

# New London Educational Trust



## Safeguarding and Child Protection Policy

Version 4

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## Appointments

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## 1. Introduction

New London Educational Trust recognises that the Trust Management, Chief Executive Officer/Principal, members of staff and learners have an important role to play in safeguarding the welfare of young people and vulnerable adults and preventing their abuse.

Any young person under the age of 18 and vulnerable adults are protected by the laws and guidance associated with Safeguarding.

Incidents of abuse are not common BUT any young person aged between the ages of 0 and 18 and any vulnerable adult must be safeguarded whether this is in the home, in school, in the Trust, in the work place or in any other setting.

All staff and volunteers have a legal duty to report in strict confidence to the Designated Safeguarding Lead or a Safeguarding Officer (the nominated person) if they have cause for concern and believe that an individual (employed, volunteer, learner, visitor or anyone else at the Trust) for whatever reason:

- Harmed a child or vulnerable adult or is doing so.
- Caused a child or vulnerable adult to be harmed.
- Put a child or vulnerable adult at risk of harm.
- Attempted to harm a child or vulnerable adult.
- Incited another person to harm a child or vulnerable adult.
- Is a victim of abuse.

Abuse can take many forms but it is categorised under 4 main themes:

- Physical abuse.
- Sexual abuse.
- Emotional / Psychological abuse.
- Neglect.

In addition to the above, vulnerable adults may also be subject to:

- Financial and material abuse.
- Self-neglect.

It is important that vulnerable people are protected from any form of harm.

As such all complaints, allegations or suspicions must be taken seriously.

The following procedure must be followed whenever an allegation is made that a person has been abused or when there is a suspicion that abuse may be taking place.

Harming activities by other persons who are not employed staff or volunteers will be dealt with using normal Trust procedures for incident management. The police and the local safeguarding boards may nevertheless be involved.

This policy and procedures will be reviewed on an annual basis.

To support the safeguarding agenda it may on occasion be necessary to refer to other Trust policies and procedures on Health & Safety, Every Child Matters, Harassment, Bullying and Personal dignity and Staff Discipline. In all cases safeguarding will take precedent over other policy and procedure areas.

Allegations of abuse are serious. Where a claim of abuse made against a member of staff is not substantiated and is found to have been malicious in intent, this would be dealt with through the Trust's learner or staff disciplinary procedure.

## Risk Assessment

The Trust uses risk assessment to inform the planning of safeguarding activities. This takes place at a number of levels:

- Cross Trust risk register – explicit section on Safeguarding.
- Staff safeguarding risk assessment – considering safeguarding measures to be put in place for various groups of staff.
- Hazardous activity risk assessments – in line with the Trust health and safety policy.
- Individual learner risk assessments – where the needs or circumstances of the individual dictate that completion of a risk assessment would be beneficial.

Risk assessment are reviewed and updated on a regular basis as needs demands and at least once every year.

## 2. Raising Awareness of Safeguarding Procedures:

It is important that all members of the Trust recognise the role they play in safeguarding. Safeguarding must be a topic covered within the induction of every member of the Trust community whether they are learners, staff or employers used by the Trust for work experience purposes.

**2.1. Learners:** Within the induction programme learners will be made aware of the following:

- What constitutes abuse under Safeguarding.
- The reporting procedures for self-referral or reporting suspected abuse of a friend or colleague.
- To whom the referral should be made.
- The responsibility each learner has for another.

**2.2. Staff:** Within the staff Induction programme employees will be made aware of the following:

- The procedure for reporting issues associated with safeguarding.
- The key Trust personnel to whom the report should be made.
- The responsibility of members of staff under the Safeguarding Policy and Procedure.
- All new staff will complete Child Protection and Vulnerable Adult Awareness training.
- All staff to read and be familiar with Part 1 of 'Keeping Children Safe in Education' (Updated September 2019):  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/835733/Keeping\\_children\\_safe\\_in\\_education\\_2019.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/835733/Keeping_children_safe_in_education_2019.pdf)

And

Work based learners and the Prevent statutory duty Guidance for providers:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/744673/Work\\_Based\\_Learners\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/744673/Work_Based_Learners_Guidance.pdf)

**2.3. Employers:** Any employer working with a learner must be given training on the New London Educational Trust Safeguarding Policy and Procedures. This should be undertaken by the learner's course co-ordinator or nominated representative (e.g. Apprenticeship Manager), prior to the learner embarking upon the apprenticeship, work experience or work placement. The NLET representative and employer must:

- Identify a key employee who will act as the main contact for the learner on the apprenticeship, work experience or work placement for the purposes of child protection.

- Instruct that key employee on the Trust's Safeguarding policy and Procedures and identify who their key point of contact is within the Trust for any referrals for suspected abuse under Safeguarding.
- Sign a declaration that appropriate training has taken place and that the employee is fully aware of their responsibility and the reporting process (appropriate notes and procedures will be left with the employee for reference purposes).

Full details of procedures associated with Safeguarding apprenticeships, work experience and work placements are in the appendices.

### 3. Dealing with Disclosure of Abuse and Procedure for Reporting Concerns:

**Note 1:** Promises of confidentiality must not be given other than by counselling staff as the matter may develop in such a way that these promises cannot be honoured.

**Note 2: Learning Difficulties and / or Disabilities:** Some people with learning difficulties and / or disabilities may need different treatment to other persons e.g. in the way their physical/mental condition might mask possible abuse.

