



## **Safeguarding Young People and Adults at Risk Policy**

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Version	Date	Revision Author	Summary of Changes
9	05/09/19	Emma Proctor	Included 'Upskirting' New paragraph added Serious Violence Updated 'Honour Based Violence' to include FGM and Forced Marriage Reformatted, key responsibilities updated, and legislation updated as required
10	08.11.2019	Amanda Volante	Amended Document Reference
11	28/05/2020	Catherine Storer	Updated DSL details
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## Distribution

Name	Title
All Employees	Safeguarding Young People and Vulnerable Adults Policy
All Learners	Safeguarding Young People and Vulnerable Adults Policy
All Employers	Safeguarding Young People and Vulnerable Adults Policy
All Stakeholders and Relevant Parties	Safeguarding Young People and Vulnerable Adults Policy

## Approval

Name	Position	Signature	Date
Catherine Storer	Managing Director		18/09/2023

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## **1.1 Policy Statement and Objectives**

Essential Site Skills are committed to working with others to ensure that people who enrol on programmes of learning do so in an environment that is free from prejudice and safe from abuse. We recognise that it is everyone's responsibility, and we can all play a part in preventing, being alert to and responding appropriately to abuse and /or neglect.

Specifically we aim to: raise awareness about the abuse and/or neglect of children, young people and adults at risk, keeping safe online for staff and learners, develop a culture that does not tolerate such abuse and encourages people to raise concerns, prevent abuse from happening wherever possible, respond promptly and proportionately where abuse does happen to stop the abuse and ensure the person harmed receives effective and appropriate support including ongoing support / after care work within the agreed multi agency framework ensuring a coordinated response to safeguarding This policy is underpinned by associated procedures that provide straightforward guidance for all staff about what to do if any concerns are identified about harm/abuse, including where a member of staff may be implicated. They ensure that we respond promptly and effectively when there are concerns of abuse/harm to a child or young person or an adult at risk. These are not intended to be used in isolation but in conjunction with other policies and procedures to promote best practice including the complaints procedure, whistle blowing policy and within employment practices such as recruitment.

Essential Site Skills aims to create a culture of vigilance through ensuring all staff receive comprehensive safeguarding training from induction, training and regular updates. We aim to raise and promote the awareness of safeguarding across for all employers and learners by embedding safeguarding and online safety across all provision delivered. Staff and learner handbooks will be updated to include safeguarding policies and procedures and will be included as part of all staff and learner reviews.

## **1.2 Scope of the Policy**

The Safeguarding Policy is an over-arching policy applied across the business. It is important that all board members, directors, managers, staff, stakeholders, employers and learners are aware that safeguarding is everyone's responsibility and that we all have a duty to act on concerns of abuse or neglect. This Policy applies: to the protection of children, young people and adults at risk of abuse. It is inclusive of specific highlighted safeguarding agenda areas – as defined by law, and in the wider context all our students and learners. This policy also aligns our compliance with the Government Prevent strategy.

All individuals, organisations and external agencies working in partnership with Essential Site Skills will be given a copy of the policy and ongoing updates and are expected to adhere to set protocols. A copy of the policy is available on Essential Site Skills website.

For individuals with disabilities and/or where English is the second language the policy will be supported and communicated by a staff member to ensure understanding. In some instances, a suitable interpreter or facilitator may be sought.

## **1.3 Legislation and Statutory Responsibilities Children and Young People**

The standards in this policy build on and incorporate legislation and government expectations in respect of children. This includes the Children's Acts 1989 and 2004 and the Governments guidance The Education Act 2011, Working Together to Safeguard Children 2018 and Keeping Children Safe in Education September 2022 & 2023. This guidance is for statutory and voluntary agencies alike and covers all the expectations of government in relation to safeguarding children in England. Adults at Risk - The Care Act (2014) and

corresponding guidance (Department of Health 2014) outlines key principles for supporting adults who have been or are at risk of abuse or neglect and provides a framework for local authorities and partner organisations for making safeguarding enquiries. These principles and values govern how safeguarding procedures should be implemented and reflect the most recent national guidance and Local Authorities Multi-Agency procedures. The underpinning aim is to achieve good outcomes for adults at risk, based upon a culture of acceptable risk (including a person's right to make the "wrong" decision).

The six principles are listed below with more detailed explanations found within procedures underpinning this policy:

- Empowerment
- Protection
- Prevention
- Proportionality
- Partnerships
- Accountability

Other relevant legislation and guidance includes:

- Mental Capacity Act (2005) and Mental Capacity Act – code of practice (2007) provide a framework to empower and protect people who may lack capacity to make decisions for themselves
- Human Rights Act (1998) – includes a duty on public bodies to intervene proportionately to protect the rights of citizens
- The Data Protection Act (2018) – is the UK's implementation of the General Data Protection Regulation (GDPR).
- Equality Act (2010)
- Mental Health Act (2007), amended the Mental Health Act 1983
- Criminal Justice Act (2003)
- Criminal Justice and Courts Act 2015
- Counter Terrorism and Security Act (2019)
- Protection of Freedoms Act (2012) – established the Disclosure and Barring service
- Public Interest Disclosure Act (1998) – places a duty on everyone to report something that leaves someone at risk

### 1.4 Keeping Children Safe in Education

The 2023 version of KCSIE continues to reinforce that it is essential for everybody working in a School, college and educational provision regardless of their role, to understand their safeguarding responsibilities. All staff are, as a minimum, still required to read Part one of the guidance. However, from September 2021, those staff not working directly with children may be directed to read a condensed version of Part one which can be found here, [KCSIE 2023 Part One.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181955/Keeping_children_safe_in_education_2023.pdf) and is also distributed every September via AdobeSign for confirmation by each employee and associate.

Full KCSIE 2023 available here:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1181955/Keeping\\_children\\_safe\\_in\\_education\\_2023.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181955/Keeping_children_safe_in_education_2023.pdf)

**All staff are required to be familiar with and understand the content and practice expectations of Part one.**

KCSIE (2022) placed further emphasis on governance taking the 'strategic leadership responsibility' for safeguarding arrangements (Part two – The management of safeguarding).

Paragraph 78 states that governance must:

- Ensure that safeguarding arrangements comply with their duties under legislation;
- Have regard to KCSIE;
- Ensure policies, procedures and training in their setting is effective and complies with the law at all times.

Within the 2021 version of KCSIE there is significant content relating to peer-on-peer sexual violence and sexual abuse - Part five – Child on child sexual violence and sexual harassment. The guidance directs all settings to establish an 'it could happen here' approach and for all staff to be mindful that such abuse may also exist outside the setting contextually as well as online. This is reinforced within the Ofsted Education Inspection Handbook for 2021, with inspectors considering how providers handle allegations and instances of sexual harassment, online sexual abuse and sexual violence (Part five – Child on child sexual violence and sexual harassment).

It is important to recognise that how staff respond to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward. Essential Site Skills operate a 'zero tolerance' approach to sexual violence and sexual harassment. Therefore, under the staff duty of care it is essential not to establish a hierarchy of concerns and dismiss harmful behaviours as low level or explain them away as banter. Every report should be taken seriously and acted on, no matter how minor the behaviour may seem.

KCSIE directs staff to be mindful that victims of harmful sexual behaviour and/or assault may experience subsequent physical and mental health difficulties. Therefore, the need for additional ongoing support measures should be considered and, where identified as needed, arranged swiftly. This may include measures taken in-house and seeking external support. Part five also directs focus onto ensuring alleged perpetrators are supported with further information about harmful sexualised behaviours together with signposting to specialised support services were deemed appropriate under the guidance of the Safeguarding Team.

Part five contains a new section focusing on unsubstantiated, unfounded, false or malicious reports. This section details what action should be taken following such reports, particularly giving consideration to whether such incidents indicate an attempt at seeking help and /or whether disciplinary action is appropriate. Disciplinary action in such cases should be specified in the setting's Behaviour policy.

Whilst there have been several revisions of KCSIE. Each year the document is reviewed to ensure it is both fit for purpose and to incorporate provision for any emerging and /or worrying trends or changes to terminology.

KCSIE 2022 key updates from previous versions are as follows:

### **Online checks for new staff**

As expected from the consultation, the new KCSIE includes recommendations for potential new staff to be subject to a "digital screening" process prior to interview. On page 53, paragraph 220, the instruction reads:

*"As part of the shortlisting process, schools and colleges should consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview."*

### **All governors to receive safeguarding training**

On page 23, in the section titled: "Part two: The management of safeguarding", a new paragraph appears on the responsibility for governors to receive safeguarding training – at ESS Governors means Board members

*"Governing bodies and proprietors should ensure that all governors and trustees receive appropriate safeguarding and child protection (including online) training at induction."*

#### **Further detail on the effects of domestic abuse**

On page 14, under "*safeguarding issues*", a new paragraph appears titled "*domestic abuse*", where more information has been included on what kind of impact victims of domestic abuse might experience:

*"Domestic abuse...can [be] psychological, physical, sexual, financial or emotional. Children can be victims of domestic abuse. They may see, hear or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). All of which can have a detrimental and long-term impact on their health, well-being, development, and ability to learn."*

Page 10 "*indicators of abuse and neglect*" elaborates on this further.

