

POLICY

SAFEGUARDING AND SERIOUS INCIDENTS

This policy outlines our procedures for managing safeguarding concerns and serious incidents



OPENING STATEMENT

Safeguarding is everyone's responsibility. **Accepting Behaviour** acknowledges the duty to safeguard and promote the welfare of children and adults at risk and is committed to ensuring safeguarding practice that reflects statutory responsibilities, government guidance, and best practice requirements.

All Accepting Behaviour staff promote that all children and adults, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have the right to equal protection from all types of harm or abuse.

This policy applies to all staff and is mandatory for everyone involved in Accepting Behaviour Ltd. Failure to comply with this policy and the company's safeguarding procedures may result in disciplinary action being taken, including termination of employment and/or contract.

This policy along with the Whistleblowing Policy will be shared with all service users at the point of registration and their family members or advocates.

All staff within Accepting Behaviour are expected to familiarise themselves with arrangements for safeguarding children and adults at risk in the organisation or home setting where they are placed and to have a clear understanding regarding abuse and neglect in all forms; including how to identify, respond and report.

All staff will be given our Safer Recruitment Policy and will follow the guidance from within the policy.

At Accepting Behaviour we expect all staff, and candidates to follow and promote good practice in safeguarding. In order to do so, they should:

- Read, understand, accept and act in accordance with this policy.
- Be vigilant and follow professional codes of conduct to maintain professional boundaries and safe working practices.
- Report any concerns or disclosures related to the protection and safety of at-risk children and adults.
- Undertake mandatory safeguarding training and awareness sessions where provided.
- Help educate learners/service users in placements about keeping safe, including acting as a good role model.

Our staff work remotely with student's homes or community settings such as libraries. This policy ensures compliance with relevant UK legislation and guidance.

Our Commitment to Safeguarding

This policy is designed to meet the above principles by ensuring that:

- Accepting Behaviour Ltd staff all have enhanced DBS.
- Staff understand their roles and responsibilities with respect to safeguarding and are provided with appropriate learning opportunities to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children and adults at risk.
- It is as simple as possible for an individual to report concerns about harm or risk and clear procedures are implemented where safeguarding and child/adult protection issues arise. Where concerns are reported Accepting Behaviour Ltd will ensure that individuals are supported.
- Accepting Behaviour Ltd has policies and procedures in place, which are reviewed and updated at every 12 months.
- Accepting Behaviour Ltd. stays current with developments on safeguarding best practices, reports and audits safeguarding activities annually, and addresses any areas for improvement.
- Accepting Behaviour Ltd will report any concerns regarding any individual or any potential safeguarding situation that it becomes aware of to the appropriate authority as soon as practicable and will cooperate in any ongoing investigations or assessments.
- Accepting Behaviour Ltd will work in partnership with other services (including local authority children's and adult social care) to ensure that those who are identified as being at risk of abuse are protected.
- **Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored. Relevant Legislation and Guidance**

Scope

This policy applies to:

- All employees, contractors, and volunteers of Accepting Behaviour Ltd.

- All students, children, young people, and vulnerable adults receiving services from Accepting Behaviour Ltd.
 - Allegations against staff and safeguarding information for children, young people, parents, and carers.
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Legal Framework

This policy complies with the following legislation and guidance:

- Working Together to Safeguard Children 2018 (HM Government).
 - Keeping Children Safe in Education 2023 (Department for Education)
 - The Children Act 1989
 - The Children Act 2004
 - The Care Act 2014
 - Care and Support Statutory Guidance 2020
 - Information Sharing: Guidance for practitioners and managers. HM Government (2018)
 - Rehabilitation of Offenders Act 1974
 - Disqualification under the Childcare Act 2006 (2015)
 - Counter Terrorism and Security Act 2015 (including the 'Prevent Duty')
 - The Prevent Duty, Departmental Advice for Schools and Child Care Providers (2015).
 - Modern Slavery Act 2015
 - Human Rights Act 1998
 - Local Safeguarding Partners/Arrangements/Local Safeguarding Adult Board
 - Guidance for Safer Working Practice for Adults Who Work with Children and Young People (2019)
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Policy Statement

Accepting Behaviour Ltd is dedicated to:

- Ensuring the safety and welfare of all children, young people, and vulnerable adults.
- Providing accessible safeguarding information to children, young people, parents, and carers.
- Reporting serious incidents and safeguarding concerns to the Local Authority immediately.

- Adhering to relevant legislation and guidance, including Keeping Children Safe in Education 2023.
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Designated Safeguarding Lead (DSL) and Deputy DSL.