**Note 3: Forced Marriage:** If there are concerns that a vulnerable person (male or female) is in danger of a forced marriage, you should contact the Trust nominee for safeguarding who will contact the Forced Marriage Unit (FMU) (020 7008 0151) or by visiting the [FMU page](#) of the Foreign and Commonwealth Office website. The police and Children's Services will also be contacted.

**Note 4: 5-16 year old learners:** Where an allegation is made regarding a 5-16 year old learner, members of staff should follow the same procedures as outlined in this policy and procedure. The Designated Safeguarding Lead will liaise with the CPO (Child Protection Officer) from the learner's school or sponsor, ensuring that the learner is informed of this process.

- If the complainant is the person being abused, questions should be kept to the minimum necessary to understand what is being alleged and leading questions should be avoided. The use of leading questions can cause problems for the subsequent investigation and any court proceedings.
- A full record shall be made as soon as possible of the nature of the allegation and any other relevant information including:
  - The date.
  - The time.
  - The place where the alleged abuse happened.
  - Your name and the names of others present.
  - The name of the complainant and, where different, the name of the young person who has allegedly been abused.
  - The nature of the alleged abuse.
  - A description of any injuries observed.
  - An account of the allegation that should be signed and dated by the person completing the report.
- Any suspicion, allegation or incident of abuse must be reported to the nominated member of staff (or the Principal in their absence) as soon as possible and at least within two hours.
- The nominated member of staff shall telephone and report all allegations and incidents of abuse to either the Children Services department duty social worker, or the adult safeguarding duty social worker before the end of the Trust day. A written record of the date and time of the report shall be made and the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the relevant department within 24 hours.

- The nominated member of staff should discuss with the social services department what action will be taken to inform the parents of the young person and a note of that conversation should be made.
- If the nominated member of staff (or the CEO/Principal in their absence) cannot be contacted within 2 hours of the allegation or observation, the person making the report must notify the local Children Services department of the issue and inform the Trust's nominated member of staff, as soon as possible, about the action taken.
- The nominated member of staff must notify the CEO/Principal of any allegation or incident as soon as is practicable and in any event within 24 hours of the initial concern arising.

### **Written records.**

- The Nominated Member of Staff shall retain a copy of:
  - The report.
  - Any notes, memoranda or other correspondence dealing with the matter.
  - Any other relevant material.
- Copies of reports, notes etc. should be kept securely locked at all times and kept for a minimum period of seven years.
- Copies of reports regarding allegations made against staff shall be kept securely sealed by the CEO/Principal until at least the 25<sup>th</sup> birthday of any child or seven years in any other case.

### **The Work of the Trust Counsellors**

- At the start of any counselling session or series of sessions, clients must be informed that if information divulged during the confidential meeting leads to suspicion that a vulnerable person is at risk, the counsellor will be obliged to report the matter to the appropriate authority.
- If, in the course of a counselling session, a client makes an allegation relating to an abuse issue then it is incumbent upon the counsellor to assess the situation with regard to any ongoing danger to the client or other young person. The immediate aims are to:
  - Ensure the safety of the client and any other vulnerable person.
  - Help prepare the client to come to terms with the situation and begin to empower them to protect themselves, in the future.
- Client confidentiality should be maintained, providing the above aims are not compromised.
- The status of all allegations referred to the counsellors by a third party must be explained to the nominated member of staff, before the end of the working day, without breaching confidentiality.
- If, in discussion with the vulnerable person, the counselling staff member considers it appropriate, she/he will report the details to the nominated member of staff.

#### **4. Reporting and Dealing with Allegations of Abuse against Members of Staff**

##### **Introduction:**

- Where an allegation of abuse is made, and it involves a member of Trust staff the Trust will comply at all times with the DFES guidance Safeguarding Children in Education: Dealing with Allegations of Abuse against Teachers and Other Staff.
- Under no circumstances should the member of accused staff be informed about the allegation. Notification of the allegation will be managed through the official Trust procedures described below.
- Any suspicion, allegation or actual abuse of a young person by a member of staff must be reported to the nominated member of staff as soon as possible and at least within two hours. If within 2 hours of the initial concern it has not been possible to contact the nominated member of staff the matter must be reported to the Principal.
- Full records must be made about the alleged incident/s as described in 2.2 above.
- In addition to notifying Children Services, the nominated member of staff will notify the Principal within 24 hours. The Principal will instigate an initial assessment of the allegation, relevant investigations and enquiries and take appropriate action as detailed in the Trust's Disciplinary Policy and in accordance with the DFES guidance Safeguarding Children in Education: Dealing with Allegations of Abuse Against Teachers and Other Staff.
- The Trust will, as deemed appropriate through the investigation, co-operate fully with the Police, Social Services and other external organisations in the execution of their duties within the investigation.
- The appointed Trustee with designated responsibility for Safeguarding will be kept informed of any situation where the investigation of an alleged incident under the Safeguarding Policy and Procedure is necessary. They will, in turn, keep the Chief Executive Officer informed of the incident and the necessary action taken.
- Parents or carers of a young person or vulnerable adult involved should be told about the allegation as soon as possible if they do not already know of it (subject to discussion with the relevant authority). They should also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process.
- If the designated safeguarding officer is the subject of the allegation or complaint, the matter must be reported directly to the Principal/CEO.
- If the Principal/CEO is subject to any such allegation or complaint, the designated safeguarding officer will contact the Chair of the Board of Trustees.

