



Safeguarding Policy

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1. Introduction

Genius People (KCC) recognises that the Company Management, members of staff and learners have an important role to play in safeguarding the welfare of young people and vulnerable adults and preventing their abuse.

All Genius People staff, governors, associates, third-party providers, employers and volunteers have a duty of care to safeguard and promote the welfare of learners, both those that are employed (apprentices) and those who are non-employed. This includes employers safeguarding apprentices within their place of work.

Everyone working with learners, vulnerable adults and their families should be familiar with this document and with their role in reporting any safeguarding concern to the relevant local authority and also within Genius People's internal recording procedure.

This policy is also available to learners and other stakeholders at the initial point of their engagement with Genius People and is available on the website.

We not only ensure whether arrangements for Safeguarding learners are appropriate and effective (Ofsted EIF Sep 2019) but we have also implemented outstanding measures to ensure that safeguarding policy and procedures are fully embedded into the learning journey and we work closely with employers to ensure the most effective systems are in place.

Genius People ensures reflection on and learning from best practice in safeguarding through the Local Children's Safeguarding Board's performance framework. All Genius People Safeguarding policies, which is in accordance with LSCB arrangements and procedures, links to other relevant policies within the setting to ensure awareness of specific safeguarding issues and how to respond across the education setting's community: staff, parents and learners. These details are outlined and described in Keeping Children Safe in Education Sep 2019 (KCSiE):

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

In order to support effective practice, the corporate Genius People safeguarding policy template has been adapted and expanded to meet the requirements of KCSiE, whilst retaining its structure.

All staff and volunteers have a legal duty to report in strict confidence to their safeguarding officer if they have cause for concern and believe that an individual (employed, volunteer, learner, visitor or anyone else at the company) for whatever reason:

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

2. What is Safeguarding?

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

The Safeguarding Agenda includes a wide range of potential risks (See decision making tool for help with indicators of Safeguarding concern)

- Abuse (physical, emotional, financial, institutional, sexual, and organisational)
- Self-neglect
- Discrimination
- Child sexual exploitation
- Bullying and cyberbullying
- Domestic abuse
- Substance misuse
- Fabricated and induced illness
- Faith abuse
- Forced marriage
- Gang and youth violence
- Private fostering
- Female genital mutilation (FGM)
- Gender based violence
- Radicalisation
- Sexting
- Teenage Relationship abuse
- Trafficking and modern slavery
- Breast ironing
- Mental health concerns
- Missing children in education

3. Definitions

A Child is defined as anyone under the age of 18.

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

Alongside the Safeguarding Agenda above this could be due to, and not limited to any of the following:

- Living in sheltered housing
- Receiving any form of health care
- Receiving a welfare service in order to support their need
- Receiving a service due to their age or disability
- Living in residential accommodation as a care home
- Receiving domiciliary care in their own home
- Expectant or nursing mothers living in residential care
- Persons under supervision of the probation service

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

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

4. Our Responsibility

We all have a responsibility to ensure that children, young people and adults at risk are protected from harm, informed about potential risks to their welfare, and understand how to seek help.

We ensure all concerns are dealt with timely and appropriately and we also have a responsibility to minimise the risk of allegations against our staff.

All staff are expected comply with any DBS check request and to have a good understanding of what constitutes a safeguarding or welfare concern and how to provide support, guidance and the channels for escalating a concern.

To assist staff in this, on-going training and awareness, as well as continuous information, advice and guidance are provided to help staff to feel confident in proactively promoting safeguarding and understanding their individual responsibilities.

The responsibilities of particular individuals are detailed below:

- Our Directors –
 - To ensure we have effective policies, and these are implemented and followed.
 - Ensure enough time and resources are allocated to employees to carry out their responsibilities.
- Designated Safeguarding Lead –
 - To maintain links with Local Safeguarding Children’s Boards and Prevent Coordinators, inform and advise all parties on legislation changes and current safeguarding themes, plan and implement training for all employees including CPD, quality assurance and standardisation for the designed safeguarding officer team.
 - To carry out investigations, where appropriate, into welfare concerns reported and liaise with external bodies such as safeguarding boards where appropriate.
 - Support and escalation processes.
 - Overall management of safeguarding issues reporting to board on any issues that arise.

