



Derbyshire Adult Community Education Service

Safe Learner Policy

Approved

Version History

Version	Date	Detail	Author
1.0	2/12/20	Updated from previous policy	Vikki Trace
2.0			
3.0			

Approved by Governance Board:

Approved by SMT:

December 2020

Posted on Virtual Learning Environment:

December 2020

To be reviewed by:

November 2022

1. Purpose

The purpose of this policy is to:

- ensure all adults, children and young people engaged within provision delivered through Derbyshire Adult Community Education Service, including those on apprenticeship provision or on work-placements, are adequately supported and protected from harm and the risk of exploitation, including Child Sexual Exploitation (CSE) and radicalisation
- ensure that all staff, volunteers, sub-contractors, partners and employers carry out their duty of care in regard to these individuals
- ensure that all vetting (DBS) checks are carried out on staff, volunteers, sub-contractor staff and employers in line with legislative requirements
- ensure procedures are carried out in line with Derbyshire County Council, Derbyshire Safeguarding Board and Channel¹ requirements, regulations and guidelines.

2. Policy Statement

Derbyshire Adult Community Education Service is committed to preventing abuse and exploitation wherever possible and ensuring that robust procedures² are in place for dealing with incidents of abuse and exploitation. This expectation is extended to cover all partnerships and any sub-contracting or Service Level Agreements that are in place

This will be achieved through:

- identifying a 'Designated Safeguarding Lead for the Service and Deputy Designated Persons in the geographical areas
- adopting a 'whole organisation' approach to safeguarding, including Prevent Duty, Information Governance, GDPR, online learning and Covid-19 Guidance for Safe Learning
- ensuring awareness of Safeguarding and Prevent throughout the Service and within all provision, across all levels of staff; volunteers, sub-contractors and employers
- ensuring all sub-contractors and employers who have an apprentice, (particularly 16-18 learners or Adults with Learning Difficulties and Disabilities), intern, or trainee working or attending work-placement on their premises, understand and are compliant with DACES Safeguarding Policy and Procedures
- ensuring learners' safety in all aspects, including e-safety, is paramount and that learners feel safe
- ensuring all staff and volunteers receive relevant Safeguarding and Prevent training appropriate to their role

¹ Channel is an early intervention multi-agency process designed to safeguard vulnerable people from being drawn into violent extremist or terrorist behaviour – and is aimed at protecting vulnerable people

² These procedures are written in the context of the County Council's Safeguarding Vulnerable Adults Policy and Procedures which can be found at www.saferderbyshire.gov.uk and on Derbyshire Learning Pool <https://derbyshire.learningpool.com>

- ensuring all staff receive DBS checks³ as appropriate and recruitment procedures support staff identification, qualification and criminal checking
- ensuring vetting and barring procedures are carried out in line with legislative requirements
- adopting clear lines of communication with staff, learners, sub-contractors partners and employers, keeping them up to date on legislation and procedures, including keeping them within the law and supporting them to act in non-extremist ways
- ensuring effective links are kept with outside agencies and partners to promote Safeguarding and Prevent duty
- ensuring all appropriate risk assessments are carried out effectively, in a timely manner and kept live
- ensuring all learning, teaching and assessment practice and resources, including online learning and resources, support the concept of the 'safe learner'
- ensuring a clear and timely reporting procedure.

3. **Scope:**

This policy statement covers all staff, sub-contractors, volunteers, employers, partners and learners of the Service. It also includes visitors, contractors and suppliers.

4. **Monitoring, Evaluation and Reporting:**

The DACES Safe Learner Group, led by an identified member of DACES Service Management Team (SMT), will act as the forum to monitor and evaluate the effectiveness of Safeguarding and Prevent activity.

The DACES Quality Improvement Group, led by an identified member of the DACES Service Management Team (SMT), will act as the forum to monitor and evaluate the effectiveness of teaching, learning and assessment processes in making learners feel safe and supporting them in keeping within the law and acting in non-extremist ways. Learner, partner, sub-contractor and employer feedback will be obtained through quality assurance tools e.g. surveys, focus groups, learner evaluation.

These groups will report their activity to the Service SMT, Children's Services Senior Management Team (via the relevant Service Director, Schools and Learning) and DACES Governance Board.

