

SAFEGUARDING CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS

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CHILD AND ADULT PROTECTION PROCEDURES

INTRODUCTION

The Royal Welsh College of Music and Drama has developed a comprehensive Safeguarding Strategy integrated across all our activities. Our Safeguarding Vulnerable Groups Policy Statement (*available on our website*) sets out the measures we have implemented. All our staff members have an essential part to play in ensuring this strategy is robust and sustainable. **It is, therefore, a requirement that all staff and Directors familiarise themselves with the policy and its component parts.**

The broad aim of the safeguarding strategy is to

- provide a safe and supportive learning environment for children, young people and adult students where they can develop their potential to the full
- create a strong safeguarding culture within our organisation, so that parents/carers can be assured of the care their children receive, and
- ensure that our staff feel adequately informed and supported to take a confident, pro-active part in sustaining the safeguarding culture within the organisation.

This document specifically sets out our responsibilities in those situations where there are concerns about the safety and welfare of a child, young person or adult student. It also seeks to offer guidance and procedural advice more widely to students and parents/carers, as well as staff.

The document recognises and incorporates the principles set out in the UN Convention on the Rights of the Child and relates to any child or young person under the age of 18 years. It accords with guidance from the Welsh Government and the 'All Wales Child Protection Procedures' produced by the Wales Local Safeguarding Children Boards (LSCBs). It also takes account of relevant legislation and other guidance relating to safeguarding and protecting children.

The document also relates to adults who might be particularly at risk of abuse, neglect or exploitation and similarly accords with Welsh Government guidance and the 'Wales Interim Policy and Procedures for the Protection of Vulnerable Adults from Abuse' (2013 version) commissioned by the four Adult Protection Fora in Wales.

The requirement to abide by these safeguarding measures form part of staff's contractual obligations. Becoming aware of, or recognising that a child, young person or vulnerable adult may be suffering abuse or neglect, or having a concern about the behaviour of an individual towards others more vulnerable can cause anxiety. This anxiety can sometimes inhibit us from taking appropriate protective action or we can be left wondering what we could or should do. This document sets out clear procedures that *must be followed* in any situation where you are concerned about the safety or welfare of a student or other individual.

This document should be read in conjunction with:

RWCMD Code of Practice for One to One Tuition

RWCMD PREVENT Policy (Appendix 6)

Pre College Safeguarding Training and DBS Protocol (Appendix 7)

RWCMD Guidance for Staff Working with Over-18s

Pre College Performances: Child Licensing Protocol

Pre College Safer Recruitment Protocol

Code of Practice for Pre College Staff

1 DEFINITIONS

1.1 Child - Under the UN Convention on the Rights of the Child, a 'child' is deemed to be any person under the age of 18 years. Although recognising the preference of many youngsters to be referred to as 'young people', any person under the age of 18 falls within the remit of these procedures and of the wider child protection system.

1.2 Adult – People are not intrinsically vulnerable but some situations can make people vulnerable. A vulnerable adult is a person over 18 years of age who is, or may be, in need of community care services by reason of mental or other disability, age or illness and who is, or may be, unable to take care for himself or herself, or unable to protect himself or herself against significant harm or serious exploitation. This definition may include a person who:

- has learning disabilities;
- has mental health problems, including dementia;
- is an older person with support/care needs;
- is physically frail or has a chronic illness;
- has a physical or sensory disability;
- misuses drugs or alcohol;
- has an autistic spectrum disorder.

2 SCOPE AND REMIT

2.1 All children, young people and vulnerable adults should be treated without distinction in respect of age, gender, nationality or ethnic status, family status, religion, ability or disability, appearance, sexuality or developing sexuality. All children, young people and adults should be treated with dignity and respect.

2.2 While of particular relevance to the College's Junior Conservatoire, Young Actors Studio, Outreach, Summer Schools and Community Lessons activity, this document encompasses all College activities, including degree and diploma courses. To demonstrate the College's commitment to safeguarding and to ensure the widest possible awareness and compliance with this Policy and Procedures, this document will be made accessible on the landing page of the College's website. Staff will receive hard copies of the document in full - and/or links to electronic versions and students, parents/carers will be made aware of the document through induction, routine correspondence and signage.

2.3 Where the children of students, staff members or visitors are present on the College campus, they remain the responsibility of their parent/carer, or those acting 'in loco parentis' (eg teachers), unless they are enrolled as College students, or are otherwise involved in a Pre College-managed activity. However, *whatever the status of the child or young person, any concerns about his or her safety or welfare should be reported in accordance with these procedures.*

2.4 Disabled children and young people across the range of impairments are at significantly greater risk of all forms of abuse than non-disabled children. This vulnerability can stem from:

- Assumptions made about disabled children resulting in indicators of possible abuse being mistakenly attributed to the child's impairment
- Beliefs that disabled children are not abused or beliefs that minimise the impact of abuse. These can lead to the denial of, or failure to report abuse
- General lack of communication and consultation with disabled children over their experiences, views, wishes and feelings and the lack of choice and control they have over many aspects of their lives
- Communication difficulties or lack of access to an appropriate vocabulary which may make it difficult to tell others what is happening

- Some disabled children may have learned from their care or wider experience to be compliant and not to 'complain'

For these reasons, we need to be especially aware of the needs of disabled children and *all concerns about the safety or welfare of disabled children or children with 'special needs' should be reported in accordance with these procedures.*

2.5 Our presumption is that adults have mental capacity to make informed choices about their own safety and how they live their lives and we will take account of an adult's ability to make such informed choices. However, that does not preclude us from seeking guidance or making a referral to statutory agencies where necessary and all concerns about the welfare or safety of an adult who may be at risk *should in the first instance be reported to the Designated Person.*

2.6 Children and vulnerable adults from minority ethnic communities, other marginalised communities or who are black British or dual heritage can be left vulnerable to abuse due to

- Language and cultural barriers
- The child or adult being reluctant to report abuse through fear of disloyalty or of not being listened to or believed
- The child's or adult's prior experience of discrimination
- Workers and others mistakenly dismissing concerns as valid cultural practices
- Workers and others being anxious about being labelled racist by raising concerns

All concerns about the safety or welfare of any child, young person or vulnerable adult should be reported in accordance with these procedures.

2.7 Cases of Historic Abuse

Individuals who wish to disclose incidents of non-recent abuse are encouraged to follow the reporting procedures outlined in this policy.

3 MEMBERS OF THE PUBLIC

Although these procedures are mandatory for members of staff, this is a public document and therefore any parent, carer or other member of the public who becomes concerned about a child's or young person's safety or welfare or that of a vulnerable adult, is exhorted to pass on their concerns following these procedures.

4 THE LEAD SAFEGUARDING OFFICER for RWCMD has overall responsibility for all safeguarding activity within the College. The Lead Safeguarding Officer will be consulted in situations that cannot be adequately resolved at the Designated Person level, or where concerns relate to the Designated Person. The Lead Safeguarding Officer is the Director of Student Experience . **Tel: 029 2039 1321**

5 THE DESIGNATED PERSONS for Safeguarding is the first point of contact for any concerns about the safety or welfare of a child or vulnerable adult. The role of the Designated Person is set out in detail below (*see paragraph 12*). The Designated People are:

Head of the Pre College Department and Deputy Safeguarding Officer for the RWCMD, for concerns connected with the Junior Conservatoire, Summer Schools/Short Courses, Outreach activity and Community Programmes. **Tel: 029 2039 1366**

Course Leader, Young Actors Studio (YAS) and Deputy Safeguarding Officer for the RWCMD, for concerns connected with the Young Actors Studio (YAS). **Tel: 029 2039 2013**

Student Support Manager and Deputy Safeguarding Officer for the RWCMD, for concerns connected with Senior College Students. **Tel: 029 2039 1306**

RWCMD Board member with responsibility for safeguarding

If the Designated Person for your activity is not available, you should contact the other one, or the lead Safeguarding officer. See paragraph 9.3 below for further details on reporting concerns.

6 CONFIDENTIALITY AND DATA PROTECTION

6.1 All children, young people and adults are entitled to have their privacy and that of their families protected. But where there are concerns about the safety or welfare of a child or young person, or an adult

who might be at risk, or where a criminal act might have occurred or could be prevented, there is nothing in any legislation that prohibits the sharing of personal and sensitive information. In fact, all relevant guidance highlights the responsibility to pass on concerns so that any safeguarding action can be taken. However, such information will be shared on a 'need to know' basis and will comprise only the information necessary to effect such action.

6.2 Accordingly, all safeguarding matters will be restricted in the first instance and as required to individuals within the College's Safeguarding Group, Senior Management Team and Board of Directors. In accordance with HM's Government Guidance *Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers*, the Safeguarding Group is responsible for assessing the information to be shared on a case by case basis.

7 ABUSE OF TRUST

Staff will not, under any circumstances, form a relationship with a student that may have romantic or sexual connotations – even if the relationship is mutually consensual and irrespective of the age of consent. To do so, is an abuse of trust and will be subject to disciplinary procedures. You could also be liable to criminal prosecution.

8 WHAT MIGHT MAKE YOU WORRIED ABOUT A CHILD OR AN ADULT?

8.1 Generally children and adults are safe and well cared for, both by their families and the organisations that provide activities or care for them. However, children and adults can be abused or neglected by someone inflicting harm, or failing to act to prevent harm. Children and adults may be abused in a family, in an organisational or community setting, by those known to them or, more rarely, by a stranger. Children and adults from all walks of life, cultures and religions may suffer abuse or neglect.

