

Safeguarding Policy

Please note that this BreatheHR version of this policy is the only version that is maintained. Any printed copies should therefore be viewed as 'uncontrolled' and as such, may not necessarily contain the latest updates and amendments.

1. POLICY SCOPE

At The Skills Centre, we are committed to ensuring the safety, welfare, and protection of all our learners, staff, and other relevant individuals, with a particular focus on safeguarding children and adults at risk from abuse and significant harm. Our safeguarding practices are guided by the Children Act 1989, the Children Act 2004, the Care Act 2014, the Safeguarding Vulnerable Groups Act 2006, and Working Together to Safeguard Children 2023. We also follow the statutory guidance "Keeping Children Safe in Education Guidance).

We acknowledge our responsibility under the Counterterrorism and Security Act 2015, known as the Prevent duty, and the National Prevent Duty Guide and are committed to training our staff in identifying and referring processes as required.

We recognise both a statutory and moral obligation to ensure the welfare of children and adults at risk across all our activities. We regularly review and update our policies to remain aligned with statutory guidance, ensuring a secure working and learning environment.

2. DEFINITIONS

- 2.1 Child - A child is classified as a person under 18 years of age.
- 2.2 Adult at risk: A person aged 18 or over who has needs for care and support, is experiencing or at risk of abuse or neglect, and is unable to protect themselves because of those needs, who may have some kind of physical, mental or sensory disability or where English is not their first language.
- 2.3 Abuse - Abuse is the misuse of power and authority by one person over another. An overview of the categories of Abuse is included in as included in the KCSIE Part 1 Appendix.
- 2.4 DSL – Designated Safeguarding Lead
- 2.5 LADO - Local Authority Designated Officer

3. RESPONSIBILITIES

3.1 Designated Responsible Person

The Designated Safeguarding Lead (DSL) responsible for child protection and safeguarding issues is Charles O'Madden who leads the initiative to raise awareness among staff about issues related to the welfare of young people and vulnerable adults. He will also ensure the annual review of The Skills Centre's Safeguarding Policy. Together with the People and Talent Manager, he will identify and oversee training requirements for staff regarding child protection and vulnerable adults.

Safeguarding and child protection training is an integral part of the induction programme for all new staff. Managers will not confirm new staff in their positions until they have successfully completed the safeguarding training package within 30 days of joining. Refresher training for all staff will occur at least every two years, with annual training for the DSL.

In cases of suspected abuse or allegations, Charles O'Madden, as the Designated Person, will collaborate with the Regional Local Authority Designated Officer (LADO) for England or the Local Authority (LA) in Wales. He will also advise other relevant agencies as necessary and maintain accurate records of such referrals, whether child protection or concerning vulnerable adults.

3.2 People and Talent Manager

The People and Talent Manager will be responsible for identifying and delivering training requirements related to Recruitment and Selection and Safer Recruitment. They will ensure that the Skills Centre adheres to Recruitment and Safer Recruitment policies based on the principles highlighted in the Government's "Keeping Children Safe in Education" (update KCSIE 2024).

As part of our policy, Enhanced Disclosure Barring Services (DBS) checks are conducted for all new applicants, new employees, existing employees, and temporary staff who have contact with children or adults at risk. The People and Talent Manager will instruct an external agency to perform these checks. In addition to DBS checks, a minimum of two references are obtained for all new applicants before their appointment, one of which must be their most recent employer.

In cases where the People and Talent Manager identifies concerns during a DBS check, a risk assessment will be conducted, and advice and support will be sought from relevant bodies and Charles O'Madden, the Designated Responsible Person. The People and Talent Manager will also ensure that required staff have undergone Safer Recruitment Training.

3.3 Staff

All staff have a mandatory obligation to familiarise themselves with this policy. Staff working directly with children and vulnerable adults are expected to attend Safeguarding training when necessary. Staff must promptly inform their manager of any incidents that could affect their DBS disclosure, such as cautions or being charged with an offense.

All staff members have a legal duty to report any disclosure, allegation, or suspicion of abuse. Training is provided to identify specific concerns. Allegations must not be investigated by the individual but must be immediately reported to the local DSL and Charles O'Madden, the

Designated Person, or the People and Talent Manager by referral form and or by telephone. Subsequently, these reports should be confirmed in writing using the Incident Reporting Form.

3.4 Learners

The Skills Centre will ask all Learners to disclose during application and at enrolment any unspent criminal convictions. Students with convictions for minor offences may be allowed to continue with the enrolment process, while more serious concerns will be referred to the DSL where a risk assessment is carried out. Learners will be asked to inform their Tutors of any changes to their conviction status during their training.