5. **Equality, Diversity and Inclusion:**

This policy will be used to promote fairness in all aspects of practice within the Service and support the Service's commitment to be fully inclusive. DACES' values freedom of speech and the expression of beliefs as fundamental rights underpinning our society's values. Whilst we value free speech, we also believe it is subject to the laws and policies governing equality, human rights, community safety and community cohesion. The Service recognises that some groups of learners may be more vulnerable to abuse and exploitation (e.g. learners with learning difficulties, mental health issues, young people, children, etc.).

³ See DACES Guidance on Disclosure and Barring Service (DBS)

All learners regardless of disability, ethnicity, age, sex, religion and belief including non-belief, sexual orientation, gender reassignment, marriage and civil partnership, pregnancy and maternity, social background or appearance; have the right to equal protection from all types of harm, abuse, exploitation and the risk of radicalisation.

6. Confidentiality, Information Sharing and GDPR

DACES is required to ensure that it can demonstrate full compliance with the principles of the General Data Protection Regulation (GDPR). All staff are required to be familiar with Data Protection guidance, accessible on Derbyshire Learning Online and within the DACES staff handbook, or from their line manager. Any data breach or suspected data breach must be referred immediately to their line manager.

7. Associated Policies and Procedures:

- Safeguarding Reporting Flow Chart
- Prevent Reporting Flow Chart
- Safeguarding Adults Procedure
- Safeguarding Children and Young People Procedure
- Child Protection Procedure
- Guidance on DBS
- The Prevent Duty
- Health and Safety Policy
- Code of Behaviour for Learners and Visitors
- Code of Behaviour for Staff and Volunteers
- Equality, Diversity and Inclusion Policy
- Learner Support Policy
- Protection of Freedoms Act 2012

8. Postholder to Contact

Service Management Team Member with responsibility for Safe Learner.

9. Review:

The policy will be reviewed again in **November 2022**.

Appendix 1:

Roles and Responsibilities in relation to Safeguarding

1. The Service Management Safe Learner Lead is responsible for:

- being the Service Safeguarding and Prevent Lead, giving a consistent high profile lead on the promotion of safe learner practices and Prevent both internally and externally
- ensuring that service roles and responsibilities are complied with.

2. The Service Management Team (SMT) is responsible for:

- ensuring DACES has a Safeguarding policy in accordance with the procedures of Derbyshire Safeguarding Children Board and Derbyshire Safeguarding Adults Board
- ensuring DACES and its sub-contractors conducts safer recruitment procedures and ensures that required checks are carried out on all appropriate staff, volunteers and employees
- ensuring the service's strategic plan includes a prioritisation of the Safe Learner and Prevent and is reflected in the Service Self-Assessment Report (SAR) and Quality Improvement Plan (QIP)
- ensuring that safe learner is part of the Service's strategic plan
- consideration of a termly report to ensure that the Safe Learner policy is being followed receiving and responding to monitoring information on the impact of the safe learner policy on learner well-being, satisfaction and achievement.

3. The Safe Learner Group is responsible for:

- overseeing the continuing application and development of the policy in line with service targets and service strategic objectives
- preparing, monitoring and reviewing the Safe Learner priorities within the SAR and QIP
- reporting each term to SMT on the application of the Safe Learner Policy
- leading, developing and overseeing the safe learner activities as identified within the QIP
- ensuring that appropriate training and development is provided for staff, learners and volunteers to respond effectively to a safe learning environment where learners are protected from harm and the risk of exploitation and radicalisation
- monitoring and ensuring that all staff and volunteers are attending and completing the appropriate role relevant safe learner and prevent training, in a timely manner.

4. Learning and Skills Managers are responsible for:

- being the deputy safeguarding and prevent designated persons within the geographical areas
- ensuring that recruitment and selection processes include Safe Learner and Prevent expectations.

5. All staff are responsible for ensuring that they:

- engage with the Safe Learner and Prevent training and activities
- ensure that learners are free to learn within a safe environment and that they are, wherever, possible protected from harm and the risk of radicalisation.

