

Aire Vocational Training Ltd

Safeguarding Policy and Procedures

This document outlines Aire Vocational Training's policy on responding to concerns regarding the safeguarding and protection of children and young people. This policy, combined with the associated procedures, provides guidance to all staff who may come across concerns of this nature within the context of their work for Aire Vocational Training Ltd.

Contents

Part 1. Safeguarding children and young people policy	3
Purpose of this document	3
The definition of safeguarding	3
Aims and objectives of the policy	4
Aire Vocational Training’s responsibilities & Safer Recruitment Practice	5
Future action	6
Section 1. Scope of the procedure	6
Section 2. Immediate action to take if, as a member of Aire Vocational Training staff, you observe abuse while it is taking place	7
Section 3. Immediate action to take if you receive an allegation of possible significant harm to a child or young person	7
Section 4. Identification of level of concern and next steps	9
Section 5. Subsequent action in all cases	10
Section 6. Allegations about a member of Aire Vocational Training staff	11
Part 3. Safeguarding vulnerable adults	11
Policy and procedures	11
Annex 1. Definitions	14
Annex 2. Complaints or concerns about our staff	22
Annex 3. The legislative context	26
Annex 4. Safeguarding Flowchart	31

Part 1. Safeguarding children and young people policy

1. Aire Vocational Training's aim is to ensure, that outcomes for children and young people are improved by the receipt of better care, services, and **Keeping Children Safe in Education** (updated 2021). Improved outcomes can only be achieved if children and young people are safe from harm. Therefore, safeguarding the welfare of children and young people is part of our core business.

Purpose of this document

2. The purpose of this document is to outline Aire Vocational Training's policy on responding to concerns regarding the safeguarding and protection of children and young people aged under 18 years. This policy, combined with the associated procedures, provides guidance to all staff who may come across concerns of this nature within the context of their work for Aire Vocational Training. This includes:

- all members of Aire Vocational Training's workforce, Tutor/Assessors/ Coach and office-based staff
- Aire Vocational Training contract staff and stakeholders
- individuals, consultants, and agencies contracted by Aire Vocational Training.

Aire Vocational Training offer work-based training, teaching, and learning for young people and adults. Aire Vocational Training has a policy and procedure for responding to concerns regarding the protection of vulnerable adults when these are identified. This can be found in Part 3 of this document. While the legislative and policy base is different when responding to the safeguarding needs of vulnerable adults, most of the principles and procedures for staff are the same.

The definition of safeguarding

3. Aire Vocational Training adopts the definition used in the Children Act 2004 and the Department for Education guidance document *Working together to safeguard children, (2015)- last updated 9th of December 2020* which focuses on safeguarding and promoting children and young people's welfare and can be summarised as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care, and
- undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

4. For the purposes of this policy a distinction is drawn between:

- specific safeguarding concerns that need to be raised with the Safeguarding Officer or the Designated Person within the responsible provider. For example, such concerns could include but may not be limited to:
 - no designated person for child protection within a school or college

- inadequate safeguarding arrangements in a school, college, or workplace
 - incomplete records of serious incidents
 - inadequate response to bullying within a college or workplace
 - poor and unsafe social work practice by other agencies in the recent past
 - incomplete records of recruitment checks
- the role of designated staff in Aire Vocational Training’s Safeguarding Team in responding to notifications of serious incidents.
 - responding to specific child protection concerns about children at risk of significant harm that are likely to need to be referred through to social services and possibly the police.

Aims and objectives of the policy

5. Aire Vocational Training as well as responding to immediate concerns will ensure that appropriate measures and practice to safeguard and promote the welfare of children and young people are in place and bring matters requiring attention to the relevant authorities.

