

## **SAFEGUARDING POLICY**

### **Contents**

<b>1.0 Introduction</b>	<b>1</b>
<b>2.0 Purpose</b>	<b>1</b>
<b>3.0 Scope</b>	<b>1</b>
3.1 The Education Act (2002) – §157, 175	1
3.2 Keeping Children Safe in Education (2020)	2
3.2.1 <i>Thematic Topics</i>	2
3.2.2 <i>Additional Focus Points</i>	2
3.2.3 <i>Mental Health</i>	2
3.2.4 <i>Data Handling and Personal Information</i>	3
3.2.5 <i>Transferable Risk</i>	3
3.2.6 <i>Domestic Abuse</i>	3
3.3 Working Together to Safeguard Children (2018)	3
3.4 Safeguarding Vulnerable Groups Act (2006)	3
3.5 DFE Statutory Guidance (2014)	3
3.6 Protection of Freedoms Act (2012) – Part 5	3
3.7 Mental Capacity Act (2005)	4
<b>4.0 Duties</b>	<b>4</b>
4.1 The Role of the Designated Senior Person	4
4.2 The Role of Staff	4
4.2.1 <i>Staff Member with Lead Responsibility</i>	4
4.2.2 <i>All Staff</i>	5
<b>5.0 Definitions and Concepts</b>	<b>6</b>
5.1 Child	6
5.2 Adult at Risk	6
5.3 Children in Need of Protection and Early Help	6
5.4 Children in Need	6
5.5 Looked After Children	7
5.6 Significant Harm	7
5.7 Abuse	7
5.8 Specific Issues and Further Information	8
<b>6.0 Radicalisation, Acts of Terrorism, and Serious Violent Crime</b>	<b>9</b>
6.1 The Counter Terrorism & Security Act (2015) and The Prevent Duty	9
6.2 Serious Violent Crime	10
<b>7.0 Management of Processes</b>	<b>10</b>
7.1 Dealing with Disclosure of Abuse and Procedure for Reporting Concern	10
7.1.1 <i>Significant Concerns</i>	10
7.1.2 <i>Disclosure of Abuse</i>	10
7.1.3 <i>Reporting to Designated Staff</i>	11
7.1.4 <i>Reporting to the DSL</i>	11
7.1.5 <i>Contact with External Services</i>	11
7.1.6 <i>Confidential Reporting</i>	11
7.2 Procedure for Managing Allegations of Abuse Against Staff	12
7.2.1 <i>Introduction</i>	12
7.2.2 <i>Receiving an Allegation</i>	12

7.2.3	<i>Initial Assessment by the Designated Person</i>	12
7.2.4	<i>Enquiries and Investigations</i>	13
7.2.5	<i>Suspension</i>	14
7.2.6	<i>The Disciplinary Investigation</i>	14
7.2.7	<i>Allegations without Foundation</i>	14
7.3	Records	15
7.4	Confidentiality	15
<b>8.0</b>	<b>Safer Recruitment and Selection Procedures</b>	<b>15</b>
<b>9.0</b>	<b>Teaching Learners about Safeguarding</b>	<b>16</b>
<b>10.0</b>	<b>Dissemination</b>	<b>16</b>
<b>11.0</b>	<b>Links to Other Policies</b>	<b>16</b>
<b>12.0</b>	<b>Monitoring Compliance with and the Effectiveness of Policy Documents</b>	<b>16</b>
12.1	Process for Monitoring Compliance and Effectiveness of Dealing with Disclosure of Abuse and Procedure for Reporting Concerns	16
12.2	Process for Monitoring Compliance and Effectiveness of Dealing with Allegations Against a Member of Staff	16
	<b><u>Appendices</u></b>	<b>17</b>
A.1	Safeguarding Statement	18
A.2	The Safeguarding Board	19
A.3	Significant Event Record Form	20
A.4	Reflections and Implementation of Actions	23
A.5	Flowchart for Dealing with Concerns, Suspicions, or Disclosures of Harm or Abuse	25
A.6	Protocol for Reporting Missing Learners	26
A.7	Safeguarding Outside of Phoenix Training Services (Midlands) Ltd. Premises	28
A.8	Safeguarding Guidelines for Work Placements	29
A.9	Safeguarding Declaration	31
A.10	E-Safety Policy and Procedure	32
A.11	Additional Expert and Professional Guidance	34

## **Safeguarding Policy**

### **1.0 Introduction**

Phoenix Training Services Ltd. recognises its statutory and moral duty towards safeguarding the welfare of children, young people and adults at risk from any form of abuse whilst receiving education and training. We expect all staff, volunteers and partners to endorse and practice this duty at all times. As a result, we have a zero-tolerance approach to abuse and other harmful behaviour. At Phoenix Training Services Ltd. safeguarding and promoting the welfare of children, young people and adults at risk is everyone's responsibility, everyone who comes into contact with children, their families and carers has a role to play in safeguarding. We comply with all government policy and UK legislation such as "*Keeping Children Safe in Education 2020*".

### **2.0 Purpose**

At Phoenix Training Services Ltd. we are committed to safeguarding and promoting the welfare of all learners, staff, volunteers, visitors, contractors and partners. Any reference in the policy to a child, young person or learner applies to all those aged under 18. Our legal duty includes the education and training of adults at risk. Any reference in the policy to an adult at risk applies to anyone aged over 18 yrs. who may for a variety of reasons be in need of community services and/or unable to protect him or herself from significant harm or exploitation.

Phoenix Training Services Ltd. has developed procedures in line with, and taking account of, guidance issued by the Department for Education, Leaders in Safeguarding and other relevant bodies. We operate in line with the requirements of the local authority (Borough) safeguarding arrangements.

Whilst overall responsibility for safeguarding children, young people and vulnerable adults is vested in the Managing Director; Phoenix Training Services Ltd. has a named Designated Safeguarding Lead (DSL) and Designated Safeguarding Officers who are responsible for ensuring compliance to this policy and its procedures. The role and responsibilities and contact details of the DSL and DSO's can be found in section 4 and Appendix 13.2.

### **3.0 Scope**

This policy applies to all learners and particularly children, young people and adults who may need support and all staff, volunteers, partners and families visiting and working at our centres, other external facilities, in the workplace, distance learning and subcontractors.

In order to help ensure that children, young people and adults at risk are protected from abuse, all complaints, allegations or suspicions will be taken seriously and in accordance with this policy detailed herein.

Phoenix Training Services Ltd. has incorporated child protection into the whole organisational approach to safeguarding and the term safeguarding is deemed to include child protection in all our policies and procedures.

**The legal framework for the role of Phoenix Training Services is as follows:**

#### **3.1 The Education Act (2002) – Sections 157 & 175**

Requires local authorities and governing bodies of further education institutions to make arrangements to ensure that their functions are carried out with a view to safeguarding and

promoting the welfare of children, young people and adults at risk. In addition they should have regard to any guidance issued by the Secretary of State in considering what arrangements they may need to make.