Appendix 2:

Definitions

Abuse

Abuse is a violation of an individual's human and civil rights by any other person or persons. The categories of abuse are those adopted by the Department of Health⁴:

- **physical abuse**, including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions
- **sexual abuse**, including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, could not consent or was pressured into consenting
- **psychological abuse**, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks
- **financial or material abuse**, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits
- **neglect and acts of omission**, including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating
- **discriminatory abuse**, including racist, sexist, that based on a person's disability, and other forms of harassment, slurs or similar treatment.

Child Sexual Exploitation (CSE)

This is defined⁵ by the Department of Education as:

- the sexual exploitation of **children and young people under 18** involves exploitative contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing, and/or others performing on them, sexual activities
- in addition, occurring through use of technology without the child's immediate recognition, for example the persuasion to post sexual images on the internet/mobile phones without immediate payment or gain
- in all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources
- exploitative relationships involving violence, coercion and intimidation are common, and characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

It happens in a number of contexts, the common contexts include:

- Peer on peer

⁴ [No secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse](#)

⁵ [Safeguarding Children and Young People from Sexual Exploitation](#)

- Adult on child
- Gang association or membership
- Party scene/youth culture
- Boyfriend/girlfriend Model
- Constrained choices Model
- Trafficking, domestic and international
- Internet based CSE – contact and non-contact offences, including sexting.

Extremism

This is defined as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual and mutual respect and tolerance of different faiths and beliefs. Also included in the definition is the call for the death of member of our armed forces, whether in this country or overseas.

General Data Protection Regulation (GDPR)

The General Data Protection Regulation (GDPR) is a legal framework that sets guidelines for the collection and processing of personal information of individuals within the European Union (EU). GDPR sets out the principles for data management and the rights of the individual, while also imposing fines that can be revenue-based. GDPR covers all companies that deal with data of EU citizens, so it is a critical regulation for corporate compliance officers at banks, insurers, and other financial companies. GDPR came into effect across the EU on May 25, 2018.

Information governance

This is the management of information at an organisation. Information governance balances the use and security of information. Information governance helps with legal compliance, operational transparency, and reducing expenditures associated with legal discovery. An organisation can establish a consistent and logical framework for employees to handle data through their information governance policies and procedures. These policies guide proper behaviour regarding how organisations and their employees handle electronically stored information.

Radicalisation

This is defined as the process by which people come to support terrorism and extremism and, in some cases, to then participate in terrorist groups or actions.

Vulnerability⁶

The following are examples of vulnerability:

