

Young person protection and safeguarding

Sweet Futures Limited



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Important contacts

ROLE/ORGANISATION	NAME	CONTACT DETAILS
Designated safeguarding lead (DSL)	Claire Scott	07411 190523
Deputy DSL	Geoff Littlewood	07961 801272
Channel helpline		020 7340 7264
MASH	mash@northamptonshire.gcsx.gov.uk	0300 126 1000
Northamptonshire Safeguarding Young children Board		01604 364036
Emergency (Out of Hours)	Police	101 / 999

1. Aims

The company aims to ensure that:

- Appropriate action is taken in a timely manner to safeguard and promote young people's welfare
- All staff are aware of their statutory responsibilities with respect to safeguarding
- Staff are properly trained in recognising and reporting safeguarding issues

2. Legislation and statutory guidance

This policy is based on the Department for Education's statutory guidance [Keeping Young children Safe in Education \(2019\)](#) and [Working Together to Safeguard Young children \(2018\)](#), and the [Governance Handbook](#). We comply with this guidance.

This policy is also based on the following legislation:

- [The Young children Act 1989](#) (and [2004 amendment](#)), which provides a framework for the care and protection of young children
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](#), which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- [Statutory guidance on FGM](#), which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- [The Rehabilitation of Offenders Act 1974](#), which outlines when people with criminal convictions can work with young children
- Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#), which defines what 'regulated activity' is in relation to young children
- [Statutory guidance on the Prevent duty](#), which explains companys' duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism

3. Definitions

Safeguarding and promoting the welfare of young people means:

- Protecting young children and young people from maltreatment
- Preventing impairment of children and young people's health or development
- Ensuring that children and young people grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children and young people to have the best outcomes

Young person protection is part of this definition and refers to activities undertaken to prevent children and young people suffering, or being likely to suffer, significant harm.

Abuse is a form of maltreatment of a child or young person, and may involve inflicting harm or failing to act to prevent harm. Appendix 1 explains the different types of abuse.

Neglect is a form of abuse and is the persistent failure to meet a child's or young person's basic physical and/or psychological needs, likely to result in the serious impairment of the child's or young person's health or development. Appendix 1 defines neglect in more detail.

Sexting (also known as youth produced sexual imagery) is the sharing of sexual imagery (photos or videos) by children or young people

Young people includes everyone under the age of 18.

The following 3 **safeguarding partners** are identified in Keeping Young people Safe in Education (and defined in the Young children Act 2004, as amended by chapter 2 of the Young children and Social Work Act 2017). They will make arrangements to work together to safeguard and promote the welfare of local young people, including identifying and responding to their needs:

- The local authority (LA)
- A clinical commissioning group for an area within the LA
- The chief officer of police for a police area in the LA area

4. Equality statement

Some children and young people have an increased risk of abuse, and additional barriers can exist for some young children and young people with respect to recognising or disclosing it. We are committed to anti-discriminatory practice and recognise young children's and young people's diverse circumstances. We ensure that all young children and young people have the same protection, regardless of any barriers they may face.

We give special consideration to young children and young people who:

- Have special educational needs (SEN) or disabilities (see section 9)
- Are young carers
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
- Have English as an additional language
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers
- Are at risk due to either their own or a family member's mental health needs
- Are looked after or previously looked after

5. Roles and responsibilities

Safeguarding children and young person protection is **everyone's** responsibility. This policy applies to all staff, volunteers and directors in the company and is consistent with the procedures of the 3 safeguarding partners. Our policy and procedures also apply to extended company and off-site activities.

Where children or young people are using our services as part of a visiting school activity or contracted service, all safeguarding measures will be delegated to the visiting school when reported to us. We will record the incident and action taken, and require progress and outcome reports to ensure incidents are managed and followed through to our satisfaction. Incidents that we feel are not addressed appropriately will be escalated in line with our own processes as detailed below.

5.1 All staff

All staff will read and understand part 1 and Annex A of the Department for Education's statutory safeguarding guidance, [Keeping Young children Safe in Education](#), and review this guidance at least annually.

All staff will be aware of:

- Our systems which support safeguarding, including this young person protection and safeguarding policy, the staff code of conduct, the role and identity of the designated safeguarding lead (DSL) and deputy, the behaviour policy, and the safeguarding response to young children who go missing from education. Sweet Futures Limited, whilst not bound by the education framework, intends to apply the principles set out in the framework.
- The early help process (sometimes known as the common assessment framework) and their role in it, including identifying emerging problems, liaising with the DSL of the young persons school, and sharing information with other professionals to support early identification and assessment
- The process for making referrals to local authority young children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play
- What to do if they identify a safeguarding issue or a young person tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as young person sexual exploitation (CSE), indicators of being at risk from or involved with serious violent crime, FGM and radicalisation

Section 13 and appendix 4 of this policy outline in more detail how staff are supported to do this.