#### **"Peer-on-peer" wording changed to "child-on-child"**

As expected, throughout the guidance, changes have been made so that references to "*peer-on-peer*" abuse are replaced with "*child-on-child*" abuse – however for ESS the term "*peer-on-peer*" perhaps is still more appropriate, but awareness of the terminology is paramount.

#### **Prevent update**

Under the "*opportunities to teach safeguarding*" section on page 33, a paragraph has been included describing how the new relationship and sexual health education (RSHE) curriculum will help schools prepare students for life in modern Britain – for ESS this is embedded throughout with enrichment activities (Induction/On-Programme) and we ensure this is evidenced in our Curriculum and Reviews.

#### **Human Rights and Equality Act reminders**

Another notable change to the KCSIE is found in sections 82-93, in which it states: "*Governing bodies and proprietors should be aware of their obligations under the Human Rights Act 1998 21, the Equality Act 2010 22, (including the Public Sector Equality Duty 23), and their local multi-agency safeguarding arrangements.*"

KCSIE 2023 key updates from previous versions are as follows:

#### **Filtering and monitoring**

The updated guidance makes it clear that all staff should receive training on the expectations, applicable roles and responsibilities in relation to filtering and monitoring. The designated safeguarding lead should take lead responsibility for understanding the filtering and monitoring systems and processes in place. Information on school child protection policies should include information on appropriate filtering and monitoring on school devices and school networks. The guidance signposts the Department for Education's new filtering and monitoring standards (DfE, 2023b), which support schools to have effective systems in place. Schools and colleges should consider meeting the DfE's Cyber security standards for schools and colleges (DfE, 2023c).

#### **Children absent from education**

The updated guidance highlights that being absent, as well as missing, from education can be warning sign of a range of safeguarding concerns, including sexual abuse, sexual exploitation or child criminal exploitation.

#### **Recruitment**

Updated guidance states that schools and colleges should inform shortlisted candidates that online searches may be done as part of pre-recruitment checks.

#### **Organisations or Individuals using school premises**

Updated guidance includes information on responding to allegations relating to incidents occurring when an individual or organisation uses a school's premises. As with all safeguarding allegations, schools should follow their safeguarding policies and procedures, including informing the Local Authority Designated Officer (LADO).

**A full list of changes can be found in Annex F of the Keeping children safe in education 2023 (DfE, 2023a).**

### 1.5 Definitions

Safeguarding is the term given to promoting the right of people to live without suffering or the fear of suffering, abuse or neglect and refers to all the preventative measures taken to stop someone being abused.

Safeguarding is the protection of children and adults at risk from abuse and neglect, promoting health and development, ensuring safety and care, and ensuring optimum life chances.

The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm.

The Safeguarding agenda includes a wide range of potential risks:

- Abuse (physical, emotional, financial, institutional, sexual, organisational)
- Self-neglect
- Discrimination
- Child sexual exploitation
- Bullying AND cyberbullying
- Domestic abuse
- Substance misuse
- Fabricated or induced illness
- Faith abuse
- Forced marriage
- Gang and youth violence
- Private fostering
- Female genital mutilation (FGM)
- Breast Ironing
- Gender based violence
- Radicalisation
- Sexting
- Teenage relationship abuse
- Trafficking and modern slavery
- Mental Health concerns
- Upskirting
- Children Missing in Education

#### Children and Young People

The legal definition of a child is someone under the age of 18. Some legislation in the UK allows young people from age 16 to make certain decisions for themselves however safeguarding legislation applies to anyone under 18 as this is the legal definition of a child. According to *Working Together 2018* the fact that a child who has reached 16 years of age is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate does not change his / her status or entitlements to services or protection. HM Government Working Together to Safeguard Children 2018, Keeping Children Safe in Education 2022/2023 and The Education Act 2011 guidance identifies safeguarding and promoting the welfare of children as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
- taking action to enable all children to have the best outcomes

#### Adults at Risk



The Care Act 2014 identifies that safeguarding duties apply to an adult who is over 18 years of age who:

- has needs for care and support (regardless of whether the local authority is meeting any of those) 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.

Safeguarding Adults means all activity which enables an adult to maintain independence wellbeing and choice and be able to live a life that is free from abuse or neglect, prevents abuse and neglect and promotes good practice in responding to concerns on a multi-agency basis.

While the definitions of a child and adult at risk give the rationale for legislative intervention, it is important to note that a person may be deemed at higher risk of a safeguarding issue affecting them due to other factors, examples:

- Poor numeracy and literacy skill, or specific learning need
- Unsupportive home environment
- English not a first language
- Unsupportive employer
- Underrepresented group
- Acting as a carer for another family member
- Background in offending
- Disability or social need

### 1.6 Definitions of types of Abuse and Neglect

‘Child abuse and neglect’ is a generic term encompassing all ill treatment of young and vulnerable learners, including serious physical and sexual assaults, as well as cases where the standard of care does not adequately support the persons health or development.

Abuse and neglect are forms of maltreatment of a young or vulnerable learner. Somebody may abuse a young or vulnerable learner by inflicting harm, or by failing to prevent harm.

Young and vulnerable learners may be abused in the family or an institutional or community setting by those known to them or, more rarely, by others (e.g., via the internet). An adult or adults and another child or children may abuse them.

Keeping Children Safe in Education sets out definitions and examples of the four broad categories of abuse: -

- Physical Abuse
- Emotional Abuse
- Sexual Abuse
- Neglect

#### Four kinds of Abuse and Neglect

**Physical Abuse** is an injury resulting from physical aggression. Even if the injury was not intended, the act is considered physical abuse. The injury from physical child abuse may be the result of:

- Beating, slapping, or hitting
- Pushing, shaking, kicking, or throwing

- Pinching, biting, choking, or hair-pulling
- Burning with cigarettes, scalding water, or other hot objects
- Severe physical punishment

#### Some Signs of Physical Abuse

- Burns, bite marks, cuts, bruises, or welts in the shape of an object.
- Resistance to going home.
- Fear of adults.

**Sexual Abuse** is any sexual act between an adult and a child, including penetration, intercourse, incest, rape, oral sex, and sodomy. Other examples include:

- Fondling – Touching or kissing a child's genitals, making a child fondle an adult's genitals.
- Violations of bodily privacy – Forcing a child to undress, spying on a child in the bathroom or bedroom.
- Exposing children to adult sexuality – Performing sexual acts in front of a child, exposing genitals, telling "dirty" stories, showing pornography to a child.
- Commercial exploitation – Sexual exploitation through child prostitution or child pornography

#### Some Signs of Sexual Abuse

- Inappropriate interest in or knowledge of sexual acts
- Seductiveness.
- Avoidance of things related to sexuality, or rejection of own genitals or body.
- Either overcompliance or excessive aggression.
- Fear of a particular person or family member.

**Emotional Child Abuse** is any **attitude, behaviour, or failure to act that interferes with a child's mental health or social development**. It can range from a simple verbal insult to an extreme form of punishment. Emotional abuse is almost always present when another form of abuse is found. Emotional abuse can have more long-lasting negative psychiatric effects than either physical or sexual abuse.

Other names for emotional abuse are:

- Verbal abuse
- Mental abuse
- Psychological maltreatment or psychological abuse

Emotional child abuse can come from adults or from other children:

- Parents or carers
- Teachers or coaches
- Siblings
- Bullies at school or elsewhere
- School girls in social cliques

**Child Neglect** is a very common type of child abuse. According to **Child Welfare Information Gateway**, more children suffer from neglect than from physical and sexual abuse combined. Yet victims are not often identified, primarily because neglect is a type of child abuse that is an act of omission - of not doing something.

Some overlap exists between the definitions of emotional abuse and emotional neglect. However, neglect is a pattern of failing to provide for a child's basic needs. A single act of neglect might not be considered child

abuse, but repeated neglect is definitely child abuse. There are three basic types of neglect; physical neglect, educational neglect, and emotional neglect.

- **Physical Neglect** is failure to provide food, clothing appropriate for the weather, supervision, a home that is hygienic and safe, and/or medical care, as needed
- **Educational Neglect** is failure to enrol a school-age child in school or to provide necessary special education. This includes allowing excessive absences from school.
- **Emotional Neglect** is failure emotional support, love, and affection. This includes neglect of the child's emotional needs and failure to provide psychological care, as needed.

