

Salutem Ltd

Safeguarding young people and vulnerable adults policy

Awarding bodies:

City and Guilds

NOCN

CITB

Proqual

November 2017

Due for review November 2020

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| Author | Reviewed by | Created | Last reviewed | Next Review Date |
| Gemma Kemp | Elaine Kirby | September 2017 | September 2017 | September 2020 |

**Safeguarding Young People and Vulnerable Adults Policy**

**PURPOSE:** To inform staff, students and parents/ guardians of the policy and procedures that Salutem has in place to ensure that the welfare of young people and vulnerable adults receiving education and training from Salutem is safeguarded and promoted.

**SCOPE:** This policy applies to the training brand Salutem and is for all learners who receive training from Salutem.

**RESPONSIBILITY:** The Salutem Operations Director is responsible for this policy.

**ADDITIONAL INFORMATION:** N/A

**Policy:** Safeguarding Young People and Vulnerable Adults Policy

**Legal Context:** Keeping Children Safe in Education Statutory Guidance for Companys and Companys (April 2014); Children Act 2004; The Prevent Duty

This policy applies to the training brand known as Salutem

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**A General Policy Statement**

Salutem has a statutory and moral duty to ensure that the welfare of young people and vulnerable adults receiving education and training at the company is safeguarded and promoted.

Throughout these policies and procedures, reference is made to “young people”. This term is used to mean those under the age of 18. The company recognises that some adults may also be vulnerable to abuse, and, accordingly, the procedures may be applied to allegations of abuse and the protection of vulnerable adults.

The company is committed to ensuring that it:

1. Provides a safe environment for young people and vulnerable adults;
2. Identifies young people and vulnerable adults who are suffering, or likely to suffer, significant harm; and
3. Takes appropriate action to see that such young people and vulnerable adults are kept safe, both at home and at the company.

In pursuit of these aims, the company will approve this policy and at least every three years review policies and procedures with the aim of:

1. Raising awareness of issues relating to the welfare of young people and vulnerable adults and the promotion of a safe environment for the young people learning within the training environment or whilst on placement in the workplace.
2. Aiding the identification of young people and vulnerable adults at risk of significant harm, and providing procedures for reporting concerns.
3. Establishing procedures for reporting and dealing with allegations of abuse against members of staff.
4. The safe recruitment of staff.

In developing the policies and procedures the company will consult with, and take account of, guidance issued by the Department for Education and the [Department for Business, Energy](http://en.wikipedia.org/wiki/Department_for_Business%2C_Innovation_and_Skills) and Industry and other relevant bodies and groups

The company will refer concerns that a young person might be at risk of significant harm to the Education and Children Service, Duty Assessment and Referral Team (DART).

The company has a nominated employee Gemma Kemp, as the employee with special responsibility for safeguarding issues.

The Company holds a central record of all staff which details relevant checks that have been undertaken.

All staff have and will continue to receive safeguarding training in order tofamiliarise them with safeguarding issues, their responsibilities and the Company procedures and policies. Refresher training will take place at least every 3 years. There is a designated senior member of staff with lead responsibility for safeguarding.

The company will receive, from the designated senior member of staff with lead responsibility for safeguarding, an annual report that reviews how the duties have been discharged.

The company recognises the following as definitions of abuse:

**A1. Abuse**: a form of maltreatment of a child/young person. Somebody may abuse or neglect a child/young person by inflicting harm, or by failing to act to prevent harm. They may be abused by an adult or adults or another child or children.

**A2**. **Physical abuse**: a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child/young person. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child/young person.

**A3**. **Emotional abuse**: the persistent emotional maltreatment of a child/young person such as to cause severe and adverse effects on the child’s emotional development. It may involve conveying to a child/young person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child/young person opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child’s developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child/young person participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child/young person, although it may occur alone.

**A4**. **Sexual abuse**: involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child/young person 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. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child/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.

**A5.** **Neglect**: the persistent failure to meet a child or young person’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child 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 from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child or young person’s basic emotional needs.

**B Designated Staff with Responsibility for Child Protection**

Senior Staff Member with Lead Responsibility

The designated senior member of staff with lead responsibility for safeguarding is Gemma Kemp

This person is a senior member of the company training management team. She has a key duty to take lead responsibility for raising awareness within the staff of issues relating to the welfare of young people and vulnerable adults, and the promotion of a safe environment for the young people and vulnerable adults learning within the company.