### 3.2 Keeping Children Safe in Education (KCSIE) (2020)

Sets out the safeguarding statutory responsibilities of schools and colleges, as well as good practice recommendations in relation to children. This covers the relevant legislation; the responsibilities of Governing Bodies and Principals; safer recruitment practice; recruitment and vetting checks; dealing with allegations of abuse or misconduct against staff; and also checklists, flowcharts and examples.

#### 3.2.1. KCSIE 2020 **thematic topics:**

- Female Genital Mutilation (FGM)
- Child Sexual Exploitation (CSE)
- ‘County Lines’
- Forced Marriage
- Honour Based Abuse (HBA)
- Serious violence
- Domestic abuse

#### 3.2.2. KCSIE 2020 **additional focus points:**

- Greater emphasis on mental health
- Greater emphasis on children with a social worker
- Keeping children safe online includes when online at home
- Inclusion of ‘transferable risk’ in relation to allegations
- Inclusion of ‘safeguarding concern’ as well as allegation
- Reference to schools leading on investigations into supply staff
- Terminology change: ‘Honour based abuse’
- Terminology change: ‘Peer on peer’ or ‘child on child’ abuse

#### 3.2.3. KCSIE 2020 – **Mental Health**

Most importantly the new guidance raises awareness on how mental health problems may be an indicator of a child suffering, or at risk of suffering, abuse. The guidance does not expect staff to be mental health professionals however, it clearly states they should have the skills to recognise when behaviour may suggest a child may be experiencing, or is at risk of developing, a mental health problem. As a baseline those managing safeguarding must ensure all staff have access to and are aware of the content within the DFE guidance Mental health and behaviour in schools.

#### 3.2.4. KCSIE 2020 – **Changes to Data Handling and Personal Information**

KCSIE 2020 also provides further clarification on GDPR and withholding information, staff must be confident of the ‘processing conditions’ – that is the conditions that allow the sharing of sensitive and personal information for safeguarding purposes.

#### 3.2.5. New addition to KCSIE 2020 – **‘Transferable Risk’**

This update also provides clarity on how settings should manage allegations of abuse made against supply teachers who do not fall under the terms of the setting’s disciplinary procedures together with closing the loophole on ‘transferable risk’. Transferable risk covers behaviour of staff or volunteers outside the setting that could impact on their suitability to work with children e.g. domestic abuse.

#### 3.2.6. Due to change soon – **Domestic Abuse**

Domestic Abuse Bill is currently making passage through The House of Lords so, although its content is not featured in this revision of KCSIE, it will be essential to update your policies and protocols for practice when the act gains royal assent.

### 3.3 **Working Together to Safeguard Children (2018)**

Provides statutory guidance on the roles and responsibilities of agencies working together to safeguard children/young people. In addition it sets out the framework for the formation of Local Safeguarding Children Boards and details the allegation management process. This includes providing a coordinated offer of early help when additional needs of children are identified and contributing to inter-agency plans to provide additional support to children subject to child protection plans. Access is allowed for children’s social care from the local authority and, where appropriate, from a placing local authority, for that authority to conduct, or to consider whether to conduct, a section 17 or a section 47 assessment. Safeguarding arrangements take into account the procedures and practice of the local authority as part of the inter-agency safeguarding procedures set up by the Local Safeguarding Children Board (LSCB).

### 3.4 **Safeguarding Vulnerable Groups Act (2006)**

The Disclosure and Barring Service (DBS) has been introduced to help employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children.

### 3.5 **DFE Statutory Guidance (2014)**

Provides guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004. The guidance plays an important role in embedding this responsibility in the work of key agencies which have contact with children and young people. It reflects the recognition that protecting children from harm cannot be separated from policies to improve children’s lives as a whole.

### 3.6 **Protection of Freedoms Act (2012) Part 5 – Safeguarding vulnerable groups, criminal records, etc.**

Covers the reduction in scope of the definition of regulated activity, new services provided by the DBS, and disregarding convictions and cautions for consensual sex (or sexual acts) between individuals of the same gender.

### 3.7 Mental Capacity Act (2005)

Provides a way in which people who may need help to make decisions can get that help from someone who can be trusted to act in their best interests. Mental Capacity under the Act means being able to make your own decisions. The Mental Capacity Act and its Code of Conduct contain a set of rules, procedures and guidance. The Act applies in full to those aged 18 or over, the entire Act except making Power of Attorney or Making a Will applies to 16 and 17 year olds. The Act only applies to those under 16 in very limited circumstances and these would have to be determined by a court.

## 4.0 Duties

### 4.1 The Role of the Designated Senior Person

The Designated Senior Person is committed to ensuring that Phoenix Training Services Ltd.:

- raises awareness of issues relating to safeguarding and promotes the welfare of all
- provides a safe environment for children, young people and adults at risk
- identifies those who are suffering or at risk of suffering significant harm and takes appropriate action to ensure they are kept safe
- has procedures for reporting and dealing with allegations of abuse against members of staff and volunteers
- operates safe recruitment procedures
- designates a member of staff with sufficient authority to take a lead role for safeguarding
- remedies any weaknesses and areas for improvement relating to safeguarding that are brought to their attention
- ensure all staff members receive appropriate child protection and safeguarding training which is regularly updated.

### 4.2 The Role of Staff

#### 4.2.1. Staff Member with Lead Responsibility

There is a designated member of staff with lead responsibility for safeguarding issues. The key responsibility of that member of staff is to lead on raising staff awareness concerning all issues relating to safeguarding, and to promote Phoenix Training Services Ltd. as a safe environment for learning and being cared for. They have received the appropriate training as required by the Local Safeguarding Children Board, and will maintain the currency of their knowledge on safeguarding issues. The Designated Safeguarding Lead (DSL) is responsible for:

- Overseeing the referral of cases of suspected abuse or allegations
- Giving advice and support to staff on matters relating to safeguarding
- Maintaining a proper record of any safeguarding referral, complaint, or concern received

- Ensuring that parents/carers of children, young people and adults at risk are aware of the safeguarding policy
- Liaising with other agencies as necessary
- Liaising with secondary schools sending learners to ensure that appropriate arrangements are made for them
- Ensuring there is liaison with employers and training organisations providing learners with placements to ensure proper safeguarding arrangements are in place
- Ensuring that all staff receive training about safeguarding matters and the procedures
- Providing termly reports to the Safeguarding Board
- Reporting any flaws in procedure to the Safeguarding Board as soon as possible recording rigorous reports and/or statements
- Storing all information and recordings in a secure manner and in accordance with Data Protection Act 2018 (GDPR)
- Dealing with individual cases, including attending case conferences and review meetings as appropriate
- Having received training in safeguarding issues and inter-agency working, as required by the Local Safeguarding Children's Board, and will receive refresher training at least every 2 years

In the absence of the DSL a deputy DSL will carry out the same responsibilities. In the absence of both of these, the Director of Human Resources or Director will carry out their responsibilities.

#### 4.2.2. All Staff

The Managing Director, members of the Board, members of the Senior Management Team and all staff will receive training to familiarise them with safeguarding issues and the policy and procedures, with refresher training at least every two years.