#### **5. Personal Care and Vulnerable Adults:**

- The Trust will endeavour to ensure an appropriate environment and skilled staff are provided to allow intimate care to be delivered whilst meeting their need for privacy, dignity and safety. The vulnerable adults' wishes will be adhered to as closely as possible
- The Trust will recruit in order to meet the gender and cultural care of adults in line with sex discrimination and employment legislation to permit same sex support to be given
- The Trust will provide clean, well maintained and equipped environments to meet the needs of adults receiving personal intimate care



- It is recognised that in certain circumstance same sex support cannot always be available in which case support for a female learner will be given by a female staff. Support for male learners will be given by male staff wherever possible but if not then by a male and female together, or if not possible then two females

## 6. eSafety

- Children and young people and adults can be vulnerable to exploitation or abuse through the medium of Information Technology. It is important that staff and volunteers are alert to potential risks vulnerable people may be exposed to, and that steps have been taken to mitigate the risk of this occurring, with specific reference to:
  - **Content** – e.g. exposure to age inappropriate material, inaccurate or misleading information, socially unacceptable material (e.g. inciting violence, hate or intolerance) and illegal material (including images of child abuse).
  - **Contact** – e.g. grooming using communication technologies leading to inappropriate behaviour or abuse.
  - **Commerce** – e.g. exposure to inappropriate advertising, online gambling, identity theft and financial scams.
  - **Culture** – e.g. bullying via websites, mobile phones or other communication technologies, or inappropriate downloading of copyright materials (i.e. music, films, images); exposure to inappropriate advertising, online gambling and financial scams.
  - **Social Media** – e.g. Twitter, Instagram, Facebook, and other social media sites can also include and be used for bullying, coercion and grooming and as a point of exposure for extremism, sexual misconduct and scamming (e.g. financial schemes).
- Addressing these issues through training for staff and volunteers, and awareness raising with service users, or members of the community, will be undertaken by the Trust. If there is any indication that a vulnerable person is experiencing difficulties in this area (for instance if they are reported to be spending long periods of time using a PC on their own or if they appear unnecessarily defensive, secretive or anxious about their PC use), then this must be taken seriously.
- The Trust has in place a series of measures to ensure the eSafety of vulnerable people at the Trust,

## 7. Safer Recruitment and Selection

**7.1** The Trust pays full regard to DBS guidance "Safeguarding Children and Safer Recruitment in Education" January 2007. It ensures that all appropriate measures are applied in relation to everyone who works in the Trust e.g. volunteers and staff employed by contractors. Safer recruitment practice includes scrutinising applicants, verifying identity and academic or vocational qualifications, obtaining references satisfactory to the Trust, checking previous employment history and ensuring that a candidate has the health and physical capacity for the job. It also includes undertaking interviews and, where appropriate, undertaking Disclosure and Barring Service checks. No new member of staff is to be employed

**7.2** Statutory changes, underpinned by regulations, are that:

- A DBS Enhanced Disclosure is obtained for **all** new appointments to the Trust's workforce. No new member of staff can start teach with any learners until the DBS has been completed. If the DBS is delayed the new staff will not be left alone with any learners, and will be allocated desk space in the main office and supervised at all times.

- The Trust will keep a single central record detailing a range of checks carried out on staff.
- All new appointments to the Trust workforce who have lived outside the UK are subject to additional checks as appropriate.
- The Trust will satisfy itself that supply/temporary staff have undergone the necessary checks.
- Identity checks must be carried out on all appointments to the workforce before the appointment is made.

### **Single Central Record**

The Trust maintains a single central record of all checks on Trust staff and, where appropriate, governors, volunteers and other people who may come into routine contact with vulnerable learners through the course of their studies.

