

AHCS

Safeguarding

Policy

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1. Introduction

The Academy for Healthcare Science (AHCS) is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults, and expects its registrants and anyone who works for the Academy, including the management board members and senior managers, paid staff, contractors, volunteers/sessional workers, agency staff and students/trainees, to share this commitment.

All registrants and anyone employed by the Academy are required to provide, at minimum, evidence of a basic DBS check carried out within the three years prior to their registration or employment, or evidence that their employer has checked their DBS status and confirmed no change has occurred since the DBS certificate was issued.

2. Legal Framework

This policy is based on law and guidance that seeks to protect children, young people, and vulnerable adults, namely:

- Children Act 1989 (c.41)
- United Nations Convention of the Right of the Child 1989 (UNCRC) UK ratified Dec 1991
- Convention on the Rights of Persons with Disabilities 2007 (CRPD) UK ratified July 2009 (CM7905)
- Data Protection Act 1998 (c.29) and 2018 (c.12)
- Sexual Offences Act 2003 (c.42)
- 'Every Child Counts' Government Green Paper / Children Act 2004 (c.31)
- Safeguarding Vulnerable Groups Act 2006 (c.47) to include: Protection of Children Act 1999 (POCA list), Care Standards Act 2000 (POVA list) and Criminal Justice and Court Services Act 2000 (List 99) as amended by Protection of Freedoms Act 2012 (c.9) Part 5.
- Relevant Government guidance on safeguarding in line with the Care Act 2014 (and the Social Services and Well-being (Wales) Act 2014), and the Fundamental Standards that are part of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (and equivalent standards for Wales).
- Mental Capacity Act 2005 and The Court's Inherent Jurisdiction e.g. [2012] EWCA civ 253

3. Principles

The overarching principles that guide the AHCS approach to safeguarding, are that:

- A child, young person or vulnerable adult should never have to experience abuse of any kind.
- The AHCS has a responsibility to promote the welfare of all children, young people, and vulnerable adults to keep them safe.
- A vulnerable adult may lack capacity or may have capacity but is subject to constraint, coercion or undue influence, or be disabled by another from making a free choice.
- AHCS registrants and staff are committed to practice in a way that protects these persons.
- Applicants for registration must have completed an education programme or the Academy's own Equivalence processes reflecting our standards and requirements, which include safeguarding.
- Registrants must undertake safeguarding training in line with their employing organization's requirements and to ensure they have an understanding within their personal scope of practice.

The AHCS recognises that:

- The welfare of the child is paramount, as displayed in the Children Act 1989, and some children are especially vulnerable due to the impact of previous experiences, their level of dependency, their communication needs or other issues.
- All vulnerable people, regardless of their age, disability, gender, race, religious beliefs, sexual orientation, or identity have the right to equal protection from harm.
- Working in partnership with young people, their parents, vulnerable adults, carers, and other agencies is essential in promoting the welfare of those we need to protect.

The AHCS aims to keep children, young people, and vulnerable adults safe by:

- Valuing them, listening to them, and respecting them as individuals.
- Implementing thorough safeguarding procedures which adopt child protection best practice for anyone who works for the AHCS.
- Providing effective management for anyone who works for the AHCS through supervision, support, and training.
- Recruiting staff using safer recruitment best practice, ensuring all necessary checks are completed.
- Sharing information about child protection and safeguarding good practice with registrants and the public.
- Informing all AHCS registrants and staff of policies and safeguarding expectations.
- Sharing details of all concerns and incidents of known abuse with relevant agencies, including employers, the Care Quality Commission in England, and equivalent bodies in the other countries in the UK.

4. Safeguards

Protection:

The policy offers protection to persons, including members of the public, registrants and AHCS employees, who disclose safeguarding concerns provided the disclosure is made:

- In good faith.
- In the reasonable belief of the individual making the disclosure that there is malpractice or impropriety; and
- The disclosure is made to an appropriate person (see below).