She has received training in safeguarding issues, and will receive refresher training at least every 3 years. She will keep up to date with developments in safeguarding.

The designated senior member of staff is responsible for:

1. Overseeing the referral of cases of suspected abuse or allegations;
2. Providing advice and support to other staff on issues relating to safeguarding;
3. Maintaining a proper record of any safeguarding referral, complaint or concern (even where that concern does not lead to a referral);
4. Ensuring that parents of young people within the company are aware of the company’s Safeguarding of Young People and Vulnerable Adults Policy;
5. Liaising with the Education and Children’s Serviceand the Local Safeguarding Children’s Board, the Safeguarding Adults Board and other appropriate agencies;
6. Liaising with secondary companys which send pupils to the company to ensure that appropriate arrangements are made for the pupils;
7. Ensuring that the appropriate liaison takes place with employers and training organisations receiving young people and vulnerable adults from the company on long term placements to ensure that appropriate safeguards are put in place; and
8. Ensuring that staff receive training in safeguarding and are aware of the company safeguarding procedures.
9. Ensuring that the company has procedures and policies which are reviewed every three years.

Where there are allegations against the Managing Director or any other senior post holder or against the Senior Staff Member with lead responsibility, the Apprenticeship Manager will inform the Board of Directors and oversee the liaison between appropriate agencies. This liaison will not involve undertaking any form of investigation, but will ensure good communication between the parties and provide information to assist enquiries.

The Apprenticeship Manager shall receive appropriate training and all members of the company will be briefed on their responsibilities in relation to safeguarding.

Designated Staff Members

The Operations Director acts as Deputy DSM.

The DSM

1. Will know how to make an appropriate referral;
2. Will be available to provide advice and support to other staff on issues relating to safeguarding;
3. Have particular responsibility to be available to listen to young people and vulnerable adults studying at the Company;
4. Will deal with individual cases, including attending case conferences and review meetings as appropriate; and
5. Have received training in child protection/ safeguarding issues and will receive refresher training at least every 3 years.

**C Dealing with Disclosure of Abuse and Procedure for Reporting Concerns**

The procedure will be determined primarily by the Local Safeguarding Children’s Board and Safeguarding Adults Boards, which establish the locally agreed inter-agency procedures. However, all staff should observe the following guidelines.

If a young person or vulnerable adult tells a member of staff about possible abuse:

* Listen carefully and stay calm;
* Do not interview the young person, but question normally and without pressure, in order to be sure that you understand what the young person is telling you;
* Do not put words into the young person’s mouth;
* Reassure the young person that by telling you, s/he has done the right thing;
* Inform the young person that you must pass the information on, but that only those that need to know about it will be told. Inform him/her of to whom you will report the matter;
* Note the main points carefully; and
* Make a detailed note of the date, time, place, what the young person said, did and your questions.

Staff should not investigate concerns or allegations themselves but should report them immediately to the Designated Person.

In exceptional circumstances, when it is not possible to locate or contact the Designated Person or any of the safeguarding team, the Managing Director, any other member of the Executive or Senior Management Teams or a member of staff may make a referral direct to the appropriate Social / Children’s services department. This should be reported to the Designated Person or the Managing Director at the earliest opportunity.

**D Reporting and Dealing with Allegations of Abuse against Members of Staff**

The procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers. The word “staff” is used for ease of description.

1. **Introduction**
	1. In rare instances, staff in educational settings have been found responsible for abuse of a young person or vulnerable adult. Because of their frequent contact with young people, staff may have allegations of abuse made against them. The company recognises that an allegation of abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and those investigations are thorough and not subject to delay.

1.2 The company recognises that the Children Act 1989 states that the welfare of the young person is the paramount concern. It is also recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual’s reputation, confidence and career. Therefore, those dealing with such allegations within the company will do so with sensitivity and will act in a careful, measured way.

1.3 The company also recognises that the Sexual Offences (amendment) Act 2000 established a criminal offence of the abuse of trust affecting teachers and others who are in a relationship of trust with 16-18 year olds; a relationship of trust being one where a member of staff or volunteer is in a position of power or influence over a pupil or student by virtue of the work or nature of the activity being undertaken.