5.2 The designated safeguarding lead (DSL)

The DSL is a member of the company board of directors. Our DSL is Claire Scott. The DSL takes lead responsibility for children and young person protection and wider safeguarding.

The DSL will be available during, and out of, company hours for staff to discuss any safeguarding concerns.

When the DSL is absent, the deputy – Geoff Littlewood – will act as cover.

If the DSL and deputy are not available, Jayne Barnett will act as cover (for example, during out-of-hours activities).

The DSL will be given the time, funding, training, resources and support to:

- Provide advice and support to other staff on children and young person welfare and children and young person protection matters
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so if requested by the visiting school/college
- Contribute to the assessment of young children and young people if requested by the visiting school/college

- Refer suspected cases, as appropriate, to the relevant body (local authority young children's social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly
- Notify the visiting school/college DSL immediately of any concerns relating to children or young people whilst they are using the facilities provided by the company

The DSL will also keep the company directors informed of any issues, and liaise with local authority case managers and designated officers for young person protection concerns as appropriate.

The full responsibilities of the DSL and deputies are set out in their job description.

5.3 The company board

The company board will approve this policy at each review and ensure it complies with the law.

The company board will monitor the effectiveness of this policy.

The company CEO will act as the 'case manager' in the event that an allegation of abuse is made against a member of the board, where appropriate (see appendix 3).

All board members will read Keeping Young children Safe in Education.

Section 13 has information on how company staff are supported to fulfil their role.

5.4 The CEO

The CEO is responsible for the implementation of this policy, including:

- Ensuring that staff (including temporary staff) and volunteers are informed of our systems which support safeguarding, including this policy, as part of their induction
- Communicating this policy to parents when their young person/young person agree to use services provided by the company. The policy will be made available via the company website for everyone to review
- Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent
- Ensuring that all staff undertake appropriate safeguarding and young person protection training and update this regularly
- Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see appendix 3)

6. Confidentiality

The company complies with all regulations regarding confidentiality and data protection.

All staff will understand that child protection issues warrant a high level of confidentiality, not only out of respect for the young child/young person and staff involved, but also to ensure that information being released into the public domain does not compromise evidence.

Staff should only discuss concerns with the DSL or the CEO. That person will then decide who else needs to have the information and they will disseminate it on a need to know basis.

However, all staff will be made aware that they can contact Young childrens Social Care if they are concerned about a young person or young person.

Young person protection information will be stored and handled in line with <https://www.gov.uk/government/collections/data-protection-act-2018>. Information sharing is guided by the following principles.

- Timely information sharing is essential to effective safeguarding

- Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of young children or young people
- The Data Protection Act (DPA) 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping young children or young people safe
- If staff need to share 'special category personal data', the DPA 2018 contains 'safeguarding of young children and individuals at risk' as a processing condition that allows practitioners to share information without consent if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a young person at risk
- Staff should never promise a child or young person that they will not tell anyone about a report of abuse, as this may not be in the child's or young person's best interests
- The government's [information sharing advice for safeguarding practitioners](#) includes 7 'golden rules' for sharing information, and will support staff who have to make decisions about sharing information
- If staff are in any doubt about sharing information, they should speak to the designated safeguarding lead (or deputy)
- Confidentiality is also addressed in this policy with respect to record-keeping in section 12, and allegations of abuse against staff in appendix 3

7. Recognising abuse and taking action

Staff, volunteers and directors must follow the procedures set out below in the event of a safeguarding issue.

Please note – in this and subsequent sections, you should take any references to the DSL to mean "the DSL (or deputy DSL)".

7.1 If a child or young person is suffering or likely to suffer harm, or in immediate danger

Make a referral to children's social care and/or the police **immediately** if you believe a young person or young person is suffering or likely to suffer from harm, or in immediate danger. **Anyone can make a referral.**

Tell the DSL (see section 5.2) as soon as possible if you make a referral directly.

[Advice and guidance can be found here: https://www.gov.uk/report-young-person-abuse-to-local-council](https://www.gov.uk/report-young-person-abuse-to-local-council)

7.2 If a child or young person makes a disclosure to you

If a child or young person discloses a safeguarding issue to you, you should:

- Listen to and believe them. Allow them time to talk freely and do not ask leading questions
- Stay calm and do not show that you are shocked or upset
- Tell the child or young person they have done the right thing in telling you. Do not tell them they should have told you sooner
- Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret
- Write up your conversation as soon as possible in the child's or young person's own words. Stick to the facts, and do not put your own judgement on it
- Sign and date the write-up and pass it on to the DSL. Alternatively, if appropriate, make a referral to young children's social care and/or the police directly (see 7.1), and tell the DSL as soon as possible that you have done so

7.3 If you discover that FGM has taken place or a young person is at risk of FGM

The Department for Education's Keeping Young children Safe in Education explains that FGM comprises "all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs".

FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as 'female genital cutting', 'circumcision' or 'initiation'.

Possible indicators that a child or young person has already been subjected to FGM, and factors that suggest a child or young person may be at risk, are set out in appendix 4.

Any staff member who discovers (either through disclosure by the victim or visual evidence) that an act of FGM appears to have been carried out on a child or **young person under 18** must immediately report this to the police, personally. This is a contractual duty, and staff will face disciplinary sanctions for failing to meet it.

Unless they have good reason not to, they should also discuss the case with the DSL and involve child's or young person's social care as appropriate.

The duty for staff mentioned above does not apply in cases where a child or young person is *at risk* of FGM or FGM is suspected but is not known to have been carried out. Staff should not examine children or young people.

Any member of staff who suspects a child or young person is *at risk* of FGM or suspects that FGM has been carried out, or discovers that a young person **age 18 or over** appears to have been a victim of FGM must speak to the DSL and follow our local safeguarding procedures.

7.4 If you have concerns about a child or young person (as opposed to believing a child or young person is suffering or likely to suffer from harm, or is in immediate danger)

Figure 1 on page 10 illustrates the procedure to follow if you have any concerns about a young person's welfare.

Where possible, speak to the DSL first to agree a course of action.

If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to a member of the company board and/or take advice from local authority young children's social care. You can also seek advice at any time from the NSPCC helpline on 0808 800 5000.

Make a referral to local authority children's social care directly, if appropriate (see 'Referral' below). Share any action taken with the DSL as soon as possible.

Early help

If early help is appropriate, the DSL will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner.

The DSL will keep the case under constant review and the company will consider a referral to local authority children's social care if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

Referral

If it is appropriate to refer the case to local authority children's social care or the police, the DSL will make the referral or support you to do so.

If you make a referral directly (see section 7.1), you must tell the DSL as soon as possible.

The local authority will make a decision within 1 working day of a referral about what course of action to take and will let the person who made the referral know the outcome. The DSL or person who made the referral must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

If the child's or young person's situation does not seem to be improving after the referral, the DSL or person who made the referral must follow local escalation procedures to ensure their concerns have been addressed and that the child's or young person's situation improves.

7.5 If you have concerns about extremism

If a child or young person is not suffering or likely to suffer from harm, or in immediate danger, where possible speak to the DSL first to agree a course of action.

If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to a member of the company board and/or seek advice from local authority children's social care. Make a referral to local authority children's social care directly, if appropriate (see 'Referral' above).

Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include [Channel](#), the government's programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority children's social care team.

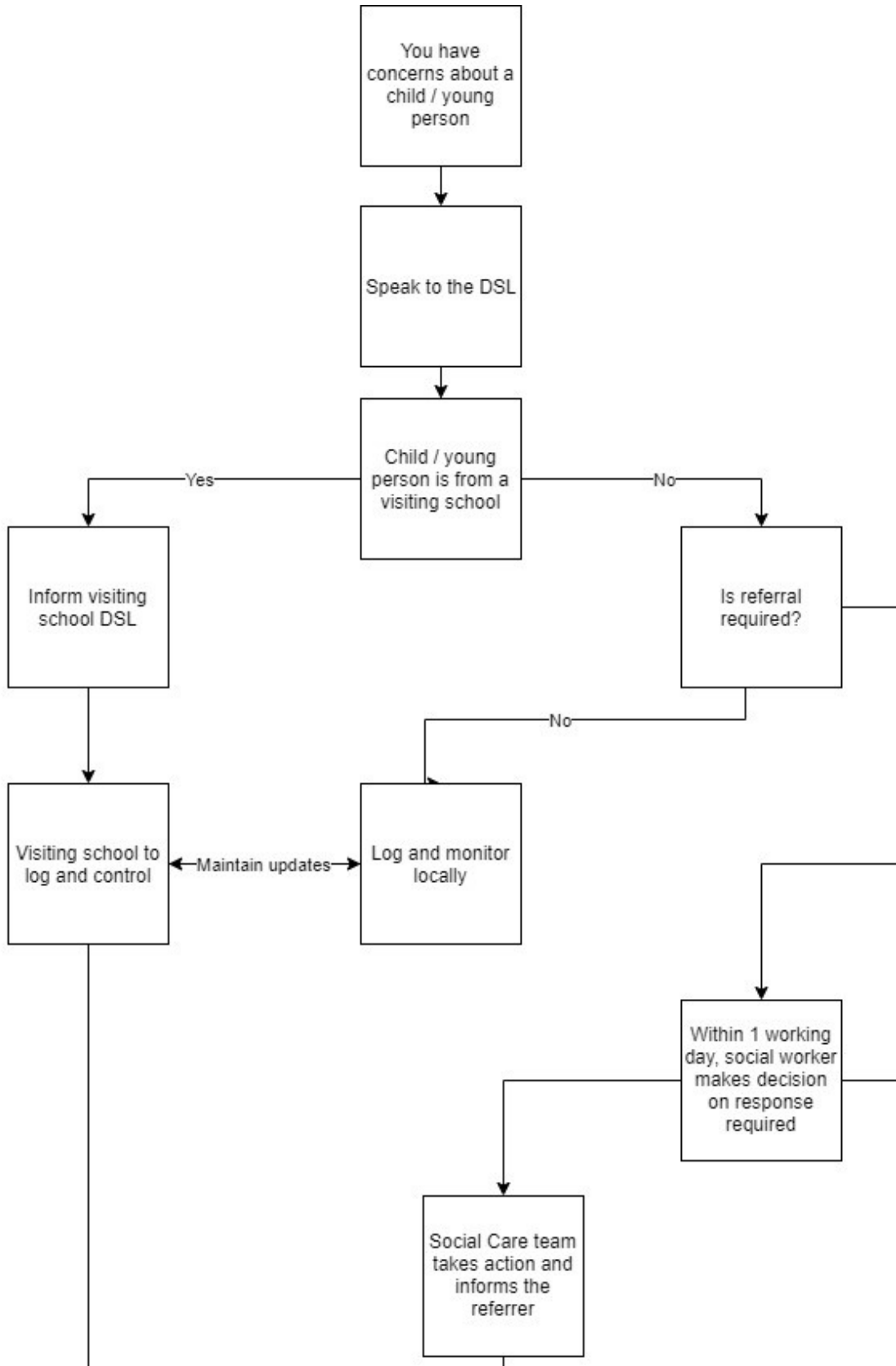
You can also email counter.extremism@education.gov.uk. Note that this is not for use in emergency situations.