#### **Signs of Neglect**

- Unsuitable clothing for the weather
- Being dirty or unbathed
- Extreme hunger
- Apparent lack of supervision

Abuse can take many forms including:

- Physical
- Emotional
- Sexual
- Financial
- Neglect and acts of omission
- Domestic abuse
- Professional abuse
- Organisational abuse

### **1.7 Safeguarding children with special educational needs and disabilities (SEND)**

Children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. Governing bodies and proprietors should ensure their child protection policy reflects the fact that additional barriers can exist when recognising abuse and neglect in this group of children. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration.
- being more prone to peer group isolation than other children.
- the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these barriers.

Staff should be extra vigilant when working with young people with special educational needs and disabilities.

### **1.8 Child-on-Child (Peer-on-Peer) Abuse**

Children can abuse other children (previously referred to as peer-on-peer abuse). This is most likely to include, but may not be limited to:

- bullying (including cyberbullying);

- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence, such as rape, assault by penetration and sexual assault;
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse;
- up skirting, typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm\*
- sexting (also known as youth produced sexual imagery); and
- initiation/hazing type violence and rituals.

**All** staff should be clear as to the Essential Site Skills policy and procedures with regards to child-on-child abuse. Abuse of any kind under the umbrella of "banter as jokes" will not be tolerated and appropriate action will be taken if identified.

*\*Upskirting has now been included within the statutory guidance and is **now** a criminal offence - currently prosecuted as an Outraging Public Decency offence however, HM Government plans to introduce a specific upskirting offence in England and Wales under The Voyeurism (Offences) (No.2) Bill which is punishable by up to 2 years in prison and, in the worst cases, offenders may be placed on the Sex Offenders Register.*

## 1.9 Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

### What is CSE & CCE?

CSE describes the involvement of children and young people in sexual activity through persuasion, force or coercion, believing that they will receive something in return, such as money, drugs or status. Often victims of CSE do not recognise that they are being abused, therefore it is important to recognise warning signs that a child or young person may be subject to sexual exploitation.

### Signs of CSE & CCE

- sexual health and behaviour: evidence of sexually transmitted infections, pregnancy and termination; inappropriate sexualised behaviour
- absent from school or repeatedly running away
- familial abuse and/or problems at home
- emotional and physical condition: deliberate self-harm, suicide attempts, unexplained injuries or changes in physical appearance
- gang membership or association, older age groups and involvement in crime
- use of technology and sexual bullying
- alcohol and drug misuse at problematic levels
- receipt of unexplained gifts or money
- distrust of authority figures.

CEOP (Child Exploitation and Online Protection Centre): Formed in 2006, CEOP's aim is to eradicate the sexual abuse of children. It is part of UK policing and works with a variety of national and international agencies to investigate wrongdoing. Raising public awareness and educating children and parents so that they can look after themselves is a key part of what the organisation does.

### 1.10 Sexual Violence and Sexual Harassment

Sexual violence and sexual harassment can occur between two individuals of any age and sex. It can also occur through a group of individuals sexually assaulting or sexually harassing a single individual or group of individuals.

Individuals who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment.

Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physically and verbally) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support.

Reports of sexual violence and sexual harassment are extremely complex to manage. It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that all children and young people, adult learners and staff are supported and protected as appropriate.

Sexual violence and sexual harassment are not acceptable and will never be tolerated or dismissed as “banter”.

Individuals wishing to raise a concern should report the incident immediately to a member of the Safeguarding Team at Essential Site Services.

### 1.11 Domestic Abuse

We define domestic abuse as an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence, in most cases by a partner or ex-partner, but also by a family member or carer. It is very common. In the vast majority of cases, it is experienced by women and is perpetrated by men however this is not exclusive. Please refer to the Equality & Diversity Policy for further guidance.

Domestic abuse can include, but is not limited to, the following:

- Coercive control (a pattern of intimidation, degradation, isolation and control with the use or threat of physical or sexual violence)
- Psychological and/or emotional abuse
- Physical or sexual abuse
- Financial or economic abuse
- Harassment and stalking
- Online or digital abuse

Any alleged or suspected incidents of domestic abuse should be reported to the Designated Safeguarding Lead. Other sources of support may be found at:

1. National Domestic Abuse Helpline- <https://www.nationaldahelpline.org.uk/> Freephone 0808 2000 247
2. Respect phoneline [www.respectphoneline.org.uk](http://www.respectphoneline.org.uk) Freephone 0808 802 4040
3. Men’s Advice Line [www.mensadviceline.org.uk](http://www.mensadviceline.org.uk) Freephone 0808 801 0327
4. Police 999

## 1.12 What is FGM?

The World Health Organisation (WHO) defines FGM as procedures which include the removal of part or all of the external female genitalia for cultural or other non-therapeutic reasons. The practice is medically unnecessary, extremely painful and has serious health consequences, both at the time when the mutilation is carried out and in later life. The procedure is typically performed on girls aged between 4 and 13, but in some cases, it is performed on new-born infants or on young women before marriage or pregnancy.

### FGM and the Law

FGM has been illegal in the UK since 1985. In 2003 it also became illegal to take a British national or permanent resident overseas for FGM, or to aid, abet, counsel or procure the carrying out of FGM abroad, even in countries where the practice is legal. The crime carries a sentence of up to 14 years. Despite this, there have never been any successful convictions in the UK. To combat this, the UK Government amended the legislation regarding FGM in 2015. In England and Wales, but not in Scotland, a system of mandatory reporting has now been introduced. This means that it is now mandatory for all health and education professionals to notify the police when they are informed by a girl under 18 that an act of FGM has been carried out on her; or observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe that the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth. The Female Genital Mutilation Act 2003 was amended by sections 70-75 of the Serious Crime Act 2015.

Suspicions may arise in a number of ways that a child is being prepared for FGM to take place abroad.

Indicators may exist that FGM may have or has already taken place, for example:

1. Preparations are being made to take a long holiday abroad or going 'home' to visit family - arranging vaccinations or planning an absence from education
2. The young person has changed in behaviour after a prolonged absence from education; or
3. The young person has health problems, particularly bladder or menstrual problems.

If you suspect that a child or young person is being sexually exploited or suspect an act of FGM has or is to take place you must raise your concern immediately to a designated safeguarding officer who will discuss your concerns with a member of the Local Safeguarding Team or Police who will be able to advise on how to proceed in the first instance.

## 1.13 Honour based violence (including Female Genital Mutilation and Forced Marriage)

Honour based violence is a violent crime or incident which may have been committed to protect or defend the honour of the family or community including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators

It is often linked to family members or acquaintances who mistakenly believe someone has brought shame to their family or community it is something that is not in keeping with the traditional beliefs of their culture.

### Honour based violence might be committed against people who:

- become involved with a boyfriend or girlfriend from a different culture or religion
- want to get out of an arranged marriage (both people have agreed)
- want to get out of a forced marriage (a marriage carried out without the consent of both people)

- wear clothes or take part in activities that might not be considered traditional within a particular culture

Women and girls are the most common victims of honour-based violence however it can also affect men and boys. Please refer to the Equality & Diversity Policy for further guidance. Crimes of 'honour' do not always include violence. Crimes committed in the name of 'honour' might include:

- domestic abuse
- threats of violence
- sexual or psychological abuse
- forced marriage being held against their will
- assault

Teaching staff must personally report to the police cases where they discover that an act of FGM appears to have been carried out and inform the internal Safeguarding Team. Where suspected cases (i.e., where the tutor does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over you must report this to the internal Safeguarding Team who will explain the next steps.

### 1.14 Serious Violence and Gang Involvement

Groups of children and young people often gather together in public places to socialise, and peer association is an essential feature of most children's transition to adulthood. Groups of children and young people can be disorderly and/or anti-social without engaging in criminal activity.

Children and Young People can also be part of an Organised criminal group - a group of individuals normally led by adults for whom involvement in crime is for personal gain (financial or otherwise). This involves serious and organised criminality by a core of violent gang members who exploit vulnerable young people and adults. This may also involve the movement and selling of drugs and money across the country, known as 'county lines' because it extends across county boundaries. It is a tactic used by groups or gangs to facilitate the selling of drugs in an area outside of the area in which they live, often coordinated by mobile phone and reducing their risk of detection. It almost exclusively involves violence, intimidation and the offer of money or drugs.

Young people can become indebted to gang/groups and exploited in order to pay off debts and may be going missing and travelling to market or seaside towns often by rail but sometimes car or coach. They may have unexplained increases in money or possessions. Young men and women may be at risk of sexual exploitation in these groups.

Staff should be aware of indicators, which may signal that children and vulnerable adults are at risk from or are involved with serious violent crime. These may include increased absence, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that they have been approached by, or are involved with, individuals associated with criminal networks or gangs.