The legislation is intended to protect young people in education who are over the age of consent but under 18 years of age.

The principle of equality embedded in the legislation applies irrespective of sexual orientation: homosexual nor heterosexual relationships are acceptable within a position of trust.

1. **Receiving an Allegation from a Young Person or Vulnerable Adult**
	1. A member of staff who receives an allegation about another member of staff from a young person or vulnerable adult should follow the guidelines in Part C for dealing with disclosure.
	2. The allegation should be reported immediately to the Managing Director. If the allegations are against the Managing Director or any other senior post holder, the report should be made to the Senior Staff Member with lead responsibility, who will inform the Board of Directors. The Managing Director (or the designated person if the allegation is against the Managing Director or another senior post holder) should:

2.2.1 Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the Managing Director (or designated person).

2.2.2 Record information about times, dates, locations and names of potential witnesses.

1. **Initial Assessment by The Managing Director (or designated person)**
	1. The Managing Director (or designated person) should make an initial assessment of the allegation, consulting with the Senior Staff Member with lead responsibility, and the Local Safeguarding Boards as appropriate. Where the allegation is considered to be either a potential criminal act or indicates that the young person or vulnerable adult has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the appropriate Social/Children’s services department.
	2. It is important that the Managing Director (or designated person) does not investigate the allegation. The initial assessment should be on the basis of the information received and is a decision whether or not the allegation warrants further investigation.

3.3 Other potential outcomes are:

3.3.1 The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the young person or vulnerable adult. The matter should be addressed in accordance with the company disciplinary procedures.

3.3.2 The allegation can be shown to be false because the facts alleged could not possibly be true.

1. **Enquiries and Investigations**
	1. Safeguarding/Child protection enquiries by Social/Children’s services or the police are not to be confused with internal, disciplinary enquiries by the company. The company may be able to use the outcome of external agency enquiries as part of its own procedures. The safeguarding agencies, including the police, have no power to direct the company to act in a particular way; however, the company should assist the agencies with their enquiries.
	2. The company shall hold in abeyance its own internal enquiries while the formal police or Social/Children’s services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform to the existing staff disciplinary procedure or the disciplinary procedure for senior post holders.
	3. If there is an investigation by an external agency, for example the police, the Managing Director (or designated person) should normally be involved in, and contribute to, the inter-agency strategy discussions. The Managing Director (or DSM) is responsible for ensuring that the company gives every assistance with the agency’s enquiries. S/he will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The Managing Director (or DSM) shall advise the member of staff that s/he should consult with a representative, for example, a trade union officer.

4.4 Subject to objections from the police or other investigating agency, the Managing Director (or DSM) shall:

4.4.1 inform the young person/vulnerable adult or parent/carer making the allegation that the investigation is taking place and what the likely process will involve.

4.4.2 ensure that the parents/carers of the young person/vulnerable adult making the allegation have been informed that the allegation has been made and what the likely process will involve.

4.4.3 inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve.

4.4.4 inform the Board of Directors and the Apprenticeship Manager of the allegation and the investigation.

4.5 The Managing Director (or DSM) shall keep a written record of the action taken in connection with the allegation.

1. **Suspension of Staff**
	1. Suspension should not be automatic. In respect of staff, other than senior postholders, suspension can only be carried out by the Managing Director or Operations Director In respect of the Managing Director and other senior post holders, suspension can only be carried out by the Operations Director.
	2. Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary act and shall be on full pay. Consideration should be given to alternatives: e.g. paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties. Any suspension should remain under review in accordance with the company’s disciplinary procedure for staff or the disciplinary procedure for senior post holders.

5.3 Suspension should only occur for a good reason. For example:

5.3.1 where a young person/vulnerable adult is at risk.

5.3.2 where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.

5.3.3 where necessary for the good and efficient conduct of the investigation.