If any criminal activity is suspected The Skills Centre reserves the right to involve the police and pursue such matters through the legal process.

4. REPORTING AND DEALING WITH ALLEGATIONS OF ABUSE AND CONFIDENTIALITY

- 4.1 The welfare of the individual concerned, including the welfare of any others who may be at risk, must always take precedence over confidentiality.
- 4.2 Young people aged 16 and over should generally give informed consent to their information being shared. It is essential first to consider whether the young person is capable of giving informed consent. If they are, their consent should be sought. If, after discussion with a young person who has mental capacity, they decide they do not want to share their information, their wishes should be respected unless: there is public interest (i.e. not acting will put others at risk) there is a duty of care to intervene (e.g. a crime has or may have been committed).
- 4.3 You do not always need consent to share personal information. There will be some circumstances where you should not seek consent; for example, where doing so would: place a child or young person at increased risk of significant harm; or place an adult at increased risk of serious harm; or prejudice the prevention, detection or prosecution of a serious crime.

Therefore, the procedure must be followed, by law, irrespective of any request to maintain confidentiality and Data Protection (GDPR). Once a disclosure and referral have been made, the incident should be considered confidential (see Confidentiality Policy) – unless the information indicates that the person is at risk of harm from others or to themselves. Then the information will be shared with the DSL (or Safeguarding Team) and/or other agencies/professionals who are able to take protective action. All information regarding child protection issues will be kept, under lock and key, or secure electronic file. The Skills Centre is obliged to work and share information with external agencies charged with the protection of children and young people. This includes Social Services and the police. The Skills Centre has developed systems to ensure effective communication between local agencies.

The Data Protection Act 2018 and GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to promote welfare and protect the safety of children. However, it is important to:

- Share only what it is necessary to share to protect a young person or a vulnerable adult
- Record what you shared, and with whom
- Record your reasons for sharing for further information refer to; Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers.

4.4 Parents or carers will be informed that a referral is going to be made using the informed consent principle, unless informing may itself place the child or vulnerable adult, professionals or others at risk e.g.

- Where sexual abuse is suspected or disclosed
- Where fabricated or induced illness is suspected
- Where there are fears for the safety of a child or vulnerable adult or others when informing parents, carers or others

Where a decision is made not to inform parents or carers of a referral, the reasons for this will be recorded in writing and a copy will be held by the Designated Person (Charles O'Madden)

4.5 Allegations Against a 'The Skills Centre' Employee

Reporting and Dealing with Allegations of Abuse Against a Member of Staff

Introduction

The procedures apply to all learners and contracted staff. The word "staff" is used for ease of description. These procedures only apply to current staff. Any allegations against a staff member who is no longer employed will be referred to the police and the Local Authority Designated Officer LADO.

Because of their frequent contact with young people and vulnerable adults, staff may have allegations of child abuse made against them and, in rare instances, such allegations may be true. The Skills Centre 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.

The Skills Centre recognises that an allegation of child abuse made against a member of staff may be made for various reasons and that the facts of the allegation may or may not be true. Therefore, those dealing with such allegations within the Skills Centre will do so with sensitivity and will act carefully and diligently.

Low Level Concerns

The term 'low-level' concern does not mean that it is insignificant. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging

doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work and
- does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone, contrary to school policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating children.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

Low-level concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

It is crucial that all low-level concerns are shared responsibly with the DSL (Charles O'Madden) and recorded and dealt with appropriately.

Receiving an Allegation from a Young Person or Vulnerable Adult

A member of staff who receives an allegation about another member of staff from a young person or vulnerable adult should follow the guidelines for dealing with disclosure. The allegation should be reported immediately to Charles O'Madden, the DSL, and copies sent to the People and Talent Manager, using the Safeguarding Referral Form. Obtain written details of the allegation from the person who received it, signed and dated. Record information about times, dates, locations, and names of potential witnesses.

The allegation should be reported immediately to the DSL and copies sent to the People and Talent Manager using the Incident Report Form. Obtain written details of the allegation from the person who received it, that are signed and dated. The following details should be recorded; Record information about times, dates, locations and names of potential witnesses.

The DSL will check our PICS database to undertake a review of the learners contract. A review of the referral pathway for our partners will be undertaken and the appropriate process will be followed. For example the DSL will use the Myconcerns reporting pathway for students or learners on the COB contract. Advice and guidance will be sort from the relevant partners DSL.

Initial Assessment by HR

The HR Manager in conjunction with the DSL should make an initial assessment of the allegation, consulting with the LADO as appropriate. Where the allegation is considered to be either a potential criminal act or indicates that the child has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the LADO.