6. Aire Vocational Training staff are required to complete **Safeguarding at L2 as a minimum, additionally Advanced Safeguarding for those who take more of a Safeguarding Lead (annually)**. Staff are therefore expected to have a good understanding of safeguarding concerns, including potential abuse and neglect of children and young people, which may come to light in the workplace as well as in the provision. All staff should receive safeguarding and child protection updates (including online safety) (for example, via emails, ebulletins and staff meetings), as required, and at least annually, to provide them with the skills and knowledge to safeguard children effectively. This includes understanding they should never promise a child that they will not tell anyone else about a report of abuse, as this is unlikely to be in the best interests of the child; and should be able to reassure all victims that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting abuse, sexual violence, or sexual harassment, nor should a victim ever be made to feel ashamed for making a report

7. Staff who work in areas involving vulnerable adults are also expected to complete training. At whatever level we identify risks we will highlight them and seek to ensure that appropriate steps are taken to safeguard the children and young people concerned. AVT staff should: be aware of the systems in their school or college which support safeguarding, and these should be explained to them as part of staff induction this child protection policy should be shared with staff at induction know the identity of the designated safeguarding lead (and any deputies) and how to contact them

8. We will ensure that all Aire Vocational Training’s employees and those who undertake work on our behalf maintain a proper focus on safeguarding children and young people and that this is reflected both in sound individual practice and our internal policies and guidance. All permanent and contracted staff working with children and young people must:

- give highest priority to children’s and young people’s welfare

- recognise, identify, and respond to signs of abuse, neglect and other safeguarding concerns relating to children and young people
- respond appropriately to disclosure by a child, or young person, of abuse
- respond appropriately to allegations against staff, other adults, and against themselves
- be alert to the risks which abusers, or potential abusers, may pose
- contribute as necessary to all stages of Aire Vocational Training's safeguarding and protection processes.

Aire Vocational Training's responsibilities

9. Aire Vocational Training will investigate all Safeguarding cases or referrals. All staff need to follow the procedures to ensure that all allegations or suspicions of abuse or significant harm to any child are reported to the Designated Person.

10. Aire Vocational Training will ensure that it fulfils its responsibilities to work jointly with others to safeguard and promote the welfare of children and young people and, where necessary, to help bring to justice the perpetrators of crimes against children or young people.

11. Aire Vocational Training will also fulfil its own responsibilities and take whatever enforcement action is deemed necessary to protect children and young people.

Aire Vocational Training Safer Recruitment

12. Aire Vocational Training will ensure a professional and consistent approach to recruitment and selection; adherence to AVT Equality and Diversity Policy and relevant employment legislation; that members of staff are recruited on the basis of their ability; and managers are able to attract and recruit high calibre staff.

13. An AVT representative will meet candidates before a formal interview process in order for the individual to find out further information about AVT and for AVT to complete some pre-interview checks. Alternatively, the meeting may be called at AVT's request in instances where the availability of AVT's senior managers is such that further screening needs to be undertaken before formal interview. In the latter instance, the representative will be required to make a record of the reason for or against the further progression of the candidate's application.

14. AVT will use a panel approach to recruitment to ensure candidates are assessed consistently against the criteria and the reasons for selection and non-selection must be recorded.

15. AVT will make the offer of appointment to the preferred candidate(s) directly, during which time AVT will liaise with candidates to inform of the vetting formalities. This includes satisfactory references from last two employers, confirmation of education and industry qualifications, CPD completed, safeguarding training & knowledge and confirmation of right to work in UK plus DBS and checking social media platforms and internet scanning of candidate.

16. Further requirements should be completed before the new employee takes up post. AVT will carry out an enhanced DBS check for all new employees, who are working with children and vulnerable adults across our settings, and this will be conducted prior to commencement of post
17. AVT will review and complete updated enhanced DBS checks for all staff every 3 years, these are held internally on a central record.

Future action

18. Aire Vocational Training has established a Safeguarding Officer accountable to the Managing Director, to:

- coordinate the implementation of the policy and procedures and associated staff training/briefings
- conduct investigations in accordance with safeguarding policy and procedure
- record incidents of safeguarding concern
- monitor compliance with the policy
- ensure that procedures, advice, and guidance work effectively and are revised as needed
- report to the Board on matters relating to safeguarding.

Part 2. Procedures for responding to specific child protection concerns about children at risk of significant harm

Section 1. Scope of the procedure

19. Aire Vocational Training staff (that is, those employed directly by Aire Vocational Training, those working under contract and stakeholders) may encounter child protection concerns. Such concerns could emerge from direct observation, discussion with individuals or employers, from a member of the public contacting Aire Vocational Training or by a parental complaint.