* 1. If suspension is being considered, the member of staff should be encouraged to seek advice, for example from a trade union.
		1. Prior to making the decision to suspend, the Managing Director or the designated senior post holder (or Operations Director) should meet with the member of staff. This should occur with the approval of the appropriate agency from the Local Safeguarding Children’s Board or Vulnerable Adult Board. In particular, if the police are engaged in an investigation the officer in charge of the case should be consulted.
		2. The member of staff should be advised to seek the advice and/or assistance of a colleague or other representative and should be informed that s/he has the right to be accompanied by a friend. The member of staff should be informed that an allegation has been made and that consideration is being given to suspension. It should be made clear that the meeting is not a formal disciplinary hearing, but solely for raising a serious matter which may lead to suspension and further investigation. Care should be taken that any such meeting is carried out in accordance with the provisions in the Company's disciplinary procedure for staff or senior post holders.
	2. During the meeting, the member of staff should be given, as much information as possible, provided that doing so would not interfere with the investigation into the allegation. In particular the reasons for any proposed suspension should be set out. The meeting is not intended to establish the member of staff’s innocence or guilt, but give opportunity for the member of staff to make representations about possible suspension. The member of staff should be given the opportunity to consider any information given to him/her at the meeting and prepare a response, although that adjournment may be brief.
		1. If the Managing Director (or Operations Director) considers that suspension is necessary, the member of staff shall be informed that s/he is suspended from duty. Written confirmation of the suspension, with reasons, shall be despatched as soon as possible and ideally within one working day. In the event that the Managing Director or other senior post holder has been suspended, the Operations Director will report the suspension in writing to the Board of Directors and to the Local Authority Designated Officer (LADO) within 2 working days.

5.5 Where there is a suspension, the Managing Director (or Operations Director) should address the following issues:

5.5.1 the Board of Directors should be informed of the suspension in writing and kept informed of the progress of any investigation.

5.5.2 where the Managing Director or another senior post holder has been suspended, the Operations Director will need to take action to address the management of the Company.

5.5.3 the parents/carers of the young person/vulnerable adult making the allegation should be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the young person/vulnerable adult making the allegation of the suspension.

5.5.4 senior staff that need to know of the reason for the suspension should be informed.

5.5.5 depending on the nature of the allegation, the Managing Director should consider with the Operations Director whether a statement to the students of the Company and/or parents/carers should be made, taking due regard of the need to avoid unwelcome publicity.

5.6 The Managing Director and Operations Director shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The Local Safeguarding Children’s Board or the Safeguarding Adults Board and external investigating authorities should be consulted.

5.7 The suspended member of staff should be given appropriate support during the period of suspension. S/he should also be provided with information on progress and developments in the investigation at regular intervals.

5.8 The suspension should remain under review in accordance with the Company disciplinary procedures.

1. **The Disciplinary Investigation**
	1. The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures

6.2 The member of staff should be informed of:

6.2.1 the disciplinary charge against him/her.

6.2.2 his/her entitlement to be accompanied or represented by a trade union representative or friend.

* 1. Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension should be lifted immediately and arrangements made for the member of staff to return to work.
	2. The young person or vulnerable adult making the allegation and/or their parents should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to Company of the member of staff (if suspended).
	3. The Managing Director and the Operations Director (or designated person) should give consideration to what information should be made available to the general population of the Company.
1. **Allegations without Foundation**
	1. False allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to a referral to the Local Safeguarding Children’s Board in order that other agencies may act upon the information.

7.2 In consultation with the designated senior member of staff and the the Managing Director or in the case of a senior post holder, the Operations Director shall:

7.2.1 inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or safeguarding action will be taken. Consideration should be given to offering counselling/support.

7.2.2 inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.

* + 1. where the allegation was made by a young person or vulnerable adult other than the alleged victim, consideration to be given to informing the parents/carers of that person also.

7.2.4. prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.

1. **Records**
	1. It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the member of staff’s personal and confidential file.
	2. If a member of staff is dismissed, or resigns before the disciplinary process is completed, he/she should be informed about the Company’s statutory duty to inform the DBS.

8.3 Child protection records are to be kept for a minimum of 25 years.

1. **Monitoring Effectiveness**

9.1 Where an allegation has been made against a member of staff, the Apprenticeship Manager, together with the senior staff member with lead responsibility should, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of the Company’s procedures and/or policies and/or which should be drawn to the attention of the Local Safeguarding Children’s Board and the Safeguarding Adults Board. Consideration should also be given to the training needs of staff. A report will be made to the Board of Directors setting out any recommendations.