8.2 Abuse of children or young people may be;

- **physical** - eg, being hit or deliberately burnt
- **sexual** - eg, being used for someone else's sexual gratification, whether or not the child or young person is aware of what is happening
- **neglect** - eg, not being adequately cared for, not getting necessary medical or dental treatment, or
- **emotional** - eg, being scapegoated or continuously criticised. Emotional abuse is a factor in all categories of child abuse but can occur alone.

(see *Appendix One* for full definitions plus signs and indicators).

8.3 Children themselves report that they find **bullying** by other children or young people extremely hurtful. The effects of bullying, like abuse, can last into adulthood and affect someone's emotional well-being. Complaints or allegations of bullying should always be taken seriously and appropriate action taken. The **Anti-bullying Code** and **Students' Charter** support such action (*available on our website*)

8.4 **Sexual Exploitation** is the coercion or manipulation of children, young people or adults who may be at risk, into taking part in sexual activities. It involves an exchange of some form of payment, which can include;

- Money, mobile phones and other items
- Drugs, alcohol
- A place to stay, 'protection', affection.

The vulnerability of the young person and the grooming process employed renders them powerless to recognise the exploitative nature of relationships and therefore unable to give informed consent.

8.5 Abuse of Vulnerable Adults may be;

- **physical** – eg, being hit or misuse of medication or restraint
- **financial** – across a range of inappropriate or criminal behaviour
- **sexual** – sexual acts to which the adult has not or could not consent, or has been pressurised into consenting
- **psychological/emotional** – eg, verbal abuse and threats, deprivation of contact or isolation
- **neglect or acts of omission** – eg, withholding the necessities of life or ignoring such needs

- **discriminatory abuse** – eg, verbal or physical abuse based on or directed towards individual’s ethnicity, disability etc.
- **institutional abuse** - routines, systems and regimes of an institution resulting in poor or inadequate standards of care
- **abuse of trust** - actions or omissions of someone who is in a position of power or authority and who uses their position to the detriment of the health and well-being of a person at risk

See appendix 1 for full definitions plus signs and indicators

8.6 You may become worried about a child or adult because:

- A child, young person or adult may tell you something that makes you worried about their safety or the safety of another child or adult
- Someone else may report that a child or adult has told them, or they are very worried that a child may be being harmed
- A child or adult may show physical injury for which there appears to be no satisfactory explanation
- A child’s or adult’s behaviour may make you concerned that they may be being harmed
- Something in the behaviour of another adult, or a young person, or the way they relate to a child or adult makes you feel uncomfortable and anxious
- Something about the child’s/young person’s use of social media might make you concerned.
- You may observe a child or adult abusing or bullying another.

Remember, disabled children and those with special needs are particularly vulnerable and it is important to be alert to the safety and welfare of disabled children and young people.

IF YOU ARE WORRIED ABOUT A CHILD OR AN ADULT WHO MAY BE AT RISK YOU NEED TO SHARE YOUR CONCERNS AT THE EARLIEST OPPORTUNITY – (*see ‘How to Respond to Concerns’ below*).

8.7 You are not expected to be an expert, and in fact, it is not your responsibility to decide if a child or adult is being harmed. Social services and the police have the duty to investigate possible child abuse. Adult Social Care, the police and regulatory bodies have the authority and expertise to investigate possible adult abuse.

8.8 However, if you are worried then it *is* your responsibility to pass on any concerns you might have, following these procedures. The information you have may not seem significant to you, but it may be crucial when put together with information held elsewhere. If you think your concerns are not being taken seriously, then it is your responsibility to take that forward (*see paragraph 9.5 below*).

9 HOW TO RESPOND TO CONCERNS ABOUT A CHILD OR VULNERABLE ADULT

9.1 There are many reasons why professionals and other adults do not respond to concerns that a child, young person or adult may be being harmed. For many of us, our natural inclination is to seek an alternative explanation for any concerns we may have. However, unless we can entertain the possibility and are aware of and alert to signs of possible abuse we may leave a child, children or adults at risk, vulnerable and unprotected. *See appendix 1*

9.2 The safety and welfare of children, young people and vulnerable adults must be our paramount consideration. Protective action and support to families from the statutory authorities allows many, many children to live safe, fulfilled lives and can also support vulnerable adults to make informed decisions about their own circumstances.

9.3 REPORTING CONCERNS

ALL CONCERNS ABOUT THE SAFETY OR WELFARE OF A CHILD, YOUNG PERSON OR ADULT MUST BE REPORTED TO THE DESIGNATED PERSON FOR SAFEGUARDING AT THE EARLIEST OPPORTUNITY (*see paragraph 3 above for contact details*)

If the designated person for your activity is not easily available:

- share the information with the other one or the lead Safeguarding Officer

If neither is available;

- for children and young people - seek advice and support from Cardiff Children's Access Point: 029 2053 6490 or the NSPCC 24hr Helpline 0808 800 5000 (in Welsh or English)
- for adults – seek advice and support from the Adult Safeguarding Team on 02922 330 888 or the Emergency Duty Team 029 2078 8570 out of office hours
- In cases of urgency – eg the child or adult feels unsafe to go home – contact the police on 101 or Cardiff Children's Access Point: 029 2053 6490 or the Adult Safeguarding Team on 02922 330 888 or the Emergency Duty Team: 029 2078 8570 out of office hours
- In an emergency – ie the child or adult is at *immediate* risk of harm or needs *emergency* hospital treatment, phone 999 in the usual manner.
- A concise record should be kept of all unilateral action taken, making sure that names and contact details of all professionals consulted and/or involved are included along with decisions made.
- In all cases, the Designated Person should be informed retrospectively of all action taken. This should be done as soon as possible and the written record passed over.

9.4 A written record of your concerns, together with decisions made and action taken or to be taken, should be made, dated and signed by both you and the Designated Person. The Designated Person will decide on what further action needs to be taken and will keep you informed of decisions and action within the bounds of professional confidentiality.

9.5 If you think your concerns are not being taken seriously or insufficient action is being taken by the Designated Person and you cannot resolve this internally, then you should contact the outside agencies listed above and make a direct referral. (*See also paragraph 10.6 below*)

9.6 Staff support The Designated Person will offer support to staff reporting concerns about a child, young person, vulnerable adult or other member of staff. As a member of staff, you are also entitled to support from the College's Counselling Service (029 2039 1320). You may also seek additional help and guidance from your trade union. These sources of support are available equally to a member of staff who faces allegations of inappropriate behaviour, abuse and/or neglect.

(*Further guidance on allegations against staff members see paragraph 12.6 below*)

10 PARTICULAR SITUATIONS

10.1 If a child, young person or vulnerable adult tells you of abuse

It is usually extremely difficult for a child, young person or adult to tell of abuse and it is important to consider carefully how to respond. It is *not* possible to promise complete confidentiality as the information will have to be shared so necessary action can be taken to stop the abuse and protect the child or to assist the adult in making an informed decision about their circumstances.

The following guidance should be observed:

- If the child or vulnerable adult has speech or language difficulties, ensure they have access to their preferred communication aid or to an interpreter or intermediary completely independent of the concerns
- Stay calm and listen/attend carefully to what the child or adult is communicating
- Allow the child or adult to continue at his or her own pace and do not interrupt
- Keep questions to a minimum – only ask questions to help you understand what you are being told. Do not ask about explicit details and do not ask questions that imply a particular answer.
- Do not promise to keep the information confidential. Explain that any information that indicates a child may be being harmed needs to be passed on so that something can be done about it. It is not alright that children are hurt by adults, who should be looking after them, or by other children. Explain to an adult that their information needs to be passed to others who can support them and help them decide what they want done.
- Reassure the child or adult that they have done the right thing in telling you.
- Tell the child or adult what you will do next and who you have to share the information with.

- Check any immediate or short-term safety needs (eg, Does the child/young person/adult feel safe to return home? Might others also be at risk?)
- As soon as you can, record in writing what has been said, using the child's, young person's or adult's own words and including any significant names and dates. This can be done in the presence of the individual so you can check you understand correctly. Sign and date the account.
- Share your information as soon as you can with the Designated Person (see above).

10.2 Indirect Concerns You may not have any direct communication from a child, young person or vulnerable adult but may be concerned about physical marks or injuries or the individual's physical presentation. Similarly, the child's or adult's behaviour may give rise to concerns, or things you overhear them say, or allude to (*see appendix 1 for signs and indicators*). If you become concerned, you must share those concerns with the Designated Person (*see above*) who will consider your information, seek advice if necessary and decide what action needs to be taken.

10.3 Domestic Abuse can occur in any family, or couple relationship, including same-sex, elder, teenage or vulnerable adult couples. Exposure to domestic abuse can have many long term negative effects for children or young people and is recognised as a significant factor in emotional abuse. Domestic abuse can result in death to a partner. Where you become aware that a child, young person or vulnerable adult is exposed to, or involved in, a domestically abusive relationship, you must share your concerns with the Designated Person.

10.4 Grooming is when someone builds an emotional connection with a child to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking. Children and young people can be groomed online or face-to-face, by a stranger or by someone they know - for example a family member, friend or professional. Groomers may be male or female. They could be any age. Many children and young people don't understand that they have been groomed or that what has happened is abuse (from NSPCC website, Jan 2018).