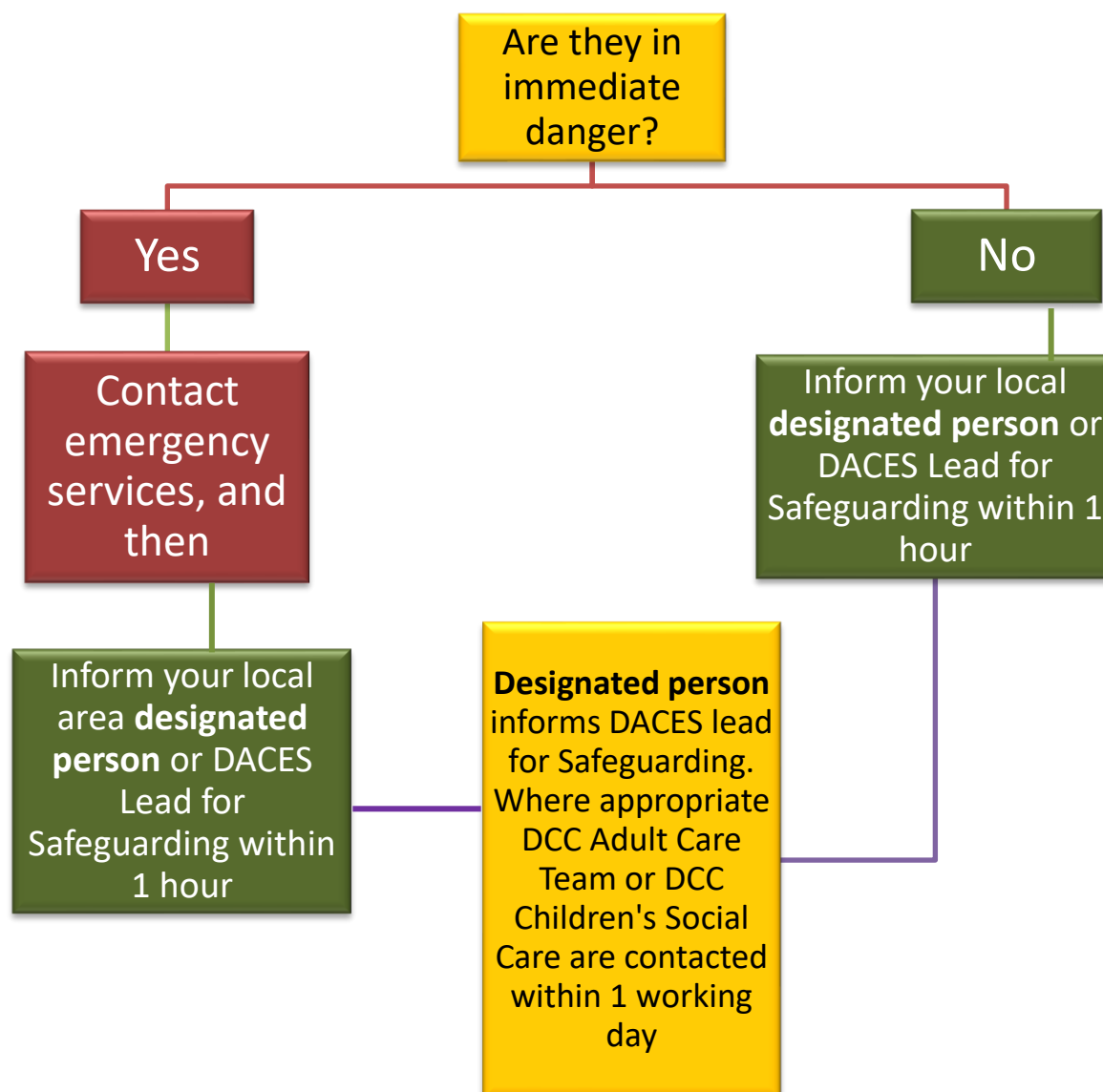
- **Identity crisis:** vulnerable people who are exploring issues of identity can feel both distant from their parents, family and cultural and religious heritage. They may be uncomfortable with their place in society around them. This can be exploited by providing a sense of purpose or feelings of belonging

⁶ The following have also been found to contribute to vulnerable people joining certain groups supporting terrorist-related activity: ideology and politics; provocation and anger (grievance); need for protection; seeking excitement and action; fascination with violence, weapons and uniforms; youth rebellion; seeking family and father substitutes; seeking friends and community; and, seeking status and identity.

- **Personal crisis:** This may, for example, include significant tensions within the family that produce a sense of isolation of the vulnerable individual from the traditional certainties of family life
- **Personal circumstances:** The experience of migration, local tensions or events affecting families in countries of origin may contribute to alienation from UK values and a decision to cause harm to symbols of the community or state
- **Unemployment or under-employment:** Individuals may perceive their aspirations for career and lifestyle to be undermined by limited achievements or employment prospects. This can translate to a generalised rejection of civic life and adoption of violence as a symbolic act
- **Criminality:** In some cases a vulnerable individual may have been involved in a group that engages in criminal activity or, on occasion, a group that has links to organised crime and be further drawn to engagement in terrorist-related activity.

Appendix 3 - DACES Safeguarding Reporting Flowchart⁷

What to do when the abuse of an adult or a child is suspected or disclosed to you:



DACES Lead for Safeguarding:

Vikki Trace	Mon-Fri	07789 926702
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Local Area Designated Persons: (DP)

North Area	Louissa Adams	Mon-Fri	07500 915780
South Area	Anne Marie Hutchinson	Wed- Fri	07779 413112
	Cathy Cooke	Mon - Wed	07917 628646
14-18 learners	Ann Parker	Mon - Thu	07917 068538
County Wide	Tim Baker	Mon-Fri	07773 632039