**10 Physical Contact with Students/Restraint**

It is not realistic to suggest that tutrs should never touch students, and they and other staff in Company have the right to use reasonable force to control or restrain students in certain circumstances. **Use of reasonable force, Advice for head teachers, staff and governing bodies DOE 2013** outlines what types of incidents may require the use of force and what constitutes reasonable force in the following terms:

1. The term ‘reasonable force’ covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with students.
2. Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
3. ‘Reasonable in the circumstances’ means using no more force than is needed.
4. Control means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.
5. Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.
6. Company staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student.

**Who can use reasonable force?**

All members of company staff have a legal power to use reasonable force.

This power applies to any member of staff at the company. It can also apply to people who have temporarily been put in charge of students such as unpaid volunteers or parents accompanying students on a company organised visit.

**Using Force**

**A panel of experts identified that** **certain restraint techniques presented an unacceptable risk** when used on children and young people. The techniques in question are:

* the ‘seated double embrace’ which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;
* the ‘double basket-hold’ which involves holding a person’s arms across their chest; and
* the ‘nose distraction technique’ which involves a sharp upward jab under the nose.

**Reporting Incidents of Restraint/ Physical Contact with Students**

All incidents must be reported on the incident reporting form.

**Staff Training**

**The company will train staff in the proper use of restraint.**

**When can reasonable force be used?**

* Reasonable force can be used to prevent pupils/students from hurting themselves or others, from damaging property, or from causing disorder; and
* In a company, force is used for two main purposes – to control students or to restrain them.

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used:

**The company can use reasonable force to:**

* remove disruptive students from the classroom where they have refused to follow an instruction to do so;
* prevent a student behaving in a way that disrupts a company event or a company trip or visit;
* prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
* prevent a student from attacking a member of staff or another student, or to stop a fight in the company grounds; and
* restrain a student at risk of harming themselves through physical outbursts.

**The company cannot:**

* use force as a punishment – it is always unlawful to use force as a punishment.

**Power to search students without consent**

In addition to the general power to use reasonable force described above, authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”

* knives and weapons;
* alcohol;
* illegal drugs;
* stolen items;
* fireworks;
* pornographic images; and
* any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

**If the student refuses to volunteer to a search and the situation warrants it the company will contact the police.**

**E Recruitment and Selection Procedures**

The Company will ensure that its recruitment and selection procedures are regularly reviewed in order to take account of the following:

* They should apply to staff, senior post holders and volunteers who may work with children;
* The post or role should be clearly defined;
* The key selection criteria for the post or role should be identified;
* Vacancies should be advertised widely in order to ensure a diversity of applicants;
* Require documentary evidence of academic/vocational qualifications;
* Obtain professional and character references;
* Verify previous employment history;
* Disclosure and Barring Service checks/ Barred List checks in line with the DBS guidance; and
* Use a variety of selection techniques (e.g. qualifications, previous experience, interview, reference checks).

A DBS disclosure should be obtained before an individual begins work. Where an individual is allowed to begin work pending receipt of the DBS disclosure, the Company should undertake a risk assessment and ensure that the individual is appropriately supervised, does not undertake one to one activity and that all other checks, including the Barred List, have been completed.

If any offence is disclosed, which may pose a safeguarding risk, the Managing Director and Operations Director will hold a meeting regarding the suitability of the appointment based on the information received.

In the event of a disclosure being made concerning a member of the Board of Directors a decision will be made as to the suitability of their appointment by the Managing Director and the Operations Director.

**F Safeguarding and Promoting the Welfare of Young People in Education**

Working together to Safeguard Children (2013) streamlines previous guidance documents to clarify the responsibilities of professionals towards safeguarding children and strengthen the focus away from processes and onto the needs of the child. The definition for safeguarding and promoting the welfare of children in Working Together to Safeguard Children 2013 is:

1. Safeguarding children - the action we take to promote the welfare of children and protect them from harm - is everyone’s responsibility. Everyone who comes into contact with children and families has a role to play.

2. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance 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; and
* taking action to enable all children to have the best outcomes.