- Review procedures and policies on a timely basis.
- Maintain own CPD to ensure their role can be fulfilled competently.
- Designated Safeguarding Officers –
 - To deal with employee concerns over learner’s welfare, signpost and offer guidance.
 - Carry out investigations where appropriate into welfare concerns reported and liaise with external bodies such as safeguarding board where appropriate.
 - Maintain own CPD to ensure their role can be fulfilled competently and seek guidance where appropriate.
- Our Regional Trainers/Tutors –
 - To check safety and welfare with all learners at each visit/communication, ensuring learners complete all safety related learning activities within their programme.
 - Be aware of the indicators that there may be a safeguarding issue and use the chart for reporting issues. Report in a timely and appropriate manner (see Decision Chart for support on this).
- Support Team –
 - Be mindful of indicators that there may be a safeguarding issue, should you meet a learner or potential learner.
 - Follow the Decision Chart for reporting issues that concern them or are reported to them in a timely manner.

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

- Physical abuse
- Sexual abuse
- Emotional / psychological abuse
- Neglect

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

- Financial and material abuse
- Self-neglect

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

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

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

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

<https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused-2>

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

To support the safeguarding agenda it may on occasion be necessary to refer to other company policies and procedures on Prevent, Health & Safety, Harassment, Bullying and Grievance. In all cases safeguarding will take precedent over other policy and procedure areas.

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

We are committed to training all staff to work within the local safeguarding procedures and operational safeguarding arrangements where possible as set out by Local Safeguarding Children Boards (LSCBs).

There are detailed requirements for safer recruitment outlined in KCSiE. These include specific requirements for education settings include keeping a Single Central Record (single check register) of the staff recruited and the required checks (i.e. DBS) that have been undertaken.

Please also refer to our Safer Recruitment Policy.

All staff have enhanced disclosure as working with under 18 s and vulnerable groups form part of our education offer.

5. The Role of the DSL

The DSL (nominated person) holds ultimate accountability for ensuring safeguarding arrangements for both learners including apprentices, staff and associates.

The nominated **Designated Safeguarding Lead (DSL)** ensures that safeguarding matters are central to the strategic management of Genius People. The **DSL** is an experienced and qualified practitioner.

The role of the DSL is key in ensuring that operational safeguarding in the service-specific contexts is effective. The DSL will also ensure that local delivery staff develop close working relationships with other agencies involved in safeguarding arrangements in order that they effectively monitor the safety of the children and young people that Genius People works with.

Designated Safeguarding Lead job description is available to view in Annex A <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2> (page 92)

Every member of staff or volunteer has a responsibility for ensuring that learners are safeguarded while they are using Genius People services.

Genius People organisational safeguarding standards recognise that we safeguard in a wide range of contexts with a diverse group of learners. Therefore, managing the risk to learners in these contexts can require different sets of knowledge and skills, and different responses, some of which are driven by statute and legislation.

Our safeguarding standards and behaviours seek to underpin safeguarding in all of our practice and are derived from section 11 of the Children Act (2004) and the Care Act (2014) as well as best

practice guidance such as “Working Together to Safeguarding Children” <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2> and of course most recently KCSiE (2019).

Line Management: every staff member must ensure that disclosures are reported to the DSL immediately. In consultation with the staff member, the DSL will decide as to whether a referral is necessary/ will take place.

All reported disclosures regardless of outcome must also be reported internally within Genius People through the completion of the ‘Safeguarding Incident Form’ in conjunction with the written referral to the appropriate local authority safeguarding team.

The form has 3 parts:

- Part 1 outlines the basic details of the referral Part 2 the details of the incident being reported.
- Both part 1 and 2 must be completed at the same time following the disclosure.
- The form must then be anonymised by removing the person’s personal details and password protected and sent by email to the DSL
- Part 3 of the form must be completed within 7 days subsequent to the submission of Parts 1 and 2 once the outcome of the referral is known and resubmitted as detailed above.

It may be a requirement of Contract to report all Safeguarding concerns- please ensure contract compliance at all times.

6. Why is Safeguarding Necessary for Employed Learners i.e. Apprentices?

Providers of government funded training have a duty to safeguard their learners and to take such steps that try to ensure the safety of its learners (children under 18 or vulnerable adults) at all times.

As part of that duty, we ensure employers and other stakeholders are aware of their commitment in safeguarding their staff and to ensure that learners are not exposed to threats or dangers.

6.1 What are the responsibilities of an Employer?

- To understand what is meant by safeguarding and promote the welfare of learners
- Be aware of your statutory duties towards the welfare of children and vulnerable adults
- Be familiar with our guidance, in particular, the reporting arrangements

It is the responsibility of the employer to ensure employees working alongside learners are free from convictions and of sound character and judgement and will not pose as any threat or danger to learners.