### **7.3 Role of the RAP**

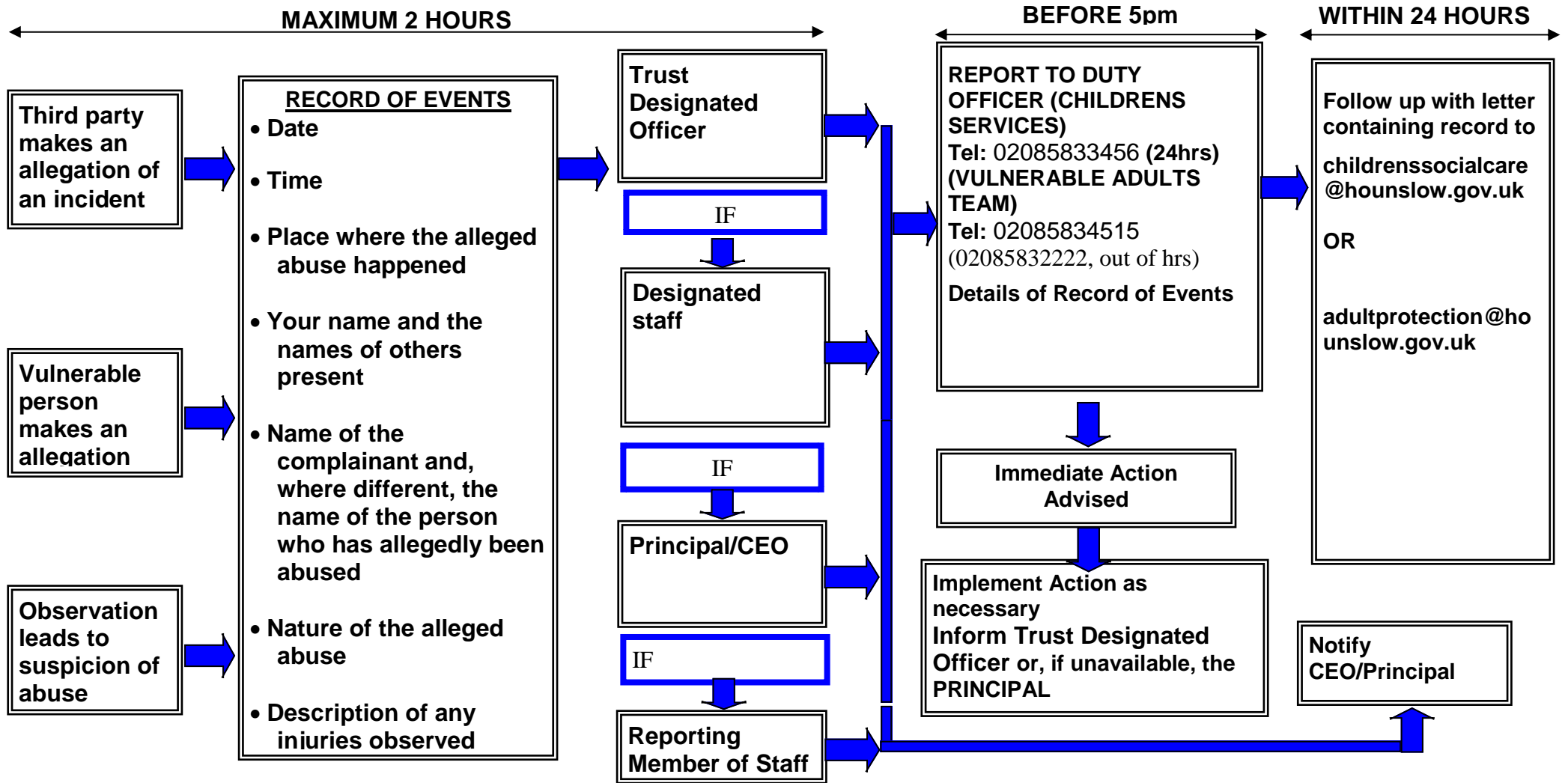
- The RAP (Regulated Activity Provider) has a legal 'legitimate interest' in all staff and volunteers and will report to the Disclosure and Barring Service (DBS) any member of staff, volunteer or visitor to the Trust who, following investigation by a safeguarding officer, is shown to have harmed, abused, neglected, harassed or bullied any child or vulnerable adult at work, in work placement, during training or education or other activity controlled or within the contracted remit of the Trust. This is irrespective of whether the work activity they were performing at the time was regulated in law.
- Where harm may have been committed by employed staff, volunteers or particular learner categories, the Trust has a duty to report under the criminal law of England. When an incident takes place and after investigation a report is made using the correct ISA form.
- The Trust may legally choose to report the actions of any staff member, volunteer or learner who they have already investigated prior to the Safeguarding law coming into force, if those actions gave 'cause for concern'.
- The Trust and the RAP has continuous regard to the:
  - General safety and welfare of employed staff and volunteers, learners, visitors, ancillary staff, builders and maintenance workers, consultants, inspectors, suppliers, service level agreement holders and sub-contractors, or any other person connected with the Trust. In this, common sense applies and Trust procedures will take into account acceptable working practices. All Trust staff and volunteers are required to be polite and courteous. They are to react immediately to protect anyone from harm if they can do so using reasonable actions and resources. They can ask anyone they think is causing harm to desist. They should call for help and stay with the person being harmed until another person they fully trust arrives to take responsibility for the situation.
  - Specific legal duties under the criminal law connected with regulated activities and controlled activities. A failure by the RAP to adhere to the legal regulations can lead to criminal prosecution, fines and imprisonment for persons in that role.
- Failure of the RAP or a person delegated by the RAP to check with the DBS to see if a prospective staff member or volunteer is barred or not, is a criminal offence punishable by a term of up to 5 years in prison. Similarly, the failure of the RAP to report an individual who a safeguarding officer says has caused harm to a child or vulnerable adult, is a criminal offence.

- Taking on new staff members or inviting volunteers to help with work projects without the permission of the RAP or a person formally delegated by the RAP to give permission is a serious disciplinary offence. Staff are specifically NOT to invite any person of any age to the Trust to take part in Trust activities which might be considered to involve work tasks, without obtaining clearance. It will not be clear to all staff which learners are under 18 or which adults have privately disclosed a vulnerability. Visitors are not included in this as they are visiting not working. However, in certain circumstances, builders and their managers are included. Please check with your safeguarding officer when planning maintenance or building development contracts.
- It is an offence for a barred individual to work or volunteer with children or vulnerable adults, or to seek to do so;
- It is an offence to knowingly employ a barred individual/s in roles with children or vulnerable adults.
- Employers are under legal duty to refer individuals they believe to pose a risk of harm to the DBS.
- New Staff may start work in an emergency prior to receipt of DBS disclosures, subject to a risk assessment by the RAP/Head of HR must be completed and references received.
- Special regulations for those at the Trust who train learners to get jobs in regulated activities and therefore acts as employment agencies, employment business or educational workplace operators.

## **8. Monitoring and Review**

- This policy will be reviewed as deemed necessary through changes in law and/or good practice but at least annually.
- This policy draws on information contained within Working Together to Safeguard Children and the Trust will refer to this document for enhanced information in areas of concern or lack of clarity.

# SAFEGUARDING PROCEDURES



**\*\*\* If it involves an allegation about a member of staff Do not inform the member of staff**

## **Safeguarding: Guidance on Harm**

- **Part One – Young People (Children) – persons who have not reached their 18<sup>th</sup> Birthday.**
- **Part Two – Vulnerable adults – as defined in Part 2**

### **PART ONE - HARM TO CHILDREN**

#### **Types of harm to children under 18**

##### **Emotional/ Psychological**

##### **- Action or inaction by others that causes mental anguish**

Emotional harm is the emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children.