Staff should be aware of the associated risks and understand the measures in place to manage these. Advice is provided in the **Home Office's Preventing youth violence and gang involvement** and its **Criminal exploitation of children and vulnerable adults: county lines guidance**.

### 1.15 Mental Health

Mental health problems affect about one in ten children and young people. They include depression, anxiety and conduct disorder, and are often a direct response to what is happening in their lives.

The emotional well-being of young people is just as important as their physical health. Good mental health allows children and young people to develop the resilience to cope with whatever life throws at them and grow into well-rounded, healthy adults.

Things that can help keep children and young people mentally well include:

- being in good physical health, eating a balanced diet and getting regular exercise
- having time and the freedom to play, indoors and outdoors
- being part of a family that gets along well most of the time
- going to a school/training provider that looks after the well-being of all its pupils
- taking part in local activities for young people.

Other factors are also important, including:

- feeling loved, trusted, understood, valued and safe
- being interested in life and having opportunities to enjoy themselves
- being hopeful and optimistic
- being able to learn and having opportunities to succeed
- accepting who they are and recognising what they are good at
- having a sense of belonging in their family, school and community
- feeling they have some control over their own life
- having the strength to cope when something is wrong (resilience) and the ability to solve problems.

Most children grow up mentally healthy, but surveys suggest that more children and young people have problems with their mental health today than 30 years ago. That's probably because of changes in the way we live now and how that affects the experience of growing up.

### **Dealing with change**

Mostly things that happen to children don't lead to mental health problems on their own, but traumatic events can trigger problems for children and young people who are already vulnerable.

Teenagers often experience emotional turmoil as their minds and bodies develop. An important part of growing up is working out and accepting who you are. Some young people find it hard to make this transition to adulthood and may experiment with alcohol, drugs or other substances that can affect mental health.

### **Risk factors**

There are certain 'risk factors' that make some children and young people more likely to experience problems than other children, but they don't necessarily mean difficulties are bound to come up or are even probable.

Some of these factors include:

- having a long-term physical illness
- having a parent who has had mental health problems, problems with alcohol or has been in trouble with the law
- experiencing the death of someone close to them
- having parents who separate or divorce
- having been severely bullied or physically or sexually abused
- living in poverty or being homeless
- experiencing discrimination, perhaps because of their race, sexuality or religion
- acting as a carer for a relative, taking on adult responsibilities
- having long-standing educational difficulties.



### Types of mental health problems

These are some of the mental health problems that can affect children and young people.

**Depression** affects more children and young people today than in the last few decades, but it is still more common in adults. Teenagers are more likely to experience depression than young children.

**Self-harm** is a very common problem among young people. Some people find it helps them manage intense emotional pain if they harm themselves, through cutting or burning, for example. They may not wish to take their own life.

Children and young people with **Generalised Anxiety disorder (GAD)** become extremely worried. Very young children or children starting or moving school may have separation anxiety.

**Post-traumatic Stress Disorder (PTSD)** can follow physical or sexual abuse, witnessing something extremely frightening or traumatising, being the victim of violence or severe bullying or surviving a disaster.

Children who are consistently **Overactive** (or 'hyperactive'), behave impulsively and have difficulty paying attention may have **Attention Deficit Hyperactivity Disorder (ADHD)**. Many more boys than girls are affected, but the cause of ADHD isn't fully understood. Please refer to the Equality & Diversity Policy for further guidance.

**Eating disorders** usually start in the teenage years and are more common in girls than boys. The number of young people who develop an eating disorder is small but eating disorders such as anorexia nervosa and bulimia nervosa can have serious consequences for their physical health and development. Please refer to the Equality & Diversity Policy for further guidance.

### 1.16 Radicalisation, Prevent and Channel

The government defines radicalisation as *'the process by which a person comes to support terrorism and forms of extremism leading to terrorism.'* Young and vulnerable learners are susceptible towards radicalisation by malicious individuals who attempt to lead the young/vulnerable learners astray and to commit violent extremism.

Extremism is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty, mutual respect and tolerance of different faiths and beliefs and the calls for death of members of our armed forces, whether in this country or overseas. During the process of radicalisation, it is possible to intervene to prevent vulnerable people being radicalised.

Radicalisation can happen in many different ways and settings. Specific background factors may contribute to vulnerability which are often combined with specific influences such as family, friends or online, and with specific needs for which an extremist or terrorist group may appear to provide the answer. The internet and the use of social media in particular has become a major factor in the radicalisation of young people.

The government has defined terrorism, in section 1 of the Terrorism Act 2000, as 'the use or threat of action...designed to influence the Government or to intimidate the public or a section of the public... for the purpose of advancing a political, religious or ideological cause'. The government's Counter Terrorism Strategy defines extremism as 'the process by which a person comes to support terrorism and forms of extremism leading to terrorism'. Please refer to the Prevent Duty Policy and the Equality & Diversity Policy for further guidance.

#### Prevent

From 1 July 2015 specified authorities, including all schools are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 ('the CTSA 2015'), in the exercise of their functions to have '*due regard to the need to prevent people from being drawn into terrorism*'. This duty is known as the Prevent duty.

The statutory Prevent guidance summarises the requirements in terms of four general themes: -

- The risk of learners being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology should be assessed. This means being able to generate both a general understanding of the risks affecting young people in the area and a specific understanding of how to identify individual learners who may be at risk of radicalisation and what to do to support them. Clear procedures should be in place for protecting young people at risk of radicalisation.
- The Prevent duty builds on existing local partnership arrangements; safeguarding arrangements should take into account the policies and procedures of Local Safeguarding Children Boards (LSCBs) and Multi-Agency Safeguarding Hubs (MASHs).
- Prevent guidance refers to the importance of Prevent awareness training to equip staff to identify learners at risk of being drawn into terrorism and to challenge extremist ideas.
- We must ensure that learners are safe from terrorist and extremist material when accessing the internet, ensuring that suitable filtering is in place. It is also important that learners are taught about online safety.

### Channel

Channel is a programme with focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for educational institutes to make referrals if they are concerned that an individual might be vulnerable to radicalisation. An individual's engagement with the programme is entirely voluntary at all stages.

In line with our policy and procedure, the Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) will make the referral to Channel. Please refer to the Prevent Duty Policy and the Equality & Diversity Policy for further guidance.

Following a referral, the panel will assess the extent to which identified individuals are vulnerable to being drawn into terrorism, and, where considered appropriate and necessary consent is obtained, arrange for support to be provided to those individuals. Section 38 of the CTSA 2015 requires partners of Channel panels to co-operate with the panel in the carrying out of its functions and with the police in providing information about the referred individual.

### 1.17 Our Approach and Key Policy Principles

The following principles shape our approach to safeguarding. We recognise:

- the majority of our learners have the capacity to keep themselves safe and make informed choices and decisions. We will not assume someone is vulnerable to abuse simply because of age or disability. We will however, act to support learners and help them to seek protection from abuse, in the light of particular concerns and in response to an individual's particular needs.
- that anyone raising a safeguarding alert, allegation or concern in good faith should always be listened to, believed and assured that we will act on their concern.
- the wishes and preferences of the Adult at Risk should be central to the Adult Safeguarding process
- the value in promoting safeguarding so that learners can safeguard themselves
- our duty to be vigilant regarding the welfare of our learners and to train staff to recognise the signs of abuse and/or neglect

- our obligation to ensure we only recruit and employ staff working with children, young people and adults at risk who are competent and safe to do so. We will undertake Safer Recruitment practices and the necessary DBS (Disclosure & Barring Service) checks and will share information on staff found to be unsuitable to work with people at risk, by referring their details to the DBS
- the need to ensure our staff are confident and fully equipped to respond to concerns of abuse. This will be achieved by training that is targeted appropriately to specific roles and through clear procedural guidance and supporting information
- the need for clear lines of accountability and defined roles and responsibilities within the organisation for safeguarding and promoting the welfare of children, young people and vulnerable adults.
- that abuse may be committed by a member of staff, agent or by others who are in a trusting relationship with a vulnerable person and have procedures in place to enable concerns to be identified and addressed, including referrals to the Local Authority Designated Officer (LADO) where abuse of a child or young person by a professional is suspected and Adults Services where abuse of an adult at risk by a professional is suspected
- safeguarding is a multi-agency approach which depends on effective joint working. We recognise the lead responsibility of local authorities in coordinating safeguarding work and our own role in alerting Children's and Adult services and the police of any concerns regarding safety. Any suspected or actual crime will be referred to the police
- appropriate information sharing between organisations is essential to safeguard people at risk and we will act in accordance with agreed inter agency information sharing protocols. Where possible we will seek a person's consent to share information however we cannot guarantee confidentiality when our duty to safeguard adults or children at risk, or the public interest, is greater than our responsibility to an individual
- that good record keeping (clear, concise, factual and accurate) is essential in safeguarding, enabling an appropriate response to concerns. It can also be key to preventing abuse as it can provide indicators of particular risks or vulnerabilities.
- the importance of monitoring all reports of suspected or known abuse, their management and resolution including serious case reviews
- the importance of operating a victim-centred approach, which treats people with dignity, respect and without prejudice. We will respect the rights of the person causing harm, as far as is possible

Our processes and procedures will underpin the above and provide staff with the framework for supporting learners.