What do I do **if my learner/ apprentice discloses information to me?**

- Re-assure the learner that they have done the right thing

- Record what the learner said, using their words where possible. Sign and date the record
- Inform our Designated Person or deputy as soon as possible and pass on the written record
- Maintain confidentiality and do not discuss with others
- Listen without making judgements
- Stay calm
- Try not to ask questions, but if you must, make sure they are open-ended questions to clarify
- Understanding and not to probe or investigate
- Don't give an opinion or offer advice
- Don't promise confidentiality - explain you may need to talk to a DSL

Employees working closely with children or vulnerable learners should be alert to the possibilities of harm and they should inform only—and not investigate or offer advice.

If any member of staff has a safeguarding issue brought to their attention, they must treat it as a matter of urgency and contact the Designated Safeguarding Team.

Any concern must be documented and emailed to the Designated Safeguarding Lead. Unless in immediate harm, where the relevant authorities will be contacted immediately.

In this situation ensure that the learner is accompanied and kept safe until the relevant authorities arrive.

If you have any concerns about an apprentice, then please do not hesitate to contact one of Genius People designated safeguarding lead/ deputy in the absence of the Lead.

7. Honour-Based Violence to Include FGM and Forced Marriage.

Female Genital Mutilation (FGM) is illegal in England and Wales under the FGM Act 2003 (“the 2003 Act”). It is a form of child abuse and violence against women. FGM comprises all procedures involving partial or total removal of the external female genitalia for non-medical reasons.

The FGM mandatory reporting duty is a legal duty provided for in the FGM Act 2003 (as amended by the Serious Crime Act 2015). The legislation requires regulated health and social care professionals and teachers in England and Wales to make a report to the police where, in the course of their professional duties, they either:

- Are informed by a girl under 18 that an act of FGM has been carried out on her
- Observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe that the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth

For the purposes of the duty, the relevant age is the girl's age at the time of the disclosure/identification of FGM (i.e. it does not apply where a woman aged 18 or over discloses she had FGM when she was under 18).

Complying with the duty does not breach any confidentiality requirement or other restriction on disclosure which might otherwise apply. The duty is a personal duty which requires the individual professional who becomes aware of the case to make a report; the responsibility cannot be

transferred. The only exception to this is if you know that another individual from your profession has already made a report; there is no requirement to make a second.

Reports under the duty should be made as soon as possible after a case is discovered, and best practice is for reports to be made by the close of the next working day, unless any of the factors described below are present. You should act with at least the same urgency as is required by your local safeguarding processes.

If you think you are dealing with such a case, it is a mandatory requirement to inform your designated safeguarding lead, as soon as practicable.

It is recommended that you make a report orally by calling 101, the single non-emergency number. You should be prepared to provide the call handler with the following information explaining that you are making a report under the FGM mandatory reporting duty:

- Your details: Name, contact details (work telephone number and e-mail address) and times when you will be available to be called back, job role, place of work
- Details of your organisation's designated safeguarding lead: name, contact details (work telephone number and e-mail address), place of work
- The girl's details: name, age/date of birth, address
- Throughout the process, you should ensure that you keep a comprehensive record of any discussions held and subsequent decisions made, in line with standard safeguarding practice. This will include the circumstances surrounding the initial identification or disclosure of FGM, details of any safeguarding actions which were taken, and when and how you reported the case to the police (including the case reference number). You should also ensure that your organisation's designated safeguarding lead is kept updated as appropriate.
- In line with safeguarding best practice, you should contact the girl and/or her parents or guardians as appropriate to explain the report, why it is being made, and what it means.
- Wherever possible, you should have this discussion in advance of/in parallel to the report being made. However, if you believe that telling the child/parents about the report may result in a risk of serious harm to the child or anyone else, or of the family fleeing the country, you should not discuss it.
- Forced marriage is an abuse of human rights, a form of violence against women and men, where it affects children, child abuse and where it affects those with disabilities abuse of vulnerable people. A forced marriage is one in which one or both spouses do not (or, in the case of some adults with learning or physical disabilities or mental incapacity, cannot) consent to the marriage and violence, threats, or any other form of coercion is involved. Coercion may include emotional force, physical force or the threat of physical force, and, financial pressure. In an arranged marriage, both parties have consented to the union but can still refuse to marry if they choose to.

