



west lothian
college

Adults at Risk Policy

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1 Introduction

West Lothian College is dedicated to encouraging widening access, and promoting participation and inclusiveness.

The College's Adults at Risk policy sits within the context of the Learning and Teaching Strategy and provides a formal framework for collaboration with key partners.

Adults at Risk make up part of the learner profile and the College works successfully in partnership with a wide range of key local and national stakeholders to identify the needs of potential learners, design programmes, and provide progression routes and access to employment.

Stakeholders include:

- Colleges Scotland
- Jobcentre Plus
- Skills Development Scotland
- NHS Lothian
- West Lothian Council, Education Services
- West Lothian Community Health and Care Partnership
- Voluntary Sector Gateway, West Lothian
- Police Scotland

In considering this policy it is important that professionals can clearly demonstrate and record that such considerations have been made. All communication must be appropriate to the student's level of understanding.

2 Adults at Risk

In this policy, the broad definition of an 'adult at risk' is as follows:

Adults at risk

(1) "Adults at risk" are adults who:-

(a) are unable to safeguard their own well-being, property, rights or other interests,

(b) are at risk of harm, and

(c) because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

(2) An adult is at risk of harm for the purposes of subsection (1) if:-

(a) another person's conduct is causing (or is likely to cause) the adult to be harmed, or

(b) the adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm.

(Ref: 'Adult Support and Protection (Scotland) Act 2007).

It is recognised that at times College staff may come into contact with adults who may be at risk but who do not come into the category of being an adult at risk as defined above. Any situation which causes concern should be referred to the Safeguarding Team.

Section 26 of the Counter Terrorism and Security Act 2015 requires the College to have due regard to the need to prevent people being drawn into terrorism. Any concerns that an individual is being drawn into extremism will be passed to the police through the Safeguarding Team.

3 Corporate Statement of Intent

The following policy statement has been agreed and adopted by the College:

West Lothian College confirms its commitment to ensuring that all adults at risk have the right to be cared for, protected from harm and learn in a safe environment, in which their rights and needs are respected. The welfare of adults at risk is paramount.

The College will work in close collaboration with Social Work and Police Scotland and will be guided by Edinburgh, Lothian and Borders Executive Group (ELBEG) Multi-Agency Guidelines Adult Support and Protection: Ensuring rights and preventing harm (2009).

Section 26 of the Counter Terrorism and Security Act 2015 Requires the College to have due regard to the need to prevent people being drawn into terrorism. Any concerns that an individual is being drawn into extremism will be passed to the police through the Safeguarding Team.

4 General Requirements

In promoting this policy, the following will be required:

- all College staff will have a role to play in protecting adults at risk from harm;
- all staff need to be aware of their duty of care for adults at risk;

- College policies and procedures will reflect the duty of care for adults at risk;
- safeguards will include robust staff recruitment practices, codes of conduct and a Procedure and Guidance for Reporting Allegations of Adults at Risk; and
- effective communication between College staff and appropriate agencies when adults are considered to be at risk.

5 Legislation

The Adult Support and Protection (Scotland) Act 2007 is the most significant piece of legislation in the protection of adults at risk. Other relevant legislation is the Mental Health (Scotland) Act 1994 and the National Assistance Act 1948, and The Counter Terrorism and Security Act (2015).

6 College Policies and Procedures

The Adults at Risk Policy will, in turn, be supported by appropriate College policies and specific adults at risk protection guidance and procedures for reporting concerns regarding the welfare of adults at risk.

7 Code of Good Practice

A Code of Good Practice for Staff: Working with Adults at Risk has been developed as a guide for staff. This is attached as Appendix 1.

8 Implementation

The Assistant Principal, Curriculum & Innovation has responsibility for this area of activity.

The Designated Member of staff for Adults at Risk will ensure that the policy is implemented in line with the College's Regional Outcome Agreement and Operating Plans and other relevant policies and procedures. This Designated Member of staff will manage the Safeguarding Team. The names and contact details of the current Safeguarding Team will be held by Guidance Staff in a secure location.

The HR Senior Business Partner will ensure all new staff are informed of this Policy and Procedure.

9 Commitments, Roles and Responsibilities

The College Board of Governors is ultimately responsible for and is committed to ensuring that the College meets all legislative requirements relating to adults at risk and that related procedures and policies are implemented and maintained.

The Principal will ensure that general awareness of this policy is promoted within the College through CPD.

The implementation of this policy is the responsibility of all staff as part of their normal activities as members of a learning community. All staff will therefore be made aware of their obligation to adhere to the policy and to its general principles.

The Designated Member of staff will be responsible for co-ordinating all adults at risk protection activities. The Safeguarding Team will be responsible for providing support for staff and for informing the Assistant Principal, Curriculum & Innovation of all “at risk” situations.

The Designated Member of staff will ensure staff development is provided to all staff and will report on safeguarding activities to the College Team annually.

The College Team will be responsible for ensuring the appropriate training and development of the Safeguarding Team.

The HR Senior Business Partner will be responsible for ensuring that all relevant staff has PVG membership.

The HR Senior Business Partner is responsible for ensuring all new members of staff receive copies of the Adults at Risk Policy and Procedure for reporting allegations of potential abuse, and the name of the designated person.

Information file held in Library for Duty Manager.

10 Review

The policy will be reviewed annually, to assess its effectiveness, by the Assistant Principal, Curriculum & Innovation.

The Designated Member of staff will report to the Assistant Principal, Curriculum & Innovation on this area of work and will produce an annual evaluation report on this function.

11 Appendix 1 – Code of Practice and WHAT TO DO

Code of Good Practice for Staff: Working with Adults at Risk

THINGS YOU MUST DO....