Aaron Yorke is the Designated Safeguarding Lead (DSL) for Accepting Behaviour Ltd. The DSL is responsible for:

- Leading safeguarding practices within the organisation.
- Providing support and guidance to staff on safeguarding issues.
- Liaising with local safeguarding partners and agencies.
- Ensuring appropriate training for all staff on safeguarding matters.

Deputy DSL

Jayne Yorke and **Daisy Ball** are the Deputy Designated Safeguarding Leads (DSL) for Accepting Behaviour Ltd. The DSL is responsible for the same.

Safeguarding Procedures

The Children's Act 1989

All Accepting Behaviour staff follow the principles of the Children's Act 1988. According to the Children Act 1989, a '**child**' is anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate for children and young people, does not change his or her status or entitlement to services or protection under current legislation.

In this policy, the terms 'child' and 'young person', or 'children' and 'young people', are used interchangeably to refer to any individual under the age of 18.

The Care Act 2014 defines an '**adult at risk**' as an adult who:

- has needs for care and support (whether or not the local authority is meeting any of those needs) and.
- is experiencing, or at risk of, abuse or neglect; and

- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

To comply with the Mental Health Act 2005 for children aged 16 + making decisions about their care or decisions about them including safeguarding decisions:

- a person must be assumed to have capacity unless established otherwise
- individuals should be helped to make their own decisions as far as practicable
- a person is not to be treated as unable to make a decision merely because he makes an unwise decision
- all decisions and actions must be in the best interests of the person lacking capacity
- all decisions and actions must be the least restrictive of the person's rights and freedom of action.

Abuse and neglect are forms of maltreatment. Somebody may abuse or neglect a child/vulnerable adult by inflicting harm, or by failing to act to prevent harm.

The Children Act 1989 defines '**harm**' as "ill-treatment or the impairment of health or development". 'Development' means physical, intellectual, emotional, social or behavioural development; 'health' means physical or mental health; and 'ill-treatment' includes sexual abuse and forms of ill-treatment which are not physical. As a result of the Adoption and Children Act 2002, the definition of harm also includes "impairment suffered by hearing or seeing the ill-treatment of another"

Abuse may be perpetrated by an individual from the child or adult's school, college, day centre, community, family, those in a position of trust or another child/vulnerable adult.

All staff should be aware that children can abuse other children (often referred to as peer-on-peer abuse). This is most likely to include but may not be limited to: bullying (including cyberbullying), physical abuse, sexual violence, sexual harassment, up-skirting, sexting (also known as youth-produced sexual imagery), and initiation/hazing-type violence and rituals.

1 Categories of abuse - Children

Child abuse can be one of four different categories as set out in Working Together to Safeguard Children (2018):

Physical Abuse: Physical abuse is a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional Abuse: The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual Abuse: Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (e.g. rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Child Sexual Exploitation: Children and Young People under the age of 18 in Sexually Exploitive situations and relationships are persuaded or forced to perform sexual activities or have sexual activities performed on them in return for gifts, drugs, money or affection. CSE can take place in person, online or using a combination of both.

Neglect: Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate caregivers); or
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

For detailed guidance on the signs which may indicate abuse and neglect see What to do if you're worried your child is being abused (2015).

Domestic Abuse

The definition of Domestic Abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass but is not limited to: psychological; physical; sexual; financial; and emotional.

Witnessing domestic abuse (physical or otherwise) can have a serious and long-lasting emotional and psychological impact on children.

The impact of domestic abuse can include the following areas:

Physical: A student may be hurt while intervening to stop the abuse. They may self-harm or develop eating disorders. They may suffer medical neglect. They may have suicidal thoughts, engage in substance misuse or consider running away.

Sexual: Domestic abuse tends to engender fear and secrecy, which creates a climate in which sexual abuse may occur. A student may be forced to watch sexual abuse.

Economic: Controlling behaviour of the abuser may limit the victim's ability to fund a student's needs.

Emotional: A student may be confused about their feelings – loving both parents but knowing the abuse to be wrong. They may be given negative messages about their self-worth. They may blame themselves for the abuse. They may internalise their feelings and appear passive and withdrawn, or externalise them in a disruptive manner.

Isolation: Students may not be allowed to see friends outside school. They may have frequent absences. They may have to move away from friends and family.

Threats: Students may have heard threats being made against a parent, themselves, a sibling, or a pet, and may feel constant fear.

Children may have had to leave their family home as a result of domestic abuse. They may blame themselves for the domestic abuse.

On receiving a domestic abuse notification, the DSL should record this and refer to the appropriate authority, dependent on the area the child and family live in.