Using the principles defined in the Working Together to Safeguard Children (2018) guidance and 2023 Guidance on Keeping Children Safe in Education it is important that the designated person does not investigate the allegation. The initial assessment should be on the basis of the information received. The designated person should make a decision based on whether or not the allegation warrants further investigation.

Potential outcomes are:

The following definitions should be used when determining the outcome of allegations investigations;

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

Child protection enquiries by social services or the police are not to be confused with internal, disciplinary enquiries by the Skills Centre. The Skills Centre may 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 the Skills Centre to act in a particular way; however, the Skills Centre will assist the agencies with their enquiries.

The Skills Centre shall hold in abeyance its internal enquiries while the formal police or social services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform to the existing staff disciplinary procedures. The member of staff will be made aware of these rights under the Skills Centre's disciplinary procedures.

If there is an investigation by an external agency, the DSL/People and Talent Manager will be involved in, and contribute to, the inter-agency strategy discussions. The People and Talent Manager is responsible for ensuring that the Skills Centre gives every assistance with the agency's enquiries. The DSL/People and Talent Manager 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.

Subject to objections from the police or other investigating agency, the People and Talent Manager shall:

- Inform the young person/vulnerable adult or parent/carers making the allegation that the investigation is taking place and what the likely process will involve.
- Ensure that the parents/carers of the child making the allegation have been informed that the allegation has been made and what the likely process shall 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.

The Designated person shall keep a written record of the action taken in connection with the allegation.

Suspension of Staff

Suspension will not be automatic. In respect of staff other than the CEO or another senior post holder, suspension can only be carried out by a senior post holder (CEO or 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 will be given to alternatives: e.g. paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.

Suspension will only occur for a good reason. For example: Where a young person or vulnerable adult 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, the member of staff will be encouraged to seek advice, for example from a trade union. The member of staff will be informed that an allegation has been made and that consideration is being given to suspension. It will be made clear that the interview is not a formal disciplinary hearing, but solely for raising a serious matter which may lead to suspension and further investigation.

Depending on the nature of the allegation, the CEO will consider whether a statement to the learners of the Skills Centre and/or parents/carers should be made.

The suspended member of staff will be given appropriate support during the period of suspension. He/she will also be provided with information on progress and developments in the case at regular intervals. suspension will remain under review in accordance with the Skills Centre disciplinary procedures.

The Disciplinary Investigation

The internal disciplinary investigation should be conducted in accordance with the existing Skills Centre disciplinary procedures.

False allegations may be indicative of problems of abuse elsewhere. A record will be kept and consideration given to a referral to the LADO in order that other agencies may act upon the information. The HR Manager will Inform the member of staff against whom the allegation is made both orally and in writing that no further disciplinary or child protection action will be taken. The HR Manager will Inform the parents/carers of the alleged victim that the allegation has been made

and of the outcome. Where the allegation was made by a young person or vulnerable adult other than the alleged victim, consideration will be given to informing the parents/carers of that young person or vulnerable adult. Prepare a report outlining the allegation and giving reasons for the conclusion and confirming that the above action had been taken. Consider whether the allegation made against the member of staff was malicious. In such an event if the young person or vulnerable adult is a student at the Skills Centre, a further investigation may be undertaken.

4.6 Allegations Against Non-The Skills Centre Employees

Referrals from learners, parent, carers or visitors can be made verbally, via telephone, email or any other appropriate method. The following procedures refer to safeguarding concerns a learner may have about themselves, another student, parents or guardians or any other adults. If any member of staff is made aware of any harm to any child, a referral to the Safeguarding Team must be made. Staff raising a concern on behalf of a student should complete the Incident Reporting Form.

Once the Incident Form has been made the DSL will talk the case through with the referrer and others involved then make a decision regarding further appropriate action.

The safeguarding officer will ensure the young person's or vulnerable adult's wishes or feelings are taken into account when determining what action to take and what services to provide to protect them.

The DSL will check our PICS database to undertake a review of the learners contract. A review of the referral pathway for our partners will be undertaken and the appropriate process will be followed. Advice and guidance will be sought from the relevant partners DSL

If a referral to the social care or police is not required, The Skills Centre will take relevant action, possibly including pastoral support and/or early help, monitor the situation and escalate its concerns if they continue.

If an allegation has been made by one student against another then an investigation will be conducted. The Designated Lead for Safeguarding will oversee any investigations of this nature and reserves the right to suspend students where necessary during an investigation.