FGM and forced marriage is child abuse, and employers and the professional regulators are expected to pay due regard to the seriousness of breaches of the duty.

<https://www.gov.uk/guidance/forced-marriage>

8. Grooming- What does the Term Grooming Mean?

- Grooming is a word to describe people befriending children and vulnerable adults to take

- advantage of them for sexual preferences
- Grooming is also used by extremist groups to radicalise individuals in to supporting and potentially committing terrorist attacks
- You will probably associate grooming with children, and predominantly this is what you will hear and see in the media on the subject, but it does also affect vulnerable adults

8.1 What is sexual online grooming?

- Sexual online grooming is when people form relationships with children pretending to be their friend, using social media platforms to do so
- The person carrying out the online grooming will try to establish the likelihood of the child telling someone. They will also find out as much as they can on the child's family and social networks
- Online groomers will tend to use chatrooms, which are focused on young people. There are countless teen chat rooms on the internet
- Those carrying out the grooming will pretend to be a child themselves, similar in age to the person they are grooming. They will even change their gender to make it easier to befriend the person they are grooming
- Grooming online is anonymous and children find it easier to trust an online 'friend' than someone they have met 'face to face'

8.2 How do you know if a child is being groomed online?

- Wanting to spend more and more time on the internet
- Being secretive about who they are talking to online and what sites they visit
- Switching screens when you come near the computer
- Possessing items – electronic devices or phones – you haven't given them
- Using sexual language, you wouldn't expect them to know
- Becoming emotionally volatile

8.3 Grooming – In Person

- Groomers will hide their true intentions and may spend a long time gaining a child or vulnerable adults trust
- They may try to gain the trust of the whole family to allow them to be left alone with a child or vulnerable adult
- Groomers may deliberately try to work with children or vulnerable adults and gain the trust of their colleagues

To gain trust, groomers will:

- Pretend to be someone they are not, for example saying they are the same age online
- Offer advice or understanding
- Buy gifts
- Give the child or vulnerable adult attention
- Use their professional position or reputation
- Take them on trips, outings or holidays

Children or vulnerable adults may not speak out about their situation because they:

- Feel ashamed
- Feel guilty
- Are unaware that they are being abused
- Believe they are in a relationship with a 'boyfriend' or 'girlfriend'

9. Contextualised Safeguarding

Keeping children safe in education contains the term – Contextual Safeguarding.

Contextual Safeguarding helps focus on the fact that young people experience harm beyond their families and recognises that the different relationships that young people form in their neighbourhoods, schools and online can feature violence and abuse. Parents and carers have little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships.

“Contextual Safeguarding, therefore, expands the objectives of child protection systems, beyond focusing on families in recognition that young people are vulnerable to abuse in a range of social contexts.” (KCSiE extract)

10. Keeping Yourself Safe

To maintain yours and the learner's safety, the following are strictly prohibited:

- Befriending learners on personal social media sites
- Distributing personal telephone numbers
- Visit learners at home
- Do not use sarcasm, insults or belittling comments towards learners
- Personal relationships with learners

You will naturally build a rapport with learners/ apprentices and they may see you as a confident and support but be sure to maintain professional boundaries whenever carrying out work on Genius People's behalf. Be respectful and appreciate you are in a position of trust.

- Uphold confidentiality within certain remits when required by the situation, but be careful not to promise to keep secrets or ask others to do so

11. Multi-Agency Working

Changes to this section in the KCSiE update 2019 are to clarify the expectations for all agencies, in the context of the phasing out of local safeguarding children boards (LSCBs)- specifically to be aware of and follow these new local arrangements, this includes our senior leadership team, DSL and governing board.

As a reminder, our 3 safeguarding partners are:

- Local authority (LA)
- Clinical commissioning group within the LA
- Police within the LA

12. Cyberbullying

Cyberbullying involves the use of electronic communication devices to bully people. These include, mobile phones, tablets, gaming units, iPods, laptops and PCs.

Social media platforms such as Facebook, Instagram, Twitter and WhatsApp are used by cyberbullies to put out their communications.

12.1 Who is most at risk?

- Children using social media unsupervised
- Vulnerable adults are particularly at risk if they are using social media, as they may be more emotionally and mentally susceptible to the abuse

13. Upskirting (now a form of peer-on-peer abuse in KCSiE 2019)

It's a criminal offence and is now listed in paragraph 27 of the new 2019 KCSiE guidance.