Staff should use their professional judgement, with clinical input if appropriate, to decide how best to support a student after being notified of domestic abuse. It is sometimes appropriate not to offer overt support and instead to monitor the student and respond to changes in mood or behaviour.

Child Criminal Exploitation (CCE): Overview and Protective Measures

Overview of Child Criminal Exploitation (CCE):

Child Criminal Exploitation (CCE) occurs when individuals or groups take advantage of children and young people under the age of 18 to involve them in criminal activities. These activities can include drug trafficking, theft, violence, and other illegal acts. Often, children are coerced, manipulated, or threatened into participating, making them victims of exploitation. CCE is a serious safeguarding issue, as it exposes children to significant harm, both physically and mentally.

Types of Exploitation:

1. **County Lines:** Criminal networks exploit children to transport drugs and money across different areas, often using intimidation and violence.
2. **Gang Involvement:** Children are recruited into gangs where they may be forced to commit crimes, often under the threat of violence or as a result of grooming.
3. **Forced Criminality:** Children are coerced into committing theft, burglary, or other criminal acts, often for the financial gain of the exploiters.
4. **Sexual Exploitation:** Though distinct, CCE can overlap with child sexual exploitation, where children are groomed or forced into sexual activities in exchange for money, drugs, or protection.

Protective Measures by Accepting Behaviour:

Early Identification and Risk Assessment:

Risk Assessments: Our specialist teachers are trained to identify signs of CCE. They regularly assess the risk factors associated with each child, including changes in behaviour, unexplained absences, and association with known criminals.

Monitoring Behaviour: Continuous monitoring of changes in a child's behaviour, academic performance, and social interactions can help identify early signs of exploitation.

Education and Awareness:

Education on CCE: We provide tailored educational sessions to students and parents about the risks and signs of CCE, empowering them to recognise and report any concerns.

Promoting Resilience: By fostering strong relationships with the children, our staff can build resilience and self-esteem, making them less vulnerable to exploitation.

Multi-Agency Collaboration:

Working with External Agencies: Our team collaborates with local authorities, police, and social services to share information and coordinate interventions. This helps in providing a comprehensive safety net for at-risk children.

Referral Systems: We have a robust referral system in place to ensure that any concerns about CCE are promptly escalated to the appropriate safeguarding bodies.

Individual Support and Mentorship:

One-on-One Mentorship: Each child is assigned a mentor who provides consistent support, building a trusting relationship where the child feels safe to disclose any concerns.

Counselling Services: We offer access to counselling services for children who may be at risk or are currently being exploited, providing them with a safe space to talk and receive professional help.

Safe Spaces and Alternative Education

Safe Learning Environments:

We ensure that the educational settings are safe, with controlled access and supervision to protect children from external threats.

Tailored Education Plans: For children at high risk, we create bespoke education plans that minimise their exposure to potential exploiters while ensuring they continue to receive quality education.

Legal and Safeguarding Training for Staff:

Ongoing Training: Our staff undergo regular training on the latest safeguarding practices, including legal obligations related to CCE. This ensures they are equipped to respond effectively to any incidents of exploitation.

Parent and Community Engagement:

Parent Support: We support parents on the signs of CCE and how they can protect their children (included in our Safeguarding pack provided)

Community Partnerships: By engaging with community leaders and organisations, we create a network of support that helps to shield children from exploitation.

Our Commitment:

At Accepting Behaviour, our primary goal is to safeguard vulnerable children from exploitation by creating a supportive educational environment where they can thrive. Our holistic approach, combining education, mentorship, and multi-agency

collaboration, is designed to protect and empower children, ensuring they remain safe from the dangers of criminal exploitation.

By staying vigilant and proactive, our team is committed to making a positive difference in children's lives, helping them overcome challenges and build a brighter, safer future.

2 Categories of Abuse: Adults

Supporting vulnerable young adults who are not in education requires awareness and proactive measures to protect them from various forms of abuse. Below is a detailed breakdown of different types of abuse, along with the strategies and responsibilities of our staff at Accepting Behaviour to safeguard vulnerable adults.

1. Physical Abuse

Definition:

Physical abuse involves causing physical harm to an individual through actions like hitting, slapping, pushing, or using inappropriate restraint.

Indicators:

- Unexplained injuries or frequent visits to medical facilities.
- Bruises, burns, or marks on the body.
- Fearful behaviour or withdrawal.

Protection Measures:

- Staff will be trained to recognise signs of physical abuse and respond immediately.
- Ensure a safe and supportive environment where students feel comfortable reporting incidents.
- Implement strict supervision policies, especially during physical activities, to prevent any potential abuse.
- Report any suspected cases of abuse to the appropriate authorities immediately.