The Skills Centre's responsibility is not confined to the protection of Skills Centre students. For those non-emergency issues which require a serious safeguarding response; (e.g. referral to the Police, the local authority, social services) examples include: serious domestic violence; threat of forced marriage; sexual assaults; serious incidents involving mental health issues; witness protection; (this list is not exhaustive), the DSL will be responsible for communication. Parents will be contacted (for under 18 year olds and over 18 if genuine concern of mental well-being, or vulnerable person) unless to do so would put the student 'at risk' of harm.

The safeguarding team will provide feedback, where appropriate, on outcomes of cases for staff and learners. All cases will be recorded by the DSL and records kept securely. In addition to working with the designated safeguarding lead, staff members should be aware that they may be asked to support social workers to take decisions about individual young people or vulnerable adults.

Appendix A

**Please refer to the following Government Guidance and Resources – KCSIE
Part 1 and Appendix**

[Keeping children safe in education 2024: part one \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/guidance/keeping-children-safe-in-education-2024)

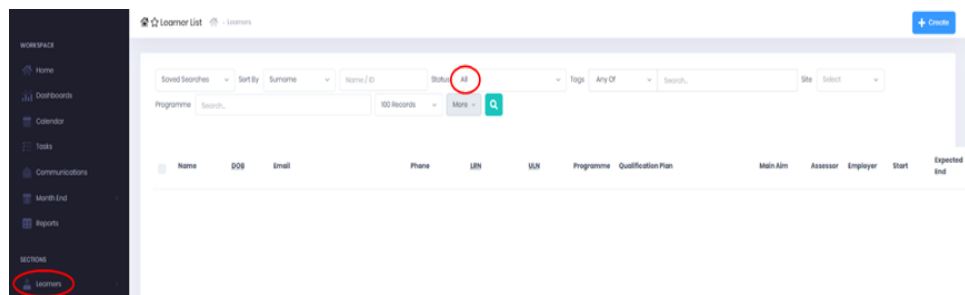
Appendix B

SAFEGUARDING REPORTING PROCEDURE

All employee's should report any Safeguarding or Wellbeing concerns using the PICS Risk Assessment Procedure.

Completing this record should not stand in the way of contacting Police or Emergency Services in the event of an emergency.

How to Add a Risk Assessment On PICS



Log into PICS and find the relevant learner via the learner's section on the left-hand side.

If you are looking for a learner who is not currently in learning, change the status from "In Learning Today" to "All". Once this is selected, search for their name in the Name / ID section.

1. Click on their name to be taken to their summary page.
 - a. On the Summary page, select "Additional Forms" and locate the "Risk Assessment Form".
 - b. Here, you can add the required Risk Assessment information by clicking on the "Edit" icon on the right-hand side. Note that some fields are required and must be completed before you can save. The required questions are:
 - **Name of who is completing this form?**
 - **Date**
 - **Name of Centre Location** e.g. Build East

- **If other, please state** e.g. Not at one of our centres
- **Details of the concern or risk**

The screenshot shows the 'Additional Forms' section of the PICS system. The 'Risk Assessment Form' is selected and highlighted. The form contains the following fields:

- Who is completing this form?** Test
- Date** 23/08/2024
- Centre Location** Other
- Details of the concern or risk** Test
- Agreed action(s) to mitigate risk and facilitate attendance and learning**
- Communication Details**
- Team/Management Decision**
- Re-evaluation of Risk Assessment (Following Meeting)**

An 'Edit' button is visible in the top right corner of the form.

Step 2 – The Risk Assessment will be reviewed by the local DSL within 1 working day.

Step 3 – If the Risk is deemed to be a Safeguarding issue this will be added to the Individuals confidential Safeguarding Folder on PICS.

Step 4 - The Safeguarding issue will be managed by either the local DSL or an appointed person in the Safeguarding until deemed closed by the Designated Safeguarding Lead. The Designated Safeguarding Lead will have over all responsibility for appointing the appropriate person to handle the query

Step 5 – PICS is updated with the all relevant information.

Appendix C

RISK & NEEDS ASSESSMENT FORM

Name of Person completing this form	
Date completed	
Name of Learner	
Location / Site /Home /Address	
Learner Contact Number	

Details of the concern or risk? (Please describe how this may impact on learning or ability to complete Programme)

Agreed actions to mitigate risk and facilitate attendance and learning	To be done by	Who will do this	Sign and date when done

Who needs to be informed? (Probation, tutors, Safeguarding, social Service, Family, others)	Who will do this?	Sign and date when done

TEAM / MANAGEMENT DECISION (Safeguarding Lead Oversight)	
Name of Safeguarding Lead	Charles O'Madden
Date of Risk Assessment Review (If Applicable)	
When will this action plan be reviewed to see if the agreed actions have worked, or if further intervention is required: N/A	Who will do this

RE-EVALUATION OF RISK ASSESSMENT (Following Meeting)