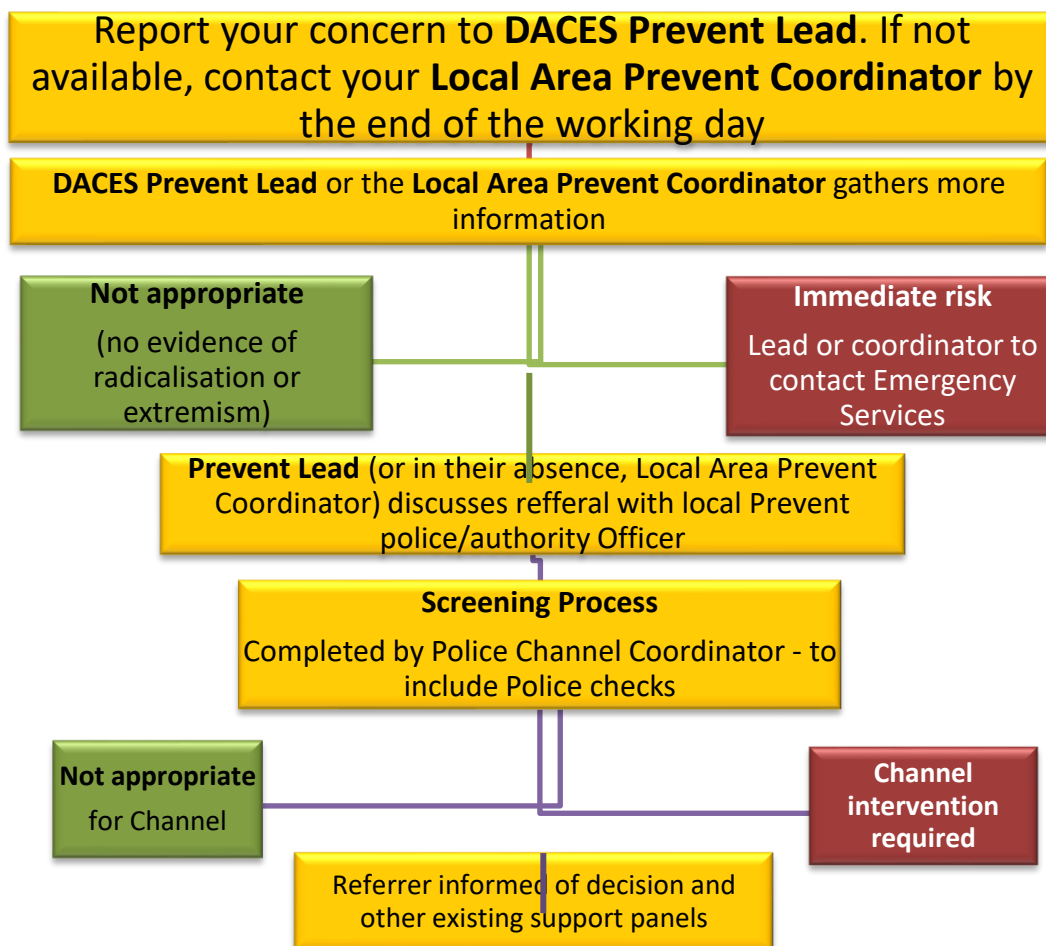
If out of hours or if no designated person/Lead for Safeguarding can be reached:

Call Derbyshire	01629 533190
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⁷ If you are concerned that a learner or member of staff is vulnerable to being exploited or radicalised, See DACES Prevent Reporting Flowchart.

Appendix 4 - DACES Prevent Reporting Flowchart

If you are concerned that a learner or staff member is vulnerable to being exploited or radicalised



DACES Lead for Safeguarding:

Vikki Trace	Mon-Fri	07789 926702
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Local Area Designated Persons: (DP)

North Area	Louissa Adams	Mon-Fri	07500 915780
South Area	Anne Marie Hutchinson	Wed- Fri	07779 413112
	Cathy Cooke	Mon - Wed	07917 628646
14-18 learners	Ann Parker	Mon - Thu	07917 068538
County Wide	Tim Baker	Mon-Fri	07773 632039

If out of hours or if no designated person/Lead for Safeguarding can be reached:

Call Derbyshire	01629 533190
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This is an addendum to the DACES Safe Learner Policy as a result of the extraordinary circumstances created due to an extended period of school closure (linked to the management of Coronavirus).