2. Domestic Violence

Definition:

Domestic violence refers to abuse occurring in a domestic setting, often involving partners or family members. It can encompass physical, emotional, or sexual abuse.

Indicators:

- Frequent absences or unexplained injuries.
- Emotional distress or fear of a particular person.

- Isolation from friends, family, or support networks.

Protection Measures:

- Provide a confidential space for students to share their concerns.
- Offer resources and referrals to support services like domestic violence hotlines or shelters.
- Work closely with local authorities and social services when domestic violence is suspected.

3. Sexual Abuse

Definition:

Sexual abuse involves forcing or enticing a vulnerable adult to engage in sexual activities without consent. This can include non-consensual physical contact or exposure to inappropriate materials.

Indicators:

- Unexplained changes in behaviour, such as anxiety, depression, or withdrawal.
- Physical signs like bruising or sexually transmitted infections.
- Sudden changes in clothing style or grooming habits.

Protection Measures:

- Educate students about consent and healthy relationships.
- Provide training to staff on how to handle disclosures of sexual abuse sensitively and appropriately.
- Collaborate with law enforcement and child protection agencies to ensure swift action is taken in cases of suspected abuse.

4. Psychological Abuse

Definition:

Psychological abuse, also known as emotional abuse, involves inflicting mental or emotional harm through verbal abuse, threats, manipulation, or isolation.

Indicators:

- Low self-esteem, anxiety, or depression.
- Withdrawal from social interactions or fearfulness.
- A marked change in behaviour or personality.

Protection Measures:

- Foster a positive and supportive environment where students feel valued and respected.
- Show students where to access counselling and mental health support services.
- Train staff to recognise signs of psychological abuse and to intervene appropriately.

5. Financial or Material Abuse

Definition:

Financial abuse involves the illegal or unauthorized use of a vulnerable adult's money, property, or resources. It can include theft, fraud, exploitation, or coercion to hand over financial assets.

Indicators:

- Unexplained withdrawals from bank accounts or missing financial statements.
- Sudden changes in financial circumstances or lack of basic necessities.
- A new person showing unusual interest in the individual's finances.

Protection Measures:

- Educate students about financial literacy and their rights regarding their finances.
- Monitor for signs of financial exploitation, especially if a vulnerable adult has a sudden change in financial status.
- Report any suspected financial abuse to the appropriate authorities and involve financial institutions when necessary.

6. Modern Slavery

Definition:

Modern slavery encompasses human trafficking, forced labour, and exploitation. It involves controlling a person through force, fraud, or coercion for labour or sexual exploitation.

Indicators:

- Signs of physical abuse or neglect.
- Restricted freedom of movement or communication.
- Fearfulness or reluctance to speak about their situation.

Protection Measures:

- Provide education on the signs of modern slavery and human trafficking.
- Establish clear protocols for reporting and responding to suspected cases of modern slavery.
- Collaborate with local law enforcement and specialised agencies to support and protect victims.

7. Discriminatory Abuse

Definition:

Discriminatory abuse involves treating someone unfairly or unjustly based on their race, gender, disability, sexual orientation, religion, or other characteristics. It can include verbal abuse, harassment, or denial of services.

Indicators:

- Exclusion from activities or social groups.
- Verbal abuse or derogatory comments.
- Unequal access to resources or opportunities.

Protection Measures:

- Promote a culture of inclusion and respect for diversity.
- Implement anti-discrimination policies and ensure they are enforced.
- Provide diversity and inclusion training for all staff and students.
- Address and rectify any discriminatory behaviour immediately.

8. Organisational Abuse**Definition:**

Organisational abuse occurs when the practices, policies, or procedures of an institution or care provider result in poor care or a lack of respect for the individual's dignity and rights.

Indicators:

- Inflexible routines or lack of personalized care.
- Lack of staff training or inadequate staffing levels.
- Neglect of individual needs or preferences.

Protection Measures:

- Ensure all policies and procedures prioritise the welfare and dignity of students.
- Regularly review and update organizational practices to reflect best care standards.
- Provide ongoing training to staff to ensure they understand and adhere to ethical care practices.
- Encourage feedback from students and staff to identify and address potential issues.

9. Neglect and Acts of Omission**Definition:**

Neglect involves failing to provide necessary care, assistance, or attention, leading to harm or distress. Acts of omission include not acting to prevent harm.

Indicators:

- Poor physical appearance, such as being unkempt or malnourished.
- Unmet medical needs or lack of essential services.
- Withdrawal or isolation.

