



Safeguarding Policy

1. Introduction

Genius People 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, 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 2020) 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 2020 (KCSiE) <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

This policy must be read and signed by all staff members and evidence of this kept on staff files and made available to learners/ parents (if appropriate).

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

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

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

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.

KCSiE 2020 sets out the legal duties that you **must** follow to safeguard and promote the welfare of children and young people, under the age of 18.

All employees should read at least **Part 1** of the guidance in conjunction with Safeguarding Policy.

Who does this apply to?

All bodies listed **must** also ensure that all employees read at least Part 1 of the guidance and ensure that mechanisms are in place to assist employees in understanding and discharging their role in accordance with the document.

What has changed?

The key changes that you need to be aware of, in relation to HR and Employment matters include the definition of safeguarding, managing allegations against supply teachers, and the explicit inclusion of mental health. Summary of new guidance:

Part one of KCSIE sets out what all staff need to know, what they need to look out for and where they should report their concerns. 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 mental and physical 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.

Part 1 – Safeguarding information for all employees

Now includes information on mental and physical health in relation to safeguarding and the welfare of children. There is further guidance signposted to support this. It also provides employees with further information about child criminal exploitation and child sexual exploitation.

Part 1 – paragraph 56

Reference has been added to make it explicitly clear what School and College employees should do if they have safeguarding concerns about another employee who may pose as a risk or harm to children. This also applies to supply staff and volunteers who work at the School or College.

Part 2 – The management of safeguarding

Paragraph 70 now includes an additional link to 'When to call the police guidance' from the NPCC and paragraphs 74-81 confirm the new multi-agency working arrangements that are now in place.

Part two of the revised KCSIE sets out the responsibilities of governing bodies and proprietors to safeguard and promote the welfare of children and includes guidance on the safeguarding policies and procedures they should have in place. The wording in this section has been updated to reflect the three safeguarding partners system is now running.

The designated safeguarding lead and any deputies should liaise with the three safeguarding partners and work with other agencies in line with Working together to safeguard children. A link to NPCC guidance has also been added.

When to call the police has also been added.

It should help designated safeguarding leads to understand when they should consider calling the police and what to expect when they do.

Multi-agency working

New safeguarding partners and child death review partner arrangements are now in place. It is important that schools and colleges understand their role in the three safeguarding partner arrangements and local arrangements.

Information sharing

Updated to provide further clarification about GDPR and withholding information. 'Governing bodies and proprietors should ensure relevant staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the GDPR.'

Paragraph 86 includes a link to the DfE Data Protection tool kit for Schools.

Paragraphs 93-95 make it mandatory for Schools to provide a broad and balanced curriculum about safeguarding, including online safety.

Part 3 – Safer recruitment

No change

Part 4 – Allegations of abuse made against teachers, including supply teachers, other staff, volunteers and contractors

Now includes guidance on how Schools and Colleges should ensure allegations against supply teachers are handled.

Part 5 – Child on child sexual violence and sexual harassment

No change

Apprenticeship Provision programme response to Covid has also been reviewed in Sep 2020.

Reviewed guidance on the apprenticeship programme response to COVID-19 has been published on 1st Sep 2020 to support those returning to work and education provision and forms an important part of our Safeguarding processes and flexibilities of delivery:

<https://www.gov.uk/government/publications/coronavirus-covid-19-apprenticeship-programme-response>

This document also provides guidance on how apprentices can safely return to the workplace and educational settings, as well as the actions that training providers should take for the return of all apprentices from September.

It should be read alongside the [Further Education \(FE\) autumn term guidance](#), and the government's [coronavirus guidance and support for businesses](#).

“Our objective for these measures is to support all employers to retain their apprentices and to support apprenticeship training and assessment providers to continue to deliver services to apprentices where possible, so that they may progress and complete their apprenticeships as planned. Although apprentices are returning to the workplace and educational settings, our guidance still aims to help all parties through this period of transition”

This version focuses on:

- ✓ Information on the actions that training providers should take for the return of apprentices in September 2020.
- ✓ As apprentices return to work, assessment centres and educational settings, training providers, employers and EPAOs consider how best to minimise the risks of coronavirus transmission when determining how and when training and assessment takes place.
- ✓ Apprenticeship delivery can be extremely flexible and it is up to training providers, employers and EPAOs to agree how training is delivered, and how assessments are undertaken. They may want to take advantage of more than one delivery method to balance any risks from coronavirus with providing a full educational experience.
- ✓ We ask that training providers, employers and EPAOs consider how much apprentices from different employers mix with other learners and staff when training in an educational setting or undertaking assessment.
- ✓ Updated guidance on workplaces and assessment centres.
- ✓ Additional information on local outbreaks, contingencies for outbreaks, and links to the wider FE guidance.