Appendix 5:

Adult Education Centre Closure: Arrangements for Safeguarding and Child Protection in response to Covid-19

1. Context

- 1.1 From 23 March 2020 Adult Community Education Centres were closed to the majority of learners. Provision was risk assessed including 16- 18 provision and Electively Home Educated (EHE) Young People with education, health and care (EHC) plans and identified needs which increases their vulnerability were prioritised for continued support.
- 1.2 This addendum to DACES policy contains details of safeguarding arrangements which are in place during, and in response to, the extended period of centre closure; taking into account the new [safeguarding guidance published by the government on 27 March 2020](#)⁸.

DACES Lead for Safeguarding:

Vikki Trace	Mon-Fri	07789 926702
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Local Area Designated Persons: (DP)

North Area	Louissa Adams	Mon-Fri	07500 915780
South Area	Anne Marie Hutchinson	Wed- Fri	07779 413112
	Cathy Cooke	Mon - Wed	07917 628646
14-18 learners	Ann Parker	Mon - Thu	07917 068538
County Wide	Tim Baker	Mon-Fri	07773 632039

If out of hours or if no designated person/Lead for Safeguarding can be reached:

Call Derbyshire	01629 533190
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2. Vulnerable Learners

- 2.1 Vulnerable Learners include those who have a social worker and those learners and young people up to the age of 25 with education, health and care (EHC) plans. Those who have a social worker include learners who have a Child Protection Plan and those who are looked after by the Local Authority.
- 2.2 A learner may also be deemed to be vulnerable if they have been assessed as being in need or otherwise meet the definition in section 17 of the [Children Act 1989](#)⁹.
- 2.3 Those with an EHC plan will be risk-assessed in consultation with the Local Authority and parents, to decide whether they need to attend a DACES centre in order to meet their needs, or whether they can safely have their needs met at home. Most learners with EHC plans can safely remain at home
- 2.4 DACES will try to ensure that families eligible for on free school meals get the government vouchers but eligibility for free school meals in itself will not be the

⁸ <https://www.gov.uk/government/publications/covid-19-safeguarding-in-schools-colleges-and-other-providers/coronavirus-covid-19-safeguarding-in-schools-colleges-and-other-providers>

⁹ <http://www.legislation.gov.uk/ukpga/1989/41/contents>

determining factor in assessing vulnerability. Learners on the free school meal list will be assessed on an individual basis.

- 2.5 Senior leaders, especially the Designated Safeguarding Lead (DSL) and Area Designated Person (DPs), know who our most vulnerable learners are. They have the flexibility to offer increased support and centre provision.
- 2.6 This list of vulnerable learners is shared with the DACES Senior Management Team, and area leads specifically for 14-18 provision. Designated staff including Study Programme Workers and Programme Development Workers will be communicating with learners who have EHCPs and designated as Vulnerable. All actions and contacts will be recorded in Contact Record and monitored by DSL and the Lead for 16-18 provision, who is a member of the senior management team.
- 2.7 DACES will continue to work with and support learners' social workers to help protect vulnerable children. This includes working with and supporting learners' social workers and the local authority virtual school head (VSH) for looked-after and previously looked-after children. The lead person(s) for this will be the Area DPs.

3. Attendance monitoring

- 3.1 Local authorities and education settings do not need to complete their usual day-to-day attendance processes to follow up on non-attendance.
- 3.2 DACES will follow up on any learner that they were expecting to attend virtual learning, who does not.

4. Designated Safeguarding Lead

- 4.1 DACES has a Designated Safeguarding Lead (DSL) and 5 Area Designated Persons (DPs) who are all members of the Senior Management Team (SMT).
- 4.2 Trained DPs will be available to be contacted via phone or email. All staff have copies of the Safeguarding flow chart which will continue to apply if staff have concerns.
- 4.3 The DPs will continue to engage with social workers, as required, liaise with children's social care, Starting Point and/or Call Derbyshire.