In addition, we work to ensure all our learners' respective workplaces and employing organisations are fully compliant and understand their obligations in relation to Safeguarding and Prevent Duty.

### **Employer Organisation Responsibilities:**

- Understand what is meant by Safeguarding and Prevent Duty and promote the welfare of learners.
- Be aware of your statutory duties regarding the welfare of children and vulnerable adults.
- Provide a safe, supportive environment for learners both on and off site.
- Identify if there are learners who are suffering, or likely to suffer, significant harm.
- Be familiar with our guidance and reporting arrangements.

It may be that an employer organisations requires further support with regard to their duty and quite often this depends on what policies an organisation already has in place, for many employers it is likely that there will be no extra arrangements, however all employers must be aware that any learner employed by themselves and undergoing training with Essential Site Skills Ltd is included in the scope of both Safeguarding and Prevent legislation.

Why is Safeguarding and Prevent necessary for employed learners?

As providers of government funded training, we have a duty to safeguard our learners and take steps that try to ensure the safety of our learners (children or vulnerable adults) at all times, whether that be in a classroom or workplace environment

As part of that duty, we offer employers guidance as to what you can do to ensure that learners are not exposed to threats or dangers. It is the responsibility of the employer to ensure employees working alongside learners are free from convictions and of sound character and judgement and will not pose a threat or danger to learners. Please refer to the Prevent Duty Policy and the Equality & Diversity Policy for further guidance.

### **1.18 Equality and Diversity**

We appreciate that abuse may receive less recognition amongst particular groups, religions and cultures. We will ensure we raise awareness of safeguarding issues and our approach with learners of all backgrounds and ensure they are comfortable and empowered to report and discuss incidents of abuse and neglect.

Essential Site Skills will make sure that the communication of this policy is clear for all individuals, in particular those with disabilities, complex needs and/or where English is a second language, in these instances suitable interpreters and facilitators may be sought.

### **1.19 Safeguarding information for all staff**

Essential Site Skills staff have a responsibility to provide a safe environment in which learners can learn. They should also:

- Be aware and familiar themselves with Essential Site Skills policy and procedures which supports safeguarding
- Understand the role and identity of the Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) and other members of the Safeguarding Team
- Receive appropriate safeguarding training, which is regularly updated, and child protection updates (for example, online training course, via email, e-bulletins and staff meetings)
- Be aware of the signs of abuse and neglect, and what to do if a learner makes a disclosure
- Know how to manage the requirement to maintain an appropriate level of confidentiality (i.e., only involving those who need to be involved)
- Never promise that they won't tell anyone about a report of abuse.
- Always act in the best interests of the learner

**For Safeguarding and Prevent to function well we need to develop a culture of vigilance in which:**

- **We all look out for each other**
- **We all understand “it could happen here”**



All staff and learners know how to implement the policy and why they have to do so and everyone accepts their responsibility and accountability, challenging others is acceptable when practiced professionally.

Essential Site Skills work to empower learners to safeguard themselves and others and develop their resilience and promote how Prevent and Safeguarding is embedded and vertically integrated throughout the organisation. Everyone is responsible for undertaking training on Safeguarding, preventing radicalisation and extremism, for making themselves aware of the procedures contained within this document and for promoting fundamental British values as part of their day-to-day activity.

The Board of Directors have oversight responsibility for Essential Site Skills response to Safeguarding and the Prevent Duty. They will monitor and review prevent procedures on at least a quarterly basis and have oversight responsibility for the promotion of British values and how these values are embedded as part of Essential Site Skills teaching and learning sessions.

The Safeguarding Director (SD) has overall strategic responsibility for the implementation of this policy. The Strategic Safeguarding Lead (SSL) and Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) contribute to the enactment and operational compliance of this policy and for reporting concerns to external agencies as appropriate.

## 1.20 Staff actions to follow for safeguarding concerns

If staff have safeguarding concerns about a learner, they should act **immediately**. They should follow Essential Site Skills safeguarding procedures and **speak to one of the Designated Safeguarding Team** about the concern and best action to take, including whether a referral needs to be made.

If the Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) is not available (please refer to the Prevent Duty Policy and the Equality & Diversity Policy for further guidance), **you should**:

- **Not delay** taking action
- Discuss with a member of the senior management team and/or take advice from local children's social care or adult services
- Share any action taken with a Designated Safeguarding Lead (DSL) as soon as is practically possible

If you believe a child or vulnerable adult is in immediate danger or at risk of harm, they should make a referral to children's social care (and the police if appropriate) **immediately**.

All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing (using the [Safeguarding@essentialsiteskills.com](mailto:Safeguarding@essentialsiteskills.com) email), staff should discuss any uncertainties about recording requirements with the Designated Safeguarding Lead (DSL).

All staff should speak to a Designated Safeguarding Lead (DSL) regarding concerns about female genital mutilation (FGM), there is a specific legal duty where FGM is discovered to have been carried out on a girl under the age of 18 this **must** be reported to the police.


### 1.21 Key Contacts & Responsibilities

To report a safeguarding incident or concern contact one of our designated safeguarding officers at Essential Site Skills by email or telephone as noted below or email [Safeguarding@essentialsiteskills.com](mailto:Safeguarding@essentialsiteskills.com) and one of our Designated Safeguarding Team will contact you direct within 24 hours of receipt.


**If urgent and immediate action required with serious risk to health, well-being or life call 999 immediately.**

Internal Contacts			
Designated Safeguarding Lead (DSL)	Katy Baker	07985 728 605	<a href="mailto:Katy@essentialsiteskills.com">Katy@essentialsiteskills.com</a>
Strategic Safeguarding Lead (SSL)	Nick Yoxall	07803 590 432	<a href="mailto:Nick@essentialsiteskills.com">Nick@essentialsiteskills.com</a>
Safeguarding Director (SD)	Catherine Storer	07985 281 546	<a href="mailto:Catherine@essentialsiteskills.com">Catherine@essentialsiteskills.com</a>


## SAFEGUARDING TEAM




**Catherine Storer**  
Safeguarding Director (SD)  
catherine@essentialsiteskills.com  
07985 281 546



**Nick Yoxall**  
Strategic Safeguarding Lead (SSL)  
nick@essentialsiteskills.com  
07803 590 432



**Katy Baker**  
Designated Safeguarding Lead (DSL)  
katy@essentialsiteskills.com  
07985 728 605



The responsibilities of particular individuals are detailed below:

- Our **Board and Safeguarding Director (SD)** - to ensure we have effective policies.
- Our **Strategic Safeguarding Lead (SSL)** - to ensure policies are implemented and followed, and sufficient time and resources are allocated to employees to carry out their responsibilities.
- Our **Designated Safeguarding Lead (DSL)** – to maintain links with Local Safeguarding Children’s Boards and Prevent Coordinators, plan and implement training for all employees. Carry out investigations where appropriate into welfare concerns reported and liaise with external bodies such as safeguarding board where appropriate. Overall recording and management of safeguarding issues and report to board on any issues that arise. Review

procedures and policies on a timely basis. Maintain own CPD to ensure their role can be fulfilled competently.

- All **Essential Site Skills Personnel** - to check safety and welfare with all learners at each visit/communication, ensuring learners complete all safety related learning activities within their programme. You must be mindful of indicators and that there may be a safeguarding issue – see within the Appendices when to follow the 5 R's procedure and our flow chart for reporting issues that concern them or are reported to them. To carry out training as directed by the safeguarding team in a timely manner.

External Contacts			
<b>Local Children Safeguarding</b>  Nottingham Children and Families Direct	Open 8.30 – 5pm, outside these hours only for emergency safeguarding enquires only	0115 876 4800	<a href="mailto:Candf.direct@nottinghamcity.gcsx.gov.uk">Candf.direct@nottinghamcity.gcsx.gov.uk</a>
<b>Local Adult Safeguarding</b>  Nottingham City Council Access Duty Team for Adults	Open 8.30 – 5pm, outside these hours only for emergency safeguarding enquires only	0300 131 0300 Option 2  0300 500 8080	
East Midlands Regional Prevent Coordinator HE/FE	Sam Slack	07384 452 156	<a href="mailto:sam.slack@education.gov.uk">sam.slack@education.gov.uk</a>

## 1.22 Safer Recruitment

Essential Site Skills will take all possible steps to prevent unsuitable persons working with young or vulnerable learners and in doing so will follow the good practice contained within the legislative document Safeguarding Children and Safer Recruitment in Education (2007) and the Safer Practice, Safer Learning document produced by NIACE.