Please see our comprehensive update in our Health and Safety Policy.

2. 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** 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 (2020).

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 and 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.

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.

3. 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.

4. Honour-based violence which includes 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- explain 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>

5. 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

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'

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

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'

6. Contextualised Safeguarding

The paragraph on contextual safeguarding in KCSiE 2020 now reads: 'All staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside of these environments. All staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extrafamilial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.'

7. County lines drug trafficking

In the United Kingdom, county lines drug trafficking is the practice of trafficking drugs into rural areas and smaller towns, away from major cities. Traffickers recruit vulnerable children, including children in pupil referral units who have been excluded from school, as drug dealers. Some young people are recruited via "debt bondage", whereby they enter county lines to pay off drug debts. Others take part of their own volition, owing to boredom and a lack of legitimate opportunity in marginalized.

<https://www.nationalcrimeagency.gov.uk/what-we-do/crime-threats/drug-trafficking/county-lines#:~:text=County%20Lines%20is%20where%20illegal%20drugs%20are%20transported,people%20who%20are%20coerced%20into%20it%20by%20gangs.>

8. 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

9. Multi-agency working

Changes to this section in the KCSiE update 2020 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

10. Cyberbullying?

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

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

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

11. **Upskirting (is now a form of peer-on-peer abuse in KCSiE 2020)**

It's a criminal offence and is now listed in paragraph 27 of the new 2020 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.

12. **Serious violent crime (pages 29-30 KCSiE 2020)**

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>

13. **Risk Assessment (see Health and Safety Policy for further detail)**

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

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

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

14. **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.

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

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

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

- The procedure for reporting issues associated with safeguarding
- The key 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

2.3. 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).

Full details of procedures associated with Safeguarding Work Placements are in the appendices.

15. 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.

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.

16. Reporting and 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.

17. 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.

18. Internet Safety, IT, Cyber Security and virtual lessons

The internet is used in Genius People Training to raise educational standards, to promote learner achievement, to support the professional work of staff and to enhance the school's management functions. Technology is advancing rapidly and is now a huge part of everyday life, education and business. We want to equip our learners with all the necessary I.T skills that they will need in order to enable them to progress confidently in their educational careers and onward towards their working environments when they leave education.

Safeguarding learners and tutors online

Most learners are being educated at home during the coronavirus (COVID-19) outbreak, so learners and tutors are having to adjust to remote training strategies. While this is happening, it is important that all continue to follow safeguarding procedures.

guidance, online training should follow the same principles set out in the e-learning policy.

Keeping tutors safe when providing remote training is also essential. Remote training is a new experience for both staff and learners, so it's important that all understand how to approach safeguarding procedures online.

<https://www.gov.uk/guidance/safeguarding-and-remote-education-during-coronavirus-covid-19>

<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.

Virtual lessons and live streaming

Should we use live stream, guidance from UK Safer Internet Centre on safe remote learning includes detailed advice on live, online teaching, and the [safeguarding guidance from London grid for learning \(LGfL\)](#) includes platform-specific advice for any live streaming.

Teaching from home is different to teaching in the on- site. Tutors should try to find a quiet or private room or area to talk to learners. When broadcasting a training or making a recording, consider what will be in the background.

Cyber security is how individuals and organisations reduce the risk of cyber attack. Cyber security's core function is to protect the devices we all use (smartphones, laptops, tablets and computers), and the services we access - both online and at work - from theft or damage. It is also about preventing unauthorised access to the vast amounts of personal information we store on these devices, and online.

Cyber security is important because smartphones, computers and the internet are now such a fundamental part of modern life, that it's difficult to imagine how we'd function without them. From online banking and shopping, to email and social media, it's more important than ever to stake steps that can prevent cyber criminals getting hold of our accounts, data, and devices.

Cybercriminals don't care that the world is going through a Pandemic- the risk and likelihood of a Cyberattack during these times has never been higher.

