

Safeguarding Policy

Policy Statement

The Company is committed to the safeguarding and well-being of all our learners and fully recognises its responsibilities for protecting vulnerable groups. Our policy applies to all staff, learners, contractors and visitors working on behalf of or in conjunction with the Company. The main elements to our policy:

Objectives

The aim of the policy is to ensure understanding and responsibilities, and to identify signs that there might be a safeguarding concern.

Scope

This policy covers safeguarding of children and adults at risk, learners and those learners of sub-contracted provision. This policy also aligns our compliance with the Government Prevent strategy.

An Adult at risk (previously vulnerable adult) is defined as any person over aged 18 or over and at risk of abuse or neglect because of their need for support or personal circumstance.

- Ensuring we operate safer recruitment practices in accordance with the legislative document Safer Recruitment and Safeguarding Children in Education (2007).
- Raising awareness of safeguarding throughout the organisation and ensuring that staff are equipped with the appropriate skills and knowledge to support learners effectively and help keep them safe.
- Raising awareness of safeguarding to all of our learners and ensuring that the learners who are most vulnerable are equipped with the skills and knowledge needed to keep them safe.
- Developing and implementing procedures for identifying and reporting cases or suspected cases of abuse.
- Establishing safe environments in which vulnerable groups can learn and develop.
- Establish and maintain an environment where learners feel secure, are encouraged to talk, and are listened to.
- Ensure learners know that there is designated staff within the Company whom they can approach if they are concerned or worried.
- Include opportunities within our ongoing assessment process and classroom delivery for learners to develop the skills they need to recognise and stay safe.
- We recognise and adhere to the statutory requirements within the following important and relevant pieces of safeguarding legislation:
 - Have due regard to the need to prevent people being drawn into terrorism
 - Working Together to Safeguard Children (2010)
 - Children's Act (1989, 2004)
 - Safeguarding Children and Safer Recruitment in Education (2007)
 - Safeguarding Vulnerable Groups Act SVGA (2006 amended 2012)
 - Protection of Freedoms Act (2012)
 - Disclosure and Barring Service Code of Practice (2012)
 - Sexual Offences Act (2003)
 - Every Child Matters (2004)
 - Equality Act (2010).
 - The Counter Terrorism and Security Act 2015 (Prevent)

Management Organisation and Arrangements

To support our commitment to the safeguarding and well-being of all of our learners and with regard to the above legislation we will;

- Ensure that we have a Designated Person/s for Safeguarding who has received appropriate training and support for this role.
- Ensure that all staff and learners are aware of our Designated Persons for Safeguarding and Safeguarding Officers. This will be communicated via our staff and learner induction process, internal training and awareness sessions, via the learner handbook and via posters located throughout the training centres
- Ensure that all staff are aware and understand their responsibilities in relation to Safeguarding and in being alert to the signs and indicators of abuse and for referring any concerns directly to the Safeguarding Officers or the Designated Person for Safeguarding.
- Ensure that effective Safeguarding procedures are developed, implemented and monitored to ensure their effectiveness. These procedures are based on the 5R's approach of Recognition, Response, Record, Report, and Refer.
- Ensure that we develop effective links with relevant external agencies, local safeguarding boards and co-operate with any requirements with any safeguarding referral matters.
- Ensure that we keep written records of safeguarding concerns, even when there is no need to refer the matter to the relevant agencies.
- Ensure all records are stored securely and in accordance with the Data Protection Act
- Establish or use existing mechanisms for understanding the risk of radicalisation
- Ensure that staff understand the risk
- Communicate and promote the importance of duty of care
- Ensure staff implement safeguarding and are trained sufficiently
- All staff have current DBS to the enhanced level even if it is not required in the Job Description as there could be the opportunity for staff to come into contact with learners of all ages.

The Company recognises its responsibility with regard to the safeguarding of young and vulnerable learners from abuse and from inappropriate and inadequate care, and is committed to responding in all cases where there is concern.

Due to the nature of our work The Company may be in the frontline of work with some children, young learners, vulnerable learners and vulnerable adults. This may mean that we are the first to know that a child, young or vulnerable learner or adult is being or has been abused or that we are concerned about a person's well-being. Everyone has an equal responsibility to ensure that the individual needs and welfare of the person are put first and to safeguard any person with whom we may come into contact. This responsibility not only rests with the Directors, Senior Management and Designated Persons for Safeguarding but also with every individual member of staff employed or volunteering within our organisation whilst at work, at an employer's premises or at home.