Staff are made especially aware of the following:

- Sexual violence and sexual harassment are not acceptable, should never be tolerated, and are not an inevitable part of 'growing up'
- Sexual violence or sexual harassment should never be tolerated or dismissed as "banter", "part of growing up", "having a laugh", or "just boys being boys"
- Behaviours – including those potentially criminal in nature – such as grabbing bottoms, breasts, and genitalia, flicking bras, and 'upskirting' (as per KCSIE 2020) should be challenged
- Dismissing or tolerating such behaviours risks normalising them

## **5.0 Definitions and Concepts**

### **5.1 Child**

Within the context of this policy a “child” is defined as anyone under the age of 18 (the Children Act 1989, Education Act 2002). Further, the additional duties regarding support, protection and safeguarding also extends to learners within the 14 to 16 age range from local schools.

### **5.2 Adult at Risk**

It is recognised within this policy that any adult may be vulnerable or become a victim of abuse. Specifically an “adult at risk” is defined as any person who is 18 years of age or over and has a reduced capacity to give consent to disclosure of abuse allegations or suspicions. As defined by the Law Commission (1995) we use the following indicators to identify an adult who is, or may become “at risk” whilst they are registered with us:

The individual:

- i. Is or may be in need of community care services by reason of mental or other disability, age, or illness
- ii. Is or may be unable to take care of themself
- iii. Is unable to protect themself against significant harm or serious exploitation

Whilst not definitive, the main categories of people covered by the definition of “adult at risk” include those who:

- i. Have a learning disability
- ii. Have a physical or sensory impairment
- iii. Have a mental illness including dementia
- iv. Are old and frail
- v. Are detained in custody or under a probation order
- vi. Are considered vulnerable and who may experience abuse due to problems with alcohol or drugs (or be vulnerable due to other circumstances such as being an asylum seeker)

### **5.3 Children in Need of Protection and Early Help**

Some children and young people are in need because they are suffering or likely to suffer “significant harm”. Where local authorities believe a young person is suffering, or likely to suffer, significant harm, they have a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a young person, this can be done through contacting the local authority early help team to share concerns and ensure the early identification of needs within families.

### **5.4 Children in Need**

Children and young people who are defined as being “in need” under Section 17 of the Children Act 1989, are those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of service(s). A child with a disability is a child in need.

## 5.5 Looked After Children

The most common reason for children becoming looked after is as a result of abuse and/or neglect. We will ensure that staff have the skills, knowledge and understanding necessary to keeping looked after children safe. The appropriate staff will have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility. They will also have information about the child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her. The designated teacher/person for looked after children will ensure that the designated safeguarding coordinator will have details of the child's social worker and the name of the virtual school head in the authority that looks after the child.

## 5.6 Significant Harm

The concept of significant harm is the threshold that justifies compulsory intervention into family life in the best interests of the child or young person and gives local authorities a duty to make enquires as to whether to take action (Section 47, Children Act 1989) to safeguard or promote the welfare of a young person who is suffering, or likely to suffer significant harm. The Act also gives powers to the police to take emergency action to protect a young person from significant harm.

## 5.7 Abuse

"Abuse" relates to the mistreatment of an individual's human and civil rights by any other person or persons, and may consist of single or repeated acts. Incidents of abuse can be either to one person or more than one person at a time. Abuse and/or harmful behaviours can be either deliberate or the result of negligence, ignorance, lack of training, knowledge or understanding. Somebody may abuse or neglect an individual by inflicting harm or by failing to prevent harm.

Within the context of this policy abuse and harmful behaviours are defined through six main categories:

- i. **Physical:** this may involve hitting, slapping, pushing, kicking, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, misuse of medication, inflicting inappropriate physical sanctions, or otherwise causing physical harm to a child, young person or vulnerable adult including fabricating the symptoms of, or deliberately causing the individual ill health (DfE 2014, DoH 2000).
- ii. **Emotional/psychological:** this is the persistent emotional ill-treatment of a child, young person or vulnerable adult such as to cause severe and persistent adverse effects on their emotional development. This may involve the imposition of age or developmentally inappropriate expectations resulting in fear, exploitation or corruption. This may also include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve conveying that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. Threats of harm or abandonment; humiliation; blaming; intimidation; coercion; harassment; verbal abuse, bullying (including cyberbullying) and being prevented from receiving services or support are all forms of emotional abuse (DoH 2000). Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

- iii. **Sexual:** such as rape, sexual assault or sexual acts occurring through force or enticement and which a child, young person or vulnerable adult could not have consented to, or to which they were pressurised into consenting. The activities may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may include non-contact activities such as involving the child, young person or vulnerable adult in looking at, or in the production of, pornographic material, watching sexual activities or encouraging them to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. (DoH 2000).
- iv. **Neglect or acts of omission:** this includes the persistent failure to meet a child, young person or vulnerable adult's basic physical and/or psycho-social needs, and which are likely to result in a serious impairment of the individual's health or development. This may include failing to provide adequate food, shelter and clothing, or educational services and/or neglect of, or unresponsiveness to, a child, young person or vulnerable adult's basic emotional needs (DoH 2000).
- v. **Financial or material:** this may include theft, fraud, and exploitation, pressure in connection with money or material possessions. This may also include loss of jewellery or personal property, loss of money from a wallet or purse (DoH 2000).
- vi. **Discriminatory:** this may include abuse, bullying and harassment based on the individual's age, sex, disability, religion, race or sexual orientation (DoH 2000).

## 5.8 Specific issues and further information

Specific advice should also be sought in relation to specific situations including forced marriage, the effects of domestic violence on young people, female genital mutilation, children and young people who sexually abuse or who are exploited and those affected by drug and alcohol abuse in families.

- **Abuse of trust:** under the Sexual Offenders Act 2003 it is an offence for a person over 18 to have a sexual relationship with a young person under 18 where that person is in a position of trust in respect of that young person, even if the relationship is consensual. This includes teaching and a range of support staff within educational establishments.
- **Radicalisation:** The process by which a person comes to support terrorism and forms of extremism leading to terrorism (Prevent Strategy.Gov.uk)
- **Online Abuse:** any type of abuse that happens on the web, whether through social networks, playing games online or using mobile Phones. Refer to E-safety policy.
- **Child sexual exploitation:** Is a type of abuse where children are sexually exploited for money, power or status.
- **Female genital mutilation:** FGM is the total or partial removal of the external female genitalia for non-medical reasons.
- **Domestic abuse:** witnessing domestic abuse is child abuse; Teenagers can suffer domestic abuse in their relationships.

- **Child trafficking:** Is a type of abuse where children are recruited, moved or transported and then exploited, forced to work or sold.
- **Harmful sexual behaviour:** Children or young people develop sexual behaviours that harm themselves or other.

## 6.0 Radicalisation, Acts of Terrorism, and Serious Violent Crime

### 6.1 The Counter Terrorism & Security Act (2015) and The Prevent Duty

Prevent is 1 of the 4 elements of CONTEST, the government's counter-terrorism strategy. It aims to stop people becoming terrorists or supporting terrorism.