### When interviewing potential staff, we will ensure:

- There is an open recruitment process whereby CVs are not accepted with Full Application
- Applicants identity and claims to academic or vocational qualifications will be verified
- References will be taken up by direct contact with referees; for their last 3 years of employment
- Evidence of the date of birth and address of the applicant will be obtained
- Where appropriate, a Disclosure and Barring Service Check will be conducted

A Single Central Record (SCR) will be held for all staff employed by Essential Site Skills and this will be updated on an on-going basis.

Essential Site Skills Ltd carries out a safe recruitment process and ensures that all appropriate checks are carried out on new staff that will work or come into contact with children and adults at risk in line with the Disclosure and Barring Service requirements.

### Disclosure and Barring Service Checks

The Disclosure and Barring Service (DBS) is an executive agency of the Home Office, and its primary purpose is to help employers make safer recruitment decisions and appointments. By conducting checks and providing



details of criminal records and other relevant information, DBS helps to identify applicants who may be unsuitable for certain work and positions, especially those involving contact with children (those less than 18 years old) or adults at risk.

Depending on the type and regularity of contact with children or adults at risk involved in a particular role, employers are entitled to make appropriate types of enquiry about the applicant's criminal record and seek a disclosure through a DBS check. Essential Site Skills Ltd can undertake five types of criminal records checks depending on the role applied for:

### **1. Standard DBS check**

This will be for positions that are included in the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975. This type of check contains details of individual's convictions, cautions, reprimands or warnings recorded on police central records and includes both 'spent' and 'unspent' convictions that will be shown on a criminal records check.

### **2. Enhanced DBS check**

This will be for positions included in both the ROA 1974 Exceptions Order and in the Police Act 1997 regulations. This type of check contains the same details as the standard check plus any information held locally by police forces that it is reasonably considered to be relevant to the post applied for.

### **3. Enhanced DBS & barred list check (child)**

An enhanced check with information from the DBS's children's barred list is only available for those individuals engaged in regulated activity with children and a small number of posts as listed in the Police Act 1997 regulations.

### **4. Enhanced DBS & barred list check (adult)**

An enhanced check with information from the DBS's adults barred list is only available for those individuals engaged in regulated activity with adults and a small number of posts as listed in the Police Act 1997 regulations.

### **5. Enhanced DBS & barred list check (child and adult)**

An enhanced check with information from the DBS's children and adults barred list is only available for those individuals engaged in regulated activity with both vulnerable groups including children and a small number of posts as listed in the Police Act regulations.

## **When and What Type of DBS Check is Appropriate**

Essential Site Skills Ltd Safeguarding Director is responsible for deciding which level of check is appropriate for a particular role and whether barred list checks are necessary. Even where a post has some contact with children or adults at risk, the definition of regulated activity may not be fully satisfied, but in order to safeguard our learners any unsupervised contact with learners will result in an enhanced DBS check with child barred list. The Safeguarding Vulnerable Groups Act 2006 (amended by the Protection of Freedoms Act 2012) defines what types of activities involving children and adults at risk are regulated and therefore require barring list checks.

Regulated Activity – is a term that defines activities that an individual engages in. The criteria for regulated activity differ for adult and children:

#### **Children**

- Regular activity (once per week or 4 times over the course of 1 month)
- Unsupervised activity

- Teaching, training, assessing, mentoring based activities in relation to non-work-related activities - working intensively and closely with a child
- Within a specified setting

### Adult

- Health care professionals - giving first aid or receiving first aid
- Receiving or giving personal assistance to those due to age, illness or disability (going to the toilet/ washing/ nutritional advice)
- Providing social care - being subject to or assessing the need for health/ social care
- Providing assistance in someone's personal affairs or allowing someone else to do so.
- Provide assistance with cash, bills and shopping (allowing someone else to or shopping on someone's behalf)
- Person who transports or is transported because of their illness

Individuals must not engage in regulated activity with either children or adults at risk if they have been barred from doing so by the Disclosure and Barring Service (DBS). How we meet our responsibility towards this is explained below.

Where Essential Site Skills Ltd is recruiting for a role that qualifies for a DBS disclosure, the advert and further information will confirm the type of DBS disclosure required. When the most suitable candidate for the position has been identified, the offer of appointment will be made subject to a satisfactory DBS, right to work, references and qualification checks. In the instance that the outcome of a DBS check has not been received from the appropriate authority prior to learner visits being carried out, all visits with learners will be supervised by a person whose DBS outcome has been received and approved. The Managing Director will be responsible for arranging this supervision. Quality assurance of this process will take place on a weekly basis.

As a DBS check forms part of our recruitment process, we encourage all candidates to declare anything relevant to the type of disclosure required for the role they applied for. Once an offer has been made, candidates should tell us of any further details of convictions, including those that normally would be considered as spent, cautions or reprimands.

As part of our safeguarding obligations, we will re-apply for the appropriate types of DBS checks on a 3-year basis during employment with Essential Site Skills Ltd.

### Confidentiality

Information provided in a DBS disclosure report must be kept confidential and only on a need-to-know basis. All information regarding offences must be kept securely and in accordance with Essential Site Skills Ltd Data Protection Policy.

We recognise that job applicants and our employees need to feel confident that information about their convictions will not be disclosed to colleagues unless there is a specific reason for doing so. Those involved in recruitment decisions should ensure that when appointing an individual with a conviction, they are advised as to whom within Essential Site Skills Ltd knows of their conviction and the reasons why the information has been disclosed.

### Failure to Disclose Information Relevant to the Type of DBS Check Appropriate to Your Role

Having a criminal record does not necessarily preclude an individual from working at Essential Site Skills Ltd. The decision as to whether a person with a criminal record should be appointed, or an offer of employment withdrawn, or employment terminated will be taken only after careful and thorough consideration of the outcome of any DBS check as well as job and offence related factors.

Nonetheless we request all employees to tell us about any information relevant to the type of DBS check appropriate for their role. This could mean, for example, that if your role requires satisfactory Enhanced DBS and barring check, you need to tell us about any convictions, cautions or reprimands or being barred from working with children as soon as any of these have been issued. Failure to disclose information relevant to the type of DBS check appropriate to your role would be seen by Essential Site Skills Ltd as a breach of trust and confidence. Such acts are considered as gross misconduct and you would be invited to a disciplinary hearing with a potential outcome of instant dismissal.

### **Exploring the Relevance of Information Provided in the Disclosure Report**

As we explained in the previous section having a criminal record does not necessarily preclude an individual from working at Essential Site Skills Ltd. The decision as to whether a candidate with a criminal record should be appointed, or an offer of employment withdrawn, will be taken only after careful and thorough consideration of the outcome of any DBS check as well as the job and offence related factors.

Similar to the recruitment process, a disclosure of a criminal record will not necessarily lead to termination of your employment with us, and the decision will be taken only after careful and thorough consideration of the job and offence related factors. Any decision to terminate employment would follow our Disciplinary Policy (or Probationary Policy if you have not yet passed your probation).

A member of the Board alongside the Designated Safeguarding Lead will make an initial assessment of the content of the disclosure report. If the report provides no evidence of convictions or any other related information, no further action will be taken.

If the report confirms a conviction or any other related information, the Safeguarding Director alongside the Designated Safeguarding Lead will make an initial assessment of whether the information provided has any potential relevance to the post. If there is clearly no potential relevance, no further action will be taken.

If the report confirms a potentially relevant conviction or any other potentially relevant information further exploration will be required following the process outlined below.

### **Exploring a Conviction and its Relevance**

All discussions relating to convictions must take place after the selection process has been completed and will involve the Operations Director and a member of the Board and, if appropriate, the company Designated Safeguarding Lead. As part of the decision-making process, they will normally meet with the individual to gain more information from the person about the nature and circumstances of any conviction.

The suitability for employment of a person with a criminal record will clearly vary, depending upon the nature of the job and the details and circumstances of any convictions. The decision will be made on the basis of a risk assessment to enable the applicant's criminal record and circumstances to be assessed in relation to the tasks he or she will be required to perform and the circumstances in which the work is to be carried out. The following job-related factors should be taken into account:

- Does the post involve direct contact with learners or the public?
- What level of supervision will the post-holder receive?

- What level of trust is involved? Will the nature of the job present any opportunities for the post-holder to reoffend in the place of work?
- Does the post involve any direct responsibility for finance or items of value?
- Does the post involve any contact with children or other vulnerable groups of learners or employees?