Protection Measures:

- Implement strict care plans that ensure all students receive the necessary support and services.
- Regularly monitor and review the well-being of students to ensure their needs are being met.
- Provide training on the importance of proactive care and the risks associated with neglect.

10. Self-Neglect

Definition:

Self-neglect involves an individual failing to care for their own basic needs, such as personal hygiene, health, or living conditions, to the detriment of their well-being.

Indicators:

- Poor personal hygiene or unkempt appearance.
- Hoarding or living in unsafe or unsanitary conditions.
- Refusal of medical treatment or essential services.

Protection Measures:

- Develop supportive relationships to encourage individuals to accept help and care.
- Offer regular check-ins and monitoring to identify signs of self-neglect early.
- Work with mental health professionals to provide tailored support to those at risk of self-neglect.

Promoting Understanding of Abuse and Exploitation

To foster a comprehensive understanding of abuse and exploitation among both staff and students:

- **Training and Education:** Regularly provide training sessions for staff on recognizing, responding to, and preventing abuse in all its forms. Educate students about their rights and the different types of abuse they might encounter.
- **Safe Reporting Systems:** Create clear, accessible channels for students to report any concerns about abuse or exploitation without fear of retribution.
- **Partnerships with External Agencies:** Collaborate with local authorities, social services, and specialized organizations to ensure robust protection measures are in place and that any cases of abuse are handled promptly and effectively.
- **Awareness Campaigns:** Run awareness campaigns within the organization to promote a culture of vigilance and support, ensuring everyone is informed about the signs of abuse and the importance of safeguarding vulnerable individuals.

By implementing these measures, Accepting Behaviour will actively protect vulnerable adults from abuse, create a safe and supportive environment, and promote an understanding of the critical issues surrounding abuse and exploitation.

Radicalisation and The Prevent Strategy

Since July 2015, educators have a legal responsibility to “have due regard to the need to prevent people from being drawn into terrorism”.

Given the rise of extremist voices, it’s important that all staff and volunteers know how to protect students from this threat. The Prevent Strategy will help to:

- Protect students from radicalising influences
- Build students’ resilience to extremist narratives
- Identify any vulnerabilities or worrying changes in behaviour
- Know what to do if you have concerns about a student

Prevent is not about spying on students or intruding unnecessarily into their families. It’s about making sure you can identify worrying behaviour and know how to refer those students who may be at risk of radicalisation for appropriate support.

Our staff follow the safeguarding procedures and report any concern to the DSL. The DSL will assess the concern and, if necessary, refer the matter to the police. The police then assess whether further support is needed.

Prevent Support for young adults

Accepting Behaviour, will offer UK Prevent support for vulnerable young adults when required:

1. Risk Assessment and Identification:

- Conduct thorough assessments to identify young adults who may be vulnerable to radicalisation.
- Use tools and frameworks aligned with the UK Prevent strategy to assess risk levels.

2. Tailored Support Plans:

- Develop individualised support plans that address specific vulnerabilities and needs.
- Include strategies for building resilience against extremist narratives.

3. **Education and Awareness:**
 - Provide education sessions to increase awareness of radicalisation and extremism among young adults.
 - Equip them with critical thinking skills to recognise and resist extremist influences.
4. **Mentorship and Guidance:**
 - Foster a supportive relationship where they feel safe to discuss concerns.
5. **Collaboration with External Agencies:**
 - Work closely with local authorities, social services, and law enforcement to ensure a coordinated approach.
 - Refer cases to the appropriate agencies when additional intervention is necessary.
6. **Parental and Community Engagement:**
 - Involve parents, guardians, and the community in awareness and prevention efforts.
 - Provide resources and guidance on how they can support young adults.
7. **Ongoing Monitoring and Evaluation:**
 - Regularly review and adjust support plans based on the progress and changing needs of the young adult.
 - Monitor the effectiveness of interventions to ensure continued protection against radicalisation.
8. **Cultural and Religious Sensitivity:**
 - Ensure that all interventions are culturally and religiously sensitive, avoiding stigmatisation or alienation.
 - Provide support in a manner that respects the diverse backgrounds of the young adults.

****All staff are trained in The Prevent Strategy and will refer to Prevent Duty Guidance: England and Wales (2023) on the government website.**

Overview of Ensuring Mental Capacity

Ensuring that a person has the mental capacity to make decisions is crucial, particularly when working with vulnerable individuals, such as students with Special Educational Needs and Disabilities (SEND). The Mental Capacity Act 2005 (MCA) provides a legal framework for assessing and supporting individuals' decision-making capabilities.