The Prevent strategy:

- Responds to the ideological challenge we face from terrorism and aspects of extremism, and the threat we face from those who promote these views
- Provides practical help to prevent people from being drawn into terrorism and ensure they are given appropriate advice and support
- Works with a wide range of sectors (including education, criminal justice, faith, charities, online and health) where there are risks of radicalisation that we need to deal with
- Can be found in greater detail in PTS' **Prevent Policy (QA-A04)**

The strategy covers all forms of terrorism, including far-right extremism and some aspects of non-violent extremism.

- The Home Office works with local authorities, a wide range of government departments, and community organisations to deliver the Prevent strategy. The police also play a significant role in Prevent, in much the same way as they do when taking a preventative approach to other crimes. The Home Offices uses a range of measures to challenge extremism in the UK, including:
  - Where necessary, preventing apologists for terrorism and extremism from travelling to this country  
Giving guidance to local authorities and institutions to understand the threat from extremism and the statutory powers available to them to challenge extremist speakers
  - Funding a specialist police unit which works to remove online content that breaches terrorist legislation
  - Supporting community-based campaigns and activity which can effectively rebut terrorist and extremist propaganda and offer alternative views to our most vulnerable target audiences - in this context they work with a range of civil society organisations
  - Supporting people who are at risk of being drawn into terrorist activity through the Channel process, which involves several agencies working together to give individuals access to services such as health and education, specialist mentoring and diversionary activities.

This Act places a duty on specified authorities including skills training, further and higher education, to have due regard to the need to prevent people from being drawn into terrorism (the Prevent Duty).

Phoenix Training Services Ltd. is committed to supporting vulnerable students through its safeguarding policies and procedures and recognises that this can support the contribution to the Prevent duty.

## 6.2 Serious Violent Crime

As included in KCSIE 2020, all staff should be aware of indicators, which may signal children are at risk from, or are involved with serious violent crime. These may include:

- increased absence from school
- a change in friendships or relationships with older individuals or groups
- a significant decline in performance
- signs of self-harm or significant change in well-being
- signs of assault or unexplained injuries
- unexplained gifts or new possessions

These could indicate that children 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. Further advice can be provided in the Home Office's 2018 guidance documents: 'Preventing Youth Violence and Gang Involvement' and 'Criminal exploitation of children and vulnerable adults: county lines guidance'.

## 7.0 Management of Processes

### 7.1 Dealing with disclosure of abuse and procedure for reporting concerns

A member of staff may suspect that a learner is being abused or is at risk of significant harm. A learner may disclose to a member of staff that they are being abused. In these circumstances the following procedure should be followed.

#### 7.1.1. Significant Concerns

If a member of staff has concerns about a learner but does not believe that they are being abused or are at risk of immediate harm, the member of staff should:

- Speak to the learner about the concerns
- Speak to a Designated Safeguarding Lead who will consider and advise whether Phoenix Training Services should register the concern

#### 7.1.2. Disclosure of Abuse

If a disclosure is made or abuse is suspected, staff should:

- Listen carefully and stay calm
- Question without pressure to be sure that what is being said is properly understood by the member of staff
- Reassure the individual concerned that they have done the right thing

- Explain to the individual who has disclosed that the information must be passed on but only to those who need to know about it. Say who will receive the information
- Note the main points carefully - what the individual said or did and the questions asked by the member of staff
- Make a note of the date, time and place
- Complete a Safeguarding Incident/ Concern Form

**Staff must not:**

- Ask leading questions or put words into the mouth of the disclosing individual
- Investigate concerns/allegations
- Promise confidentiality

**7.1.3. Reporting to Designated Staff**

Staff should report concerns, suspicions or disclosures of abuse immediately to the Designated Safeguarding Lead (DSL). If they are not available, the report should be made to the Deputy DSL.

**7.1.4. Reporting to the DSL**

The designated member of staff must notify the Managing Director as soon as possible and always within 24 hours of a serious disclosure or suspicion being raised.

**7.1.5. Contact with External Services**

The DSL or Managing Director (deputising senior manager) must report the matter to children's social care, adult services, or the police by phone immediately, followed up by written confirmation or email within 48 hours. Where a request for service form or an early help assessment is completed and sent via email to children's social care, staff can expect a response via email within 48 hours.

A written record of the date and time of the report must be made, and the document should include the name and position of the person to whom the matter is reported. The telephone contact must be confirmed in writing using the appropriate local authority form within 24 hours.

The designated member of staff should note down the detail of the discussion about action to be taken to inform the parents/carers, depending on the circumstances. The process for keeping Phoenix Training Services informed of further action should also be discussed.

**7.1.6. Confidential Reporting**

Whistleblowing and Safeguarding schemes are available to all staff employed by Phoenix Training Services.

## **7.2 Procedure for Managing Allegations of Abuse Against Staff**

Phoenix Training Services Ltd. is required to comply with the detailed local safeguarding children's board procedure for managing allegations against staff. These procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers.

### **7.2.1. Introduction**

In rare instances, staff of education institutions have been found responsible for child abuse. Because of their frequent contact with children and young people, staff may have allegations of child abuse made against them. Phoenix Training Services Ltd. recognises that an allegation of child abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and those investigations are thorough and not subject to delay.

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

### **7.2.2. Receiving an Allegation**

A member of staff who receives an allegation about another member of staff should follow the guidelines for dealing with disclosure.

The allegation should be reported immediately to the Director of Human Resources and Managing Director. If the Director of Human Resources is the person against whom the allegation is made, the report should be made to the Managing Director. The DSL and Director of Human Resources, if the allegation is against the Managing Director should:

- Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the DSL/Director of Human Resources.
- Record information about times, dates, locations and names of potential witnesses.

### **7.2.3. Initial Assessment by the Designated Person**

The Director of Human Resources should make an initial assessment of the allegation, consulting with the DSL and the relevant local authority's children's services safeguarding team as appropriate.

An allegation is information which indicates that a person who works with a child, young person or vulnerable adult has:

- behaved in a way that has harmed or may have harmed a child or young person.
- possibly committed a criminal offence against or related to a child or young person.
- behaved towards a child or young person in a way that indicates they are unsuitable to work with children and young people.

It is important that the Director of Human Resources does not investigate the allegation. The initial assessment should be on the basis of the information received and is a decision whether or not the allegation warrants further investigation.

If the assessment of the allegation is that it requires to be investigated, then an investigation will take place in accordance with the Phoenix Training Services Ltd.'s disciplinary policy. The local authority designated officer (LADO) will be advised and kept fully informed of progress and outcome.

In relation to allegations against supply staff, KCSIE 2020 states "the school or college will usually take the lead because agencies do not have direct access to children or other school staff, so they will not be able to collect the facts when an allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process". Therefore, the academy will act as lead professional for these allegations and communicate regularly with the LADO and supply agency. Supply agencies will be informed of the academy process for managing allegations.

#### **7.2.4. Enquiries and Investigations**

Child protection enquiries by Social Services or the police are not to be confused with internal, disciplinary enquiries by Phoenix Training Services Ltd. Phoenix Training Services Ltd. may be able to use the outcome of external agency enquiries as part of its own procedures. The child protection agencies, including the police, have no power to direct Phoenix Training Services Ltd. to act in a particular way however, Phoenix Training Services Ltd. should assist the agencies with their enquiries.