The Company offers an apprenticeship recruitment service, which places potential apprenticeship learners into employment. It is recognised that this creates a greater duty of Care, and ensure that Employers are suitable to receive an apprentice, a service level agreement is undertaken prior to apprentice commencing employment in order to clarify expectation in relation to basic health and safety and employment requirements for the learner.

Definition of Terms

The Safeguarding policy describes the support and protection procedures for all learners under the age of 18, or vulnerable learners over this age, who may be “at risk” of abuse.

The Definition of Safeguarding

Safeguarding is a proactive process of protecting and ensuring the safety and well-being of young and vulnerable learners. Safeguarding may involve instances in which a young or vulnerable learner is suffering or likely to suffer from harm or be at risk.

The Definition of Young/Vulnerable learners

Young learners are defined as any learner who has not yet reached their 18th birthday (Childrens Act 1989, 2004).

The definition of regulated activity as explained within the Protection of Freedoms Act 2012 identifies the activities provided to any adult which, if any adult requires them, will mean that the adult will be considered ‘vulnerable’ at that particular time.

New Definition of Regulated Activity Relating to Adults

An adult is a person aged 18 years and over. There are six categories within the new definition of regulated activity:

1. Health care
2. Personal Care
3. Providing Social Work
4. Assistance with General Household Matters
5. Assistance in the Conduct of a Persons own Affairs
6. Conveying

Categories of Abuse

Children can be potentially abused within the family, community, and in organisation by employees (including those employed to promote their welfare and protect them from abuse), volunteers, visitors and fellow students, the following and broad categories of abuse.

Physical Abuse

May involve hitting, shaking, throwing, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child and vulnerable adult. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child and vulnerable adult who they are looking after. This is commonly described using such terms as ‘fictitious illness by proxy ‘or’ Munchausen’s syndrome by proxy’.

Psychological/Emotional Abuse

Is the persistent emotional ill-treatment of a child or vulnerable adult such as to cause severe and persistent effects on the child and vulnerable adult’s emotional development. It may involve conveying to children or vulnerable adults that they are worthless and unloved, inadequate, or valued only so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed in children and vulnerable adults. It may involve causing children or vulnerable adults frequently to feel frightened or in danger, or the exploitation or corruption of children and vulnerable adults. Some level of emotional abuse is involved in all types of ill-treatment of a child or vulnerable adult, though it may occur alone.

Sexual Abuse

Involves forcing or enticing a child or vulnerable adult to take part in sexual activities, whether or not the child or vulnerable adult is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape) or non-penetrative acts. They may include non-contact activities, such as involving children or vulnerable adults looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging children or vulnerable adults to behave in sexually inappropriate ways.

Neglect and Acts of Omission

Is the persistent failure to meet the child's or vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of the child or vulnerable adults health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failure to protect a child or vulnerable adult from physical harm or danger, or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child or vulnerable adults' basic emotional needs.

Financial Abuse

Some children and vulnerable adults may be abused or exploited financially including fraud and extortion. This can include material possessions as well as financial aspects.

Domestic violence

Can include psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence; Female Genital Mutilation; forced Marriage

Modern slavery – encompasses slavery, human trafficking, forced labour and domestic servitude.

Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

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Discriminatory abuse

Including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

Organisational abuse – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation

Self-neglect

This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. This may also be supported by mental health teams.

Significant Harm

Some children or vulnerable adults may be in need because they are suffering or likely to suffer significant harm. The Children Act V section 47 (1) introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interest of the children.

Internet Grooming

Grooming is the process of getting to know and befriending a child with the intention of sexually abusing them. Children are continually made aware they shouldn't talk to or go anywhere with strangers so paedophiles often take time to build up a trusting relationship with a child. Grooming isn't restricted to online, but the internet can provide paedophiles anonymity to act more freely, and access to children who are not under direct parental supervision.

Radicalisation and Extremism

Some children and adults maybe exposed to extreme religious and social beliefs which could damage their own family relationships and risk their safety in society and not be recognised as British Values. Exposure could be accessed through social/religious and political groups, media and the internet. It is having vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.

Advice to Staff on When to Take Action and How

Once you suspect or know of any abuse of any child or vulnerable adult, you should immediately inform the Safeguarding Officer in person or by telephone. Even if you have only heard rumours or abuse, or you have a suspicion but do not have firm evidence, you should still contact the Safeguarding Officer to discuss your concerns. You should also contact the Safeguarding Officer if you know or suspect that a member of staff or student has a previous history of abuse or children and/or vulnerable adults.

If the Safeguarding Officer is not immediately available, you should contact another Director. You must not try to investigate the matter on your own. Staff are not equipped or qualified to do so. Contact details for the Safeguarding Officers can be found on the Health & safety notice board at any of the Company sites.

