considered to fall into this category, the Local Authority will take steps to actively safeguard the individual. The concern will be logged on the Local Authority's database as a safeguarding concern and actions will be taken. This is often together with other agencies and partners.

**Corndel may be invited to assist with the assessment or support the individual as part of the safeguarding response.**

It may be that the Local Authority assesses the situation as not meeting the threshold for intervention, and so it would not fall into this category. If this is the case and the referrer disagrees with the decision, the matter may be escalated to senior managers. Should the ultimate decision of the Local Authority be that the matter is not one that requires a statutory agency response, Corndel will ensure that it takes appropriate action to help the individual.

Where this is the case, staff and Board members must ensure that any actions are agreed by the DSL and recorded in accordance with the Data Protection Policy and record management systems. In this context, it is worth remembering that should an adult die, there is a likelihood that the matter will be considered by the coroner. Therefore, records must be clear, accurate and in a shareable format.

## Reporting to the CEO

The DSL must notify the CEO as soon as possible and always within 24 hours of a serious disclosure or suspicion being raised.

## Contact with external services

The DSL or CEO (or a deputy) should report appropriate matters to children's social care/adult services or the police by phone immediately, followed by written confirmation or an email within 48 hours. Where a request for service form or an early help assessment is completed and sent via email to children's social care, staff can expect a response via email within 48 hours. For contact with the Police or adult services, the DSL/CEO or deputy should request a timeframe in which to expect a response.

A written record of the date and time of the report must be made, and the document should include the name and position of the person to whom the matter is reported.

The designated member of staff should note down the detail of the discussion about action to be taken including sharing of information, depending on the circumstances. The process of keeping CornDel informed of further action should also be discussed.

## ESFA notification

'Where the Training Provider or a Subcontractor refers a safeguarding concern or an allegation of abuse to local authority children's social care / adult social care and / or the police, the Training Provider must, within 24 hours, inform the ESFA by contacting the Helpdesk (08000 150600 or [helpdesk@manage-apprenticeships.service.gov.uk](mailto:helpdesk@manage-apprenticeships.service.gov.uk)). Such notification must include the name of the Training Provider, a high-level summary of the nature of the incident (without sharing personal information about victims or alleged perpetrators) and confirmation of whether it is, or is scheduled to be, investigated by the Local Authority and/or the police.'



# Appendix I:

## Procedure for managing abuse allegations against staff

In rare instances, staff of education institutions have been found responsible for abuse. We recognise that sometimes situations may arise where we must deal with an allegation against an individual who is an employee or board member.

CornDel is required to comply with the respective local safeguarding partnership procedures for managing allegations against staff. These procedures apply to all staff, whether delivery, administrative, management or support, as well as to volunteers.

Because of their frequent contact with learners, staff may have allegations of abuse made against them. CornDel recognises that an allegation of abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true.

It is imperative that those dealing with an allegation maintain an open mind and those investigations are thorough and not subject to delay. It is also recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence, and career. Therefore, those dealing with such allegations within the organisation will do so with sensitivity and will act in a careful, measured way and take appropriate advice from the Safeguarding Group as part of their fact finding and investigation.

Where the concern is about someone in a position of trust in our organisation, and the concern is an allegation of abuse or neglect, we will assess any potential risk to adults in need and, if necessary, take action to safeguard those adults. We will also report the concern to the Local Authority Adults Safeguarding Team/MASH. If the allegation of abuse involves someone under the age of 18 (a child) CornDel will take advice from the relevant Local Authority Designated Officer (LADO) in applying these procedures

Examples of such concerns could include allegations that relate to a person who works with adults with care and support needs who has:

- behaved in a way that has harmed, or may have harmed an adult or a child
- possibly committed a criminal offence against, or related to, an adult or a child
- behaved towards an adult or a child in a way that indicates they may pose a risk of harm to adults with care and support needs

**Low level concerns** are concerns that are unlikely to meet the threshold for investigation but may form the basis of a wider concerning picture so should always be assessed and recorded. Consideration will be given as to the transferable risk to adults at risk (and/or children) with whom the person works and whether there is a need to consult with the Local Authority Designated Officer.