- Treat all adults at risk with respect.
- Ensure that your own conduct in the College is an example of good practice.
- Respect an adult at risk's right to personal privacy.
- Do not discourage adults at risk who want to talk about attitudes or behaviour they do not like.
- Remember that someone else might misinterpret your actions, no matter how well intentioned.
- Recognise that special caution is required if you are discussing sensitive issues with adults at risk.
- If you suspect that an adult at risk is being abused you should seek guidance from the College Designated Member of staff.
- Do not interview an adult at risk on your own. Always have a colleague present.

THINGS YOU MUST NOT DO....

- Have inappropriate physical contact with adults at risk, including 'caring' physical contact (e.g. a hug).
- Encourage inappropriate attention-seeking behaviour.
- Speak to a student or students in an inappropriate way or make suggestive/derogatory remarks or gestures in front of adults at risk.
- Draw conclusions about others
- Exaggerate or trivialise potential abuse issues.
- Rely on your good name or that of the College to protect you from scrutiny of your conduct.
- Think it could never happen to you.
- Take a chance when common sense, policy and practice suggest another more prudent approach.

WHAT TO DO

If an adult at risk talks to you about abuse by someone else:

- Advise the person that you must pass the information on;
- Allow him or her to speak without interruption, listen to what is said, but do not investigate;
- Be sensitive to feelings of guilt and isolation, but do not make any judgement; and
- Let them know that they were right to share this information with you.

If you suspect an adult at risk is being abused, emotionally, physically or sexually:

- Report the matter to the Designated Member of Staff, or Safeguarding Team, details are held by Student Advice Centre and also listed on the internal telephone list.

If you receive an allegation about any adult or about yourself:

- Immediately, report to the Designated Member of Staff;
- The Designated Member of Staff will inform the Assistant Principal, Curriculum & Innovation; and
- Try to ensure that no one is placed in a position, which could cause compromise.

In all cases:

- Record the facts as soon as possible; report the facts to the Designated Member of Staff.
- **You must refer; you must not investigate.**

12 Appendix 2 – Safeguarding

Safeguarding Reporting Form

This proforma should be used by College staff reporting concerns/alleged abuse to a nominated co-ordinator. Remember to maintain confidentiality. Do not share this information with anyone other than those who need to know.

Name of person reporting concern/disclosure: Position: Date: Time:
Reporting to: Position:
Person at risk: Date of Birth: Age: Address: Contact No:
Record EXACTLY what the person reported. Record actual details (including questions asked and responses). Continue over if necessary.
Date and time report written:
Signature Reporter: _____ Signature Reported to: _____
Date: _____ Date: _____
Print name: _____ Print name: _____

Safeguarding Reporting Form

Person at Risk: _____

Action	<i>Discussion</i>	<i>Staff Initial Date/Time</i>

Number of additional pages:

Section 2: The Equality Impact Assessment Process

Phase 1: Screening and Prioritisation

The first phase of the Equality Impact Assessment (EIA) is to screen the policy, practice, strategy etc to establish if it has an impact upon anyone because of a protected characteristic (age, disability, ethnicity, gender, gender reassignment, pregnancy and maternity, race, religion or belief, sexual orientation).

A single EIA should be conducted and recorded for each individual policy, practice, strategy etc.

Please complete the following:

Name of policy/ practice/strategy/ decision	Named individual responsible for policy/practice/strategy/ decision	Name of person conducting initial EIA
Adults at Risk Policy	G Hotchkiss	G Hotchkiss

Supporting notes to help in the completion of Phase 1

- Consider impact in terms of the protected characteristics and other groups who may experience disparities in opportunity.
- Make use of existing knowledge, experience, research and consultation.
- Caution is needed not to consider a policy or practice 'equality neutral' just because no evidence of adverse impact exists (e.g. you might find little research exists with regard to equality areas such as sexual orientation).
- When thinking about positive impact consider ways to tackle discrimination, promote equality of opportunity and promote good community relations.

Q1. Given the aims of the proposed policy, practice, strategy, decision is it likely that there will be a negative impact on one or more of the groups named above. Or is it clear at this stage that it will be equality neutral?

Protected Characteristic	Impact (explain)
Age	Neutral
Disability	Neutral
Gender reassignment	Neutral
Pregnancy and maternity	Neutral
Race	Possible Negative Impact
Religion or belief	Possible Negative Impact
Sex	Neutral
Sexual orientation	Neutral

Comments:

The risk factor is that terrorism is seen to be related to race and/or religion with particular reference to Islam.

Q2. For which groups are there likely to be a negative impact? What is this impact likely to be, and what plans could be built in to address negative impacts and to add measures which promote a positive impact at this stage?

Protected Characteristic	Impact (explain)
Age	N/A
Disability	N/A
Gender reassignment	N/A
Pregnancy and maternity	N/A
Race	Potential for stigma and discrimination
Religion or belief	“ “ “ “ “ “
Sex	N/A
Sexual orientation	N/A

Comments:

Clear briefings that terrorism is not a product of Islam. This is an opportunity to refute any stereotyping and support the positive image of the Islamic community.

Q3. At this stage, how could the policy, project, strategy, decision etc promote positive impacts for any of the groups named above?

See Q2

Q4. Is a full impact assessment required? ~~YES~~ / NO (use box to explain rationale behind decision)

Signature of named individual responsible for policy	Signature of individual responsible for carrying out initial impact assessment (if different from previous)	Date of completion of initial impact assessment
<i>G Hotchkiss</i>		<i>31/08/16</i>

In the event of a full impact assessment being required this document must be attached and used as part of that process