10.4 Internet and Social Media can present risks as well as opportunities. Children, young people and adults may be bullied or abused via social media and other electronic sites. They may also use this medium to abuse or bully others. Risks include

- grooming and on-line sexual abuse
- grooming to meet
- grooming as part of an established face-to-face relationship
- involvement in producing sexual or child abuse images
- exposure to pornography and/or violent content
- cyber-bullying - receiving unwanted and unpleasant texts, images or other content, or sending them
- inadvertent criminal behaviour eg, sexting

If you become concerned about a child's, young person's or adult's use of electronic communication you should share your concerns as soon as possible with the Designated Person.

10.5 Working in schools

Schools have a statutory responsibility for the safety and welfare of their pupils or students. If you become concerned about a child or young person or about the behaviour of an adult (including teachers and members of staff) towards a child or children, you should

- report your concerns to the school's Pastoral Care/Safeguarding Officer
- make a written record of your concerns and who you reported to
- include details of any decisions and action taken or to be taken
- sign and date the record and ask for a signature from the individual you reported to
- at the earliest opportunity, inform your Designated Person for Safeguarding of the action you have taken
- ensure the Designated Person has a copy of your written record

10.6 Behaviour of Others

If you become concerned about the behaviour of an adult, including staff members or tutors, towards a child or children, a young person or vulnerable adult

- it is *very important* that you do not dismiss the concerns
- do not confront the person about whom you have concerns
- do not think you need to wait to get more 'evidence'
- do not allow yourself to be intimidated by the individual's status, job title or authority over others
- share your concerns as soon as you can with the Designated Person (as above)
- if your concerns relate to a Designated Person, share them with the other Designated Person, or if unhappy about this, with the Lead Safeguarding Officer (*see paragraph 5 above*)
- If you feel unhappy about sharing information about a member of staff or colleague within the College, then you should contact;
 - the police on 101 or
 - Cardiff Children's Access Point: 029 2053 6490 or
 - NSPCC 24hr Helpline 0808 800 5000 for children or,
 - for adults, the Adult Safeguarding Team on 02922 330 888

It is important to have shared these concerns even if later they may be seen to be unfounded. Those who seek to abuse children or vulnerable adults can be clever in disguising their intent and concerning behaviour needs to be noted and assessed.

10.7 As a last resort. If you have reported serious concerns about the behaviour of a member of staff or a volunteer, where that behaviour may constitute a criminal offence, or may have harmed or be likely to harm a child or children, and you remain unconvinced that this is being, or has been, properly dealt with either within the College or by the external agencies, then you can contact the office of the Children's Commissioner for Wales (telephone 01792 765 600). For adults, you can contact the Adult Safeguarding Team on 02922 330 888

10.8 'WHISTLEBLOWING' STATEMENT

- Any member of staff or any student concerned about the behaviour of other tutors, managers, volunteers, students or others which may be harmful to those in their care, should share their concerns with the Designated Person without prejudice to their own position
- You will receive appropriate support in accordance with the Public Interest Disclosure Act 1988 and the College's Public Interest Disclosure (Whistleblowing) Procedure (*available on the College's Hub and accessible at any desktop computer within College*)
- the College will support and protect those staff and students who, in good faith and without malicious intent, report suspicions of abuse or concerns about colleagues and their actions.

Staff who wish to access free confidential advice about whistleblowing can contact Public Concern at Work on 020 7404 6609 or visit their website at: www.pcaw.org.uk

10.9 Advice to consult. You should also consult with the Designated Person in the following circumstances:

- if a child or vulnerable adult is accidentally hurt
- if you are concerned that a young person or vulnerable adult is becoming attracted to you or a colleague
- if you are concerned that a colleague is becoming attracted to someone in his/her care
- if a child or vulnerable adult misunderstands or misinterprets something you have done or said

CONFIDENTIALITY REMINDER

Any concerns or reports about possible harm to a child or adult must be treated in the strictest confidence and with respect for the privacy of the child and family or individual involved and should only be discussed with those who 'need to know' in order to decide on any safeguarding action.

11 THE ROLE OF THE DESIGNATED PERSON

11.1 The Designated People for Safeguarding are there to help and support you as well as ensuring that any necessary correct action is taken to safeguard a child, young person or vulnerable adult who may be at risk. The importance of their role is that

- It gives confidence to those who may have worries, that their concerns can be shared
- It provides a clear and consistent route for action

- It maintains the confidentiality of the child, family and/or individual
- It allows thoughtful consideration on further action
- It is protective and supportive of those who raise concerns
- It ensures a professional response and offers security to the College
- It safeguards children, young people and adults who may be at risk

11.2 The Designated Person for Safeguarding is the first point of contact for any concerns about the safety or welfare of a child, young person or vulnerable adult. The Designated People are:

Director of Student Experience and Lead Safeguarding Officer for the RWCMD Tel 029 2039 1321

Head of the Pre College Department and Deputy Safeguarding Officer for the RWCMD, for concerns connected with the Junior Conservatoire, Summer Schools/Short Courses, Outreach activity and Community Programmes. **Tel: 029 2039 1366**

Course Leader, Young Actors Studio (YAS) and Deputy Safeguarding Officer for the RWCMD, for concerns connected with the Young Actors Studio (YAS). **Tel: 029 2039 2013**

Student Support Manager and Deputy Safeguarding Officer for the RWCMD, for concerns connected with Senior College Students. **Tel: 029 2039 1306**

The above personnel together form the College's Safeguarding Group.

There is also a Board member with responsibility for safeguarding

11.3 The role of the Designated People are to:

- receive information from staff, volunteers, other professionals, children, parents/carers or members of the public who may be worried about a child, young person or vulnerable adult, or who may be worried about the behaviour of someone else towards a child, young person or vulnerable adult, including bullying behaviour
- make an initial record of that information
- assess the information promptly and carefully, clarifying or obtaining more information about the matter as appropriate
- consult if necessary with the statutory authorities or the NSPCC Helpline to test out any doubts or uncertainties about the concerns, as soon as possible
- where indicated, make a formal referral to social services or the police without delay, and follow this up in writing within 24 hours
- liaise with social services or the police, if necessary, following a referral
- ensure that all written records relating to concerns about a child or adult are completed, signed and dated, and kept securely until no longer needed
- keep the Lead Officer for Safeguarding (*see paragraph 5 above*) informed of all action relating to allegations or information concerning unprofessional, or inappropriate behaviour by a member of staff or volunteer that may pose a risk of harm to a child, young person or adult
- advise and support staff or volunteers in relation to child and adult protection concerns.

11.4 **The designated people will also:**

- be familiar with the statutory child protection system and the safeguarding adult's system, and keep up to date with contact details and telephone numbers
- be aware of the All Wales Child Protection Procedures and Protocols and the role of the Local Safeguarding Children Boards
- be aware of the Wales Interim Policy and Procedures for the Protection of Vulnerable Adults and the role of the Area Adult Protection Committees
- identify training needs relating to child and adult safeguarding and protection within the College, and obtain suitable training courses. Further information about the training procedure set out in Appendix 6
- collate management information relating to safeguarding activity within the College and report on this to The Board of Directors

- together with the Lead Safeguarding Officer, ensure that the safeguarding policy and these procedures are reviewed at least every two years or earlier in response to internal or external requirements.

12 PROCEDURES FOR DESIGNATED PEOPLE - RECEIVING AND REPORTING INFORMATION

12.1 Your role as a designated person for safeguarding is summarised above. The following sets out the detailed procedures you should follow if someone reports concerns about

- a child or young person,
- a vulnerable adult who may be at risk
- the behaviour of an adult, child or young person towards a child, young person or vulnerable adult, or
- allegations or concerns about a member of staff or other professional that might indicate harm, or potential harm to a child, young person or vulnerable adult

12.2 When you receive concerns or information about a child, young person or vulnerable adult or about inappropriate behaviour by an adult or other, **you should:** *(but see below re members of staff or others in a professional role)*

- listen carefully to ensure you understand what is being said
- ask questions to clarify your understanding, but remember it is not your role to investigate
- check that you have all the necessary factual information to allow you to identify the child and family or the adult when making a referral. This should include:
 - names, addresses, contact details of parents/carers
 - name of those with Parental Responsibility for the child (if known)
 - name, age/date of birth, address of child, young person or adult
 - name, address, contact details and present whereabouts (if known) of any alleged abuser
- reassure the person reporting the concern that they have done the right thing
- ensure a written record of the concerns, and your conversation is made, including anything the child or adult may have said, using the child's or adult's own words as reported to you
- check the written account with the person reporting to you to ensure that it is accurate and that nothing significant is left out
- sign and date the written account and ask the person reporting to you to sign the record also
- assess the information you have received and check whether there is previous information available to you that has a bearing on the situation, eg recorded observations or concerns about a child's behaviour or presentation
- if someone has been alleged to be the abuser, consider what contact the child or adult or other children may be having with this person and assess if any immediate safeguarding action needs to be taken

12.3 If the concern is about a child or young person

- decide whether you should inform a child's parent/s or carer about the concern or that you are going to make a referral to social services. This should **not** be done if the concern is about
- sexual abuse by family member or person closely known to the family
- fabricated or induced illness, or
- if you believe that to do so would further endanger the child or young person
- If you feel unsure about the significance of the information, and/or whether you should talk to the child's parent or carer, clarify this by either contacting the Cardiff Children's Access Point: 029 2053 6490 or NSPCC 24hr Helpline 0808 800 5000 to discuss the information
- decide on further action and record the reason for your decision. Remember, taking no further action is a decision and may need to be taken following consultation as above. Any decision to 'monitor' the situation should state clearly what is to be monitored and for how long. 'Monitoring' should also be regularly recorded as well as the final outcome of the monitoring.
- maintain the privacy and confidentiality of the child and family by only sharing the information with those who 'need to know'
- where indicated, make a formal referral following the guidelines below

- generally, referrals should be made to Children's Services in the local authority where the child is resident (*see appendix 2*)

YOU SHOULD NOT

- Dismiss concerns reported to you without carefully considering them, and taking advice if need be
- Go and talk to the child/young person yourself
- Confront any alleged abuser
- Delay in taking appropriate action.

