1. Purpose

St. John's has zero tolerance of all forms of abuse and exploitation of children and vulnerable adults and the purpose of this policy is to provide a framework for adult and protection and safeguarding for all staff working at St. John's. The term staff includes staff, governors, volunteers, agency staff and contractors including beneficiaries who receive involvement fees and/or expenses. This policy should be read in conjunction with the adult safeguarding procedures.

promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action, considering their Mental Capacity at the time.

The Safeguarding duties apply to an adult who:

- Is a learner of St. John's at the age of 18 or over; and
- Has need for care and support (whether or not a 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.

Most adults that use St. John's services are likely to fall within these definitions should they be at risk of abuse or neglect, generally, though not always, as a result of a lack of capacity within the meaning of the Mental Capacity Act 2005.

Abuse and Neglect: Refers to: 'ill-treatment (including sexual abuse and forms of ill treatment that are not physical); the impairment of, or an avoidable deterioration in, physical or mental health; and the impairment of physical, emotional, social or behavioural development'. *(Law Commission, 1997).* Appendix 1 defines neglect in more detail.

Abuse was defined by 'No Secrets' (2000, DH and Home Office) as: '...a violation of an individual's human and civil rights by any other person or persons'.

8. Legislation, Regulatory Requirements and Guidance.

For St. John's to meet their regulatory and statutory responsibilities, the following legislation and associated guidance are of significance (N.B. This is not an exhaustive list).

The principal source (since 2015) is the Care Act 2014 (section 42). This defines abuse and sets out the statutory duties and the institutional responsibilities for those duties.
The (Care Act) Care and Support Statutory Guidance provides the detail in relation to both the meaning of wellbeing and safeguarding. Chapter 14 sets out in detail the duties found in sections 42 to 46 of the Care Act, including definitions of the aims and objectives of adult safeguarding activity and a representative range of types of adult abuse and neglect.

The Education and Inspections Act 2006
The Health and Social Care Act 2008
Education (Independent School Standards) Regulations 2014
The Regulated Activities Regulations 2014
The Care Quality Commission (Registration) Regulations 2009 (as amended, March 2015)
Mental Capacity Act 2005 and the Mental Capacity Act Code of Practice 2007 (*both to be updated when the Mental Capacity (Amendment) Act 2019 come into force in 2020/21*)
Health and Safety at Work Act 1974
Moving and Handling Operations Regulations 1992 (2002)
Human Rights Act 1998
Sexual Offences Act 2003
Safeguarding Vulnerable Groups Act 2006
Protection of Freedoms Act 2012
Making Safeguarding Personal 2019
Data Protection Act 2018
Counter Terrorism and Security Act 2015 x

9. Equality Statement

Some learners have an increased risk of abuse, and additional barriers can exist for some learners with respect to recognising or disclosing it. Autistic learners may be more vulnerable to abuse than their neurotypical peers due to their autism. We are committed to anti-discriminatory practice and recognise ل ضذ ح

Appendix 1: Types of abuse

Abuse, including neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap.

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

Psychological/Emotional abuse is the persistent emotional maltreatment of a learner such as to cause severe and adverse effects on the learner's emotional development. Some level of emotional abuse is involved in all types of maltreatment of a learner, although it may occur alone. Emotional abuse may involve:

- Conveying to a learner that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person.
- Not giving the learner opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.
- Age or developmentally inappropriate expectations being imposed on learner. These may include interactions that are beyond a learner's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the learner participating in normal social interaction.
- Seeing or hearing the ill-treatment of another.
- Serious learner on learner abuse (including cyberbullying), causing learner frequently to feel frightened or in danger, or the exploitation or corruption of learner.

Financial abuse

Financial abuse is a crime. It is the use of a person's property, assets, income, funds or any resources without their informed consent or authorisation. It includes:

- Theft.
- Fraud.
- Exploitation.
- Undue pressure in connection with wills, property, inheritance, or financial transactions.
- The misuse or misappropriation of property, possessions, or benefits.
- The misuse of an enduring power of attorney or a lasting power of attorney, or appointeeship.

Modern Slavery

Modern slavery encompasses sexual exploitation, slavery, forced labour, child slavery, forced criminality, domestic servitude, forced marriage, organ harvesting and human trafficking.

Sexual abuse involves forcing or enticing a learner or young person to take part in sexual activities, not necessarily involving a high level of violence, whether the learner is aware of what is happening. The activities may involve:

- Physical contact, including assault by penetration (for example rape or oral sex) or nonpenetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing.

Which use rigid routines and inflexible practices.
Which do not use person-centred care plans.
Where there is a closed culture.

Appendix 2: Specific Safeguarding Issues

Missing from Education or home

Our procedures are designed to ensure that a missing learner is found and returned to effective supervision as soon as possible. If a learner goes missing from college, we will invoke the college's Missing from Education policy and procedure.

A learner going missing from education is a potential indicator of abuse or neglect, and such learners are at risk of being victims of harm, exploitation, or radicalisation.

A learner going missing from education is a potential indicator of abuse or neglect, and such are at risk of being victims of harm, exploitation, or radicalisation.
There are many circumstances where a learner may become missing from education, but some learners are particularly at risk. These include those who:

Are at risk of harm or neglect.
Come from Gypsy, Roma, or Traveller families.
Come from the families of service personnel.
Go missing or run away from home or care.
Are supervised by the youth justice system.
Cease to attend a college.
Come from new migrant families.

We will follow our procedures for unauthorised absence and for dealing with learners who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. This includes informing the home and host Local Authority if a learner leaves the college without a new college being named and adhering to requirements with respect to sharing information with the Local Authority, when applicable, when removing a learner's name from the admission register at non-standard transition points.

Staff will be trained in signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns which may be related to being missing, such as travelling to conflict zones, FGM and forced marriage.

If a staff member suspects that a learner is suffering from harm or neglect, we will follow local adult protection procedures, including with respect to making reasonable enquiries. We will make an immediate referral to the home and host Local Authority adult's social care team, and the police, if the learner is in immediate danger or at risk of harm.

Where there are concerns that children or vulnerable adults may become missing from home, or a care setting, the DSL will ensure that the Sussex Policy Herbert Protocol is followed. Wherever possible, the College will support the learner through advocacy and signposting to other family support. In cases where children or vulnerable adults have gone missing from home or there are serious concerns that they may in the future, consideration should be given to completing a Herbert Protocol Missing Persons Form.

Sexual exploitation

The Adult Safeguarding Procedure document outlines the steps to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a learner is at risk of FGM. Indicators that FGM has already occurred include:

A learner

These problems can be worsened for those with greater support needs, particularly if they are unable to communicate about their feelings or communicate their distress.

Most mental illnesses can be successfully treated by self-management, talking therapies and/or medication. Any member of staff who is concerned about the mental health or wellbeing of a learner/pupil should speak to the mental health lead in the first instance. If there is a fear that the learner/pupil is in danger of immediate harm, then the normal adult protection procedures should be followed with an immediate referral to the DSL, or in their absence the Deputy DSL or on call safeguarding lead.

For further information on Ambitious about Autism/Ambitious about Autism Schools Trust approach to mental health and wellbeing refer to the Mental Health and Wellbeing of Autistic Children and Young People.

Appendix 3: D