It replaces:

* Working together to safeguard children (2010);
* Framework for the assessment of children in need and their families (2000), and
* Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (2007).

All people working in education and the company contribute to safeguarding and promoting the welfare of children and young people. All companies and further education institutions have a statutory duty to safeguard and promote the welfare of young people and vulnerable adults. Consequently, staff in these establishments play an important part in safeguarding young people and vulnerable adults from abuse by early identification of those students who may be vulnerable or at risk of harm and by educating students, about managing risks and improving their resilience through the curriculum.

All training providers should create and maintain a safe environment for young people and vulnerable adults, and should be able to manage situations where there are welfare concerns.

The Company’s Welfare Officer has the responsibility of coordinating all concerns regarding the safeguarding and promotion of student welfare. This role ensures the work with young people/vulnerable adults and families/ carers will be:

* Young person centred;
* rooted in child development;
* supporting the achievement of the best possible outcomes for young people/ vulnerable adults and improving their wellbeing;
* holistic in approach;
* ensuring equality of opportunity;
* involving of young people and families;
* building on strengths as well as identifying and addressing difficulties;
* multi and inter-agency in its approach;
* a continuing process not an event;
* designed to identify and provide the services required, and monitor the impact their provision has on a young person’s/ vulnerable adult’s developmental progress; and
* informed by evidence.

**G Services or Activities provided by another Body on Company Premises**

Where services or activities are provided by another body on Company premises the Company will seek assurance that the body concerned has appropriate policies and procedures in place in regard to safeguarding young people and there are arrangements to liaise with the Company on these matters where appropriate.

1. **Safeguarding, Bullying and Internet Safety**

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1. As mobile phone and internet use become

Salutem regards its computer systems as a vital and integral part of its business and expects its employees to use computers responsibly and for the purposes of our business. The business has policy statements for IT. Please be aware that all internet usage is monitored and the Company reserve the rights to review all access at its own discretion

**What is Cyber bullying?**

Cyber bullying is the use of Information Communications Technology (ICT), particularly mobile phones and the internet, deliberately to upset or harass someone else.

**If a young person or vulnerable adult reports that s/he is being bullied or harassed or has been subject to any other form of abuse either face to face, or through internet or mobile phone technology we will follow the procedure as outlined in section C.**

Any allegation of bullying or harassment will be investigated under the Company Disciplinary Procedure.

**J. Safeguarding and Forced Marriages**

A forced marriage is a marriage in which one or both spouses do not (or, in the case of some adults with learning difficulties or disabilities, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure.

The Forced Marriage (Civil Protection) Act 2007 provides for three types of applicant who may apply for a forced marriage protection order. They are the victim, anyone on their behalf with the permission of the court and a relevant third party. A relevant third party such as a local authority may apply on behalf of a victim and does not require the leave of the court.

**Following the Government’s consultation, on 8 June 2012, the Prime Minister announced that the Government has decided to make Forced Marriage a criminal offence**.

**J.1 First Steps In All Cases if a member of staff suspects or is approached by a student who is being forced into marriage**

* See her/him immediately in a secure and private place where the conversation cannot be overheard;
* See the student on his/her own – even if they attend with others;
* Listen carefully and stay calm;
* Do not interview the young person, but question normally and without pressure, in order to be sure that you understand what the young person is telling you;
* Do not put words into the young person’s mouth;
* Reassure him/her about confidentiality i.e. family members will not be informed
* Inform the young person that you must pass the information on, but that only those who need to know about it will be told. Inform him/her of to whom you will report the matter;
* Note the main points carefully;
* Make a detailed note of the date, time, place, what the young person said, did and your questions etc.;
* Agree a discreet way of contacting him/her in the future; and
* Refer immediately to the designated person for Safeguarding.

**Do Not:**

* Send him/her away;
* Approach members of their family or the community;
* Share information with anyone other than the designated members of staff with responsibility for Safeguarding; and
* Attempt to be a mediator.

**J.2 What To Do When a Student Is Going Overseas Imminently**

If a student tells you that s/he is travelling overseas within days, a second meeting may not be possible so you should try to get as much of the following information from the student as is possible before referring to the designated member(s) of staff with responsibility for Safeguarding.