12.4 If the concern is about an adult who may be at risk;

Vulnerable adults have the right to be fully involved throughout the adult protection process and to make decisions about their safety and welfare, unless it has been assessed that they do not have the mental capacity to make any particular decision. It is not your role to determine if an adult has capacity or not (*see appendix 3*). Similarly, it is not your role to decide if abuse or exploitation has taken place. Therefore, you should carefully explain to the adult that

- concerns have been raised with you about their safety or welfare
- you take these concerns seriously
- re-assure them that they are not to blame.
- ask for their consent for the information to be shared with other agencies on a 'need to know' basis
- say you will tell the appropriate person so that those with experience can support and help them
- explain to the adult that they will have feedback on what steps are taken
- if consent is not given, explain carefully that you have a duty to pass the information on to other professionals who know what to do
- reassure them that they have the right to be fully involved in all decisions
- check for any immediate or short-term safety requirements.
- decide on further action and record the reason for your decision. Remember, taking no further action is a decision and may need to be taken following consultation as above. Any decision to 'monitor' the situation should state clearly what is to be monitored and for how long. 'Monitoring' should also be regularly recorded as well as the final outcome of the monitoring.
- Maintain the privacy and confidentiality of the adult by only sharing the information with those who 'need to know'.
- Where indicated, make a formal referral following the guidelines below.

YOU SHOULD NOT

- Dismiss concerns reported to you without carefully considering them and taking advice if need be
- Confront any alleged abuser
- Delay in taking appropriate action.

12.5 CONCERNS ABOUT STAFF OR VOLUNTEERS

If the concern involves a member of staff or volunteer, it is NOT THE ROLE OF THE COLLEGE to decide internally whether this is a disciplinary issue or a child or adult protection matter. These considerations should take place with the involvement of social services and the police.

The statutory agencies will advise on

- when or if suspension of a member of staff is warranted from their perspective
- what can be divulged to the member of staff regarding the allegation or concern
- any reason why a child's or young person's parent/carer should not be immediately informed, or those with caring responsibilities for a vulnerable adult
- whether a Strategy Meeting is to be convened.

You should

- decide if any *emergency* protective action needs to be taken to safeguard anyone at risk of *immediate* harm. Phone 999 in the normal way if necessary

- Telephone Cardiff Children's Access Point: 029 2053 6490 for concerns relating to a child
- Telephone the Adult Safeguarding Team on 02922 330 888 for concerns relating to a vulnerable adult.
- Alert the College's HR department regarding possible suspension or disciplinary action
- Alert the College's Lead Officer for Safeguarding.

All concerns or allegations about a member of staff will be dealt with in strict confidentiality.

12.6 If the concern or allegation is about a member of staff or volunteer from a group attending the College, or you have received information of a referral made within a school (see paragraph 10.5 above) you should liaise with the organisation's Designated Person for Safeguarding to identify appropriate action including timescales. A feedback mechanism should be agreed to inform you of the outcome of such action. If you remain concerned that the concern/allegation/referral has not been taken seriously or sufficient action has not been taken, then you should make your own referral to the statutory authorities in the normal way.

12.7 MAKING A REFERRAL

You should

- State clearly that you are reporting a child or adult protection matter
- Write down the name and status of the person you speak to (eg, Paul Jones, Duty social worker)
- Give a concise account of the information you have received, including how and when it was reported to you
- Ensure that you provide the necessary factual information to identify the child and family, or vulnerable adult, and any alleged abuser
- Inform of any language/communication or other difficulties the child or vulnerable adult may have, and give a brief description of the child/vulnerable adult, if you can, to assist the person making contact with the individual
- Make a written record of any decisions made or action to be taken, either by you or by social services, including what you should or should not say to the child's parent or the carer of a child or vulnerable adult
- Ask for the name of the team manager and ensure you have the correct address for the office
- Within 2 working days, follow up your telephone call with a letter or other written record to the team manager confirming the referral you have made; who it concerned, what the concerns were and who the referral was made to. Keep a copy of the letter/referral form.
- Keep a written record of your referral including any decisions made or action taken or to be taken. Sign and date this record.
- Ensure all recording relating to the concerns is stored in a secure place
- Inform the person who first reported the concerns, of the action you have taken. Offer any support that may be needed.
- Within two weeks, and if necessary, follow up with social services or the senior manager to ascertain what action has been taken in response to your referral. Make a written record of this and store securely with the other information.

12.8 Children's Services are obliged by the All Wales Child Protection Procedures to acknowledge your referral and decide on what action they might take within 24 hours. They are also obliged to inform you of the outcome of the referral within 10 working days. If this does not happen, you should contact social services yourself, to ascertain the outcome of the referral. A signed and dated record should be kept of the outcome of the call. (See also 'What to do if you think your concerns are not being taken seriously' above).

12.9 REFERRAL TO THE DISCLOSURE AND BARRING SERVICE (DBS)

The Safeguarding Vulnerable Groups Act (SVGA) 2006 places a duty on employers of people working with children or vulnerable adults to make a referral to the DBS when an employer has **dismissed** or **removed** a person from working with children or vulnerable adults (or would or may have if the person had not left or resigned etc.) because the person has:

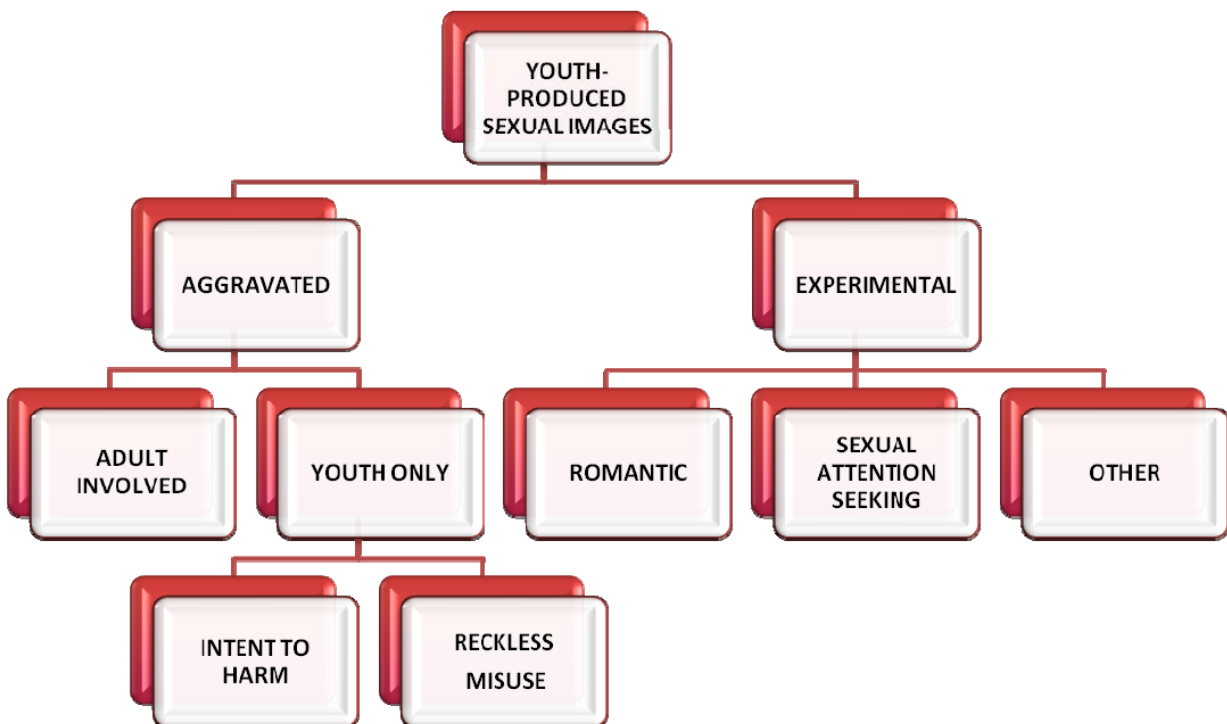
- Been cautioned or convicted for a relevant offence; or
- Engaged in relevant conduct in relation to children and/or vulnerable adults [i.e. an action or inaction (neglect) that has harmed a child or vulnerable adult or put them at risk of harm]; or

- Satisfied the Harm Test in relation to children and/or vulnerable adults. [i.e. there has been no relevant conduct (i.e. no action or inaction) but a risk of harm to a child or vulnerable adult still exists]. The DBS will make an assessment to determine if the individual's name should be added to the Barred List ie, be barred from working with children, young people or vulnerable adults.