In an emergency, call 999 or the confidential anti-terrorist hotline on 0800 789 321 if you:

- Think someone is in immediate danger
- Think someone may be planning to travel to join an extremist group
- See or hear something that may be terrorist-related

Figure 1: procedure if you have concerns about a child's or young person's welfare (as opposed to believing a child or young person is suffering or likely to suffer from harm, or in immediate danger)

(Note –if the DSL is unavailable, this should not delay action. See section 7.4 for what to do.)



7.6 Concerns about a staff member or volunteer

If you have concerns about a member of staff or volunteer, or an allegation is made about a member of staff or volunteer posing a risk of harm to children or young people, speak to the CEO. If the concerns/allegations are about the CEO, speak to the DSL.

The CEO/DSL will then follow the procedures set out in appendix 3, if appropriate.

7.7 Allegations of abuse made against other young people

We recognise that children and young people are capable of abusing their peers. Abuse will never be tolerated or passed off as “banter”, “just having a laugh” or “part of growing up”.

We also recognise the gendered nature of peer-on-peer abuse (i.e. that it is more likely that girls will be victims and boys perpetrators). However, all peer-on-peer abuse is unacceptable and will be taken seriously.

Most cases of children or young people hurting other children or young people will be dealt with under our company’s behaviour policy, but this young person protection and safeguarding policy will apply to any allegations that raise safeguarding concerns. This might include where the alleged behaviour:

- Is serious, and potentially a criminal offence
- Could put children or young people in the company at risk
- Is violent
- Involves children or young people being forced to use drugs or alcohol
- Involves sexual exploitation, sexual abuse or sexual harassment, such as indecent exposure, sexual assault, upskirting or sexually inappropriate pictures or videos (including sexting)

If a child or young person makes an allegation of abuse against another child or young person:

- You must record the allegation and tell the DSL, but do not investigate it
- The DSL will contact the local authority young children’s social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence
- The DSL will put a risk assessment and support plan into place for all children and/or young people involved (including the victim(s), the child or young people against whom the allegation has been made and any others affected) with a named person they can talk to if needed
- The DSL will contact the young children and adolescent mental health services (CAMHS), if appropriate

We will minimise the risk of peer-on-peer abuse by:

- Challenging any form of derogatory or sexualised language or behaviour, including requesting or sending sexual images
- Being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female young people, and initiation or hazing type violence with respect to boys
- Ensuring our training program helps to educate children and young people about appropriate behaviour and consent
- Ensuring children and young people know they can talk to staff confidentially by including this statement in our induction process.
- Ensuring staff are trained to understand that a child or young person harming a peer could be a sign that the child or young person is being abused themselves, and that this would fall under the scope of this policy

7.8 Sexting

Your responsibilities when responding to an incident

If you are made aware of an incident involving sexting (also known as 'youth produced sexual imagery'), you must report it to the DSL immediately.

You must **not**:

- View, download or share the imagery yourself, or ask a child or young person to share or download it. If you have already viewed the imagery by accident, you must report this to the DSL
- Delete the imagery or ask the child or young person to delete it
- Ask the child(ren) or young person(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL's responsibility)
- Share information about the incident with other members of staff, the child(ren) or young person(s) it involves or their, or other, parents and/or carers
- Say or do anything to blame or shame any children or young people involved

You should explain that you need to report the incident, and reassure the child(ren) and/or young person(s) that they will receive support and help from the DSL.