20. The concern might relate to:

- what is or may be happening (or happened in the past) to a child or young person in an organisation we work with (for instance a school or work placement)
- what is happening (or happened) outside that organisation (for instance in their own family).

21. The concern may be brought to our attention by the child or young person themselves, alleged by others or through direct observation or discussion.

22. The concerns may therefore be about the behaviour of a:

- member of staff (for instance a tutor, assessor, coach, or office worker)
- provider of a service (volunteer, contacted staff)

- peer (for instance another young person)
- child or young person or adult in the community (for instance a relative or family friend)

23. The concern could relate to **actions** or **inaction** (for instance an insufficient response by a staff member to information regarding the risk of significant harm to a child or young person).

24. The concern may be about a current situation or past events and may be about allegations or disclosures of physical abuse, sexual abuse, emotional abuse or neglect, or a combination of one or more of these categories.

25. Aire Vocational Training staff may receive this information by one or more means, such as a telephone call, a letter, an email, through observation, discussion and the examination of documents.

Any member of Aire Vocational Training staff or stakeholders could receive such information. In all circumstances they must respond in accordance with the following procedure.

26. The procedures apply both to situations where staff including stakeholders are acting as members of a team or where they are working individually, in all instances they must act accordingly.

27. Staff receiving a parental complaint need to decide whether any matters need to be dealt with under the child protection procedures. This may be particularly relevant when considering complaints about bullying. If in doubt seek advice from Aire Vocational Training **Safeguarding Officer Lynette Lee. The Designated Person for Prevent at Aire Vocational Training is Lynette Lee.**

28. These procedures give guidance on necessary actions up to the point at which referral is made to the Aire Vocational Training **Safeguarding Officer Lynette Lee. The Designated Person for Prevent at Aire Vocational Training is Lynette Lee.**

Section 2. Immediate action to take if, as a member of Aire Vocational Training staff, you observe abuse while it is taking place

29. This could take a number of forms, for instance seeing an adult hit a child, observing a member of staff using inappropriate restraint on a young person or witnessing the neglect of basic care needs of a disabled child.

30. First, do all you can to stop the abuse immediately without putting the child or young person, or yourself, at undue risk. Inform the perpetrator of your concerns. Advise them to stop the action immediately. Ask them to move themselves to an area where there is no contact with children and young people. Advise them that you will immediately be informing the senior manager on site or elsewhere within the organisation, if appropriate, and the Aire Vocational Training Safeguarding Officer or Designated Person.

Then:

- **if the perpetrator fails to desist** – take appropriate action to stop the abuse and call for assistance
- **if the perpetrator does desist**, and even if they leave the scene as requested, it is essential that you stay with the child until you can transfer them to the care of another responsible adult.

Then:

- **report the incident immediately** to the line manager (when working alone)

And:

- Inform the Safeguarding Officer or Designated person of the incident. It will almost always be appropriate to inform the senior person on site but if you have any doubts discuss this first with a safeguarding officer or the designated person. The designated person can also advise on whether it is necessary to inform an offsite senior manager (for example when the perpetrator is the senior person on site or the only person on site).

31. **Take notes of what has been said, what you have heard or seen** – if it is not possible to take notes at the time, do so immediately afterwards. Keep the notes taken at the time, without amendment, omission, or addition, whatever subsequent reports may be written. The notes should be dated and signed. The notes should cover what you saw, who said what, what action you took, and the details of date, time and location and names of the child and perpetrator.

32. Then follow the steps in Section 5.

Section 3. Immediate action to take if you receive an allegation of possible significant harm to a child or young person

If you are in direct contact with the person raising the concern, for instance through a telephone call, receipt of a complaint or as part of a review or interview.