Phoenix Training Services Ltd. will instigate its own internal enquiries regardless of any formal police or social services investigations but will ensure that this will not prejudice the investigation. Any internal enquiries shall conform with the existing staff disciplinary procedures.

If there is an investigation by an external agency, for example the police, the DSL and/or Director of Human Resources should normally be involved in, and contribute to, the inter-agency strategy discussions. The DSL and Managing Director are responsible for ensuring that Phoenix Training Services Ltd. gives every assistance with the agency's enquiries.

They will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The DSL (or Director of Human Resources) shall advise the member of staff that they should consult with a representative, for example, a trade union.

The Director of Human Resources will consult with Social Services, the police or the Children's Integrated Services Safeguarding Team, particularly in relation to timing and content of the information to be provided, and shall:

- Inform the learner or parent/carer making the allegation that the investigation is taking place and what the likely process will involve.
- Ensure that the parents/carers of the learner making the allegation have been informed verbally and in writing that the allegation has been made and what the likely process will involve.

- Inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve.
- Inform the member of staff making the allegation that the investigation is taking place and what the likely process will involve.
- Inform Phoenix Training Services Ltd. Safeguarding Board of the allegation and the investigation. The Director of Human Resources shall keep a written record of the action taken in connection with the allegation.

#### **7.2.5. Suspension**

Suspension should not be automatic. In respect of staff, other than the Managing Director or senior post holders, suspension can only be carried out by the nominated member of the senior management team. In respect of senior post holders, suspension can only be carried out by the Managing Director.

Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary act and shall be on full pay. Consideration should be given to alternatives: e.g. paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.

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

- Where a learner is at risk.
- Where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.
- Where necessary for the good and efficient conduct of the investigation.

If suspension is being considered, this will be conducted in accordance with the existing Phoenix Training Services Ltd. disciplinary procedures.

#### **7.2.6. The Disciplinary Investigation**

The disciplinary investigation will be conducted in accordance with the existing Phoenix Training Services Ltd. disciplinary procedures.

#### **7.2.7. Allegations without Foundation**

False allegations may be indicative of problems of abuse elsewhere. A record should be kept.

In consultation with the DSL, the Managing Director shall:

- Inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or child protection action will be taken. Consideration should be given to offering counselling and support in order to rebuild the member of staff's confidence. Inform the parents/carers of those involved that the allegation has been made and of the outcome.
- Where the allegation was made by a learner other than the alleged victim, consideration to be given to informing the parents/carers of that learner.

- Prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.
- In some circumstances, consider the broader disclosure of details of the outcome of the investigations, for example if the matter is of general importance, has become common knowledge or the subject of general gossip. There is a need to provide accurate details for public information.

### **7.3 Records**

It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the member of staff's personal and confidential file. Where the allegation is found to be without foundation, a record of the allegation, investigation and outcome should be retained.

If a member of staff is dismissed or resigns before the disciplinary process is completed, he/she should be informed about Phoenix Training Services Ltd.'s statutory duty to notify the Disclosure and Barring Service.

### **7.4 Confidentiality**

Phoenix Training Services Ltd. will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The Education Act 2011 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a learner from the same school or college (where that identification would identify the teacher as the subject of the allegation).

The reporting restrictions will apply until the point that the accused person is charged with an offence, or until the Secretary of State or the General Teaching Council for Wales publishes information about an investigation or decision in a disciplinary case arising from the allegation. The reporting restrictions will also cease to apply if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so or if a judge lifts a restriction in response to a request to do so.

### **8.0 Safer Recruitment and Selection Procedures**

Phoenix Training Services Ltd. has in place robust recruitment procedures which ensure that care is taken to protect young or vulnerable learners. The procedures apply to all staff and volunteers and they are reviewed regularly to take account of following principles:

- The post or role will be clearly defined.
- The key selection criteria for the post or role will be identified.
- Vacancies will be advertised widely in such a way as to ensure a diversity of applicants.
- Requirement of documentary evidence of academic and vocational qualifications.
- Obtaining of professional and character references.
- Verification of previous employment history including the explanation of any gaps.

## **9.0 Teaching Learners about Safeguarding**

Phoenix Training Services Ltd. will teach learners about safeguarding, including online risks, through teaching and learning opportunities as part of providing a broad and balanced curriculum.

## **10.0 Dissemination**

The DSL will ensure this policy is known and used appropriately:

- The policy will be reviewed every two years.
- The procedures and implementation will be updated and reviewed regularly.
- The policy will be available publicly and parents will be made aware of the fact that referrals about suspected abuse or neglect may be made and the role of Phoenix Training Services Ltd.
- Link with the local LSCB to make sure staff are aware of training opportunities and the latest local policies on safeguarding.
- Should learners leave Phoenix Training Services Ltd., if appropriate; their child protection file will be copied for any new college or training provider as soon as possible but transferred separately from the main learner file.

## **11.0 Links to Other Policies**

This policy has links to the following policies and procedures:

- Disciplinary Policy and Procedures (QA-B07)
- Bullying and Harassment Policy (HR04 / QA-D04)
- Equality and Diversity Policy (QA-A03)
- Whistleblowing Policy (QA-A05)

## **12.0 Monitoring Compliance with and the Effectiveness of Policy Documents**

### **12.1 Process for Monitoring Compliance and Effectiveness of Dealing with Disclosure of Abuse and Procedure for Reporting Concerns**

**Termly:** The safeguarding board will receive a report on safeguarding incidents and reports.

**Termly:** The senior management team will receive a report from the safeguarding board on safeguarding incidents and reports.

**Annually:** The DSL and safeguarding board will review the safeguarding policy and produce a report that will be presented to the SMT and Managing Director.

### **12.2 Process for Monitoring Compliance and Effectiveness of Dealing with Allegations Against a Member of Staff**

Where an allegation has been made against a member of staff, the DSL and safeguarding board including the Managing Director and director of human resources, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of the procedures and/or policies. Consideration should also be given to the training needs of staff.

## **Appendices**

- A.1 – Safeguarding Statement
- A.2 – The Safeguarding Board
- A.3 – Significant Event Record Form
- A.4 – Reflections and Implementation of Actions
- A.5 – Flowchart for Dealing with Concerns, Suspicions, or Disclosures of Harm or Abuse
- A.6 – Protocol for Reporting Missing Learners
- A.7 – Safeguarding Outside of Phoenix Training Services (Midlands) Ltd. Premises
- A.8 – Safeguarding Guidelines for Work Placements
- A.9 – Safeguarding Declaration
- A.10 – E-Safety Policy and Procedure
- A.11 – Additional Expert and Professional Guidance

## **A.1 – Safeguarding Statement**

Phoenix Training Services Ltd. is committed to protecting young people and adults at risk from harm.

### **As a Safe Organisation:**

We ensure that all our employees are aware of their responsibilities to safeguarding children and adults at risk.