Any allegation against people who work with adults should be reported immediately to the Human Resources (HR) Director, who will deal with the situation in line with our safeguarding procedures and all relevant employment law rules, and will seek advice, including legal advice if required, for dealing with such concerns.

Where a learner is affected, we will share any outcomes with the HR Director in the learner's employment where the learner is based including any support recommended for the learner, if and when appropriate.

Where we remove an individual from work with adults with care and support needs because the person poses a risk of harm to the adults, we will make a referral to the Disclosure and Barring Service (DBS). It is an offence to fail to make a referral without good reason.

CornDel has clear routes for escalation where a member of staff, board or visitor feels that their safeguarding concern has not been responded to appropriately. Where applicable, the member of staff should use CornDel's whistleblowing policy.

## Receiving an allegation

**Any staff member who becomes aware of an allegation or concern about a member of staff must report the allegation immediately to the Human Resources (HR) Director**, who will notify the line manager where appropriate. If the HR Director is the person against whom the allegation is made, the report should be made to the CEO.

## Initial assessment by the Human Resources (HR) Director

The HR Director should make an initial assessment of the allegation, consulting with the DSL and the relevant local authority's safeguarding team as appropriate. An allegation is information which indicates that a person who works with a child, young person or vulnerable adult has:

- behaved in a way that has harmed or may have harmed a vulnerable person
- possibly committed a criminal offence against or related to a vulnerable person
- behaved towards a vulnerable person in a way that indicates s/he is unsuitable to work with vulnerable people

It is important that the HR Director does not investigate the allegation. The initial assessment should be based on the information received and is a decision whether or not the allegation warrants further investigation. If the assessment of the allegation is that it requires investigation, then an investigation will take place in accordance with CornDel's Disciplinary Policy. The relevant Local Authority Designated Officer (LADO) will be advised and kept fully informed of progress and outcome.

If the allegation is made against the CEO, the DSL/HR Director should:

- Obtain written details of the allegation from the relevant person/s, which are signed and dated. The written details should be countersigned and dated by the DSL/HR Director
- Record information about times, dates, locations, and names of potential witnesses

## Enquiries and investigations

Child or vulnerable adult protection enquiries by Social Services or the police are not to be confused with internal, disciplinary enquiries by Corndel. Corndel may be able to use the outcome of external agency enquiries as part of its own procedures. The child protection agencies, including the police, have no power to direct Corndel to act in a particular way, however, Corndel should assist the agencies with their enquiries.

Corndel will instigate its own internal enquiries after the conclusion of any formal police or social services investigations and will ensure that any investigations do not prejudice, interfere, or delay the formal investigation.

If there is an investigation by an external agency, for example the police, the DSL and/or HR Director should normally be involved in, and contribute to, the inter-agency strategy discussions. The DSL and CEO are responsible for ensuring that Corndel gives every assistance with the agency's enquiries.

They will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The HR Director shall advise the member of staff that he/she should consult with a representative, for example, a trade union.

The HR Director will consult with Social Services, the police, or other relevant agencies, particularly in relation to timing and content of the information to be provided, and shall:

- inform the learner making the allegation, that the investigation is taking place and what the likely process will involve
- ensure that the learner making the allegation has been informed verbally and in writing that the allegation has been made and what the likely process will involve
- inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve
- inform the member of staff making the allegation that the investigation is taking place and what the likely process will involve
- inform the Safeguarding Group of the allegation and the investigation

The HR Director shall keep a written record of the action taken in connection with the allegation.

## Suspension

Suspension should not be automatic and where possible a member of staff should be redeployed into a role which protects them as an individual and the person making the allegation. In respect of staff, other than the CEO or senior post holders, suspension can only be carried out by the HR Director or a member of staff acting under their direction. In respect of senior post holders, suspension can only be carried out by the CEO.