- **Stop other activity and focus on what you are being told or have just seen.** Responding to suspicion of abuse takes immediate priority.
- **Do not promise confidentiality** or agree to ‘keep it a secret’. Explain clearly to the person raising the concern about what you expect will happen next. You can assure them that you will only tell those you have to tell to try to get the matter dealt with. You can and should express support and reassurance to the person giving you the information, particularly if it is a child or young person, that the matter will be dealt with quickly and appropriately.
- **It is absolutely vital that you avoid any action that could jeopardise subsequent investigations, including legal proceedings. In particular, avoid asking leading questions** like ‘Did they do X to you?’ or ‘How did they hurt the young person’ but confine yourself to open questions like ‘**Can you tell me what happened?**’ and ‘**What happened next?**’ or ‘**Who said that?**’

33. **Ask only what you need to know** to come to a judgement about whether abuse may have taken place and to gather factual details. You do not need full details but do need sufficient information for an informed referral:

- details of the concern or allegation
- name, date of birth and address of the child or young person
- details of the location if employed or on work experience including contact details of manager on site, and so on
- if possible, additional relevant information regarding the child, for example ethnicity and details of other agencies involved.

34. If talking with a child, then work at their pace – do not rush them. Avoid expressing opinions.

- **Consider whether immediate action is needed to secure the protection of any children or young people who may be at risk.** Think about the child or young person who is the immediate subject of the concerns, **and any other child or young person** who may be at risk, in light of what you have been told or suspect.
- **If you are onsite** with any children or young people, who may be at immediate risk, consider what action may be necessary to secure their safety. You will need to stay with those you think are at immediate risk until you can transfer them to the care of another responsible adult. Then you will need to contact the senior staff member on site, if there is one, so they can take responsibility for further action (for example, the immediate suspension and removal of the staff member). If there is no-one on site you will, in discussion with the designated person, need to decide on any further action you may need to take to ensure children's safety.
- **If you are not onsite** with a child or young person, discuss how they may make themselves safe. Take into account the child's or young person's wishes about any immediate protection. Check whether any other children may be at risk and consider what action is necessary to secure their immediate safety.
- **Take notes of what has been said, what you have heard or seen and what you did** – if it is not possible to take notes at the time, do so immediately afterwards. Keep the notes taken at the time, **without amendment, omission or addition**, whatever subsequent reports may be written. Wherever possible, try to write down what was said verbatim, and make it clear (for example, by using quotation marks) where your notes record somebody's actual words. **Notes should be dated and signed.**
- **Follow the steps in Section 4.**

If you are not in direct contact with the person raising the concern, for instance if you have received a letter or email.

- **Stop other activity and focus on what you are being told.** Responding to suspicion of abuse takes immediate priority.

- **Retain any written records including emails and letters.**
- **Follow the steps in Section 4.**

Section 4. Identification of level of concern and next steps

35. In all cases:

- **Do not, at this stage, tell the person who is the subject of an allegation or suspicion** what you have been told or what you suspect – that may put a child or young person at further risk and/or jeopardise any subsequent enquiry.
- **Do not investigate the case yourself.** While professionals should seek, in general, to discuss any concerns with the child and family and, where possible, seek their agreement to making referrals to local authority children’s social care, **this should only be done where such discussion and agreement-seeking will not place a child at increased risk of suffering significant harm.**
- **Decide whether the allegation or suspicion indicates that a child or young person may be suffering, or is at risk of suffering, significant harm** (‘significant harm’ is the trigger for children’s social care services and/or subsequent police enquiries). You will need to discuss with the designated person whether:
 - the allegation or suspicion would constitute a child or young person suffering, or being at risk of, significant harm
 - the actual or likely harm is of a sexual, physical, emotional or neglect nature, or involves witnessing domestic violence, sufficient to affect the child’s or young person’s normal physical, sexual, emotional, educational, or social development.
- **Remember**, whether or not you personally believe what is said, the benefit of the doubt must always be in favour of making the report. You do not personally have to believe the concern to be true to make a referral to the designated person. False allegations, even anonymous ones, are relatively rare.
- If the concerns are identified outside of normal office hours and the designated person is unavailable, decide whether there is an immediate risk to the child. If so, contact the relevant Emergency Duty Team of the children’s social care services. This will usually be via the main switchboard number of the local authority. If this presents a problem, contact the police. Inform designated person and your line manager of your action as soon as practicable.
- **Follow the steps in Section 5 below.**

Section 5. Subsequent action in all cases

- **Contact immediately by telephone Safeguarding Officer Lynette Lee 07786 383434 / 0113 28343664 or The Designated Person for Prevent Lynette Lee on 07801440984/ 0113 8343664**