### **We do this by:**

- Adopting safer recruitment practices of staff to work with young people and adults at risk.
- Clear expectations of staff about personal conduct and responsibility to promote the wellbeing of young people and adults at risk at all times.
- Good induction systems and ongoing training/updates for staff on safeguarding young people and adults at risk.
- Ensuring all staff have access to information and guidance on procedures for child protection and protection of adults at risk.
- A team of named managers trained to provide access to specialist advice on child protection and the protection of adults at risk.
- Sound data protection, information sharing and referral procedures.
- The promotion of a culture of safeguarding throughout the company.
- Listening to the concerns of young people and vulnerable adults with an open mind.
- Clear procedures for investigating allegations of harm to young people or adults at risk by persons in positions of trust within the company, including independent advice and referral to the police as necessary.
- Regular reporting of safeguarding incidents to the Senior Management Team.
- A clear and accessible complaints procedure where there are concerns to be raised.

## **A.2 – The Safeguarding Board**

### **Designated Safeguarding Lead (DSL)**

**Charmaine Azam:** +44 7920 855462 / 0121 772 4551 Ext 26

Out of Hours: [safeguarding.officer@phoenixtraining.org](mailto:safeguarding.officer@phoenixtraining.org)

### **Deputy Designated Safeguarding Leads (DDSLs)**

**Rob Johns:** 0121 772 4551 Ext 17

**Michael Donnelly, QGM:** +44 7521 447650

Out of Hours: [safeguarding.officer@phoenixtraining.org](mailto:safeguarding.officer@phoenixtraining.org)

### **Designated Senior Person (DSP)**

**Simon Bladon, Managing Director:** +44 7810 313044

Out of Hours: [simon@phoenixtraining.org](mailto:simon@phoenixtraining.org)

### **Deputy Designated Senior Person (DDSP); Independent Adviser, Scrutiny and Challenge**

**Dr Daniel Logan Grant** (*Leaders in Safeguarding*): +44 7843 049271

**A.3 – Significant Event Record Form**

**Incident Record**

Notifiable Event  Date Recorded: .....

Major Incident

Name of Individual: .....

Home Address: .....

.....

.....

Postcode: .....

Date of Birth: .....

Learner Number (if applicable): .....

Form Completed by: .....

The items below are known as notifiable events. In the first instance, your line manager needs to be informed. Your line manager will then inform the relevant member of the Senior Management Team, the Director, or Board Member.

**Notifiable Events**

*Please tick appropriate boxes.*

Absconding  Damage to Property  Restraint

Bullying/Harassment  Injury to Person  Safeguarding Disclosure

Criminal Offence  Police Called  Other

*If other, please state:* .....

Does this event/incident relate to known behaviour?: .....

.....

Date of event/incident: .....

Time of event/incident: .....

**Details of the Event or Incident**

Where did this event take place?: .....  
.....  
.....

What triggered this event?: .....  
.....  
.....

Was this a new trigger to those (if any) already known about?                      YES / NO

Names of Staff Members involved: .....  
.....  
.....

Names of Learners involved: .....  
.....  
.....

Names of any other witnesses: .....  
.....  
.....

What support was in place to meet the needs of the Learner(s) involved prior to event taking place?:  
.....  
.....  
.....  
.....

**Provide Full and Factual Details Relating to the Event or Incident**

What happened prior to the incident taking place?: .....

.....

.....

.....

.....

What happened during the incident?: .....

.....

.....

.....

.....

.....

.....

.....

Were there any de-escalation techniques used? YES / NO

If **yes**, please explain: .....

.....

How did the incident end?: .....

.....

.....

Name of Staff Member (please print): .....

.....

By signing below I confirm that to the best of my knowledge these statements are true and an accurate representation of the facts as I believe them to be.

Signed: .....

Date: .....

**A.4 – Reflections and Implementation of Actions**

To be completed with the supervision of a Manger, Team Leader, or Director.

**What action has been taken after the incident?**

*Please tick appropriate boxes.*

- |  |                          |                                      |                          |
|--|--------------------------|--------------------------------------|--------------------------|
| Advise staff to follow up with student | <input type="checkbox"/> | Advise manager                       | <input type="checkbox"/> |
| Contact parent/carers                  | <input type="checkbox"/> | Contact support worker               | <input type="checkbox"/> |
| Accident form completed                | <input type="checkbox"/> | Review risk assessment               | <input type="checkbox"/> |
| CAF referral                           | <input type="checkbox"/> | Safeguarding referral                | <input type="checkbox"/> |
| Other                                  | <input type="checkbox"/> | <i>if other, please state:</i> ..... |                          |

What actions will be put in place to ensure this does not occur again?: .....

.....

.....

Have all actions been carried out? YES / NO

If **no**, please state the reason why: .....

Please state a date for follow-up: .....

Name of Staff Member completing form (please print): .....

.....

Signed: .....

Date: .....

**Return to a Manager / Team Leader / Director to sign off actions as complete.**

Name of Manager (please print): .....

.....

Signed: .....

Date: .....



## A.5 – Flowchart for Dealing with Concerns, Suspicions, or Disclosures of Harm or Abuse

### Step One

You are concerned that a child, young person, or adult at risk has been abused because:

- You have seen something
- They have said they have been abused
- Somebody has told you they are concerned
- There has been an allegation against a member of staff
- There has been an anonymous allegation
- An adult has disclosed they are abusing a child or adult at risk
- An adult has disclosed they were abused as a child

### Step Two

Talk to the Designated Safeguarding Lead (or the Deputy DSL if the lead is unavailable) and record your concern on the incident reporting form. If the concern is about a member of the Safeguarding team, please report the concern to the Managing Director. Remember to include the date and time in your report, as well as your name, job role, and your signature.

### Step Three

- The Designated Safeguarding Lead (or the Deputy DSL if unavailable) will contact Children's or Adults Services and/or the local police if a crime is suspected to have been committed (call 101 if non-urgent, and call 999 in an emergency).
- The caller should say "I want to make a child protection referral" and – if ringing social care services – should ask to speak to the duty social worker. They may also be required to complete an online referral form to report this, which should be submitted on the same day.
- On the incident form, they should record who was spoken to; if a referral was accepted or not (with reasons), along with any actions agreed (include the date and time, as well as your name, job role, and signature).
- All forms should then be stored securely in the designated locked filing cabinet.

### Notes

In cases of a concern about a member of staff or a learner, you should talk to the DSL. The LADO (Local Authority Designated Officer) or Adults Services will coordinate the next steps for any staff or learner in regulated activity complaints or allegations. Anyone can 'whistle-blow' directly to the police, social services, or Ofsted if they feel their concerns will not be managed appropriately by the company. All media enquiries should be referred to the Managing Director. EVERYONE should observe confidentiality with colleagues, family, and friends.

## **A.6 – Protocol for Reporting Missing Learners**

### **Rationale**

This protocol is designed to provide an effective response in the event of a learner going missing. This is an essential part of our responsibility to:

- Safeguard learners
- Ensure that there are no barriers to punctuality and attendance

### **Definition of ‘Missing’**

“Anyone whose whereabouts is unknown whatever the circumstances of disappearances they will be considered missing until located and their wellbeing established” (*Ref: The association of chief police officers (ACPO)*).