The designated person will need to have as much information as possible to pass on to the Forced Marriage Unit to help them to locate the student and assist to repatriate him/her.

* Follow the first steps set out in section J.1; and
* In addition collect as much as possible of the information set out below:
* A photocopy of their passport for retention;
* Encourage them to keep details of their passport number and the place and date of issue; and
* As much information as possible about the family including:

Full name and date of birth of the person under threat, their father’s name, any address where they may be staying overseas, potential spouse’s name (if known), date of the proposed wedding (if known), the name of the potential spouse’s father (if known), addresses of the extended family in the UK and overseas and any known phone numbers.

* Information that only they would be aware of (if the victim is a British national, this may assist any subsequent interview at an Embassy/British High

Commission in case another person of the same age and gender is produced pretending to be him/her);

* Details of any travel plans and people likely to accompany him/her;
* A safe means by which to contact him/her e.g. a mobile telephone that will function overseas - record the number;
* Details of the third party in order to maintain contact in case the person contacts him/her whilst overseas or on his/her return;
* An estimated return date. Ask that they contact you without fail on their return; and
* A written statement by the person explaining that they want the police, adult or children’s social care, a teacher or a third party to act on their behalf if they do not return by a certain date.

The designated member of staff with responsibility for safeguarding will report details of the case, with full family history, to the Forced Marriage Unit. Only in exceptional circumstances (absence of designated member(s) of staff for safeguarding and senior staff) should this be done directly. If in exceptional circumstances a direct report is made, the designated member of staff should be informed immediately.

**K. Female Genital Mutilation**

Female genital mutilation (FGM) is a collective term for all procedures involving the partial or total removal of external female genitalia for cultural or other non-therapeutic reasons. The procedure is typically performed on girls aged between four and 13 years, but in some cases FGM is performed on new born infants or on young women before marriage or pregnancy. The age at which girls undergo FGM varies according to the community. FGM is illegal in the UK. It is also illegal to take a child abroad to undergo FGM. FGM is considered child abuse in the UK and causes physical, psychological and sexual harm.

FGM is much more common than many realise and there are substantial populations from countries where FGM is endemic across the UK, the Birmingham area being one of these.

The Company will follow the guidelines published on the DfE website and as with other forms of abuse staff are asked to be vigilant to the risk of it being practised and to report any concerns to a safeguarding officer.

Extended holiday absence during the company year, are particular periods when the company is encouraged to be alert to the signs of potential or actual abuse.

**L. Protection from Extremism and Radicalisation**

* Company staff are adequately trained to recognise and refer concerns with regard to student radicalisation using normal safeguarding procedures

**Supporting Documents**

* Keeping children safe in education Statutory guidance for companys (April 2014);
* **Working Together to Safeguard Children (2013)**;
* **Local Safeguarding Children Board Procedures Updated 2014;**
* Guidance for Individuals Working with Children and Young People - **What to do if you are worried a child is being abused;**
* Children Acts 1989, 2004;
* Safeguarding Vulnerable Groups Act 2006;
* Safe From Bullying in Further Education Companys (DIUS, 2009);
* The Forced Marriage (Civil Protection) Act 2007;
* Multi-agency practice guidelines: Handling Cases of Forced Marriage; and
* Multi-agency practice guidelines: Female Genital Mutilation (2011).
* The Prevent Duty Guidance for England and Wales, 2015

**Appendix**

**Policy and Procedure for DBS and the Barred Lists checks and Registration**

# Introduction

The aim of this policy and procedure is to ensure that appropriate DBS and Barred List checks are in place for staff.

# General Principles

2.1 The Company application form contains a section concerning Rehabilitation of Offenders Act 1974 where applicants are requested to disclose pending criminal convictions, criminal charges or summonses whether or not the conviction is regarded as “spent”. The Company as an employer is exempt from the provisions of the Rehabilitation of Offenders Act. All successful applicants are informed that the offer of employment is subject to a satisfactory DBS disclosure.

2.2 The company operates its DBS policy in line with the DBS code of conduct

2.3 Disclosure information is treated as confidential and only handled by authorised signatories and the HR team.

2.4 Disclosures and information pertaining to these are securely stored in a central file, which is kept locked away except when in use by an authorised signatory.