Definition: upskirting is typically when a photograph is taken under a person's clothing without them knowing, for sexual gratification or to cause the victim humiliation, distress or alarm.

14. Serious Violent Crime (Pages 29-30 KCSiE 2019)

All staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime.

These may include increased absence from school/ college, a change in friendship or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries.

Unexplained gifts or new possessions could also indicate that children and vulnerable have been approached by, or are involved with, individuals associated with criminal networks or gangs.

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

<https://www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines>

15. Risk Assessment (See Health and Safety Policy for Further Detail)

The company uses risk assessment to inform the planning of safeguarding activities.

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

16. Raising Awareness of Safeguarding Procedures:

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

16.1 Learners

Within the induction programme learners will be made aware of the following:

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

16.2 Staff

Within the staff Induction programme employees will be made aware of the following:

- The procedure for reporting issues associated with safeguarding
- The key company personnel to whom the report should be made
- The responsibility of members of staff under the Safeguarding Policy and Procedure
- All new staff will complete Child Protection and Vulnerable Adult Awareness training

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/744673/Work_Based_Learners_Guidance.pdf

16.3 Employers

Any employer working with a learner must be given training on the Genius People Safeguarding Policy and Procedures by the learner's course co-ordinator or nominated representative prior to the learner embarking upon the experience or placement. The Course Co-ordinator and employer must:

- Identify a key employee who will act as the main contact for the learner on experience or placement for the purposes of child protection
- Instruct that key employee on the company's Safeguarding policy and Procedures and identify who their key point of contact is within company for any referrals for suspected abuse under Safeguarding

- Sign a declaration that appropriate training has taken place and that the employee is fully aware of their responsibility and the reporting process (appropriate notes and procedures will be left with the employee for reference purposes).

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

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

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

Note 3: Forced Marriage: If there are concerns that a vulnerable person (male or female) is in danger of a forced marriage, you should contact the company nominee for safeguarding who will contact the Forced Marriage Unit (FMU) (020 7008 0151) or by visiting the [FMU page](#) of the Foreign and Commonwealth Office website. The police and Children's Services will also be contacted. You can also call 101 for advice and guidance.

If the complainant is the person being abused, questions should be kept to the minimum necessary to understand what is being alleged and leading questions should be avoided. The use of leading questions can cause problems for the subsequent investigation and any court proceedings.

A full record shall be made as soon as possible of the nature of the allegation and any other relevant information including:

- the date
- the time
- the place where the alleged abuse happened
- your name and the names of others present
- the name of the complainant and, where different, the name of the young person who has allegedly been abused
- the nature of the alleged abuse
- a description of any injuries observed
- an account of the allegation that should be signed and dated by the person completing the report

Any suspicion, allegation or incident of abuse must be reported to the nominated member of staff (or the Principal in their absence) as soon as possible and at least within two hours.

The nominated member of staff shall telephone and report all allegations and incidents of abuse to either the Children Services department duty social worker, or the adult safeguarding duty social worker before the end of the company day. A written record of the date and time of the report shall be made and the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the relevant department within 24 hours.

The nominated member of staff should discuss with the social services department what action will be taken to inform the parents of the young person and a note of that conversation should be made.

If the nominated member of staff (or the M.D. in their absence) cannot be contacted within 2 hours of the allegation or observation, the person making the report must notify the local Children Services department of the issue and inform the company's nominated member of staff, as soon as possible, about the action taken.

The nominated member of staff must notify the M.D. of any allegation or incident as soon as is practicable and in any event within 24 hours of the initial concern arising.

17.1 Written Records

The Nominated Member of Staff shall retain a copy of:

- The report
- Any notes, memoranda or other correspondence dealing with the matter
- Any other relevant material

Copies of reports, notes etc. should be kept securely locked at all times.

18. Reporting & Dealing with Allegations of Abuse against Members of Staff

Where an allegation of abuse is made, and it involves a member of Company staff the Company will comply at all times with the DFES guidance Safeguarding Children in Education: Dealing with Allegations of Abuse Against Teachers and Other Staff.

This part of the policy relates to members of staff and volunteers - allegations against a staff member who is no longer teaching or employed by Genius People should be referred to the police. Historical allegations of abuse should also be referred to the police.

Employers have a duty of care to their employees. They should ensure they provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended. It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in college is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and, at the same time supports the person who is the subject of the allegation.