The assessment is also likely to include consideration of the following factors relating to the individual's offence(s):

- The seriousness of the offence(s) and relevance to the safety of other employees, students, research subjects, the public etc.
- The length of time since the offence(s) occurred.
- Relevant information offered by the person about the circumstances that led to the offence(s) being committed, for example the influence of domestic or financial difficulties.
- The degree of remorse, or otherwise, expressed by the person and their motivation to change.
- Whether the offence was a one-off, or part of a history of offending.
- Whether person's circumstances have changed since the offence(s) was committed, making re-offending less likely.
- Whether the offence has since been decriminalised.

Following careful and thorough consideration of all these matters and consultation with the Managing Director and Designated Safeguarding Lead, a decision will be made as to whether the individual should be appointed. If appropriate we may seek further information from relevant bodies when reaching this decision. If the decision is not to appoint, a letter will be sent to the individual confirming the reasons for this decision.

The above process will also be followed in the event of a criminal conviction coming to light after the formal offer of employment has been made or during employment. In such cases Essential Site Skills Ltd would reserve the right to withdraw the offer of appointment where appropriate or terminate employment in line with the Essential Site Skills Ltd.'s Disciplinary Policy (or Probationary Policy if in probationary period).

### **1.23 Staff Training**

All staff have received formal Safeguarding Training as accredited by The Education and Training Foundation and FutureLearn. Designated and Deputy Safeguarding/Prevent Officers have completed the Safeguarding and Safer Recruitment modules and online assessment. Designated Safeguarding/Prevent Officers have attended Prevent (WRAP) training delivered by the BIS Regional Prevent Lead. All other current staff have completed the Safeguarding modules and online assessment and will have completed the Prevent modules and online assessment relevant to their job role including ICT safety. All staff are kept up to date with Essential Site Skills Safeguarding Policy and procedures.

All new staff undertake The Education and Training Foundations Safeguarding (FutureLearn) and Prevent modules and online assessments as part of their induction.

All staff will receive refresher Safeguarding Training as a minimum every 36 months, in line with guidance laid down in the Working Together to Safeguard Children (2018) document and with reference to Keeping Children Safe in Education 2023. Designated/Deputy Safeguarding/Prevent Officers will attend training every 2 years to ensure currency in their knowledge and skills of safeguarding. This training will ensure Essential Site Skills continues to have in place a competent, vigilant management framework and a systematic approach to Safeguarding.

Via this training all staff are also aware of the associated risks to learners with excessive or those who engage in inappropriate ICT usage. Throughout their programme of learning staff provide adequate dialogue to support how information and communication technology (ICT) devices, internet/mobile network access can be used safely and in line with the requirements of the programme. Please refer to the ICT Policy and Staff and Learner E-safety Policy for further information. Essential Site Skills recognises that those who are most risk of being left behind are learners from resource-poor areas, remote rural areas and low-income households. In addition, learners with disabilities or those who use a different language in the home than in work and the learning environment may require more individualised support.

#### **1.24 Procedure to follow if a young or vulnerable learner confides about or suspecting a case of abuse, neglect or radicalisation**

Where a young or vulnerable learner seeks out a member of staff to confide in and share information about abuse, neglect or radicalisation, or talks spontaneously individually or in groups, our staff will: -

- Listen carefully to them and not directly question him/her
- Give them time and attention
- Allow the person to give a spontaneous account; do not stop a person who is freely recalling significant events
- Make an accurate record of the information given taking care to record the timing, setting and people present, the persons presentation as well as what was said. Do not discard this as it may be needed at a later date as evidence.
- Use the persons own words where possible
- Explain that they cannot promise not to speak to others about the information that has been shared

#### **Reassure the person that:**

- You are glad that they have told you
- That they have not done anything wrong
- Inform them of what you are going to do next
- Explain that help will be sought to keep them safe

The person should be asked **NOT** to repeat their account to anyone.

The Designated Safeguarding Lead must be informed immediately, who will investigate the concern and take appropriate action. All records of the investigation will be kept strictly confidential and stored in a secure place.

External agencies and resources on Child Protection and Adults at Risk can and will be used.

#### **1.25 Procedures for dealing with allegations against staff**

This applies should anyone has concerns regarding inappropriate behaviour by a member of staff where they have:

- Behaved inappropriately in a way that has harmed or may have harmed a learner
- Possibly committed a criminal offence against or related to a learner
- Behaved towards a learner in a way that indicates he/she is unsuitable to work with them

The Head of Quality & Curriculum who is a company Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) should be informed of the matter immediately. The Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) will decide whether a formal investigation needs to be carried out, and disciplinary action will follow where necessary. Where the Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) is involved in the allegation, the most senior member of staff should be informed.

If an investigation needs to take place it will:

- Determine if the police need to be involved immediately to protect the person further
- Record all details received and secure them safely
- Ensure the alleged member of staff is fully conversant of the allegation, is supported where relevant and free from victimisation
- Determine whether suspension is appropriate whilst undertaking the investigation

All allegations will be acted upon, however due to the variance of the risk levels, all allegations will be treated individually, and the appropriate actions assigned on a case-by-case basis.

### 1.26 Anonymous Allegations

Concerns raised anonymously tend to be far less effective and depending on the level of information the matter may not be investigated.

The decision taken to investigate the matter will depend upon: -

- The seriousness of the matter
- Whether the concern is believable
- Whether an investigation can be carried out on the information provided

### 1.27 Policy Review

This policy will be reviewed annually with any changes approved through our governance process as necessary. The review will take account of:

- changes to statutory / regulatory guidance and developing good practice
- any learning identified as a result of case reviews.
- changes in guidance/ practice at local and national level

### 1.28 Other Policies and Procedures

- Disciplinary Policy
- Whistleblowing Policy
- Recruitment Policy and Procedure
- Equality, Diversity & Inclusion Policy
- Complaints Policy
- Prevent Duty Policy

## 1.29 Useful Websites & Further Reading

Keeping Children Safe in Education September 2023

<https://www.gov.uk/government/publications/keeping-children-safe-in-education>

Working Together to Safeguard Children 2018

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419595/](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/)

The Education Act 2011

<https://www.legislation.gov.uk/ukpga/2011/21/contents>

The Children Act 2004, as amended by the Children and Social Work Act 2017

Care Act Guidance

<https://www.gov.uk/government/publications/care-act-2014-statutory-guidancefor-implementation>

Making Safeguarding Personal

<http://www.local.gov.uk/documents/10180/5854661/Making+Safeguarding+Personal+-+Guide+2014/4213d016-2732-40d4-bbc0-d0d8639ef0df>

Disclosure and Barring Service

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

The National Society of Prevention of Cruelty for Children [www.nspcc.org.uk](http://www.nspcc.org.uk)

The Department of Health [www.dh.gov.uk](http://www.dh.gov.uk)

### 1.30 Appendix 1 - The 5 R's

If Safeguarding is to impact on all aspects of our organisation it must be the informed responsibility of all. All staff, senior manager, subcontractors, volunteers and work placement employers have a responsibility to make the learning environment safe and secure for all. To do this you should consider and act on the 5R's

- 1. Recognise**
- 2. Respond**
- 3. Report**
- 4. Record**
- 5. Refer**

#### **1. Recognise**

The ability to recognise behaviour that may indicate abuse is of fundamental importance. Whether the abuse may occur on our premises or in the home or in any other setting in which the learner may find themselves, all those playing a role in meeting the learners' needs should be aware and informed so that possible abuse can be recognised, investigated and acted on seamlessly and effectively.

Signs and indicators of abuse in young or vulnerable learners may include disclosure. This isn't always easy to recognise as such, as it may be that the learner is struggling to find the words, is using language the abuser uses for particular actions and body parts, or the disclosure is wrapped in analogy or euphemism which is difficult to identify. A learner may choose anyone in the organisation to disclose to. Or it could be that any person within the organisation may spot concerning signs or behaviour in the learner. Other people in a position to identify concerns include work placement supervisors, other learners and those offering additional services, such as Connexions and external support agencies. All of these should be trained to understand signs of possible abuse and know how, where and to whom to report concerns. It is important that we have a culture where concerns can be raised and discussed, without worrying that they may get it wrong or that others will overreact.

#### **2. Respond**

Appropriate response is vital. No disclosure about possible abuse or neglect should ever be ignored. In order to determine the most appropriate response, find out if you are dealing with an allegation from a learner against a member of staff or a fellow learner, or another person outside of our organisation. Is this disclosure from an individual alleging abuse to themselves or to another person? Is it the reporting of a concern or suspicion? What, precisely, is alleged to have happened? Clearly understood detail is vital when reporting your concerns to a Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC).

Do not lead or probe with questions. Remain calm and demonstrate interest and concern. Use empathetic listening skills and do not let the learner know if you are feeling panicked, shocked or outraged at what you are hearing as this may shut them down. You need to ask open questions, not leading or suggestive ones and gather enough information to know that it is a disclosure of abuse that needs to be passed on, and how immediate the danger or harm is to the individual. It is not your role to get a detailed account, as the individual may have to recount their story numerous more times.