If, following initial contact with the Safeguarding Officer, it is decided that the matter should be taken further; a written report must be prepared. A written report is essential to prevent any misrepresentation of your findings, and should be sent to the Safeguarding Officer within 24 hours of the suspicion arising. The report should be factual and should not include opinions or personal interpretations of the facts presented. The report should contain as much details as possible, including any apparent physical signs of abuse or other circumstances which have led to your suspicions, or the account given to you of abuse by the child or vulnerable adult concerned, as accurately as you are able to record it. The report should be signed, dated and a copy stored in a secure place. If you are unsure about what to write, you can get advice from The Safeguarding Officer.

If a child or vulnerable adult comes to you with a report of apparent abuse, you should listen carefully to the child or vulnerable adult, using the following guidelines. When listening to a child or vulnerable adult, staff must;

- allow the child or vulnerable adult to speak without interruption;
- never trivialise or exaggerate the issue;
- never make suggestions;
- never coach or lead the child or vulnerable adult in any way;
- reassure the child or vulnerable adult, let them know you are glad they have spoken up and that they are right to do so;
- always ask enough questions to clarify your understanding, do not probe or interrogate – no matter how well you know the child or vulnerable adult – spare themselves having to repeat themselves over and over;
- be honest – let the child or vulnerable adult know that you cannot keep this a secret; you will need to tell someone;
- try to remain calm – remember this is not an easy thing for them to do;
- do not show your emotions – if you show anger, disgust or disbelief, they may stop talking. This may be because they feel they are upsetting you or they may feel your negative feelings are directed towards them;
- let the child or vulnerable adult know you are taking the matter very seriously; and
- make the child or vulnerable adult feel secure and safe without causing them any further anxiety.

The Safeguarding Officer will be responsible for recording essential information about each case and for collecting reports and notes as appropriate.

Any detailed information about a case will be confined to the Safeguarding Officer, the Designated Person for Safeguarding, the deputising Director and/or personnel (if not involved in the allegations), and the parents/guardians/carers. Where a referral to an external agency is to be made, the Safeguarding Officer will advise the Designated Person for Safeguarding. The Manager(s) and staff reporting the allegations will be kept informed of the progress of the case on a 'need to know' basis.

Next Steps

Taking into account all the information available, the Designated Person for Safeguarding will decide on the next steps, which may include taking no further action. Where the Designated Person for Safeguarding decides that further action is necessary, this may be to;

- Seek further advice from the Children's Trust
- Make a referral to the appropriate agency, as signposted
- Report the incident to a designated Social Worker as signposted
- Report the matter to the police if a crime is suspected if a referral is made, this must be confirmed in writing to the appropriate agency within 24 hours.
- Any Prevent risk, the Designated Safeguarding Officer should notify the relevant BIS Prevent Co-ordinator and others as necessary such as the SFA EFA Police and local Authority.

The Designated Person for Safeguarding may consider that those involved may require counselling. Where it is felt there is a need for counselling, (which could be for the child/ren, other students, staff, parents or carers involved) the Designated Person for Safeguarding will make the necessary arrangements.

Confidentiality

Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety of the child and vulnerable adults is the overriding concern. The degree of confidentiality will be governed by the need to protect the child or adult at risk. The child or vulnerable adult should be informed at the earliest possible stage of the disclosure that the information will be passed on. All conversation regarding a child or vulnerable adult should always be held in private, The Company complies with the requirements of the Data Protection Act 1998, which allows for disclosure of personal data where this is necessary to protect the vital interests of a child and adult at risk.

Whatever happens, you should always be open and honest with the child or vulnerable adult if you intend to take the case further.

Staff must not discuss the case with anyone other than those involved in the case. If staff have any concerns about the progress of the case or have any other concerns these must be discussed with the Designated Person for Safeguarding.

Allegations Against Staff

The primary concern of the organisation is to ensure the safety of the child and vulnerable adult. It is essential in all cases of suspected abuse by a member of staff that action is taken quickly and professionally whatever the validity. There are occasions where a child or vulnerable adult will accuse a member of staff of physically or sexually abusing them. In some cases this may be false or unfounded. However, in some cases the allegations may be true. Any instance of a child or vulnerable adult being abused by a member of staff is particularly serious. On the other hand for an innocent person to be accused of such an act is a serious ordeal which can result in long-term damage to their health and career.

In the event that any member of staff suspects any other member of staff of abusing a student, it is their responsibility to bring these concerns to the Designated Person for Safeguarding.

On being notified of any such matter the Designated Person for Safeguarding shall;

- Take such steps as she/he considers necessary to ensure the safety of the child or vulnerable adult in question and any other child or vulnerable adult who might be at risk
- Report the matter to the local social services department
- Ensure that a report of the matter is completed by the person who reported the original concern.