Allegations against staff should be reported to the Managing Director. The Managing Director will then consult with the DSL. The Managing Director will inform the accused person.

Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children/ vulnerable adults at college or whether alternative arrangements can be put in place until the allegation or concern is resolved.

Any suspicion, allegation or actual abuse of a young person by a member of staff must be reported to the nominated member of staff as soon as possible and at least within two hours. If within 2 hours of

the initial concern it has not been possible to contact the nominated member of staff the matter must be reported to the M.D.

Full records must be made about the alleged incident/s as described above.

Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services or the police. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support. They should also be given access to welfare counselling or medical advice where this is provided by the employer.

Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

Parents or carers of the child or children involved should be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or police or children's social care services need to be involved, the case manager should not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers. Parents or carers should also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed but the parents or carers of the child should be told the outcome in confidence.

- The Company will, as deemed appropriate through the investigation, co-operate fully with the Police, Social Services and other external organisations in the execution of their duties within the investigation.
- The appointed Board of Directors with designated responsibility for Safeguarding will be kept informed of any situation where the investigation of an alleged incident under the Safeguarding Policy and Procedure is necessary.
- Parents or carers of a young person or vulnerable adult involved should be told about the allegation as soon as possible if they do not already know of it (subject to discussion with the relevant authority). They should also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process.
- If the designated safeguarding lead is the subject of the allegation or complaint, the matter must be reported directly to the M.D.
- If the M.D. is subject to any such allegation or complaint, the designated safeguarding officer will contact the Chair of the Board of Directors.

19. Confidentiality

All staff/ stakeholders should be made aware of the confidentiality of the allegation.

It is extremely important that when an allegation is made, the school or college make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002 (see paragraphs 213-214).

If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

20. eSafety

Children and young people and adults can be vulnerable to exploitation or abuse through the medium of Information Technology.

<https://www.gov.uk/government/publications/online-safety-in-schools-and-colleges-questions-from-the-governing-board>

It is important that staff and volunteers are alert to potential risks vulnerable people may be exposed to, and that steps have been taken to mitigate the risk of this occurring, with specific reference to:

- **Content** – e.g. exposure to age inappropriate material, inaccurate or misleading information, socially unacceptable material (e.g. inciting violence, hate or intolerance) and illegal material (including images of child abuse)
- **Contact** – e.g. grooming using communication technologies leading to inappropriate behaviour or abuse
- **Commerce** – e.g. exposure to inappropriate advertising, online gambling, identity theft and financial scams
- **Culture** – e.g. bullying via websites, mobile phones or other communication technologies, or inappropriate downloading of copyright materials (i.e. music, films, images); exposure to inappropriate advertising, online gambling and financial scams
- **Social Media** – e.g. Twitter, Instagram, Facebook, and other social media sites can also include and be used for bullying, coercion and grooming and as a point of exposure for extremism, sexual misconduct and scamming (e.g. financial schemes).

Addressing these issues through training for staff and volunteers, and awareness raising with service users, or members of the community, will be undertaken by the Company. If there is any indication that a vulnerable person is experiencing difficulties in this area (for instance if they are reported to be spending long periods of time using a PC on their own or if they appear unnecessarily defensive, secretive or anxious about their PC use), then this must be taken seriously.

The Company has in place a series of measures to ensure the eSafety of vulnerable people at the Company.

21. Safer Recruitment and Selection

The Company pays full regard to safer recruitment processes and best practice:

<https://learning.nspcc.org.uk/safeguarding-child-protection/safer-recruitment/>

We ensure that all appropriate measures are applied in relation to everyone who works in the Company e.g. volunteers and staff employed by contractors. Safer recruitment practice includes scrutinising applicants, verifying identity and academic or vocational qualifications, obtaining references satisfactory to the Company, checking previous employment history and ensuring that a candidate has the health and physical capacity for the job. It also includes undertaking interviews, reference checks and undertaking Disclosure and Barring Service (DBS) checks.

No new member of staff is to be employed without an enhanced DBS check.

Three types of DBS checks are referred to in this guidance (see Annex G KCSiE 2019 for more information):

- **Standard:** this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC), regardless or not of whether they are spent under the Rehabilitation of Offenders Act 1974. The law allows for certain old and minor matters to be filtered out;
- **Enhanced:** this provides the same information as a standard check, plus any approved information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed; and
- **Enhanced with barred list check:** where people are working or seeking to work in regulated activity with children, this allows an additional check to be made as to whether the person appears on the children's barred list. A more detailed description of the three types of DBS checks is provided on the DBS website.