### **When Discovering that a Learner is Missing**

Your first step should be to inform your line manager. The line manager should immediately:

- Find learner contact details and contact directly if possible – locate learner and arrange safe return to the centre or home.
- Liaise with the DSL to identify any possible safeguarding concerns and ensure appropriate contact is made.

If this is not possible (if no contact can be made), the manager should:

- Ascertain when the learner was last seen (keep a note of any witness statements including names and course details).
- Ascertain what course the learner is on and the timetable for that day.
- Establish if anyone knows where the learner intended to go.
- Searches, where appropriate, of relevant areas.
- Contact the parent/carer as appropriate (there should not be a long gap – parents/carers do not want to hear that their relative has been missing for several hours) and give the facts:
  - When the learner was last seen
  - How it was discovered that they were missing
  - What we have done so far

If there is cause for concern and in consultation with the parent/carer:

- Report to police or relevant authority (collect and record incident number)
- Ask the parent/carer to stay in touch if they hear anything
- Maintain contact with parent/carer until the learner is found (parents/carers need to know that we are doing everything in our power to find the learner).
- Report incident to Managing Director.

### **Investigation and Report Records**

Identifying why a learner has gone missing can be a key part of reducing the likelihood of it happening again and safeguarding that learner. The learner needs to be spoken to about their actions and rationale and any risks they were exposed to. This conversation may reveal the need for ongoing additional support.

When the situation has been resolved the DSL should:

- Carry out a full investigation
- Establish why the situation occurred
- Work with the course tutor and parent/carer/learner support team if appropriate to establish a safe system of supervision in the future
- Provide a written report for the learner file (be aware of confidentiality and data protection)
- Ensure that a letter is written to the parent/carer, to confirm any new arrangements, including responsibilities to be assumed by external Parties.

### **Information Sharing**

If there is a concern about a learner's safety or well-being it may be necessary to share information with other agencies. Their safety and well-being of the child must be the primary considerations when making such a decision.

Sharing of information must be in line with the confidentiality, data protection and human rights legislation and guidance. Information shared will need to be carefully recorded. In most circumstances consent from a parent/carer/learner would need to be gained to share information; however there are some circumstances in which sharing information without consent will be normally justified. These are:

- When there is evidence or reasonable cause to believe that a child is suffering, or is at risk of suffering significant harm; or
- When there is evidence or reasonable cause to believe that an adult is suffering, or is at risk of suffering, serious harm; or
- To prevent, detect or to support the prosecution of serious crime.

### **Police Response**

Where a missing person report is made, the police have an obligation to take action, within their powers, to safeguard the rights of individuals who may be at risk. Those under 18 will not be considered 'low risk'. Where a missing person has been identified as high or medium risk, positive action becomes an obligation at every stage of the missing person investigation.

### **Useful Contacts**

If you believe a learner is at immediate risk this should be reported without delay to the police service; for emergencies ring 999.

## **A.7 – Safeguarding Outside of Phoenix Training Services (Midlands) Ltd. Premises**

### **Introduction**

Any learner under the age of 18 is considered, in the eyes of the law, as a child and is protected by the child protection laws and guidance (Working Together to Safeguard Children 2015).

Incidents of child abuse are not common but any child aged between the ages of 0 and 18 must be considered as vulnerable to abuse whether this is in the home, in school or college, in the work place or in some other place.

Child abuse can take many forms but it is categorised under 4 main themes:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Neglect

It is important that children and young people are protected from any form of harm.

### **Guidance**

Schools, colleges and training providers organizing work placements and other activities must ensure that policies and procedures are in place to protect children and young people from harm, focusing greatest emphasis on settings in which children may be most at risk, for example where children will be placed for long periods in one to one situations with an adult.

These can be considered where the placement is as follows:

- For more than one day a week
- For longer than one term per academic year
- Aimed at those children who may be vulnerable e.g.: those who are aged under 16 or have special needs
- Where the workplace supervisor or colleague will have substantial unsupervised access to the child, because of the nature of the business
- Long-term extended work placements must include arrangements for DBS Disclosures for example when Young Apprentices are in a placement.

It is essential that the key supervisor of the learner, if not under the direct responsibility of a member of Phoenix Training Services Ltd. staff, is aware of their responsibilities with respect to child protection.

## **A.8 – Safeguarding Guidelines for Work Placements**

Schools, colleges and training providers organising work placements must ensure that policies and procedures are in place to protect children and young people from harm.

It is essential that the key supervisor of the learner is aware of the procedures in place to ensure the safety of the young person.

### **Introduction**

Any young person under the age of 18 is considered, in the eyes of the law, as a child and is protected by the child protection laws and guidelines (Working Together to Safeguard Children 2013).

Incidents of child abuse are not common BUT any child aged between the ages of 0 and 18 must be considered as vulnerable to abuse whether this is in the home, in school or College, in the workplace or in some other place.

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

- Physical abuse
- Sexual abuse
- Emotional abuse
- Neglect

It is important that young people are protected from harm.

### **Procedure**

1. All complaints, allegations or suspicions of abuse must be taken seriously.
2. If an allegation is made that a learner has been abused or if there is a suspicion that a student has been abused this should be reported to the student's college supervising member of staff immediately. If the learner's college supervisor is not available, please contact one of the DSL immediately.
3. Promises of confidentiality should not be given as the matter may develop in such a way that these cannot be honoured.
4. If the complainant is the learner, 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 following court proceedings.
5. 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 other present
- The name of the complainant and, where different, the name of the student who has allegedly been abused
- The nature of the alleged abuse
- A description of any injuries observed
- The account which has been given of the allegation that should be signed and dated by the person completing the report

*Please note: Some learners with learning disabilities may need different treatment to others e.g. in the way their physical/mental condition might mask possible abuse.*

### **Apprentices**

- Workplace providers will receive a copy of the Safeguarding Policy and Procedure and information relating to their responsibility for safeguarding.
- Placement Officers/Assessors will carry out all risk assessments and include safeguarding discussion as part of workplace reviews with students.
- Apprentices will receive information relating to safe practice in the workplace and safeguarding contact details.
- When dealing with a disclosure, follow referral procedure as per Section 7
- Work placements will sign and return the safeguarding declaration to Phoenix Training Services Ltd.

### A.9 – Safeguarding Declaration

To be completed and returned to Phoenix Training Services Ltd., with a copy to be retained by the supervisor at the specified organisation.