It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. It may involve children witnessing aggressive, violent or harmful behaviour such as domestic violence. Some level of emotional harm is involved in all types of ill-treatment of a child, though it may occur alone.

Grooming. Harassment. Inappropriate emotional involvement.

##### **Physical**

##### **- Any intentional physical contact that results in discomfort, pain or injury**

Physical harm may involve assaults including 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 feigns the symptoms of, or deliberately causes ill health to a child whom they are looking after.

This situation is commonly described using terms such as factitious illness by proxy or Munchausen syndrome by proxy. Supply drugs to children. Inappropriate/unauthorised methods of restraint.

##### **Sexual**

##### **- Any form of sexual activity with a child under the age of consent**

Sexual harm involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, or non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways. Downloading child pornography. Taking indecent photographs of children. Sexualised texting.

##### **Neglect**

##### **- Failure to identify and/or meet care needs**

Neglect is the 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. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## **PART TWO – VULNERABLE ADULTS – HARM**

### **Definition of a vulnerable adult under the SVGA 2006**

#### **Vulnerable adult**

A vulnerable adult is defined in full under section 59 the 2006 Act and Article 3 of the 2007 Order.

In summary, a person is a vulnerable adult if they have attained the age of 18, and

- they are in residential accommodation;
- they are in sheltered housing;
- they receive domiciliary care;
- they receive any form of health care;
- they are detained in lawful custody;
- they are by virtue of an order of a court under supervision by a person exercising functions for the purposes of Part 1 of the Criminal Justice and Court Services Act 2000 (c. 43), in England and Wales;
- they are by virtue of an order of a court under supervision by a probation officer in Northern Ireland;
- is receiving a welfare service defined as the provision of support, assistance or advice by any person, the purpose of which is to develop an individual's capacity to live independently in accommodation or support their capacity to do so;
- they receive any service or participate in any activity provided specifically for persons due to age, disability, prescribed physical or mental problem, expectant or nursing mothers in accommodation or a person of a prescribed description not falling in the above;
- payments are made to them (or to another on their behalf) in pursuance of arrangements under section 57 of the Health and Social Care Act 2001 (c.15), in England and Wales;
- payments are made to them (or to another on their behalf) in pursuance of arrangements under section 8 of the Carers and Direct Payments Act (Northern Ireland) 2002 (c.6); or
- they require assistance in the conduct of their own affairs.

Safeguarding officers are to note that if a person has an impairment in the following list and that is their only vulnerability, then they are NOT vulnerable under this law:

- dyslexia
- dyscalculia
- dyspraxia
- Irlen Syndrome (also known as Scotopic Syndrome)
- alexia
- auditory processing disorder, or
- dysgraphia.

#### **Emotional/ Psychological**

##### **- Action or inaction by others that causes mental anguish**

Inflexible regimes and lack of choice. Mocking, coercing, denying privacy, threatening behaviour, bullying, intimidation, harassment, deliberate isolation, deprivation.

#### **Financial**

##### **- Usually associated with the misuse of money, valuables or property**

Unauthorised withdrawals from vulnerable adult's account, theft, fraud, exploitation, pressure in connection with wills or inheritance.

**Physical****- Any physical action or inaction that results in discomfort, pain or injury**

Hitting, slapping, pushing, shaking, bruising, failing to treat sores or wounds, under or overuse of medication, un-prescribed or inappropriate medication, use of restraint or inappropriate restraint, inappropriate sanctions.

**Sexual****- Coercion or force to take part in sexual acts**

Inappropriate touching. Causing bruising or injury. Transmission of STD.

**Neglect****- Failure to identify and/or meet care needs**

Untreated weight loss, failing to administer reasonable care resulting in pressure sores or uncharacteristic problems with continence. Poor hygiene, soiled clothes not changed, insufficient food or drink, ignoring resident's requests, unmet social or care needs.

**Verbal****- Any remark or comment by others that causes distress**

Demeaning, disrespectful, humiliating, racist, sexist or sarcastic comments. Excessive or unwanted familiarity, shouting, swearing, name calling.

## **SAFEGUARDING POLICY: Staff Code of Conduct**

It is exceptionally important that people working with young people and vulnerable adults do not put themselves, or the people they are working with, in a position that could compromise their ability to remain objective about the application of the Trust Safeguarding Policy.

Staff and volunteers **should** wherever possible:

- Work in an open environment and be visible to others when working with young people or vulnerable adults e.g. avoiding private or unobserved situations.
- Wear their Trust name badge so that learners can easily identify them.
- Be alert to signs of abuse or information suggesting abuse and know how to report any concerns and suspicions. It is a legal and contractual responsibility for all staff and volunteers to pass on relevant information to the Trust designated officer.
- Be familiar, as far as practically possible, with the support agencies available i.e. Connexions, Local Safeguarding Children's Board and the Local Safeguarding Adults Board.
- Treat people with dignity. Respect each person's boundaries and help them to develop their own sense of their rights, as well as helping them to know what they can do if they feel that there is a problem.
- Maintain a safe, professional distance in all relationships with people. For example, if a young person or vulnerable adult makes sexual approaches or suggestions, tell them this is inappropriate and remove yourself from the situation.
- Value and respect children and vulnerable adults as individuals, with the adult modelling appropriate conduct - which would exclude bullying, aggressive behaviour, racism, sectarianism or sexism.
- Participate in any training which is available to support safeguarding
- Remember that those who abuse children and vulnerable adults can be of any age (including other children and vulnerable adults), gender, ethnic background or class, and it is important not to allow personal preconceptions about people to prevent appropriate action taking place.