Overview of Ensuring Mental Capacity

1. Presumption of Capacity:

- **Initial Assumption:** The starting point is to assume that the individual has the capacity to make decisions unless proven otherwise.
- **No Assumptions Based on Status:** Capacity should not be questioned solely because the person has a disability or a condition like SEND.

2. Capacity Assessment:

- **Trigger for Assessment:** If there is doubt about the person's capacity to make a specific decision, a formal assessment should be conducted.
- **Assessment Criteria:** The assessment must determine whether the individual can:
 - **Understand** the information relevant to the decision.
 - **Retain** that information long enough to make the decision.
 - **Weigh** the information to reach a decision.
 - **Communicate** their decision (whether by talking, using sign language, or other means).
- **Specific to Decision:** Capacity is decision-specific and can vary over time or depending on the decision being made.

3. Supporting Decision-Making:

- **Provide Information:** Ensure that the individual receives all the relevant information in a way that is accessible to them.
- **Support Mechanisms:** Use simple language, visual aids, or a quiet environment to help them understand.
- **Consider Timing:** Assess capacity at the time the decision needs to be made, as capacity can fluctuate.

4. Best Interests Decision-Making:

- **If Lacks Capacity:** If the assessment concludes the person does not have capacity, any decisions made on their behalf must be in their best interests.
- **Consideration Factors:** Take into account the individual's past and present wishes, feelings, beliefs, and values.
- **Involve the Person:** Where possible, involve the individual in the decision-making process.

5. Documentation:

- **Record Keeping:** Document the assessment process, the decision made, and the reasoning behind it, particularly if deciding that the person lacks capacity.
- **Review:** Regularly review the individual's capacity, as it may change over time.

Actions to Take if Capacity is in Doubt

- **Conduct a Capacity Assessment:** When in doubt, a formal assessment is required, following the criteria mentioned above.
- **Consult with Relevant Professionals:** Involve healthcare professionals or mental capacity experts if needed.
- **Involve Family or Advocates:** Engage with family members or independent advocates to support the individual.
- **Best Interests Meeting:** If the person lacks capacity, convene a best interests meeting with relevant stakeholders to make a decision.
- **Training:** Ensure all staff are trained on the Mental Capacity Act 2005, particularly those involved in assessing or supporting decision-making.

By following these guidelines, all Accepting Behaviour staff will be compliant with the Mental Capacity Act 2005 and ensure that the rights and dignity of individuals are respected.

Principles of Safeguarding

Empowerment Accepting Behaviour's philosophy is always to empower a child to say no or speak up when faced with a situation that makes them anxious or uncomfortable. This is embedded within our curriculum aims.

Protection Throughout our work with children and families Accepting Behaviour will ensure that families have access to the support they need such as healthcare and social workers and other services that they may require.

Prevention Through training Accepting Behaviour will raise awareness for staff of types of abuse, what to look for and how to report back to the DSL.

Proportionality Accepting Behaviour will endeavour to take an appropriate and least intrusive response to the risk presented.

Partnerships Accepting Behaviour is committed to working with other agencies to ensure that each child/young person at risk of abuse or neglect is identified and support can be put in place to prevent further abuse.

Accountability Everyone involved with each young person has a role to play in ensuring the safety and protection of the young people we work with.

Reporting Concerns

- Any safeguarding concerns or incidents must be reported immediately to the DSL, Aaron Yorke, Jayne Yorke, or Daisy Ball (Deputy DSL).
 - The DSL will assess the situation and take appropriate action, including reporting to WCF and the relevant home school.
 - In the absence of the DSL, concerns should be reported to a senior manager who will follow the same procedures.
 - **All staff are provided with contact details for Worcestershire Statutory Bodies (Included in Appendix 1 of this policy)**
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Managing Allegations Against Staff

- Any allegations against staff members must be taken seriously and reported to the DSL immediately.
- The DSL will follow the procedure for managing allegations, including referral to the **Local Authority Designated Officer (LADO) if necessary.**
- Staff must cooperate fully with any investigation and maintain confidentiality.

LADO information/contact can be accessed here –

<https://www.safeguardingworcestershire.org.uk/wp-content/uploads/2020/07/LADO-A-guide-for-professionals-volunteers-who-work-with-children-1.pdf>

Confidentiality and Information Sharing

- Safeguarding concerns must be handled with confidentiality and shared only with relevant parties on a need-to-know basis.
 - Information sharing will comply with the Data Protection Act 2018 and UK GDPR.
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Supporting Children, Young People, and Vulnerable Adults

- We will provide accessible safeguarding information to children, young people, and their parents or carers.
 - Support will be offered to individuals involved in safeguarding incidents, ensuring they receive appropriate care and guidance.
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Duty to make a referral to the DBS

Where there is evidence that anyone has harmed, or poses a risk of harm, to a child or adult at risk, there is a legal duty on Accepting Behaviour Ltd to report that person to the Disclosure and Barring Service using the guidance available. The DBS has statutory authority to bar a person from working in regulated activity with children and/or adults at risk in the UK.