A referral to the DBS must be accompanied by supporting evidence. If an investigation is still outstanding or on-going when the individual leaves employment or is dismissed, this investigation should still be completed to enable comprehensive supporting evidence to be submitted. If additional information becomes available subsequent to the referral, that also should also be forwarded to the DBS. All referrals to the DBS should be made on their referral form.

DBS Helpline: 01325 953 795
Website: www.gov.uk/dbs

13. GUIDANCE ON RESPONDING TO E-SAFETY - FLOW CHARTS



E-safety incident raised by child or member of staff

Inform organisation's Designated Person for Child Protection who will fill out E-Safety incident report form

Inappropriate but not illegal (bullying, adult content i.e. jokes, violent action films.

If child is accountable decide on appropriate course of action

If member of staff is accountable, manager to decide on appropriate course of action

Possible internal action

- Inform parents/carers
- Carry out risk assessment to prevent future incidents.
- Counselling for child if necessary
- Disciplinary action for staff member

Debrief on E-safety incident and lessons learnt

Illegal material or activity (grooming, sexually explicit material shared with child, child abuse images)

Illegal activity

Illegal content

Child at risk

Report to Police

Report to Internet Watch Foundation (IWF)

Report to CEOP (or Police is risk if immediate danger)

Follow advice on securing and preserving evidence until the relevant agency can review it.

If material or activity found to be illegal, allow relevant agency to carry out their investigation.

APPENDIX ONE – DEFINITIONS OF ABUSE OR HARMFUL BEHAVIOUR

Abuse is a violation of an individual's human and civil rights by another person or persons. Abuse may consist of a single act or repeated acts. It may occur when an adult at risk is persuaded to enter into a financial or sexual transaction to which s/he has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person or child subjected to it. Abuse is about the misuse of power and control that one person has over another. Where there is dependency, there is a possibility of abuse or neglect unless adequate safeguards are put in place

CHILDREN OR YOUNG PEOPLE

For the purposes of this document, a child is any young person under the age of 18 years. The following represent the main categories of abuse used by the statutory authorities when considering the safety of a child. (*See below for categories for vulnerable adults*)

Physical Abuse

This may involve a child being hit, shaken, thrown, poisoned, deliberately burned or scalded, drowned, suffocated or other ways of causing physical harm to a child. It may also be caused when a parent or carer fabricates or induces illness in a child whom they are looking after.

Sexual Abuse occurs when someone forces or entices a child to do sexual things, even if the child does not know what is going on. The activities may involve physical contact, including penetrative or non-penetrative acts. It may include non-contact activities, such as involving children in looking at, or in the production of pornographic material, or making the child watch sexual activities, or encouraging children to behave in a sexual way.

Neglect occurs when a parent or carer persistently fails to meet the child's physical or psychological needs including failure to provide adequate food, shelter and clothing, failure to protect the child from physical harm or danger or failure to access appropriate medical care or treatment for the child. It can also include neglect of, or unresponsiveness to a child's basic emotional needs. Neglect may also occur during pregnancy as a result of maternal substance misuse.

Emotional Abuse

This is when a parent or carer criticises a child so that they feel worthless, or unloved, inadequate or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being placed on the child. This might also happen when a parent allows their child to be often frightened or feel in danger, eg witnessing domestic violence or being bullied, or if the parent doesn't protect the child from people who are going to exploit or corrupt the child.

Other Harmful Behaviour

Bullying is not defined as a separate category by the authorities but the following definition is useful:

Bullying is deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves.

It can be

- Physical ~ hitting, kicking, theft
- Verbal ~ racist or homophobic remarks, threats, name calling
- Emotional ~ isolating an individual from the activities and social acceptance of their peer group.
- The inappropriate use of mobile phones and other social media to emotionally harm another.

Sexual Exploitation is the coercion or manipulation of children and young people into taking part in sexual activities. It involves an exchange of some form of payment, which can include;

- money, mobile phones and other items
- drugs, alcohol
- a place to stay, 'protection', affection

The vulnerability of the young person and the grooming process employed renders them powerless to recognise the exploitative nature of relationships and unable to give informed consent. It includes:

- Abuse through prostitution
- Abuse through using children to produce child sexual abuse images and material
- Abuse through grooming whether via direct contact or the use of technologies such as mobile phone or the internet
- Abuse through trafficking for sexual purposes.

Sexually Harmful Behaviour

Harmful sexual behaviour involves one or more children or young people engaging in sexual discussions or acts that are inappropriate for their age or stage of development. These can range from using sexually explicit words and phrases to full penetrative sex with other children or adults. Two thirds of contact sexual abuse of children is committed by peers. When this situation is identified or concerns are raised *a referral must be made to social services* so that the needs of both the victim and the child allegedly exhibiting sexually harmful behaviour can be assessed.

Domestic Abuse can occur in any family or couple relationship, including same-sex, elder, teenage or vulnerable adult couples. Domestic abuse includes physical, sexual, psychological or economic harm or suffering, including threats of such acts, coercion or arbitrary deprivation of liberty. Exposure to domestic abuse can have many long term negative effects for children or young people and is recognised as a significant factor in emotional abuse. Domestic abuse often begins or escalates during pregnancy and the unborn child can be targeted directly.

VULNERABLE ADULTS

People are not intrinsically vulnerable but some situations can make people vulnerable. A vulnerable adult is a person over 18 years of age who is or may be in need of community care services by reason of mental or other disability, age or illness and who is, or may be, unable to take care of himself or herself, or unable to protect himself or herself against significant harm or serious exploitation. This definition may include a person who:

- has learning disabilities;
- has mental health problems, including dementia;
- is an older person with support/care needs;
- is physically frail or has a chronic illness;
- has a physical or sensory disability;
- misuses drugs or alcohol;
- has an autistic spectrum disorder.

Physical Abuse

Physical abuse is the unnecessary infliction of any physical pain, suffering or injury by a person who has responsibility, charge, care, or custody of, or who stands in a position of, or expectation of, trust to a vulnerable person. Physical abuse may also be perpetrated by one vulnerable adult upon another.

Sexual Abuse

Adult sexual abuse refers to the direct or indirect involvement of a vulnerable adult in sexual activity to which they are unwilling or unable to give informed consent, or which they do not fully comprehend, or which violates the social taboos of family roles, eg, incest. Sexual abuse may also be perpetrated by one vulnerable adult upon another. Any sexual activity that is not freely consenting is criminal. Where there is an abuse of trust, sexual activity may appear to be with consent, but is unacceptable because of the differences in power and influence between the people involved.

Emotional or psychological abuse is the wilful infliction of mental suffering, by a person in a position or expectation of trust, to a vulnerable person. It can include verbal assault, e.g. shouting, screaming, humiliation, threats, depriving a person of due respect, denial of dignity and affection, bullying.

Financial or material abuse is any theft or misuse of a person's money, property or resources, by a person in a position of, or expectation of, trust to a vulnerable person. It can include gaining money or possession by threat, persuasion, or exploitation; blocking access to assets; extortion; falsifying records.

Neglect is the failure of any person having the responsibility, charge, care or custody of a vulnerable person to provide that degree of care which a reasonable person in a like position would provide. It can involve intentional or unintentional acts. It includes the unintentional failure of a carer to fulfil their caring role or responsibilities, because of inadequate knowledge or understanding the need for services.

For fuller definitions including examples – see Section 4 'Wales Interim Policy and Procedures for the Protection of Vulnerable Adults from Abuse'

Other Harmful Behaviour

Mate crime

Mate crime is a type of hate crime where perpetrators befriend a person with a disability but in fact soon begin to exploit, hurt or harm them. This can include sexual abuse, forced prostitution, financial exploitation, physical abuse, violence and even murder.

Institutional Abuse Abuse can occur in institutions as a result of regimes, routines, practices and behaviours that occur in services that vulnerable adults live in or use and which violate their human rights. This may be part of the culture of a service to which staff are accustomed. Thus such practices may pass by unremarked upon by staff. They may be subtle, small and apparently insignificant, yet together may amount to a service culture that denies, restricts or curtails the dignity, privacy, choice, independence or fulfilment of vulnerable adults.

Abuse can take many forms. It does not have to fit comfortably into any of the above. Abuse can be perpetuated by one adult at risk towards another. This is still abuse and should be dealt with accordingly.

SOME INDICATORS OF POSSIBLE ABUSE

Many indicators will be the same for children, young people or vulnerable adults. *These lists give examples only and are not by any means exhaustive. If you have concerns about anything not in a list you should still report your concerns to the Designated Person in accordance with the procedures above.*

PHYSICAL ABUSE

Bruises that may be indicative of possible physical abuse are:

- Bruising in babies
- Bruising in children or adults who are not independently mobile
- Bruising that is not on the bony parts of the body
- Bruises to the face, back, stomach, arms, buttocks, ears and hands
- Bruises in clusters
- A number of bruises of a regular shape – eg, fingertip bruising
- Bruises that carry an imprint – of an implement or cord or hand
- Bruising where the explanation seems unlikely

Other signs of physical abuse might be

- Cigarette burns
- Adult bite marks
- Cuts, scratches, lacerations
- Broken bones
- Scalds especially if of a regular shape or the explanation seems unlikely
- Flinching when touched or approached
- Fear of parents/carers being asked about a bruise or other mark.