## **PRACTICE TO BE AVOIDED**

The following practice should be avoided except in emergencies. If cases arise where these situations are unavoidable, they should occur with the full knowledge and consent of a manager or the young person's parent(s) / carer (s).

- Avoid spending excessive time alone with young/vulnerable people away from others.
- Avoid situations where guest lecturers, workshop practitioners and visitors are left alone with the young/vulnerable people under **your** supervision.
- Avoid taking young/vulnerable people to your home.
- Avoid offering young people lifts in your own car or on your own motor bike.
- Avoid socialising with young/vulnerable people enrolled on a course of study with the Trust on occasions when it does not constitute part of your normal duties.



- Avoid giving young/vulnerable people alcohol, tobacco products or any form of drug or medication, including the purchase of these items on their behalf.

## **PRACTICE THAT SHOULD NEVER OCCUR**

Staff and volunteers should:

- Never encourage or participate in an intimate and/or sexual relationship with young/vulnerable people enrolled on a course of study at the Trust or any other young person under the age of 18.
- Never engage in inappropriate physical or sexually provocative behaviour with young/vulnerable people enrolled on a course of study at the Trust or any other young person under the age of 18.
- Never make sexually suggestive or lewd comments to a young/vulnerable person, even in fun.
- Never develop relationships with a young/vulnerable person which could in any way be deemed exploitive or abusive.
- never act in ways that may be deemed abusive or may place a young/vulnerable person at risk of abuse.
- Never smack or physically hit a person, reduce them to tears as a form of control, or intentionally shame, humiliate, belittle or degrade them.
- Never allow people to engage in unacceptable behaviour or use offensive or discriminatory language without being challenged.
- Never allow allegations made by a person to go unchallenged, unreported or not acted upon.
- Never expose young/vulnerable people or vulnerable adults to activities that compromise their health or personal safety.
- Never divulge personal contact details to a young person or vulnerable adult or engage in communications with them using your own home or personal mobile phone or through your home e-mail account.
- Never issue any learners contact details to anyone.
- Never do things of a personal nature for a young person or vulnerable adult that they can do themselves.
- Never condone or participate in behaviour of young people, which is illegal, abusive or exposes anyone to any degree of danger or risk (that may or may not lead to injury, distress or illness).
- Never create or access any form of pornography, including via the internet

For further information please refer to DCSF 'Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings'.

## **Safeguarding: Apprenticeships / Work Placements / Work Experience**

### **Overview**

This procedure must be read in conjunction with the Trust Safeguarding Policy.

There are occasions when young people and vulnerable adults are required to attend work-place settings in order to complete their studies e.g. apprenticeships, work experience or work placements. Such activities are a valuable part of learner's development and are to be encouraged and supported. However, such work-place settings, especially those which extend over the longer term can pose increased risk to young people and vulnerable adults. In order to safeguard learners in such situations the organisation providing the work-based opportunity will be required to work in partnership with the Trust in order to meet the requirements set out below.

**Scope:** This procedure covers all forms of work-based activity required by a learner to satisfactorily complete their course of study while enrolled at the Trust. If a learner chooses to undertake additional work-based activities for their own development, it is their responsibility to ensure the appropriateness and safeguarding of such activities.

### **Guidance**

- 1.** All employer venues must be approved prior to the placement commencing. This is achieved by a designated member of Trust staff completing a risk assessment and recording the outcome in the HASP 10 form. Staff completing risk assessments will receive appropriate training. The HASP 10 form contains specific references to safeguarding and the measures which may need to be put in place.
- 2.** The time interval between re-approval checks of employer venues will be determined using a risk assessment methodology. Where a placement is considered high risk (possibly due to the nature of the work carried out) then the placement venue will be audited at least once every year. However, no learner would be put at risk and overly high-risk environments will be rejected by the Trust staff carrying out the assessment. Where the risks are felt to be less onerous the audit may be take place every two or three years. Every work-place provider will be audited at least once every three years. In any event if more than one learner attends the same site, the site will be subject to a risk assessment per learner.
- 3.** The work-place provider will appoint a named member of staff to act as the key worker for the placement. This person will be required to obtain an enhanced DBS check. This will be arranged and paid for by the Trust. The names and details of key workers will form part of the Trust single central record of staff approved to work with young people and vulnerable adults.
- 4.** The key worker will receive
  - a. A copy of the Trust Safeguarding Policy, be briefed on its content and sign to confirm they agree to work in accordance with it.
  - b. A copy of the Trust's code of conduct for staff with regard to safeguarding and agree to work in accordance with it.
  - c. The names and contact details of Trust staff with responsibility for safeguarding and made aware of when and how to contact them for support or advice.
- 5.** Learners attending a work-place setting will be provided with guidance on who to contact if they are worried about or uncomfortable about their surroundings or if they suffer abuse.

- 6.** Learners attending a work-place setting will receive regular contact from a person employed by the Trust e.g. Apprenticeship Manager. This may be by a face to face visit or via a phone conversation. During each contact Trust staff will check that the learner remains happy in the setting and has no issues or concerns which should be addressed.
- 7.** In all cases, the suitability of the learners to the setting will be taken into consideration. In some cases, it will be necessary for the learner to undergo enhanced DBS clearance, for example if they are to work with young children or in a health and social care setting.
- 8.** The effectiveness of this procedure will be monitored and reviewed using Trust self-assessment process, course reviews and identification of any recurring issues.