Initial review meeting

Following a report of an incident, the DSL will hold an initial review meeting with appropriate company staff. This meeting will consider the initial evidence and aim to determine:

- Whether there is an immediate risk to child(ren) or young person(s)
- If a referral needs to be made to the police and/or young children's social care
- If it is necessary to view the imagery in order to safeguard the child or young person (in most cases, imagery should not be viewed)
- What further information is required to decide on the best response
- Whether the imagery has been shared widely and via what services and/or platforms (this may be unknown)
- Whether immediate action should be taken to delete or remove images from devices or online services
- Any relevant facts about the child(ren) or young person(s) involved which would influence risk assessment
- If there is a need to contact another company, school, college, setting or individual
- Whether to contact parents or carers of the child(ren) or young person involved (in most cases parents should be involved)

The DSL will make an immediate referral to police and/or young children's social care if:

- The incident involves an adult
- There is reason to believe that a child or young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs)
- What the DSL knows about the imagery suggests the content depicts sexual acts which are unusual for the child's or young person's developmental stage, or are violent
- The imagery involves sexual acts and any young person in the imagery is under 13

- The DSL has reason to believe a child or young person is at immediate risk of harm owing to the sharing of the imagery (for example, the child or young person is presenting as suicidal or self-harming)

If none of the above apply then the DSL, in consultation with the CEO and other members of staff as appropriate, may decide to respond to the incident without involving the police or young children's social care.

Further review by the DSL

If at the initial review stage a decision has been made not to refer to police and/or young children's social care, the DSL will conduct a further review.

They will hold interviews with the child(ren) and/or young person(s) involved (if appropriate) to establish the facts and assess the risks.

If at any point in the process there is a concern that a child or young person has been harmed or is at risk of harm, a referral will be made to young children's social care and/or the police immediately.

Informing parents

The DSL will inform parents/carers at an early stage and keep them involved in the process, unless there is a good reason to believe that involving them would put the young person at risk of harm.

Referring to the police

If it is necessary to refer an incident to the police, this will be done through dialing 101

Recording incidents

All sexting incidents and the decisions made in responding to them will be recorded. The record-keeping arrangements set out in section 12 of this policy also apply to recording incidents of sexting.

This policy on sexting is also shared with children / young people so they are aware of the processes the company will follow in the event of an incident.

8. Notifying parents

Where appropriate, we will discuss any concerns about a child or young person with the child or young person's parents/carers. The DSL will normally do this in the event of a suspicion or disclosure.

Other staff will only talk to parents about any such concerns following consultation with the DSL.

If we believe that notifying the parents/carers would increase the risk to the child or young person, we will discuss this with the local authority children's social care team before doing so.

In the case of allegations of abuse made against other children or young people, we will normally notify the parents/carers of all the child / young person involved.

9. Young People with special educational needs and disabilities

We recognise that children and young people with special educational needs (SEN) and disabilities can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group, including:

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

10. Mobile phones and cameras

Staff are allowed to bring their personal phones to the workplace for their own use, but will limit such use to non-contact time when children and young people are not present. Staff members' personal phones will remain in their bags or cupboards during contact time with children and young people.

Staff will not take pictures or recordings of children or young people on their personal phones or cameras.

We will follow the General Data Protection Regulation and Data Protection Act 2018 when taking and storing photos and recordings for use in the company.

11. Complaints and concerns about company safeguarding policies

11.1 Complaints against staff

Complaints against staff that are likely to require a young person protection investigation will be handled in accordance with our procedures for dealing with allegations of abuse made against staff (see appendix 3).

12. Record-keeping

We will hold records in line with our records retention schedule.

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them.

Safeguarding records relating to individual children or young people will be retained for a reasonable period of time after they have left the company.

In addition:

- Appendix 2 sets out our policy on record-keeping specifically with respect to recruitment and pre-employment checks
- Appendix 3 sets out our policy on record-keeping with respect to allegations of abuse made against staff

13. Training

13.1 All staff

All staff members will undertake safeguarding and young person protection training at induction, including on whistle-blowing procedures, to ensure they understand the company's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect. This training will be regularly updated and will be in line with advice from the 3 safeguarding partners.

All staff will have training on the government's anti-radicalisation strategy, Prevent, to enable them to identify young people at risk of being drawn into terrorism and to challenge extremist ideas.

Staff will also receive regular safeguarding and young person protection updates (for example, through emails, e-bulletins and staff meetings) as required, but at least annually.

Volunteers will receive appropriate training, if applicable.

13.2 The DSL and deputy

The DSL and deputy will undertake young person protection and safeguarding training at least every 2 years.