SEXUAL ABUSE

- sexual knowledge beyond the child's or adult's age or developmental stage
- inappropriate sexualised behaviour
- sexualised language or drawings
- stomach pains or pains when using the toilet
- urinary infections
- pain or itching in the genital area
- bruising or bleeding in the genital area
- referring to a secret they can't tell anyone about
- self harming behaviour
- nightmares

Children or vulnerable adults may disclose sexual abuse by directly telling someone about it. They may also disclose less directly, sometimes unintentionally, over a period of time, through a variety of behaviours and actions, including discussions and indirect non-verbal cues. In this respect, disclosure should be seen as a process that occurs over time.

NEGLECT

- being constantly hungry, possibly stealing food from other children
- constantly dirty and/or smelly
- being very underweight or losing weight

- clothes not appropriate for the weather conditions
- being constantly tired or appearing depressed
- not getting appropriate medical or dental attention
- failure to obtain/ facilitate use of necessary prosthetic devices dentures, glasses, hearing aids, or durable surgical equipment
- pressure sores
- talking about being left alone
- frequently being left unsupervised especially if in risky or dangerous situations.

Neglect can also be life threatening. Children who are neglected can suffer long term physical and emotional damage. However, it can be difficult to recognise especially where families or individuals are living in poverty.

EMOTIONAL ABUSE

- a failure to thrive or grow, especially if the child puts on weight when not in the care of his or her parents
- developmental delay in physical or emotional progress
- nervous behaviour, eg, rocking, hair twisting
- signs of depression, suicidal ideation
- being unable to play and/or interact with others
- self harming behaviour, eg severe scratching, cutting etc.
- overly overtly subservient or anxious to please

Emotional abuse can be difficult to detect as a child or adult may appear well cared for yet receive little or no love, affection or positive attention and/or be constantly put down or belittled. A child or adult living in an environment of low warmth and high criticism is likely to suffer emotional abuse.

FINANCIAL OR MATERIAL ABUSE (Vulnerable Adults)

- individual deprived of access to own money, missing personal items especially jewellery or items of value
- unexplained disappearance of financial documents, e.g. building society books, and bank statements, payments or order books.
- signatures on cheques do not resemble the vulnerable adult's signature or signed when this person cannot write
- unusual concern by carer that an excessive amount of money is being expended on the care of the vulnerable adult
- lack of amenities such as TV, appropriate clothing, personal grooming items that the vulnerable adult can well afford.

APPENDIX 2 – FURTHER INFORMATION AND CONTACT DETAILS

Further Information

The following are the main documents that should be accessed for further details relating to safeguarding children and young people or vulnerable adults in Wales.

- 'Safeguarding Children: Working Together under the Children Act 2004'
<https://gov.wales/topics/health/publications/socialcare/circular/nafwc1207/?lang=en>
- 'The All Wales Child Protection Procedures 2008'
<http://www.awcpp.org.uk/areasofwork/safeguardingchildren/awcpprg/index.html>
- 'In Safe Hands : Safeguarding Vulnerable Adults from Abuse 2005'
<http://wales.gov.uk/topics/health/publications/socialcare/reports/ishnov09/?lang=en>
- The Interim Policy and Procedures for Safeguarding Vulnerable Adults from Abuse 2013
http://www.ssiacymru.org.uk/home.php?page_id=2592
- Each Local Authority also has information on their websites

Relevant research, leaflets and guidance notes can be accessed from:

- www.nspcc.org.uk/inform

DBS referral form and guidance:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/209316/dbs-referral-form-guidance.pdf

Contact Details**NSPCC 24HR HELPLINE – 0808 800 5000**DBS Helpline: 01325 953 795 - www.gov.uk/dbs**CHILDREN'S SERVICES – as at June 2018****For the most up to date contact details, <http://www.childreninwales.org.uk/resources/safeguarding/>**

Local Authority	Child Protection referral Office Hours	Any other info	Child Protection referral Out of hours Number
Blaenau Gwent	01495 315700		0800 328 4432
Bridgend (Pen-y-bont ar Ogwr)	01656 642320		01443 425012
Caerphilly (Caerffili)	0808 100 1727		0800 328 4432
Cardiff (Caerdydd) *	02920 536490		02920 788570
Carmarthenshire (Sir Gaerfyrddin)	01554 742322		01558 824283
Ceredigion	01545 574000		0845 6015 392
Conwy †	0300 456 1111		01492 515777
Denbighshire (Sir Ddinbych)	0300 4561000		0345 053 3116
Flintshire (Sir y Fflint)	01352 701 000		0345 053 3116 (out of hours)
Gwynedd	01758 704 455		01248 353 551 (out of hours)
Isle of Anglesey (Ynys Môn)	01248 752 722		01248 353 551 (out of hours)
Merthyr Tydfil (Merthyr Tudful)	01685 724506		01443 425012
Monmouthshire (Sir Fynwy)	01291 635669		0800 328 4432
Neath Port Talbot (Castell-nedd Port Talbot)	01639 685717	5.30pm to 1.30am (Weekdays) 9am to 1.30am (Sat,Sun and Bank Holidays)	(01639) 895455
Newport (Casnewydd) †	01633 656656		0800 328 4432
Pembrokeshire (Sir Benfro)	01437 776325		08708 509 508
Powys	01597 827666		0845 054 4847
Rhondda Cynon Taf	01443 431513		01443 743665
Swansea (Abertawe) *	01792 635700		01792 775501
Torfaen (Tor-faen)	01495 762200		0800 328 4432
Vale of Glamorgan (Bro Morgannwg)	01446 725202		02920 788570
Wrexham (Wrecsam)	01978 292 039		0345 053 3116

WELSH POVA CO-ORDINATORS AND POVA LEAD OFFICERS – contact detail check ongoing

COUNTY	CO-ORDINATER/LEAD OFFICER	TELEPHONE	E-MAIL
Blaenau Gwent	Sarah Jones	01495 325445	Sarah.Jones@blaenau-gwent.gov.uk
Bridgend	Russell Warwick	01656 642477	Russell.Warwick@bridgend.gov.uk
Caerphilly	Andrea Giordano (Chair)	01443 864609	giorda@caerphilly.gov.uk
	Becky Griffiths	01443 864485	griffr7@caerphilly.gov.uk
	Wayne Allman	01443 864539	allmaw@caerphilly.gov.uk
Cardiff	Lynda Gallagher	02920 536436	povasupportteam@cardiff.gov.uk
	Steve Bartley		Stephen.bartley@cardiff.gov.uk
Carmarthenshire	Safeguarding Team	01267 228944	RachWilliams@carmarthenshire.gov.uk
		01267 228992	
		07789 371271	

Ceredigion	Amanda Jones	01545 572616	Amanda.Jones@ceredigion.gov.uk
		07812 996350	
Conwy	Sian Ramessur	01492 575758	Sian.ramessur@conwy.gov.uk
		07717 543221	
Denbighshire	Nerys Tompsett	01824 706675	Nerys.Tompsett@denbighshire.gov.uk
Flintshire	Christopher Phillips	01352 701459	Christopher_phillips@flintshire.gov.uk
Gwynedd	Nerys Evans	01286 679956	nerysevans@gwynedd.gov.uk
		07771 842730	
Isle of Anglesey Ynys Mon	Linda Forrest-Owen – Adult Protection	01248 752715	LFOSS@anglesey.gov.uk
	and Dols Co-ordinator		
Merthyr Tydfil	Annabel Lloyd	01685 724686	Annabel.Lloyd@merthyr.gov.uk
Monmouthshire	Hilary Smart	01873 735492	hilarysmart@monmouthshire.gov.uk
Neath Port Talbot	Ceri James	01639 763009	c.james2@npt.gov.uk
Newport	Petra Davis	01633 210204	
	Wendy Williams	01633 210402	Petra.Davis@newport.gov.uk
			WendyR.Williams@newport.gov.uk
North Wales Police	Detective Sgt Graham Opie	01745 588745	Graham.opie@nthwales.pnn.police.uk
	Strategic Public Protection		
	Detective Superintendent John Hanson, Head of Public Protection		John.Hanson@nthwales.pnn.police.uk
Pembrokeshire	Anne Parkes	01437 776651	Anne.Parkes@pembrokeshire.gov.uk
Powys	Andy Kaye	01874 638870	Andrzej.kaye@powys.gov.uk
	Liz Upcott		Elizabeth.upcott@powys.gov.uk
Rhondda Cynon Taff	Chris Davies	01443 425425	Christine.S.Davies@rhondda-cynon-taff.gov.uk
Swansea	Meryl Williams	01792 636278	Meryl.Williams@swansea.gov.uk
	Cathy Adams		Cathy.adams@swansea.gov.uk

Torfaen	Annette Brady	01495 766676	Annette.Brady@torfaen.gov.uk
Vale of Glamorgan	Joanne Betteridge	01446 704812	jbetteridge@valeofglamorgan.gov.uk
Wrexham	Beverley Larkins (Vice Chair)	01978 298420	Beverley.larkins@wrexham.gov.uk

APPENDIX THREE – CAPACITY, CONSENT, CONFIDENTIALITY AND INFORMATION SHARING

1. MENTAL CAPACITY:

Vulnerable adults may have or may lack mental capacity to make specific decisions. Their vulnerability entitles them to protection from abuse and neglect but if they lack capacity they may be especially vulnerable. The Mental Capacity Act 2005 specifies that:

'... a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain'.