Inform the person disclosing to you that concerns they have raised must be recorded and passed on so that possible abuse can be dealt with, and that this will be done on a limited 'need to know' basis, with as few others as possible knowing the identity of the complainant and all in the chain of reporting will respect confidentiality.

Reassure the learner that they have done the right thing in reporting their concerns and that you will do everything you can to help. Do not make unrealistic promises. Ensure that testimony is passed on to the



Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) so that they can record on the Safeguarding Chronology Form, and that the complainant and subject of the complaint are treated in line with this policy.

### 3. Report

Report your concerns to the Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) within Essential Site Skills in the first instance. The Safeguarding Team details can be found within the email signature of all Essential Site skills correspondence, and also with Curriculum / course Handbooks and on the Safeguarding notice board at the Centre. If they are unavailable for any reason, or are the subject of allegations, a member of the senior management team should be contacted.

All Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) and the Safeguarding Team have received training and support to ensure they carry out this role effectively.

During both staff and learner inductions the Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) and Safeguarding Team will be identified, and posters displayed in centre to inform learners.

Once you have reported concerns about abuse to the Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC), the responsibility for action lies with them. You are within your rights to check that appropriate action has been taken, but it may not be necessary for the Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) to share details of this with you for the confidentiality of the individual concerned.

### 4. Record

You should record precisely what has been alleged, using key phrases and words the individual has used. You are not expected to remember every detail of the conversation, however it is not recommended that notes or any other recording are not made during the conversation, but immediately afterwards. Doing so during the conversation, can cause the learner to feel the formality this might bring, when they just need someone to listen at this first stage.

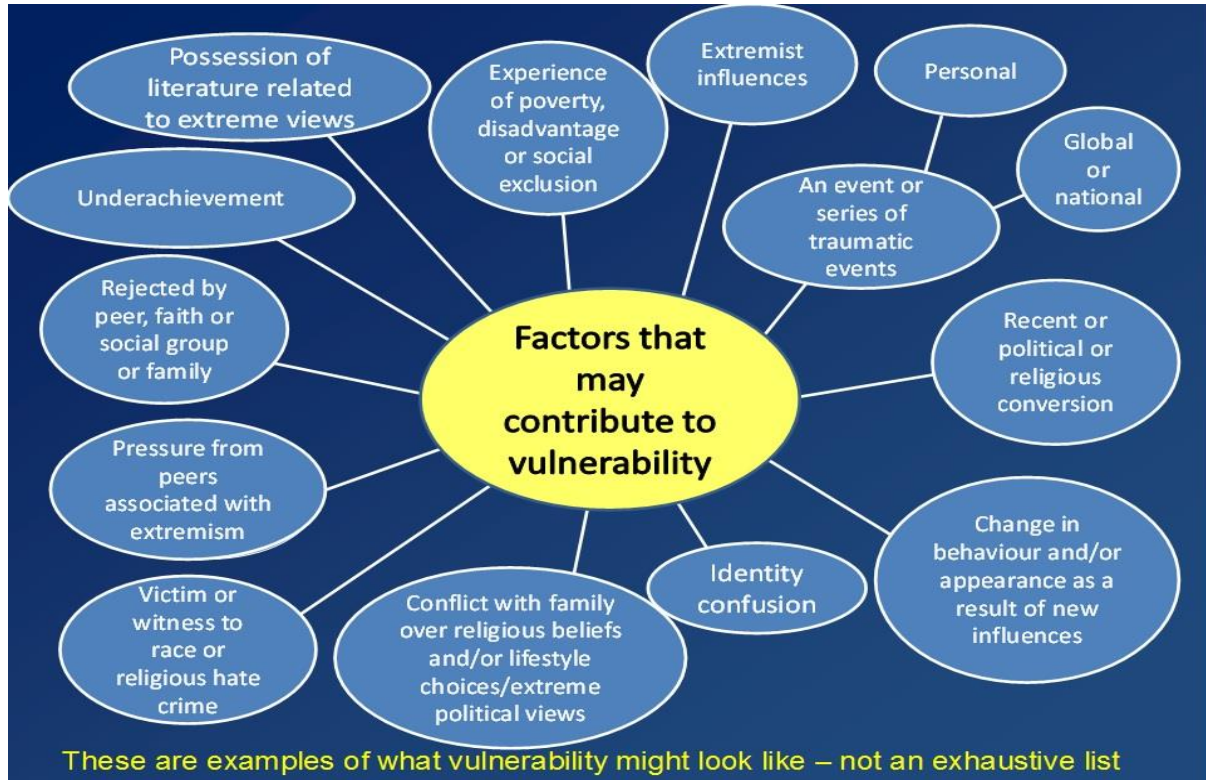
You should also record your factual observations about the physical and emotional state of the individual sharing their concerns with you. This record should be passed on to the Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) who will store it securely. This information will only be accessible to those who have responsibility for safeguarding matters.

### 5. Refer

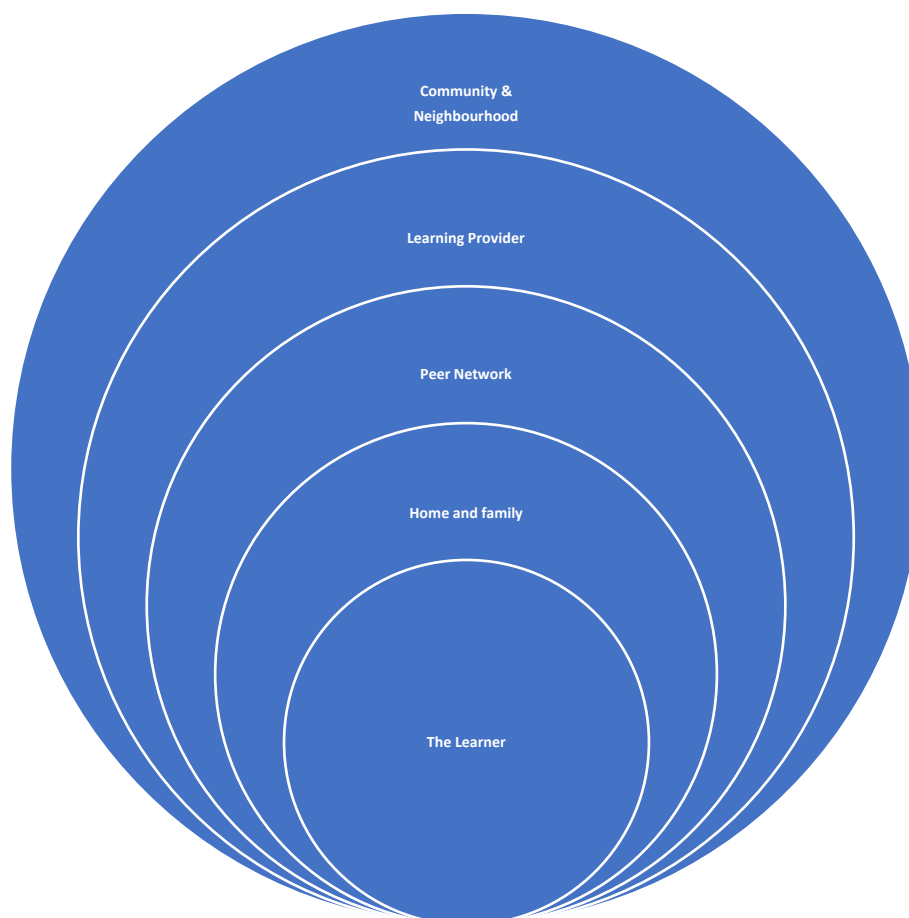
**This is not the responsibility of all staff members.** It is the responsibility of the Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) to investigate complaints, allegations or suspicions of abuse or neglect and make a decision on whether to make a referral, if appropriate.

Only Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) should make referrals outside of the organisation, to prevent numerous referrals being made for the same incident; it allows consistency in the process. Actions of this sort carried out by someone other than the Designated Safeguarding Lead (DSL)/Single Point of Contact (SPoC) could be construed as unjustified interference which could jeopardise an investigation and any possible subsequent court case.

1.31 Appendix 2 - Factors that may contribute to vulnerability



### 1.32 Appendix 3 - Contextual Safeguarding



The Learner	How vulnerable is the learner?
Home and Family	What is family and home life like?
Peer Network	Which peer groups does the learner engages with and what is their impact?
Learning provider	Are learners safe when they are with you?
Community & Neighbourhood	What is the learner's neighbourhood like? Are there gangs, 'no go' areas, known drug distribution areas, threats of racial or other kinds of harassment?

### 1.33 Appendix 4 – Safeguarding Concerns – Process Flow