In addition, they will update their knowledge and skills at regular intervals and at least annually (for example, through e-bulletins, meeting other DSLs, or taking time to read and digest safeguarding developments).

They will also undertake Prevent awareness training.

13.3 Directors

All directors receive training about safeguarding, to make sure they have the knowledge and information needed to perform their functions and understand their responsibilities.

As the CEO may be required to act as the 'case manager' in the event that an allegation of abuse is made against the DSL, they receive training in managing allegations for this purpose.

14. Monitoring arrangements

This policy will be reviewed **annually** by Claire Scott, Director. At every review, it will be approved by the full company board.

15. Links with other policies

This policy links to the following policies and procedures:

- Behaviour
- Staff
- Complaints
- Health and safety
- Online safety
- Equality
- First aid
- Privacy notices

Appendix 1: types of abuse

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

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

Emotional abuse is the persistent emotional maltreatment of a child or young person such as to cause severe and adverse effects on the child's or young person's emotional development. Some level of emotional abuse is involved in all types of maltreatment of a child or young person, although it may occur alone.

Emotional abuse may involve:

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

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

- Physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing
- Non-contact activities, such as involving children or young person(s) in looking at, or in the production of, sexual images, watching sexual activities, encouraging children or young people to behave in sexually inappropriate ways, or grooming a child or young person in preparation for abuse (including via the internet)

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children and young persons.

Neglect is the persistent failure to meet a child's or young person's basic physical and/or psychological needs, likely to result in the serious impairment of the child's or young person's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a child or young person is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- Protect a child or young person from physical and emotional harm or danger
- Ensure adequate supervision (including the use of inadequate care-givers)
- Ensure access to appropriate medical care or treatment

It may also include neglect of, or unresponsiveness to, a child's or young person's basic emotional needs.

Appendix 2: safer recruitment and DBS checks – policy and procedures

We will record all information on the checks carried out in the company's secure storage area. Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

New staff

When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate

We will ask for written information about previous employment history and check that information is not contradictory or incomplete.

We will seek references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments. The references requested will ask specific questions about the suitability of the applicant to work with young persons.

Regulated activity means a person who will be:

- Responsible, on a regular basis in a company or college, for teaching, training, instructing, caring for or supervising children and/or young persons; or
- Carrying out paid, or unsupervised unpaid, work regularly in a company or college where that work provides an opportunity for contact with children and/or young persons; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

Existing staff

If we have concerns about an existing member of staff's suitability to work with children or young people, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child, young person or vulnerable adult where:

- We believe the individual has engaged in [relevant conduct](#); or
- The individual has received a caution or conviction for a relevant offence, or there is reason to believe the individual has committed a listed relevant offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#); or
- The 'harm test' is satisfied in respect of the individual (i.e. they may harm a child, young person or vulnerable adult or put them at risk of harm); and

- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the company has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with young people.

We will obtain the DBS check for self-employed contractors.

We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the company.

Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment

Directors

All directors will have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity.

All directors, staff and volunteers will also have the following checks:

- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

Appendix 3: allegations of abuse made against staff

This section of this policy applies to all cases in which it is alleged that a current member of staff or volunteer has:

- Behaved in a way that has harmed a child or young person, or may have harmed a child or young person, or
- Possibly committed a criminal offence against or related to a child or young person, or
- Behaved towards a young person or young persons in a way that indicates he or she would pose a risk of harm to children or young persons

It applies regardless of whether the alleged abuse took place in the company. Allegations against a staff member who is no longer employed and historical allegations of abuse will be referred to the police.

We will deal with any allegation of abuse against a member of staff or volunteer very quickly, in a fair and consistent way that provides effective young person protection while also supporting the individual who is the subject of the allegation.

Our procedures for dealing with allegations will be applied with common sense and judgement.

Suspension

Suspension will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other young persons is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

- Redeployment within the company so that the individual does not have direct contact with the child or young persons concerned
- Providing an assistant to be present when the individual has contact with children or young persons
- Redeploying the individual to alternative work in the company so that they do not have unsupervised access to children or young persons
- Moving the child or young persons to areas where they will not come into contact with the individual, making it clear that this is not a punishment and parents/carers have been consulted

Definitions for outcomes of allegation investigations

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made

Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the CEO (or other director) where the CEO is the subject of the allegation) – the 'case manager' – will take the following steps:

- Immediately discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including

whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or young children's social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or young persons or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)

- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children's social care services, where necessary). Where the police and/or children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children or young persons at the company is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate
- **If immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the company and their contact details
- **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- **If it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action in company and/or liaise with the police and/or children's social care services as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.
- Inform the parents or carers of the child(ren) / young person(s) involved about the allegation as soon as possible if they do not already know (following agreement with child's / young person's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against staff (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a staff member will be advised to seek legal advice
- Keep the parents or carers of the child(s)/young person(s) involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child or young person, or if the individual otherwise poses a risk of harm to a child or young person

Where the police are involved, wherever possible the company will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the company's disciplinary process, should this be required at a later point.