## **Safeguarding: Homestay Accommodation**

### **Overview**

This procedure must be read in conjunction with the Trust Safeguarding Policy.

In order to provide residential accommodation for International learners requiring a place to stay, the Trust has established a number of "host families" who provide accommodation. In order to ensure the safety and wellbeing of learners staying with host families a number of safeguarding checks are currently carried out.

### **Guidance**

- 1.** All venues wishing to act as a host family must first be approved. This will require an initial visit or interview by a Trust member of staff followed by an audit of the property using the Homestay Assessment form. The person undertaking the audit will have received appropriate training and will have carried out a lone worker risk assessment and will carry a personal alarm. The audit will take into consideration amongst other things safeguarding, health and safety, suitability of the venue to act as a host family to Trust learners and matching requirements for both the family and the learner.
- 2.** It will be the responsibility of the Trust International department to maintain the list of approved Homestay accommodation.
- 3.** All adults who live within the host family who are over 18 years old will be required to obtain an enhanced DBS check. This will be arranged and paid for by the Trust. The names and details of the host family will form part of the Trust single central record of staff approved to work with young people and vulnerable adults.
- 4.** The host family will receive
  - a. a copy of the Trust Safeguarding policy, be briefed on its content and sign to confirm they agree to work in accordance with it.
  - b. a copy of the Trust Homestay Policy and Procedures
  - c. the names and contact details of Trust staff with responsibility for safeguarding and made aware of when and how to contact them for support or advice.
- 5.** Learners staying with host families will be provided with guidance on who to contact if they are worried about or uncomfortable about their surroundings or if they suffer abuse.
- 6.** Learners staying with host families will receive regular contact from a person employed by the Trust. This will normally be by their attending the Trust. If however, Trust attendance is not required for a period of greater than two weeks, the Trust will ensure contact is made with the learner to ensure their ongoing wellbeing. It will be the responsibility of the International department to ensure these checks take place and a documentary record retained.
- 7.** The International department will be required to appropriately match the learner's needs to a suitable host family where possible and confirm all placements in writing with the host family including full details of the learners programme and their preferences.
- 8.** Exit assessments and evaluations to be carried out by the learner and the host family to ensure the quality of the accommodation provided is being maintained.
- 9.** The appropriateness of venues to act as host families will be re-assessed at least annually. Enhanced DBS disclosures will be renewed at least every five years.

## **Safeguarding: Away from Trust Premises**

### **Overview**

This procedure must be read in conjunction with the Trust Safeguarding Policy.

Specific procedures exist to provide guidance when considering safeguarding issues in work placements and host families. The purpose of this procedure is to provide guidance to other more general situations when learners maybe away from the main Trust site on a trip or other type of visit.

### **Guidance**

- 1.** All activities requiring learners to leave the Trust campus require a risk assessment to be completed. Approval for the trip must also be obtained prior to the trip taking place using the appropriate Trust procedures.
- 2.** When completing the risk assessment due consideration must be given to issues of safeguarding and these should be recorded on visit approval paperwork.
- 3.** Staff undertaking risk assessments will be trained in the completion of risk assessments and safeguarding.
- 4.** When planning the trip special consideration should be given to the profile of the learner group to assess the potential safeguarding issues. This should include: the age profile of the learners, any characteristics of individual learners which could make them more vulnerable, any medical or support needs of learners, the activity to be undertaken and the risks which may arise from this.
- 5.** Whenever a trip is to be for an extended period (greater than eight hours), staff of both genders should accompany the group.
- 6.** If volunteers are to accompany the group on the trip, wherever possible they should have obtained an enhanced DBS disclosure. Where an enhanced disclosure has not previously been requested by the Trust, it is possible for the volunteer to take part in the trip, but they should not be left solely in charge of learners or left alone in one-to-one situations with learners. Considerations such as this should be noted on the risk assessment paperwork.
- 7.** Staff on the trip should be issued with a Trust mobile phone so that they can be contacted and in return make contact with the Trust should the need arise.
- 8.** Learners should be briefed before the trip on reasonable measures to assure their safety. These need to reflect the profile of the group but should include agreed meeting times and locations, who to contact and how) in the event of an emergency, guidance on the avoidance of potentially unsafe situations such as becoming separated from friends/groups or being alone with an unfamiliar person in an isolated area.

## **Safeguarding: eSafety**

### **Overview**

This procedure must be read in conjunction with the Trust Safeguarding Policy.

The Trust is aware that young people and vulnerable adults can be vulnerable to exploitation or abuse through the medium of Information Technology. It is important that staff and volunteers are alert to potential risks vulnerable people may be exposed to, and that steps have been taken to mitigate the risk of this occurring. The below procedure sets out the steps the Trust takes to prevent this happening.

### **Guidance**

- 1.** Through the development and enforcement of the following policies and procedures the Trust will support the ongoing safe use of technology in the Trust:
  - a. The acceptable use of Trust IT systems Policy.
  - b. Health and Safety Policy.
  - c. Equality and Diversity Policy.
  - d. Bullying and Harassment Policy.
  - e. Teaching and Learning Policy.
  
- 2.** The Trust will provide training and development to learners such that they understand:
  - a. The safe use of social networking sites.
  - b. What cyber bullying is, ways in which to respond to it and who to refer matters to if they need further support.
  - c. The appropriate sharing of personal data and images.
  - d. All of the above will include the use of mobile technology, e mail, instant messaging and the internet.
  