Workplace Placement Details	
Name of Organisation:	
Address of Organisation:	
Telephone No.:	
I confirm that I have read and understood the guidelines and procedures contained within the attached document. I also understand my responsibilities as the Placement Supervisor.	
Placement Supervisor Name (please print):	
Placement Supervisor Signature:	
Date:	
I confirm that I have explained Phoenix Training Services Ltd.'s Safeguarding Policy to the above-named supervisor and that they are aware of the procedures to follow if they are concerned about the welfare of a young person.	
Phoenix Training Services' Representative Name (please print):	
Phoenix Training Services' Representative Signature:	
Date:	

## **A.10 – E-Safety Policy and Procedure**

- 1.0 All online safeguarding concerns will be dealt with in line with this policy, particularly in terms of referral and recording procedures
- 2.0 All members of staff will be advised of the company’s IT Acceptable User Policy (AUP) policy and will agree to adhere to it.
- 3.0 The prevalence of issues arising through children’s access to the online world is significant and all staff should be aware of associated risks and signs/symptoms. These are categorised within KCSIE 2020 as:
  - Content
  - Contact
  - Conduct

This includes non-age-appropriate content, self-harm and suicide, sexting, cyberbullying, grooming, radicalisation and gaming (now identified by the World Health Organisation as a disorder)

KCSIE 2020 makes specific reference to keeping children safe online including when they are online at home. This is partly in response to the significant impact of COVID-19 in relation to children’s use of the online world and the challenges as a result.

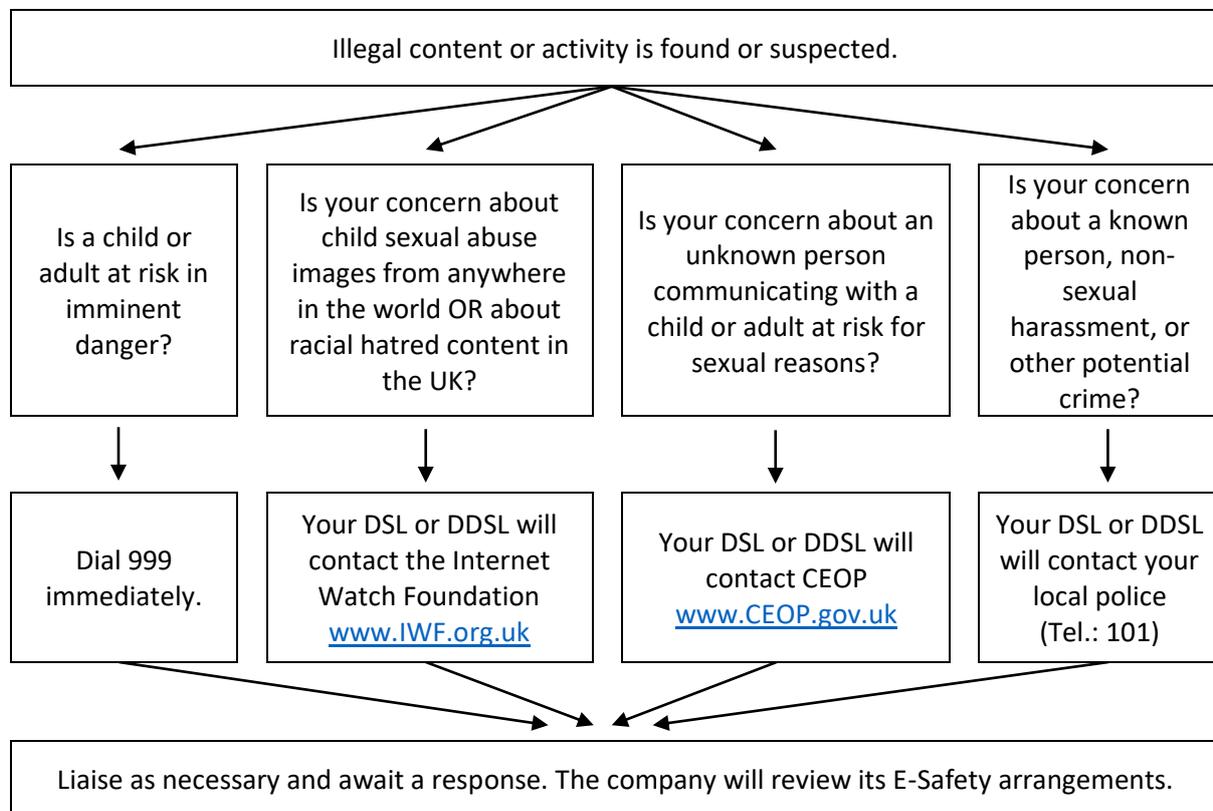
Staff may become concerned about children, young people and adults at risk if they are:

- Accessing illegal websites or inappropriate "lifestyle" or for their age and ability.
- Receiving unwanted or upsetting text or e-mail messages or images.
- Being “groomed” by a responsible adult with a view to meeting the child, young person or adult at risk for their own illegal purposes including sex, drugs, radicalisation, or criminal activity.
- Viewing or receiving socially unacceptable material such as inciting hatred or violence.
- Sending or receiving bullying messages or posting malicious details about others.
- Scamming for financial gain.
- Ignoring copyright law by downloading music videos.
- Becoming secretive about where they are going or who they are meeting.
- Secretive about what they are accessing online.
- Using a phone, iPad or tablet in a closed area, away from other people.
- Accessing the web or using a handheld device for long periods and at all hours.
- Constantly clearing their browsing history.
- Receiving unexpected money or gifts from people they meet online.
- Sending sexually inappropriate images of themselves to others (i.e. “sexting”) which, for under 18 year-olds, is an offence under the Sexual Offences Act 2003.

4.0 Staff may become concerned about a member of staff who:

- Befriends or communicates with learners who they work with; especially by their personal phone, online, by messaging and social media etc.
- Is secretive about what they are doing and who they are meeting.
- Takes images of company activities with their own phone, iPad, or tablet without permission of their line manager.
- Does not seek parental permission for taking images of children and young people under 18 years of age.
- Constantly clearing their browser history.
- Is viewing pornography at work.
- Is viewing child sexual abuse images at any time.
- Is promoting discrimination, illegal acts, or racial or religious hatred of any kind.
- Sharing confidential or sensitive information.
- Circulating or messaging any information which may be offensive.

**E-Safety Referral Flowchart**



### **A.11 – Additional Expert and Professional Guidance**

Further expert and professional guidance and practical support on specific safeguarding issues can be accessed via the [www.gov.uk](http://www.gov.uk) website as follows:

- Child sexual exploitation (CSE)
- Bullying including cyberbullying
- Domestic violence
- Drugs
- Fabricated or induced illness
- Faith abuse
- Female genital mutilation (FGM)
- Forced marriage
- Gangs and youth violence
- Gender-based violence/violence against women and girls (VAWG)
- Mental health
- Private fostering
- Radicalisation
- Sexting
- Teenage relationship abuse
- Trafficking

In addition to the above, information can be found on the NSPCC website [www.nspcc.org.uk](http://www.nspcc.org.uk)

#### **Local Safeguarding Children's Board Guidance**

If we are worried that a child, young person or adult is at risk of abuse, harm or neglect, please call 999 and ask for the police. They will put you in touch with the safeguarding professionals in the area where the incident is said to have taken place.

If a member of the Safeguarding team cannot be contacted (for example out of hours) NSPCC, Childline or the local Safeguarding team in your area provide a safeguarding advice and support service.

NSPCC 24 hours 7 days per week – Telephone: 0808 800 5000

[www.nspcc.org.uk](http://www.nspcc.org.uk)

Child line 24 hours 7 days per week – Telephone: 0800 1111

[www.childline.org.uk](http://www.childline.org.uk)