The DBS maintains 'barred lists' of individuals who are unsuitable to work with children and vulnerable adults.

Statutory changes, underpinned by regulations, are that:

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

22. Single Central Record

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

23. Monitoring and Review

This policy will be reviewed as deemed necessary through changes in law and/or good practice but at least annually.

This policy draws on information contained within Working Together to Safeguard Children and KCSiE 2019 as well as other relevant guidance and information and the Company will refer to these documents and provide links where appropriate for further reading.

24. Data Protection (Please also see Data Protection Policy for Further Detail)

In deciding what information to disclose, careful consideration should be given to the provisions of the Data Protection Act 2018, the law of confidence and, where relevant, the Human Rights Act 1998.

<https://www.legislation.gov.uk/ukpga/2018/12/schedule/8/crossheading/safeguarding-of-children-and-of-individuals-at-risk>

- Be clear
- Ensure you include the key details of the learner and any required description about them in the account
- Be accurate
- Be concise
- Record only relevant information to this report. Ensure that you are clear what is a fact and what is your opinion

You may need to offer some analysis – in this circumstance you need to be clear about why you are worried? What is the likelihood and possible impact should the risk occur?

What happens to the recording of the disclosure and other information gathered?

Apart from forming the basis for the referral, it may also be used in court reports (civil and criminal) and in statutory safeguarding processes such as investigation and assessments and child protection conferences.

Internally, the Genius People reporting process includes the requirement of an update on the Safeguarding Incident form (part 3) within 7 days of the disclosure which includes review of best practice.

25. Whistleblowing and Complaints (please also see associate policies)

“What do I do if I am worried that another member of staff is acting in a way that may be unsuitable in practice, or may be causing harm to another person or even committing a criminal offence against another person?”

Where an allegation is made against a staff member, either employed or associate, the matter is reported immediately to the Managing Director in line with this policy and KCSiE guidance. The Managing Director will inform the DSL and the incident will be dealt with under Genius People Policy in line with KCSiE 2019 guidance.

Allegations of a safeguarding nature may constitute one or all of the below:

- A concern which may mean the employee is not suitable to practice with children, young people and vulnerable adults
- A concern which has led to the possible harm to a learner
- A safeguarding concern which may be criminal in its nature or intent

Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, other whistleblowing channels are open to them:

- The NSPCC’s dedicated helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their school or college. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk

26. Key Contacts

Position	Name	Contact Details	Address
Lead Designated Officer	Judith Jackson	jjackson@geniuspeople.co.uk 07464 497 773 0141 280 0265	1439 Cumbernauld Road Glasgow G33 1AN
Additional Designated Officer	Jennifer McEwan	jmcewan@geniuspeople.co.uk 07876 578 281 0141 280 0265	1439 Cumbernauld Road Glasgow G33 1AN
Additional Designated Officer	Alison Smith	asmith@geniuspeople.co.uk 07825 955 417 0141 280 0265	1439 Cumbernauld Road Glasgow G33 1AN

27. Report from Learner

If a learner reports unsafe practices or safeguarding issues to you within their working environment

Advise the learner to follow in house reporting or whistle blowing procedures. You may support the learner in speaking to the appropriate senior team members.

Report the incident to your designated safeguarding officer who will offer additional guidance and signposting for the learner and will monitor.

It is important you do not pass any information to other parties or try to investigate the concern yourself. All concerns should be reported to your designated safeguarding officer in the first instance however:

- If you require an immediate response call your sector designated safeguarding officer immediately, it is noted that the designated officer may not be available out of normal working hours, so in circumstances where the individual is in immediate danger report the incident to the police on 999
- The designated officer will endeavour to make initial contact regarding the concern with 72 hours
- The designated officer will assess if the individual is at risk of significant harm and decide upon the next course of action, this can range from offering signposting to support agencies to referral to the police and local safeguarding authorities. This may also involve passing information to the DBS.

IMPORTANT INFORMATION

If you feel the safeguarding concern reported is not being dealt with effectively by the safeguarding team then please refer to the Designated Safeguarding Lead or follow the whistleblowing policy.

If you disagree with the outcome of a safeguarding referral then please refer to the Designated Safeguarding Lead for guidance or you may also follow the local safeguarding board escalation procedure – found on their local authority website.