A person is not able to make a decision if he/she is **assessed** as unable to do any one of the following:

- understand the information relevant to the decision; or
- retain that information; or
- use or weigh that information as part of the process of making the decision; or
- communicate their decision (whether by talking, using sign language or any other means).

IT IS NOT THE ROLE OF THE DESIGNATED PERSON OR ANY OTHER MEMBER OF STAFF TO DECIDE IF A VULNERABLE ADULT HAS CAPACITY. All concerns should be reported in accordance with the procedures.

2. CONSENT:

- The age of consent for both heterosexual and homosexual intercourse is 16 years old.
- A child or young person under the age of **18 years** CANNOT consent to sexual activity with a person with whom they have a Relationship of Trust (*Sexual Offences Act 2003*)
- A child under the age of 13 cannot consent to sexual activity (*Sexual Offences Act 2003*)
- In any circumstances, for consent to be valid the ability to refuse consent must be respected.
- To give valid consent an individual should have sufficient information to understand the options
- Any coercion of an individual to consent invalidates the consent.

3. 'GILLICK COMPETENCE' AND THE 'FRASER GUIDELINES'

When deciding whether a child is mature enough to make decisions, people often talk about whether a child is 'Gillick competent' or whether they meet the 'Fraser guidelines'. These refer to a legal case which looked specifically at whether doctors should be able to give contraceptive advice or treatment to under 16-year-olds without parental consent. But since then, they have been more widely used to help assess whether a child has the maturity to make their own decisions and to understand the implications of those decisions.

Since the Gillick case, legal, health and social work professionals continue to debate the issues of a child's rights to consent or refuse treatment, and how to balance children's rights with the duty of child protection professionals to act in the best interests of the child. For the purposes of this document, where indicated advice concerning Gillick competence should be sought from Children's Services as part of considering or making a referral.

4. CONFIDENTIALITY AND INFORMATION SHARING :

As a general rule all personal information acquired or held in the course of working with children and families is confidential and particular care should be taken with sensitive information. However, sharing information between practitioners is essential particularly when there are concerns about the safety or welfare of a child or vulnerable adult.

There is no problem about sharing personal information about an individual if that person, or for a child, someone with Parental Responsibility has given permission. Good practice would therefore dictate that wherever possible a child's parent/carer should be informed if a referral is to be made about their family to social services. However, this should not be done if you think it would increase the risk to the child or be contrary to the child's welfare. You should also not seek permission if to do so could obstruct a criminal investigation, eg where allegations of sexual abuse have been made.

Information about an individual is not confidential information if it is already in the public domain, eg, what school a child attends, or even if that child attended school that day.

When sharing personal information, you should consider;

- Who needs to know and
- What do they need to know.

In other words, the information given should be necessary to safeguard a child or children and should be shared with those who have the responsibility to decide what action needs to be taken – the 'need to know' basis.

The Data Protection Act 1998 stipulates that 'personal data shall be processed fairly and lawfully'. 'Fairness' is being open with people about how information about them is to be used and the circumstances in which it might be disclosed. It is therefore important that the parents, carers of children or vulnerable adults and our students are made aware of the child protection policy and the action that will be taken if there are concerns about a child or vulnerable adult.

Appendix 5

Form To Use When Reporting A Concern

Your name _____

Your role at RWCMD _____

Your contact details _____

Name of child/young person about whom you are concerned

Capacity in which you know this child/young person

Please outline your concern here, giving details about how your concern arose, any relevant dates, times, locations and people involved.

If you are passing on concerns raised by someone else, please indicate who this person is and - **in their own words** – give an account of their concern.

Your name and signature _____

Name of the person to whom you are passing this concern, with date

Appendix 6

Prevent Protocol

PREVENT PROTOCOL

Introduction

The Government has published '*Prevent Duty Guidance: Guidance for specified authorities in England and Wales on the duty in the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism*'. Specified authorities, which includes HEIs, are required to be legally compliant.

1. WHAT IS PREVENT?

- 1.1 PREVENT is one of the four elements of CONTEST, the government's counter-terrorism strategy. It aims to stop people becoming terrorists or supporting terrorism. The paper, '*2010 to 2015 Government Policy: counter-terrorism*', published 7th May 2015, says:

"The PREVENT strategy:

- *responds to the ideological challenge we face from terrorism and aspects of extremism, and the threat we face from those who promote these views*
- *provides practical help to prevent people from being drawn into terrorism and ensure they are given appropriate advice and support*
- *works with a wide range of sectors (including education, criminal justice, faith, charities, online and health) where there are risks of radicalisation that we need to deal with.*

The strategy covers all forms of terrorism, including far right extremism and some aspects of non-violent extremism.

This is often commonly referred to as the three I's: Ideology, Individuals and Institutions.

2. WHAT ARE THE RISKS?

- 2.1 The Home Office Duty Guidance makes specific reference to the following risks.
- some students may arrive at University/College already committed to terrorism
 - some may become radicalised while at University/College
 - students may use the Internet to access information that can be used for terrorist activity
 - visiting speakers at events on campus may encourage extreme views or incite violence.
 - students with extreme views may influence their fellow-students through word of mouth or social media.
- 2.2 There is also the risk that in implementing the PREVENT agenda an atmosphere of suspicion may be created which could be counterproductive.
- 2.3 The Duty Guidance makes reference to the need for appropriate staff training, chaplaincy and welfare support, IT, external speaker and freedom of speech policies to counter the risk of students being vulnerable to radicalisation.

3. WHAT ARE THE COLLEGE'S OBLIGATIONS?

- 3.1 The *Prevent Duty Guidance* states:

“In fulfilling the duty in section 26 of the Act, we expect all specified authorities to participate fully in work to prevent people from being drawn into terrorism.” (para 12)

“All specified authorities must comply with this duty and will be expected to maintain appropriate records to show compliance with their responsibilities and provide reports when requested.” (para 23)

The document *PREVENT Duty Guidance for higher education institutions in England and Wales* (2015) includes the statement:

“Universities will be expected to carry out a risk assessment for their institution which assesses where and how their students might be at risk of being drawn into terrorism. This includes not just violent extremism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit.” (para 19)

This means that the Royal Welsh College of Music and Drama’s compliance is based on a specific institution wide risk assessment.