If the concern is related to the Prevent Agenda the Designated Person for Safeguarding shall complete the following step/s

- Assess the nature and extent of the risk
- Develop the most appropriate support for the individual
- Refer to multi agency panel/ Channel

If the allegation concerns the Designated Person for Safeguarding or one of the Safeguarding Officers, the matter should be discussed with the Group Finance Director in addition to following the normal procedures for child and Vulnerable Adults Protection.

Staff Code of Conduct

The Company recognises that it is not practical to provide definitive instructions that would apply to all situations at all times whereby staff come into contact with children and vulnerable adults and to guarantee the safeguarding and protection of children and vulnerable adults and staff. Staff however should have sufficient training to recognise vulnerable learners and be aware of what action to take. This will include making referrals to the Channel Programme and where to get additional advice and support.

However, below are the standards of behaviour required of staff in order to fulfil their roles and duty of care within the group. This code should assist in the safeguarding and promotion of the welfare of children and vulnerable adults and members of staff.

These guidelines also apply to volunteers who work in an unpaid capacity in company premises.

Staff must:

Implement the Safeguarding Policy and Procedures at all times, including acting to promote children and vulnerable adult's welfare, follow the Prevent Agenda and challenge unsuitable behaviour and beliefs. Management, delivery and support staff are to exemplify Fundamental British Values and all are to treat other people with respect to the protected characteristics of the Equality Act 2010. Staff must understand the factors that make people vulnerable to being drawn into terrorism and to challenge extremist ideas.

Staff must never:

- Engage in rough, physical games including horseplay with children and vulnerable adults/students
- Allow or engage in inappropriate touching of any kind.
- Touch should always be in response to the child or vulnerable adult's need
- Touch should always be appropriate to the age and stage of development of the child or vulnerable adult
- Touch should always be with a child or vulnerable adult's permission
- Do things of a personal nature for children or vulnerable adult they can do for themselves or that their parent can do for them
- Force is usually used to either control or restrain this can range from guiding a child or vulnerable adult to safety by the arm through to more extreme circumstances such as breaking up a fight or where the individual needs to be restrained to prevent violence or injury

In all circumstances, physical restraint must be appropriate and reasonable; otherwise the action can be defined as assault.

- Make sexually suggestive comments to or within earshot of a child or vulnerable adult.
- Have children or vulnerable adults on their own in a vehicle. Where circumstances require the transportation of children or vulnerable adults in their vehicle, another member of staff/volunteer must travel in the vehicle. It is also essential that there is adequate insurance for the vehicle to cover transporting children or vulnerable adults as part of the business of your work. In extreme emergencies (for medical purposes) where it is required to transport a child or vulnerable adult on their own, it is essential to take another leader and the parent is notified immediately.
- Take a child or vulnerable adult to the toilet unless another adult is present or has been made aware (this may include a parent, group leader).
- Spend time alone with a child or vulnerable adult on his/her own, outside of the normal tutorial/classroom situation. If you find you are in a situation where you are alone with a child or vulnerable adult, make sure that you can be clearly observed by others.
- Engage in a personal relationship with a child or vulnerable adult/student or a vulnerable adult who becomes student, beyond that appropriate for a normal teacher/student relationship.
- Communicate with learners through social networking sites such as Facebook or Twitter.
- Give learners their personal mobile telephone number or use their personal mobile to communicate with learners. This includes the sending and receiving of texts from a personal mobile.

Implications for Staff

Staff who breaches any of the above may be subject to the disciplinary procedure. If an allegation against a member of staff has occurred, then an investigation will be carried out.

The Company reserves the right to suspend any member of staff under the Safeguarding Policy to safeguard young people and vulnerable adults whilst an internal and/or external investigation takes place. The organisation can implement its own internal investigation during any stage of this process. This may result in disciplinary action being taken on a member of staff.

Suspension of staff under the Safeguarding Policy procedure

Should the organisation implement the Safeguarding Policy procedure and decide to suspend the employee; the following procedure will be undertaken:

- The employee concerned will be required to attend a meeting with their Manager and line manager. The employee will have the opportunity to be accompanied by a colleague or a trade union representative.
- During the meeting, the employee will be provided with written confirmation of the suspension, and the opportunity to ask any questions with regards to the contents of the letter.
- If the suspension is subject to external investigation, the organisation's management representatives will be unable to discuss the details of any allegations made under the Child protection Act (1999).

Policy Review

This policy shall be periodically reviewed and amended accordingly at intervals not exceeding 12 months.

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