It is important to note that no protection from internal disciplinary procedures is offered to those who work for the AHCS and choose not to use this policy. In an extreme case, malicious or wild allegations could give rise to legal action on the part of the persons complained about.

Confidentiality:

The AHCS will treat all safeguarding disclosures in a confidential and sensitive manner. The identity of the individual making the allegation will be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

Anonymous Allegations:

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of AHCS. In exercising this discretion, the factors to be considered will include:

- The seriousness of the issues raised.
- The credibility of the concern.
- The likelihood of confirming the allegation from attributable sources.

Untrue Allegations:

If an individual makes an allegation in good faith which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual must exercise due care to ensure the accuracy of the information provided.

If an individual makes malicious or vexatious allegations which are found to be untrue, and particularly if they persist with making them, action may be taken against that individual along the lines of Fundamental Dishonesty potentially impacting registration status.

5. Making a Disclosure

On receipt of an allegation of safeguarding malpractice, the member of staff who receives and takes note of the allegation must pass this information to the appropriate designated investigating officer as soon as is reasonably possible for investigation as follows:

- Allegations about registrants will be investigated by the Registrar or the Head of Registration Services as determined by the AHCS Fitness to Practise Rules.
- Allegations about anyone working for the AHCS will be investigated by a Board Director unless the allegation is against the Director or is in any way related to the actions of the Director. In such cases, the complaint will be passed to the Chief Executive for referral.
- In the case of an allegation which is in any way connected with but not against the Director, the Chief Executive may nominate a Senior Manager to act as the alternative investigating officer.
- Complaints against the Chief Executive will be passed to the Chairman who will nominate an appropriate investigating officer.

A person making an allegation of safeguarding malpractice about anyone working for the Academy has the right to bypass the line management structure and take their complaint directly to the Chairman. The Chairman has the right to refer the complaint back to the AHCS management team if it is considered, without any conflict of interest, the team can more appropriately investigate the complaint.

If there is evidence of criminal activity the investigating officer will inform the police. The AHCS will ensure that any internal investigation does not hinder a formal police investigation.

6. Timescales

Due to the varied nature of safeguarding allegations, which may involve internal investigators and / or the police, it is not possible to set out precise timescales for such investigations. The investigating officer will ensure that the investigation is undertaken as quickly as possible without affecting the quality and depth of the investigation.

The investigating officer will, as soon as is practically possible, send a written acknowledgement of the concern to the person making the allegation and thereafter report back to them the outcome of the investigation and on the action that is proposed. If the investigation is prolonged, the investigating officer will keep the person informed as to the progress of the investigation and as to when it is likely to be concluded. All responses will be in writing and sent to their home address.

7. Investigating Procedure

The investigating officer will follow these steps:

- Full details and clarification of the allegation will be obtained.
- The investigating officer will inform the person against whom the allegation is made as soon as is practically possible. The person will be informed of their right to be accompanied by a trade union or other representative at any interview or hearing held under the provision of these procedures.
- The investigating officer will consider the involvement of the police and will consult with the Chairman / Chief Executive as appropriate at this stage.
- The allegation will be fully investigated by the investigating officer with the assistance, where appropriate, of other individuals / bodies.
- A judgement concerning the validity of the allegation will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigation and reasons for the judgement. The report will be passed to the Chair of the HCS Registration Council and/or Chief Executive or Chairman as appropriate.
- In the case of anyone working for the Academy, the Chief Executive / Chairman will decide what action to take. If the allegation is shown to be justified, they will invoke the relevant disciplinary or other appropriate Company procedures.
- The person making an allegation will be kept informed of the progress of investigations and, if appropriate, of the outcome.
- If appropriate, a copy of the outcome may be passed to AHCS auditors to enable a review of the procedures.

If the person making an allegation is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Chief Executive / Chairman.

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the person making an allegation is not satisfied with the outcome of the investigation, the AHCS recognises their lawful rights to make disclosures to prescribed persons and organisations.