- 3.** The Trust will also protect learners by:
  - a. Annually reviewing the Safeguarding Policy and this procedure and actions associated with their implementation to ensure that measures associated with eSafety are effective.
  - b. Putting in place mechanisms for raising awareness of eSafety issues with learners, stakeholders and staff
  - c. eSafety will be part of the induction of every learner. This may be through group tutorial, induction activity or appropriate references in course handbooks
  - d. Consideration to eSafety is embedded in the quality assurance procedures for the Trust.
  - e. Specific issues relating to eSafety are reported to the Safeguarding Officer. This will enable central tracking of issues and appropriate reporting to the senior management team and Governors.
  - f. Systems to protect learners including software monitoring are reviewed annually in conjunction with IT support areas.
  - g. Trust systems will champion good practice for eSafety, notably by not sharing learner personal information, with particular emphasis on areas such as the Trust website.
  - h. This procedure will be communicated to learners, staff, parents, carers and other stakeholders.

## **Safeguarding: 14-16 year Old Learners**

### **Overview**

This procedure must be read in conjunction with the Trust Safeguarding Policy.

The Trust is aware that young people under the age of 16 may be particularly vulnerable. This procedure sets out how the Trust will ensure the safeguarding of these learners.

### **Guidance**

- 1.** The Trust has devised a common timetable model. The timetable has been devised so that young people arrive at the Trust, complete their studies and then leave the campus.
- 2.** Each curriculum area with learners aged 14-16 year olds will produce a risk assessment. This will outline the potential risks and safeguarding measures to be put into place in the area to ensure the safety and wellbeing of the young people.
- 3.** As part of the risk assessment process consideration must be given to the need for learners aged 14-16 to be supervised at all times while on the Trust campus.
- 4.** All learners aged 14-16 will be registered upon arrival at the Trust. This information is then placed on the Trust software to enable schools to track attendance and confirm arrival at the Trust.
- 5.** As part of their induction to the Trust 14-16 year old learners are told about the measures the Trust puts into place to ensure their safeguarding and who to contact in the event that they are worried about a safeguarding matter.
- 6.** In the event of an incident occurring with regard to a learner aged 14-16, the Trust designated officer would establish contact with the relevant statutory agencies.
- 7.** Where learners are engaged in potentially hazardous activities the Trust Health and Safety Policy applies with the associated requirements for the completion of risk assessments, safe systems of work etc. NB In some cases particular guidelines apply in light of the young person's age. This is the case with regard to the use of certain machinery and potential dangerous tools.

## **Safeguarding: Management Reporting Framework**

### **Overview**

*This procedure must be read in conjunction with the Trust Safeguarding Policy.*

In order to ensure that members of the Trust Governing Council and key Trust managers are kept appropriately informed regarding Safeguarding matters, the below reporting framework for safeguarding will be implemented.

### **Guidance**

- 1. Annual Report to Governing Council.** There will be an annual report produced summarising issues and activities relating to Safeguarding in the previous academic year. This will contain:
  - a. Details of the Trust organisational structures relating to Safeguarding (names and positions). The designated officer for Safeguarding, the RAP (Regulated Activity Provider), and members of the Trust Governing Council Board (see below for more details).
  - b. Staff Statistics – confirmation of completion of appropriate checks (vetting and barring, DBS etc.) and associated numbers and percentages. Training undertaken by staff, including percentage completion against requirement at level 2 and 3.
  - c. Progress against performance indicators relating to Safeguarding.
  - d. Case statistics- a review of the number of cases dealt with in the Trust. This will report:
    - i. The number of cases referred to the Children’s Services Assessment and Referral team
    - ii. The number of cases referred to the Vulnerable Adults Team
    - iii. The number of cases brought to the attention of the Officer with lead responsibility for Safeguarding.
    - iv. The number of cases referred to the Disclosure and Barring Service (DBS) by the RAP.
  - e. Annual review of the Trust Safeguarding Policy.
  
- 2. Termly report to the Governing Council from the Safeguarding Board.** There will be termly reporting of the main issues considered by the Trust Safeguarding Board (December, March and July). In order to deliver a coherent and comprehensive response to Safeguarding, the Trust has instigated a board to oversee its Safeguarding activity. This will meet fortnightly. The board monitors all aspects of activity concerning Safeguarding. The reports will summarise the boards activity and bring forward to the Governing Council any significant developments or areas requiring consideration by the members of the Governing Council.
  
- 3. Exception reporting by the CEO/Principal.** As deemed necessary the CEO/Principal will provide exception reports at Trust Governing Council meetings. This will be an opportunity to inform the Council of any significant issues regarding Safeguarding. In these cases, the matter would have been discussed with the Chief Executive prior to the meeting.

At all times when reporting matters individual personal details will be removed in order to protect the identity of those involved. The exception will be in discussion with the lead governor, where specific detail may be required to inform decision making.



## **Safeguarding: The Legal framework**

- Health and Safety at Work Act 1974
- Rehabilitation of Offenders Act 1974
- The Equality Act 2010
- Children's Act 1989 (supplemented by the Children's Act 2004)
- Protection from Harassment Act 1997 (supplemented by Protection of Freedom Act 2012)
- Public Interest Disclosures Act 1998
- Data Protection Act 1998 (updated 2018)
- Human Rights Act 1998
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Special Education Needs and Disability Act (SENDA) 2001 (supplemented by The Children and Families Act (2014).
- Gender Recognition Act 2004
- Sexual Harassment Amendment 2005
- Racial and Religious Hatred Act 2006
- Safeguarding Vulnerable Groups Act 2006
- Corporate Manslaughter and Homicide Act 2007
- Modern Slavery Act 2015