Action Fraud is the UK's national reporting centre for fraud and cybercrime and monitors and investigates cyberattacks. They have reported a 400% increase in reported cyberattacks, including phishing attacks on hospitals during Covid.

Cyber criminals exploit weaknesses in software and apps to access your sensitive personal data, but providers are continually working to keep you secure by releasing regular updates. These updates fix weaknesses, so criminals can't access your data. Using the latest versions of software, apps and operating system on your phone, tablet, or [smart device](#) can immediately improve your security. Remember to update regularly, or set your phone, tablet or [smart device](#) to automatically update so you don't have to think about it. Ensure all devices are running Malware and Anti-virus software, change passwords regularly and don't share these or input passwords in public places, Ensure you reduce Permissions to a 'Need'

19. Child criminal exploitation and child sexual exploitation (an addition to the KCSiE 2020)

Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. This paragraph goes into more detail in the main body. Further information is included in Annex A of KCSiE.

20. Mental Health

This is a new section in KCSiE 2020 identifying schools and colleges having an important role in supporting the mental health and wellbeing of pupils. Recognising that in some cases mental health is an indicator of a child suffering or at risk of abuse. Schools and colleges should be familiar with Mental health and behaviour in schools' guidance and the Link programme. Training for senior

mental health leads will be available to all state funded schools and colleges by 2025, to help introduce or develop their whole school or college approach to mental health.

New paragraphs have been included to help staff connect mental health concerns with safeguarding. 'All staff should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff however, are well placed to observe day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.'

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

- 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.

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.

9. 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 2020 as well as other relevant guidance and information and the Company will refer to these documents, and provide links where appropriate for further reading.

10. 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.

11. Covid and Test and Trace.

Our working practices fully reflect the advice and guidance given from government and we ensure we are aware of regular updates within this every changing environment. We ask upon arrival to our sites that you not only sign in but give your consent to our commitment to Test and Trace in

case of any outbreaks of Coronavirus and the need to contact all stakeholders who may need to isolate.

<https://www.gov.uk/guidance/nhs-test-and-trace-workplace-guidance>

The statement from Deputy Chief Executive Paul Arnold as the ICO publishes initial guidance for businesses asked to record and maintain personal data of customers, staff and visitors in support of the test and trace scheme.

Deputy Chief Executive Paul Arnold said:

“For the public health benefits to be realised from these new measures it is important people feel able to share their personal data with confidence. So people can have this trust and confidence in the way their personal data will be kept safe and used properly as they prepare to return to their favourite pubs, restaurants and local businesses, we want to help businesses to get things right first time as they adapt to new ways of working.

“We’ve published ICO advice - [clear, simple steps that businesses can take](#) as they introduce customer and visitor records. And we’ll be supporting [government guidance](#) with a series of [Q and As](#) on our coronavirus online hub that will give more detail. We also have a team of experts offering advice and support through our [small business helpline](#).

“We appreciate the challenge that many small businesses face in introducing unfamiliar arrangements at speed. Our focus is on supporting and enabling them to handle people's data responsibly from the outset and, while we will act where we find serious, systemic or negligent behaviour, our aim is to help the thousands of businesses that are doing their best to do the right thing.

“We’ll continue to update our guidance on this and other coronavirus-related data protection issues on our [dedicated web hub](#).”

12. 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 2020 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

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

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.

13. Key National guidance and legislation

There are numerous publications and evidence around best practice in safeguarding in education

These include (but are not limited to):

- Keeping Children Safe in Education (KCSiE) 2020
- The Children Act 1989
- The Children (Northern Ireland) Order 1995
- The Human Rights Act 1998
- The Data Protection Act 2018
- The Female Genital Mutilation Act 2003
- The Children Act 2004
- The Safeguarding Vulnerable Groups Act 2006 and the Protection of Freedoms Act 2012
- Female Genital Mutilation mandatory reporting 2015 –Procedural Information
- Channel Duty Guidance 2015 and the Prevent Duty for Schools and Childcare Providers 2015
- Working Together to Safeguard Children 2018

14. Associated Policies

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

Version Control

Version	Date	Author	Rational
0.1		Judith Jackson	Drafted Policy
0.2	23/01/2020	Vicky Calik	Formatted and branded forms
2.0	24/01/2020	Judith Jackson	Policy Issued
3.0	15/09/2020	Judith Jackson	Policy Updated

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