Timescales

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week

- If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days

Specific actions

Action following a criminal investigation or prosecution

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

Conclusion of a case where the allegation is substantiated

If the allegation is substantiated and the individual is dismissed or the company ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager and the company's personnel adviser will discuss with the designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

Individuals returning to work after suspension

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child(ren) or young person(s) that made the allegation, if they are still attending the company.

Unsubstantiated or malicious allegations

If an allegation is shown to be deliberately invented, or malicious, the CEO, or other appropriate person in the case of an allegation against the CEO, will consider whether any action is appropriate against the young person(s) who made it, or whether the police should be asked to consider whether action against those who made the allegation might be appropriate, even if they are not a client.

Confidentiality

The company will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the local authority's designated officer, police and child's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/young persons involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

Record-keeping

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case. Such records will include:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken and decisions reached (and justification for these, as stated above)

If an allegation or concern is not found to have been malicious, the company will retain the records of the case on the individual's confidential personnel file, and provide a copy to the individual.

Where records contain information about allegations of sexual abuse, we will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

References

When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated or malicious, or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

Learning lessons

After any cases where the allegations are *substantiated*, we will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to the company's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

Appendix 4: specific safeguarding issues

Children or young person unexpectedly absent from service provision

A child or young person unexpectedly being absent from the service provision, particularly repeatedly, can be a warning sign of a range of safeguarding issues. This might include abuse or neglect, such as sexual abuse or exploitation or young person criminal exploitation, or issues such as mental health problems, substance abuse, radicalisation, FGM or forced marriage.

There are many circumstances where a child or young person may unexpectedly absent, but some children / young people are particularly at risk. These include children and young people who:

- Are at risk of harm or neglect
- Are at risk of forced marriage or FGM
- Come from Gypsy, Roma, or Traveller families
- Come from the families of service personnel
- Go missing or run away from home or care
- Are supervised by the youth justice system
- Come from new migrant families

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

If a staff member suspects that a child or young person is suffering from harm or neglect, we will follow local child person protection procedures, including with respect to making reasonable enquiries. We will make an immediate referral to the local authority children's social care team, and the police, if the child or young person is suffering or likely to suffer from harm, or in immediate danger.

Child and young person sexual exploitation

Child sexual exploitation (CSE) is a form of child sexual abuse that occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person into sexual activity in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator.

This can involve violent, humiliating and degrading sexual assaults, but does not always involve physical contact and can happen online. For example, children or young people may be persuaded or forced to share sexually explicit images of themselves, have sexual conversations by text, or take part in sexual activities using a webcam.

Children and young people who are being sexually exploited may not understand that they are being abused. They often trust their abuser and may be tricked into believing they are in a loving, consensual relationship.

If a member of staff suspects CSE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

Indicators of sexual exploitation can include a child or young person:

- Appearing with unexplained gifts or new possessions
- Associating with other children or young people involved in exploitation
- Having older boyfriends or girlfriends
- Suffering from sexually transmitted infections or becoming pregnant
- Displaying inappropriate sexualised behaviour

- Suffering from changes in emotional wellbeing
- Misusing drugs and/or alcohol
- Going missing for periods of time, or regularly coming home late
- Regularly missing placement dates

Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's or young person's welfare.

The DSL and deputies will be aware of contact details and referral routes in to the local housing authority so they can raise/progress concerns at the earliest opportunity (where appropriate and in accordance with local procedures).

Where a child or young person has been harmed or is at risk of harm, the DSL will also make a referral to the relevant social provision.

So-called 'honour-based' violence (including FGM and forced marriage)

So-called 'honour-based' violence (HBV) encompasses incidents or crimes committed to protect or defend the honour of the family and/or community, including FGM, forced marriage, and practices such as breast ironing.

Abuse committed in this context often involves a wider network of family or community pressure and can include multiple perpetrators.

All forms of HBV are abuse and will be handled and escalated as such. All staff will be alert to the possibility of a child or young person being at risk of HBV or already having suffered it. If staff have a concern, they will speak to the DSL, who will activate local safeguarding procedures.

FGM

The DSL will make sure that staff have access to appropriate training to equip them to be alert to children and young people affected by FGM or at risk of FGM.

Section 7.3 of this policy sets out the procedures to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a child or young person is at risk of FGM.