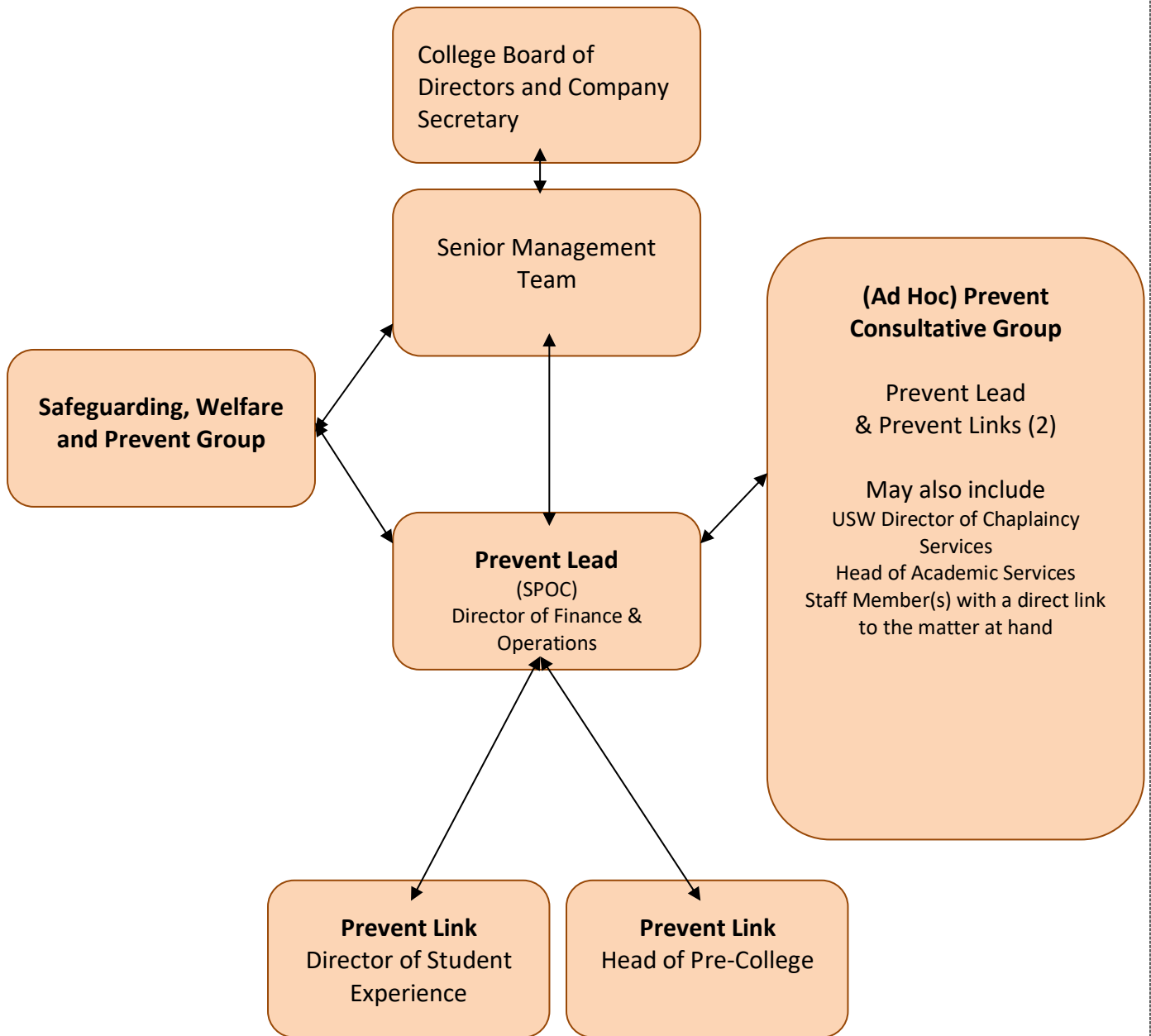
4. STATEMENT OF POLICY

- 4.1 The Royal Welsh College of Music and Drama is an inclusive institution which aims to provide an environment where individuals are enabled to meet their full potential and to express themselves freely within the law.
- 4.2 The College is a diverse academic community and values the richness that diversity and difference bring to the academic life of the institution and our ability to engage globally. Diversity adds value to the student experience and to the College. Central to this concept is the ability of all its members freely to challenge prevailing orthodoxies, query the positions and views of others and put forward radical ideas that may sometimes be controversial. An environment of free and open discussion is essential to the development of lively, enquiring minds and the ability to question argue and listen that is a central element in Higher Education.
- 4.3 At the same time, the College is committed to creating a context in which staff and students can work and study unhindered by hostility, offensive conduct or intimidation. Staff and students are expected to respect this in the manner and tone with which they express their views. This principle extends to conduct on line and on social media.
- 4.4 Higher Education does not exist in a vacuum. Wider conflicts and disputes, often involving ethnicity or religious faith, may sometimes find expression on campus amongst the College’s community. The challenge for Higher Education is to identify when the pursuit of freedom of ideas and expression crosses a threshold and becomes harmful.
- 4.5 Staff are required to do all they can to mitigate grievance at the earliest possible stage and to avoid taking any action or making any statement that may exacerbate a grievance. Appropriate referral should be made through the PREVENT processes at an early stage.
- 4.6 The College recognises that people with radical views have things to say. In the context of the College community it is important that such views are expressed in a way which makes clear that they are not conducive to, or supportive of, causing harm or violence or promoting or inciting hate.

- 4.7 The PREVENT Duty Guidance is a new and developing area of responsibility placed on the College by Government. The College will be guided in its compliance procedures by government, wider HE partnerships and other statutory bodies.
- 4.8 General legal principles, and in specific areas legislation, provide that the proportionate and reasonable limitation of expression is permissible in order to maintain public order and safety or to ensure that there is no breach of the law. Whilst the College recognises the right of staff and students to express opinions contrary to the corporate view, the right to freedom of speech is not absolute. The College will, on occasion, have to weigh conflicting demands for free public expression of ideas against concerns on its part regarding public order and safety or the potential for breaches of the law to occur.
- 4.9 Furthermore, the College has a duty under the Counter-Terrorism and Security Act 2015 to prevent staff and students from being drawn into terrorism and ensure they are being given appropriate advice and support.
- 4.10 The College acknowledges that it has both a legal and a moral responsibility to act in a proactive manner in order to minimise the possibility that harmful extremism or intolerance will arise on campus whilst at the same time ensuring the general continuance of freedom of speech.

5. STRUCTURE

The following diagram is an outline of the structure for implementing the PREVENT compliance agenda.



6. ROLES AND RESPONSIBILITIES

6.1 The Head of Student Experience and the Head of Pre-College have the function of **Responsible Officers/PREVENT Link** and will:

- be familiar with the College's PREVENT Protocol and develop other policies.
- be trained in PREVENT issues and the College's PREVENT procedures and protocols
- be available to give initial and informal advice to staff
- receive queries or expressions of concern from staff and students
- receive applications for inviting external speakers for extra-curricular events and decide on applications they deem to be non-controversial
- refer as appropriate any issues of concern or potentially controversial speaker applications to the PREVENT Lead (SPOC)
- be a link between the College PREVENT Lead (SPOC)
- keep a record of all relevant conversations, applications and their outcomes.

6.2 The College's Vice Principal will be the **PREVENT Lead (SPOC)** and will:

- be the Single Point of Contact (SPOC) directly accessible to all staff
- be available to give initial and informal advice to staff
- receive expressions of concern from Responsible Officers/PREVENT Links. These may be resolved by informal conversation, but if there seems to be a real matter for concern, the PREVENT Lead (SPOC) will gather information in order to build as full a picture as possible of the situation, consult with key staff and decide what action if any needs to be taken
- be forwarded any external speaker applications that may be considered controversial
- consult when necessary with the Regional PREVENT Coordinator and others
- as appropriate, consult the Principal/University Director of Chaplaincy
- be the point of reference for all PREVENT issues internally and externally
- keep a record of all relevant conversations, applications and outcomes.

6.3 A **key group of staff** will support the PREVENT Lead (SPOC and Responsible Officers on an issue by issue basis. The Group may include:

- PREVENT Lead (SPOC) the
- Responsible Officers
- Director of Chaplaincy Services
- Head of Academic Services
- Other members of staff who may have a direct link to the matter at hand.

7. INTERNAL REFERRAL PROCESS

7.1 Anyone who suspects a student or a member of staff is becoming involved in non-violent/violent extremism and/or terrorism should contact the Vice Principal, Head of Student Experience or Head of Pre-College for an informal conversation. If a concern persists they should formally report the matter.

7.2 If a concern is referred to a Responsible Officer/ PREVENT Lead the following process will be followed.

- The Responsible Officer/PREVENT Link will undertake a brief risk assessment and may consult relevant colleagues discreetly.

- If the PREVENT Link believes that a concern has been reasonably substantiated s/he will refer the matter to the College PREVENT Lead. The Responsible Officer/PREVENT Link will keep a record of any concerns expressed and any action or decision not to take action.
- The College PREVENT Lead may consult with senior colleagues in order to build a clear picture and context for the concern and will decide whether a referral to the PREVENT Channel Project is appropriate or whether alternative supportive action is necessary.
- The PREVENT Lead will keep the Company Secretary informed.

8. EXTERNAL REFERRAL PROCESS

- 8.1 If a concern cannot be satisfactorily resolved internally, a PREVENT referral will be made as the initial step in ascertaining suitability for admittance onto the CHANNEL Project.

A PREVENT referral is made initially to the Channel Coordinator. This referral is assessed for suitability to be forwarded to the Channel project.

The Channel Project operates across England and Wales as a key part of the Government's Prevent strategy. It is a multi-agency approach to provide support to individuals who are at risk of being drawn into terrorist related activity.

- 8.1.1 The PREVENT Lead(SPOC) will be the sole point of referral for the institution. In his absence the College Senior Management Team will authorise an alternative.
- 8.1.2 Where this would not constitute a danger to individuals or groups, the person being referred will be informed of the referral at the time transfer to the CHANNEL project is made.
- 8.1.3 The Chaplaincy will offer support to the individual through the referral process and the CHANNEL programme and liaise with other support services to coordinate a holistic support network for the student.
- 8.1.4 The Chaplaincy will offer a comfortable and safe environment within which students going through the CHANNEL programme may be supported.

9. REFERRAL FOR CONSIDERATION UNDER OTHER UNIVERSITY REGULATIONS

- 9.1 Following consideration of all the facts, it may be considered appropriate for a student to be referred to other College regulations, such as the Student Conduct Regulations or Fitness to Study Regulations. In this case, the PREVENT Lead will liaise as appropriate with the Head of Student Experience and/or Head of Academic Services
- 9.2 Following consideration of all the facts, it may be considered appropriate for a staff member to be referred to the College's disciplinary procedures. In this case the Vice Principal will liaise with the Director of Human Resources.

Appendix 7

Pre College Safeguarding Training and DBS Protocol

- 1 All Pre College tutors, auxiliaries and mentors are required to undertake a RWCMD DBS check on appointment. In the event that a tutor is subscribed to the DBS Update service at the level required, an online check will be undertaken instead.
- 2 All active Pre College tutors will be required to repeat a DBS check, or online check, every three years.
- 3 All Pre College tutors will receive mandatory safeguarding training at the appropriate level as part of their induction.
- 4 Where this does not include Prevent training, separate Prevent training will be arranged.
- 5 Training will normally be provided online, along with a verbal briefing on the Code of Practice for Pre College Tutors given by Head of Department/Course Leader. The preferred training providers are: the NSPCC, Cardiff and Vale of Glamorgan Local Safeguarding Children Board, Cardiff Council and Prevent training providers who deemed suitable by the Home Office.
- 6 Should the training offered be identical to that received by a member of staff from another employer within the past two years, this will be accepted in lieu of RWCMD training, on production of satisfactory evidence.
- 7 Hourly paid tutors will be remunerated at half the hourly delivery rate for safeguarding training.
- 8 All members of staff are required to undertake refresher training every three years. Should s/he provide evidence of identical training from another employer within the required timeframe, this will be accepted in lieu.
- 9 Pre College administrative staff will ensure full safeguarding training records are kept for all Pre College staff, in accordance with GDPR.
- 10 Designated Safeguarding Officers must receive safeguarding training at the appropriate level, every three years.