If suspension is being considered, this will be conducted in accordance with the existing Corndel disciplinary procedures. Suspension may be considered at any stage of the investigation. It is a

neutral, not a disciplinary act and shall be on full pay with no withdrawal of benefits. Consideration should be given to alternatives: e.g., paid leave of absence, agreement to refrain from attending work, change of, or withdrawal from, specified duties.

Suspension should only occur for a good reason. For example:

- where a learner is at risk
- where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct
- where necessary for the good and efficient conduct of the investigation

## The disciplinary investigation

The disciplinary investigation will be conducted in accordance with the existing Corndel disciplinary procedures.

## Allegations without foundation

False allegations may be indicative of problems of abuse elsewhere. A record should be kept.

In consultation with the DSL and HR Director, the CEO shall:

- inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary action will be taken. Consideration should be given to offering counselling and support in order to rebuild the member of staff's confidence and contact with our Employee Assistance Programme can be made via the individual or line manager.
- inform those involved that the allegation has been made and of the outcome
- where the allegation was made by a learner other than the alleged victim, give consideration to informing that learner of the intention to investigate and/or of the outcome where appropriate
- prepare a report, to be retained on the personnel file, outlining the allegation, giving reasons for the conclusion that it had no foundation, and confirming that the above action has been taken
- in some circumstances, consider the broader disclosure of details of the outcome of the investigations, for example if the matter is of general importance, has become common knowledge or the subject of general gossip and/or there is a need to provide accurate details for public information. The member of staff should be involved in the planning of proposed communications in this instance and be made aware of timings to share wider so that they are supported and prepared.

## Records

All records relating to an investigation are retained in a secure place by HR, together with a written record of the outcome and, if disciplinary action is taken, details will be retained on the member of staff's personal and confidential file.

If a member of staff is dismissed or resigns before the disciplinary process is completed, he/she should be informed about Corndel's statutory duty to notify the Disclosure and Barring Service and sent the findings and outcomes of any investigation.

## Confidentiality

Corndel will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

# Appendix J: Legal Frameworks and guidance

The legal framework for the role of Corndel:

## The Equality Act 2010

The principles of the Equality Act 2010 underpin this policy. It covers everyone in Britain and protects people from discrimination, harassment, and victimisation.

## Care Act 2014 and Statutory Guidance issued under the Act

This sets out rules and guidance on all aspects of safeguarding and repeals the No Secrets guidance (2000). It is not set out in detail here as its contents inform major parts of this policy.

## The Human Rights Act 1998

This gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights (ECHR). The Act applies to all public authorities, such as central government departments, local authorities and NHS Trusts, and other bodies performing public functions, such as private companies operating prisons. These organisations must comply with the Act, and an individual's human rights, when providing a service or making decisions that have a decisive impact upon an individual's rights. The Care Act extends the scope of the Human Rights Act.

Although the Act does not apply to private individuals or companies, except where they are performing public functions, public authorities have a duty to promote the human rights of individuals, and this entails a duty to stop people or companies abusing an individual's human rights.



The Human Rights Act covers everyone in the United Kingdom, regardless of citizenship or immigration status. Anyone who is in the UK for any reason is protected by the provisions of the Human Rights Act.

## Mental Capacity Act 2005

The MCA 2005 was enacted to protect individuals and their freedoms. It empowers individuals to retain freedom of choice and, when choices cannot freely be made, it seeks to make sure that decisions are taken in the individual's best interests. Any decision taken on behalf of an individual who lacks capacity to make a specific decision must be based on their wishes so far as is possible. Best interest rules must be followed when making decisions for an adult who lacks capacity.

The Act is also a useful guide to interactions with people who may lack capacity. Everyone working with someone who might be considered vulnerable must have a working knowledge of the Act. The Act also complements Corndel's other policies and its ethos. Therefore, it is included here both for information purposes and to note that Corndel's staff and board will act within its principles at all times.