A referral to the DBS will also be made if the person resigns prior to an investigation being carried out or reaching its conclusion. If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance.

Accepting Behaviour Ltd will not make any compromise/settlement agreement in the case of a person deemed unsuitable to work with children/vulnerable adults. Any such agreement which contained a condition of not referring the case to the DBS would constitute a criminal offence.

Anyone who is concerned about a child's or adult at risk's welfare or who believe that a child or adult at risk may be at risk of abuse should pass any information to the DBS or other appropriate authority as soon as possible and no longer than 24 hours after the initial concern.

Serious Incidents

1. Definition and Reporting

- Serious incidents include but are not limited to significant harm to a student, staff misconduct, and major breaches of safeguarding policy.
- All serious incidents must be reported to the DSL immediately.
- The DSL will report serious incidents to relevant agencies without delay.

2. Investigation and Response

- The DSL will coordinate an investigation into the serious incident, involving relevant authorities as required.
- An action plan will be developed to address any identified issues and prevent recurrence.
- Outcomes of the investigation will be communicated to relevant parties.

Local Safeguarding Information

- Further safeguarding information for all staff will be accessed at Safeguarding Worcestershire.

<https://www.safeguardingworcestershire.org.uk/wp-content/uploads/2020/07/LADO-A-guide-for-professionals-volunteers-who-work-with-children-1.pdf>

If the LADO disagrees with the outcomes of an employer's investigation, they will escalate this to your individual safeguarding lead. If you disagree with the advice/outcomes given by the LADO, this can be raised directly with the Group Manager for the Service, Daniel Gray: dadams@worcschildrenfirst.org.uk

Training and Compliance

- All staff will receive regular safeguarding training, including updates on current legislation and best practices.
- Compliance with this policy will be monitored through regular audits and reviews. Staff will sign a document each year to say they have read and will comply with the policy.

Review and Updates

- This policy will be reviewed annually or following any significant incident or change in legislation.
 - Updates will be communicated to all staff and incorporated into training sessions.
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Conclusion

Accepting Behaviour Ltd is committed to safeguarding and promoting the welfare of all individuals in our care. By adhering to this Safeguarding and Serious Incidents Policy, we ensure a safe and supportive environment for our staff, students, and the wider community.

By following this policy, Accepting Behaviour Ltd aims to protect the welfare of all individuals, ensuring that safeguarding is a priority and that any concerns are addressed promptly and effectively.

All staff must be aware that they have a professional duty to share information with other agencies to safeguard children/adults at risk. The public interest in safeguarding children/adults at risk may override confidentiality interests. However, information will be shared on a need-to-know basis only, as judged by Accepting Behaviour Ltd.

Approval and Review.

This policy was approved by the managing directors, Aaron Yorke and Jayne Yorke, and is reviewed/updated yearly.

Date	Reviewed by Aaron Yorke (Managing Director)	Reviewed by Jayne Yorke (Managing Director)
August 2023 <i>Created</i>		
	Date: August 15 th 2023	Date August 15 th 2023
June 2024 <i>Reviewed/updated</i>		
	Date: June 8 th 2024	Date June 6 th 2024
June 2025		
	Date 5 th June 2025	Date 5 th June 2025
May 2026		
	Date 6 th May June 2026	Date 6 th May June 2026

APPENDICES

Appendix 1 – Worcestershire Statutory Bodies.

Here is a list of key statutory bodies within the Worcestershire Local Authority in the UK, which play significant roles in various aspects of public services, governance, and safeguarding:

1. Worcestershire County Council

- **Contact Details:**
 - **Address:** County Hall, Spetchley Road, Worcester, WR5 2NP
 - **Phone:** 01905 763763
 - **Website:** www.worcestershire.gov.uk
 - **Email:** via online contact form

2. Worcestershire Children First

- **Contact Details:**
 - **Address:** County Hall, Spetchley Road, Worcester, WR5 2NP
 - **Phone:** 01905 845373
 - **Website:** www.worcestershire.gov.uk/worcestershirechildrenfirst
 - **Email:** worcestershirechildrenfirst@worcestershire.gov.uk