5. Reporting a concern

- 5.1 Where staff have a concern about a learner, they should follow the existing DACES Safeguarding Reporting Flowchart (Appendix 3).

6. Safeguarding training and induction

- 6.1 All DACES staff have had safeguarding training. The DSL or DPs should communicate with staff any new local arrangements, so they know what to do if they are worried about a learner.

7. Safer recruitment/volunteers and movement of staff

- 7.1 It remains essential that people who are unsuitable are not allowed to enter the children's workforce or gain access to children. When recruiting new staff, DACES will continue to follow the relevant safer recruitment processes for our

setting, including, as appropriate, relevant sections in part 3 of Keeping Children Safe in Education (2019) (KCSIE).

7.2 DACES will continue to follow the legal duty to refer to the DBS anyone who has harmed or poses a risk of harm to a child or vulnerable adult.

7.3 During the Covid-19 period all referrals should be made by emailing misconduct.Teacher@education.gov.uk

8. Online safety

8.1 DACES will continue to provide a safe environment, including online. See separate Risk Assessment which has been created in relation to online tuition.

9. Learners and online safety

9.1 It is important that all staff who interact with learners, including online, continue to look out for signs that an individual may be at risk. Any such concerns should be dealt with as per the Safeguarding Policy and where appropriate referrals should still be made to children's social care and as required, the police.

9.2 Online contact with learners should only happen using DCC approved platforms and systems. All work for learners will be set using Derbyshire Learning Online (Learning Pool).

9.3 DACES will ensure any use of online learning tools and systems is in line with privacy and data protection/GDPR requirements.

9.4 If tutors decide to host virtual lessons where webcams are involved the following restrictions will apply:

- No one to one teaching, groups only
- Staff and learners must wear suitable clothing, as should anyone else in the household
- Any computers used should be in appropriate areas, for example, not in bedrooms and the background should be blurred prior to starting meeting
- Live classes should be kept to a reasonable length of time, or the streaming may prevent the family 'getting on' with their day
- Tutors to only conduct live streams during normal learning provision hours
- Language must be professional and appropriate, including any family members in the background
- Staff should record, the length, time, date and attendance of any sessions held
- Tutors ask learners to mute their microphones unless they are asking/answering a question.

10. Communication Plans

10.1 Where the DSL or 14-19 team have identified a learner to be vulnerable, they should ensure that a robust communication plan is in place for that learner.

10.2 The communication plans include: remote contact, phone contact, other individualised contact methods should be considered and recorded.

- 10.3 Any member of staff communicating with a learner via email aged 14-16, should include the parent's email and copy a manager in the team.
- 10.4 Each phone call made from home by a member of staff must use the withheld number.
- 10.5 Each communication must be logged on the contact record (Covid-19 contingency folder) by lead staff.
- 10.6 If a parent or learner has not made communication by email within 24 hours of a planned communication / online teaching session then the member of staff should make a phone call to the parent /carer. If no response then they should inform the DSL who will arrange for a home visit to be made by a staff member / social worker known to the learner. If no response from the house a letter will be posted to ask to parent/ learner (if over 18) to contact the DSL or DP immediately by email or phone – if there is no response within 24 hours then Call Derbyshire will be contacted.

11. Supporting learners in DACES centres

- 11.1 DACES is committed to ensuring the safety and wellbeing of all its learners. We will continue to be a safe space for all learners to attend and flourish. The Learning and Skills Manager will ensure that appropriate staff are on site and staff: learner ratio numbers are appropriate, to maximise both the safety of the learners and the safety of DACES staff where on site contact is necessary.
- 11.2 DACES will refer to the Government guidance for education and childcare settings on how to implement social distancing and continue to follow the advice from Public Health England on handwashing and other measures to limit the risk of spread of Covid-19.

Approved 12 April 2020

12 Learners returning to DACES Centres – from 15 June 2020 onwards

- 12.1 As young learners return to DACES centres we have 2 additional trained DSLs, enabling at least 1 trained DSL and/or deputy available to be contacted via phone or online video – at all times learners are in DACES centres.
- 12.2 DSLs (and deputies) will continue to do what they reasonably can to keep up to date with safeguarding developments, such as via safeguarding partners, newsletters and professional advice groups.