## Part 1 of the Mental Capacity Act 2005

- The principles outlined in the Mental Capacity Act are:
- A person must be assumed to have capacity unless it is established that he/she lacks capacity
- A person is not to be treated as unable to make a decision unless all practicable steps to help him/her to make a decision have been taken without success
- A person is not to be treated as unable to make a decision merely because he/she makes an unwise decision
- An action taken, or decision made, under this Act for, or on behalf of a person who lacks capacity, must be done, or made, in his/her best interests
- Before the action is undertaken, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action

People who lack capacity:

- For the purposes of this Act, a person lacks capacity in relation to a matter if, at the material time, they are unable to make a decision for themselves in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain
- It does not matter whether the impairment or disturbance is permanent or temporary



- A lack of capacity cannot be established merely by reference to -
  - (a) a person's age or appearance, or
  - (b) a condition of theirs, or an aspect of their behaviour, which might lead others to make unjustified assumptions about their capacity

The Act also introduced Independent Mental Capacity Advocates who can be appointed if circumstances warrant an independent voice for someone considered to lack capacity.

## The Education Act 2002 - Section 157 & 175

Requires local authorities and governing bodies of further education institutions to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children, young people and adults at risk. In addition, they should have regard to any guidance issued by the Secretary of State in considering what arrangements they may need to make.

## Safeguarding Vulnerable Groups Act 2006

The purpose of this Act is to prevent harm from occurring to adults at risk by preventing those who may cause harm from being employed in roles where they are in contact with them. The Disclosure and Barring Service (DBS) has been introduced to help employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children.

## The Public Interest Disclosure Act 1998 (PIDA)

This created a framework for whistleblowing across the private, public, and voluntary sectors. The Act provides almost every individual in the workplace with protection from victimisation when they raise genuine concerns about malpractice in accordance with the Act's provisions. All organisations must have a Whistleblowing Policy in place.

## Protection of Freedoms Act (2012)

This Act brought together the agencies which now undertake DBS checks and issue certificates. Part 5 - Safeguarding vulnerable groups, criminal records etc, covers the reduction in scope of the definition of regulated activity, new services provided by the DBS, and disregarding certain convictions and cautions.

## Further guidance to be considered:

### **The Education Inspection Framework (2019, updated 2023)**

The education inspection framework sets out how Ofsted inspects maintained schools, academies, non-association independent schools, further education and skills provision and registered early years settings in England.

### **Further education and skills inspection handbook (2023)**

This handbook describes the main activities that inspectors carry out when they inspect further education and skills providers in England under part 8 of the Education and Inspections Act 2006.

## Further guidance for safeguarding children:

### **Keeping Children Safe in Education (2024)**

In addition to safeguarding statutory responsibilities of schools and colleges, KCSiE provides good practice recommendations and useful links in relation to children. This covers relevant legislation; responsibilities; safer recruitment practice; recruitment and vetting checks; dealing with allegations of abuse or misconduct against staff; and also, checklists, flowcharts, and examples useful in the consideration of safeguarding in general.

## Working Together to Safeguard Children (2023)

This guide provides statutory guidance on the roles and responsibilities of agencies working together to safeguard children/ young people.

### Document Approval

Document Owner	Approved By	Version Approved	Date Approved	Public Facing Y/N
Designated Safeguarding Lead	Corndel Board	3.1	22/07/2025	Y

### Document Revision History

Issue	Date Issued	Date Effective	Purpose of Issue and Description of Amendments
1.0	16/12/2020	04/01/2021	Original
1.1	30/11/2021	30/11/2021	Updated dates and changes to related policy titles, job titles, staff changes and appendices A, B and C. No further ratification required.
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3.0	22/07/2024	22/07/2024	Annual Review, aligned with Leaders in Safeguarding policy review and accreditation.
3.1	22/07/2025	22/07/2025	Updated to reflect staff changes. No further ratification required.