Indicators that FGM has already occurred include:

- A child or young person confiding in a professional that FGM has taken place
- A mother/family member disclosing that FGM has been carried out
- A family/child or young person already being known to social services in relation to other safeguarding issues
- A girl:
 - Having difficulty walking, sitting or standing, or looking uncomfortable
 - Finding it hard to sit still for long periods of time (where this was not a problem previously)
 - Spending longer than normal in the bathroom or toilet due to difficulties urinating
 - Having frequent urinary, menstrual or stomach problems
 - Avoiding physical exercise
 - Being repeatedly absent from the placement, or absent for a prolonged period
 - Demonstrating increased emotional and psychological needs – for example, withdrawal or depression, or significant change in behaviour
 - Being reluctant to undergo any medical examinations

- Asking for help, but not being explicit about the problem
- Talking about pain or discomfort between her legs

Potential signs that a child or young person may be at risk of FGM include:

- The girl's family having a history of practising FGM (this is the biggest risk factor to consider)
- FGM being known to be practised in the girl's community or country of origin
- A parent/carer or family member expressing concern that FGM may be carried out
- A family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues
- A girl:
 - Having a mother, older sibling or cousin who has undergone FGM
 - Having limited level of integration within UK society
 - Confiding to a professional that she is to have a "special procedure" or to attend a special occasion to "become a woman"
 - Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents/carers stating that they or a relative will take the girl out of the country for a prolonged period
 - Requesting help from a staff member or another adult because she is aware or suspects that she is at immediate risk of FGM
 - Talking about FGM in conversation – for example, a girl may tell other young person about it (although it is important to take into account the context of the discussion)
 - Being unexpectedly absent from the placement

The above indicators and risk factors are not intended to be exhaustive.

Forced marriage

Forcing a person into marriage is a crime. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats, or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological.

Staff will receive training around forced marriage and the presenting symptoms. We are aware of the 'one chance' rule, i.e. we may only have one chance to speak to the potential victim and only one chance to save them.

If a member of staff suspects that a child or young person is being forced into marriage, they will speak to the child or young person about their concerns in a secure and private place. They will then report this to the DSL.

The DSL will:

- Speak to the child / young person about the concerns in a secure and private place
- Activate the local safeguarding procedures and refer the case to the local authority's designated officer
- Seek advice from the Forced Marriage Unit on 020 7008 0151 or fm@fco.gov.uk

Preventing radicalisation

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. Extremism is vocal or active opposition to fundamental British values, such as democracy, the rule of law, individual liberty, and mutual respect and tolerance of different faiths and beliefs.

We have a duty to prevent children and young people from being drawn into terrorism. The DSL will undertake Prevent awareness training and make sure that staff have access to appropriate training to equip them to identify children and young people at risk.

We will assess the risk of child(ren) and young person(s) using our provisions being drawn into terrorism. This assessment will be based on an understanding of the potential risk in our local area, in collaboration with our local safeguarding partners and local police force.

We will ensure that internet access is supervised and equip our young people to stay safe online.

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period.

Staff will be alert to changes in children's and young people's behaviour.

The government website [Educate Against Hate](#) and charity [NSPCC](#) say that signs that a child or young person is being radicalised can include:

- Refusal to engage with, or becoming abusive to, peers who are different from themselves
- Becoming susceptible to conspiracy theories and feelings of persecution
- Changes in friendship groups and appearance
- Rejecting activities they used to enjoy
- Converting to a new religion
- Isolating themselves from family and friends
- Talking as if from a scripted speech
- An unwillingness or inability to discuss their views
- A sudden disrespectful attitude towards others
- Increased levels of anger
- Increased secretiveness, especially around internet use
- Expressions of sympathy for extremist ideologies and groups, or justification of their actions
- Accessing extremist material online, including on Facebook or Twitter
- Possessing extremist literature
- Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations

Children and young people who are at risk of radicalisation may have low self-esteem, or be victims of bullying or discrimination. It is important to note that these signs can also be part of normal teenage behaviour – staff should have confidence in their instincts and seek advice if something feels wrong.

If staff are concerned about a child or young person, they will follow our procedures set out in section 7.5 of this policy, including discussing their concerns with the DSL.

Staff should **always** take action if they are worried.

Checking the identity and suitability of visitors

All visitors will be required to verify their identity to the satisfaction of staff and to leave their belongings, including their mobile phone(s), in a safe place during their visit.

If the visitor is unknown, we will check their credentials and reason for visiting before allowing them to enter. Visitors should be ready to produce identification.

Visitors are expected to sign the visitors' book and wear a visitor's badge.

Visitors to the company who are visiting for a professional purpose, such as teaching assistants and personal assistants, will be asked to show photo ID and will be asked to show their DBS certificate, which will be checked alongside their photo ID.

All other visitors, including visiting speakers, will be accompanied by a member of staff at all times. We will not invite into the company any speaker who is known to disseminate extremist views, and will carry out appropriate checks to ensure that any individual or organisation using company facilities is not seeking to disseminate extremist views or radicalise children, young people or staff.

Non-collection of young persons

If a young person is not collected at the end of the session/day, we will:

- Contact the carer/guardian of the child / young person
- Use the Emergency contact list in cases where contact with the primary contact is not possible
- Contact the appropriate authority and report non collection