3. Worcestershire Safeguarding Children Partnership (WSCP)

- **Contact Details:**
 - **Address:** County Hall, Spetchley Road, Worcester, WR5 2NP
 - **Phone:** 01905 845373 (Worcestershire Children First general enquiries)
 - **Website:** www.safeguardingworcestershire.org.uk
 - **Email:** WSCB@worcestershire.gov.uk

4. Worcestershire Safeguarding Adults Board (WSAB)

- **Contact Details:**
 - **Address:** County Hall, Spetchley Road, Worcester, WR5 2NP
 - **Phone:** 01905 843189
 - **Website:** www.safeguardingworcestershire.org.uk/adults
 - **Email:** WSAB@worcestershire.gov.uk

5. West Mercia Police

- **Contact Details:**
 - **Address:** Hindlip Hall, Worcester, WR3 8SP

- **Phone:** Non-Emergency: 101 | Emergency: 999
- **Website:** www.westmercia.police.uk
- **Email:** via online contact form

6. Worcestershire Health and Care NHS Trust

- **Contact Details:**
 - **Address:** Isaac Maddox House, Shrub Hill Road, Worcester, WR4 9RW
 - **Phone:** 01905 681531
 - **Website:** www.hacw.nhs.uk
 - **Email:** whcnhs.communications@nhs.net

7. Worcestershire Acute Hospitals NHS Trust

- **Contact Details:**
 - **Address:** Worcestershire Royal Hospital, Charles Hastings Way, Worcester, WR5 1DD
 - **Phone:** 01905 763333
 - **Website:** www.worcsacute.nhs.uk
 - **Email:** wah-tr.PALS@nhs.net (Patient Advice and Liaison Service)

8. District Councils in Worcestershire

- **Bromsgrove District Council**
 - **Address:** Parkside, Market Street, Bromsgrove, B61 8DA
 - **Phone:** 01527 881288
 - **Website:** www.bromsgrove.gov.uk
 - **Email:** enquiries@bromsgrove.gov.uk
- **Malvern Hills District Council**
 - **Address:** The Council House, Avenue Road, Malvern, WR14 3AF
 - **Phone:** 01684 862151
 - **Website:** www.malvern hills.gov.uk
 - **Email:** contact@malvern hills.gov.uk
- **Redditch Borough Council**
 - **Address:** Town Hall, Walter Stranz Square, Redditch, B98 8AH
 - **Phone:** 01527 64252
 - **Website:** www.redditchbc.gov.uk
 - **Email:** contact@redditchbc.gov.uk
- **Worcester City Council**
 - **Address:** The Guildhall, High Street, Worcester, WR1 2EY
 - **Phone:** 01905 722233
 - **Website:** www.worcester.gov.uk
 - **Email:** customerservices@worcester.gov.uk
- **Wychavon District Council**
 - **Address:** Civic Centre, Queen Elizabeth Drive, Pershore, WR10 1PT
 - **Phone:** 01386 565000
 - **Website:** www.wychavon.gov.uk
 - **Email:** wychavon@wychavon.gov.uk

- **Wyre Forest District Council**

- **Address:** Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF
- **Phone:** 01562 732928
- **Website:** www.wyreforestdc.gov.uk
- **Email:** worcestershirehub@wyreforestdc.gov.uk

9. Worcestershire Clinical Commissioning Group (CCG)

- **Contact Details:**

- **Address:** Barnsley Court, Barnsley Hall Road, Bromsgrove, B61 0TX
- **Phone:** 01905 681978
- **Website:** www.worcestershire.nhs.uk
- **Email:** worcestershire.primarycare@nhs.net

10. Worcestershire Youth Offending Service

- **Contact Details:**

- **Address:** County Hall, Spetchley Road, Worcester, WR5 2NP
- **Phone:** 01905 843199
- **Website:** www.worcestershire.gov.uk/youthoffending
- **Email:** youthoffendingservice@worcestershire.gov.uk

11. Worcestershire Fire and Rescue Service

- **Contact Details:**

- **Address:** Hindlip Park, Worcester, WR3 8SP
- **Phone:** 0345 122 4454 (Non-Emergency) | Emergency: 999
- **Website:** www.hwfire.org.uk
- **Email:** info@hwfire.org.uk

12. Healthwatch Worcestershire

- **Contact Details:**

- **Address:** Civic Centre, Queen Elizabeth Drive, Pershore, WR10 1PT
- **Phone:** 01386 550264
- **Website:** www.healthwatchworcestershire.co.uk
- **Email:** info@healthwatchworcestershire.co.uk