28. Associated Policies

- Equality and Diversity Policy
- Grievance Policy
- Disciplinary Policy
- Social Networking and Media policy
- Prevent Policy
- Recruitment Policy
- Bribery Policy
- Anti-Slavery Policy

Appendix A

Designated Safeguarding Lead Job Description

The designated safeguarding lead should take lead responsibility for safeguarding and child protection including 'at risk' adults.

The DSL will have the appropriate status and authority within the company to carry out the duties of the post.

They will be given the time, funding, training, resources and support to provide advice and support to other staff on child/ 'at risk' adult welfare and child/ 'at risk' protection matters.

Whilst the activities of the designated safeguarding lead can be delegated to the deputy, the ultimate lead responsibility remains with the designated safeguarding lead; this lead responsibility will not be delegated.

Key areas of responsibility:

- Takes part in strategy discussions and interagency meetings
- Support other staff in information, advice and guidance including annual refresher training
- Complete a monthly Safeguarding Progress report
- Ensure Incident Report forms are password protected, completed timely in line with policy and that part 3 (follow up) is completed within 7 days
- Contribute to the assessment of children and 'at risk' adults
- Liaise with the appointed deputy designated safeguarding lead who will be trained to the same standard as the designated safeguarding lead
- Refer cases of suspected abuse to the local authority children's or adult social care as required
- Be the point of contact to monitor and give advice on lone working
- Support staff who make referrals to local authority children's and adult social care
- Refer cases to the Channel programme where there is a radicalisation concern as required
- Support staff who make referrals to the Channel programme
- Refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required
- Refer cases where a crime may have been committed to the Police as required
- To liaise with the senior leadership team to ensure contracts are compliant with ESFA funding guidelines and that policies and processes are effective.
- Liaise with the "case manager" and the designated officer(s) at the local authority for child or 'at risk' adult protection concerns (all cases which concern a staff member)
- Liaise with staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies
- Act as a source of support, advice and expertise for staff
- Undergo training to provide them, and the deputy DSL with the knowledge and skills required to carry out the role- this training should be updated at least every 2 years
- Undertake Prevent awareness training and ensure all staff are safeguarding and Prevent compliant. In addition to the formal training set out above, their knowledge and skills should

be refreshed (this might be via e-bulletins, meeting other designated safeguarding leads, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, but at least annually, to allow them to understand and keep up with any developments relevant to their role

- Understand the assessment process for providing early help and intervention, for example through locally agreed common and shared assessment processes such as early help assessments
- Are able to keep detailed, accurate, secure written records of concerns and referrals and use the required policy and procedures to ensure best practice
- Review safeguarding Policy and Procedures including Prevent annually and ensure clear guidelines and information is cascaded to the team
- Ensure all staff, read and understand key update including KCSiE 2019 and sign to say they have read this ensure all policies and procedures are followed
- In exceptional circumstances arrange adequate and appropriate cover arrangements for anout of hours support
- And any other duties as is reasonable

Appendix B

Additional Contact Details

Safeguarding contact details	Emergency	Non-emergency
Durham Children's	03000 267 979	firstcontact@durham.gov.uk
Durham Adult's	03000 267 979	firstcontact@durham.gov.uk
Hull Children's Safeguarding	01482 300 304	01482 448879
Hull Adults - sab@hullcc.gov.uk	01482-616092	01482 379092
Newcastle Children's	0191 278 7878	0191 277 2500
Newcastle Adults	0191 278 7878	0191 278 8377
North Yorkshire Children's	999	01609 780870
North Yorkshire Adults	999	01609 780870
Tonbridge and Malling Children's Social.services@kent.gov.uk	03000 41 91 91	0300 41 11 11
Tonbridge and Malling Adults Social.services@kent.gov.uk	0300 41 61 61	0300 41 61 61
Leicester Children's	0116 454 1004	0116 454 1694
Leicester Adults	0116 255 1606	0116 454 1004

Version Control

Version	Date	Author	Rational
0.1	18/12/2019	Judith Jackson	Drafted Policy
0.2	23/01/2020	Vicky Calik	Formatted and branded policy
1.0	24/01/2020	Judith Jackson	Policy Issued
2.0	10/02/2020	Judith Jackson	Policy Review, Update and Reissue

NB: Versions are 0.1, 0.2 etc until such point as the document is approved. Then it becomes version 1.0. Subsequent edited versions become 1.1, 1.2, or if it's a major update, 2.0