2.5 Copies of disclosure application forms will be destroyed upon receipt of the disclosure. Members of staff only have to show a DBS disclosure, they may refuse to provide the Company with a copy. However, disclosure numbers and records of convictions highlighted will be noted, if present and followed up.

2.6 Disclosures and records relating to these are not kept for lengthy periods of time, with disclosures being safely destroyed after 6 months of being issued by the DBS. This is in line with DBS requirements.

2.7 …The Company’s computerised HR system will hold the following information:

* the date the clearance is issued;
* the disclosure number; and
* the date of the Barred List check.

2.8 The Company will fund all disclosures for staff.

2.9 HR will request and verify evidence as outlined in DBS guidance when completing disclosure applications.

2.10 The Company will ensure it does not contract staff from an external teaching staffing agency unless the agency confirm they undertake DBS clearance checks for their staff, in accordance with DBS and legislative requirements.

2.11 Where there has been a breach of Child Protection Policies and action under the disciplinary procedure has been taken, the Company may refer names to the relevant external Government authorities e.g. Local Children’s Safeguarding Board and ISA.

# Roles and Responsibilities

3.1 The Signatory for the Company is the Training and HR operations director .

3.2 It is the responsibility of the HR team to operate the process described within the policy.

3.3 Line managers are responsible for checking that members of their team have followed the appropriate process.

3.4 Staff are responsible for applying for disclosure and for declaring any offences, on the Company application form.

# Reporting and Review

4.1 The Training operations Director will review this procedure regularly, taking account of legislative changes and the DBS Code of Practice.

# Procedures

**5.1 New Starters**

 All new staff involved in training young people will be required to complete an enhanced DBS disclosure and all appointments are subject to a satisfactory DBS check.

 They are also required to have a Barred List check in place before they start work. A completed DBS form and supporting evidence will also need to be provided. HR will advise Line Managers when this is complete and also when full clearance is received. However, the Company accepts that due to operational reasons members of staff may be required to start before DBS clearance is received. In these circumstances a risk assessment needs to be in place and actions taken to ensure no one to one contact is required and the individual is appropriately supervised.

 HR must make sure that every effort is made to ensure a quick turnaround on the application and receipt of the DBS disclosure certificate.

**5.2 Existing Members of Staff**

 Existing members of staff must declare any criminal offences or cautions that they receive during their employment with Salutem.

 The DBS will be formally notified of individual staff details where disciplinary action has led to dismissal and the Company deems that the individual’s behaviour is such as to put young and vulnerable people at risk. The DBS will decide whether to take further action.

**5.3 Consultants**

 In the case where consultants are likely to work for the Company on a regular or for a sustained period, the Company should ensure appropriate checks have taken place either through the Company or with the supplying agency.

**5.4 Visitors**

 It is not necessary or practical for the Company to require a DBS disclosure for visitors who may have not or only have incidental contact with children and vulnerable adults and will only be in the Company for a short period of time. In all cases such individuals must sign in and out via reception and will be issued with a visitor’s card by Reception staff. The relevant member of Company staff will be required to meet the visitor in reception.

 Responsibility for supervision of these visitors will lie with the employee they are meeting or working for.

1. **Criminal Convictions**

Where an applicant discloses a criminal conviction on their application form this should be discussed with the candidate if selected for interview.

When a DBS disclosure indicates conviction or caution the Operations Director will arrange to meet them to discuss the nature of their conviction. Each case will be dealt with on an individual basis, depending upon the nature of the conviction and the job role of the member of staff.

If it is deemed that the conviction(s) do not pose a safeguarding risk the matter will be taken no further and the member of staff will be advised accordingly.

If the HRMC feels that the nature of the conviction(s) are such that the offer of employment should not be made or withdrawn the HRMC will refer the matter to the Managing Director for a final decision. If it is deemed that the convictions are not acceptable the offer of employment will be withdrawn.

In the case of existing staff, if a caution/conviction is disclosed and following an assessment of risk to Children and Vulnerable Adults the Company decides that the employee is unable to continue in their current role, the Company will consider options of alternative employment within the Company. However, if it is felt that the caution / conviction is sufficiently serious dismissal would take place.

1. **Other relevant documents**
* Safeguarding Young People and Vulnerable Adults Policy