36. For any referral to be made to the designated person for investigation you will need to know:

- details of the concern/allegation
 - name, date of birth and address of the child or young person
 - details of the location if employed or on work experience including contact details of manager on site, and so on
 - if possible, additional relevant information regarding the child, for example ethnicity and details of other agencies involved.
- **Discuss the concerns and next steps with the officer or designated person.** The discussion with the designated person will decide whether the concerns should be referred to the local authority Emergency Duty Team and/or police. The designated person will normally make that contact. The designated person may also contact the local authority designated officer if they wish to discuss the case before making the referral. In some circumstances it may be agreed, in discussion with the designated person, that direct contact be made by you. In all circumstances the designated person will retain the overall coordinating function and responsibility for the process.
 - **In all cases you should inform the officer, designated person or a senior person of the circumstances and the action you have taken or will be taking next.** However, you should not do so if the concern relates to that senior person or if there are any other factors that might affect a subsequent investigation or place any person at risk.
 - **Confirm your oral report,** including the nature of the allegation/incident, the nature of the suspected harm or likely harm and your subsequent actions by email to the designated person within 24 hours.
 - **Written reports** should be clear and unambiguous since any evidence, including written reports and any notes or other information, are open to disclosure in any subsequent proceedings.
 - **Circumstances not requiring any further action.** If after discussion with the designated person it is decided that no further action will be taken through child protection procedures, the designated person will advise on the next steps to take.

Section 6. Allegations about a member of Aire Vocational Training staff

Decide whether any immediate action needs to be taken in line with Sections 2 and 3 of the procedure and then contact the designated person.

- Where concerns are reported about any Aire Vocational Training staff member, they should always be passed to the designated person
- **The designated person is who all allegations or concerns that a member of staff, or someone working on behalf of Aire Vocational Training, may have abused a child or young person should be reported to.**

Policy and procedures

Introduction

37. The legal and policy basis for responding to concerns regarding the safeguarding and welfare of vulnerable adults is entirely different from that for children and young people. Working together to safeguard children only applies to children and young people up to when they reach the age of 18. Any incident or concerns relating to a young person or adult of 18 years and over, even if still at school, are not covered by Local Safeguarding Children's Boards or their procedures.

Policy statement

38. Aire Vocational Training is committed to working with other agencies to ensure that people in settings that we work with are safeguarded. People who use services have a right to live and work in environments free from abuse, neglect, and discrimination.

39. Aire Vocational Training does not investigate issues of concern in relation to vulnerable adults. Local councils and the police hold the lead responsibilities for responding to allegations of abuse in relation to adults and in coordinating the local interagency framework for safeguarding adults.

40. Aire Vocational Training will bring to the attention of the social services and police any concerns or allegations identified through any part of its work.

The definition of abuse of adults

41. Abuse is a violation of an individual's human and civil rights by other person or persons. Abuse may consist of single or repeated acts. It may be physical, verbal, or psychological, it may be an act of neglect or omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. A vulnerable adult is defined by the Safeguarding Vulnerable Groups Act 2006 as a person who is aged 18 years or over and who:

- is living in residential accommodation, such as a care home or a residential special school
- is living in sheltered housing
- is receiving domiciliary care in their own home
- is receiving any form of healthcare
- is detained in lawful custody (in a prison, remand centre, young offender institution, secure training centre or attendance centre, or under the powers of the Immigration and Asylum Act 1999)
- is under the supervision of the probation services

- is receiving a welfare service defined as the provision of support, assistance or advice by any person, the purpose of which is to develop an individual's capacity to live independently in accommodation or support their capacity to do so
- is receiving a service or participating in an activity for people who have particular needs because of their age or who have any form of disability
- is an expectant or nursing mother living in residential care, or
- is receiving direct payments from a local authority or health and social care trust in lieu of social care services.

42. Within this context abuse can take the form of:

- physical abuse – including hitting, pushing, kicking, misuse of restraint or inappropriate sanctions
- sexual abuse – including sexual assault or acts to which the adult did not, or could not consent
- psychological abuse – including emotional abuse, threats, deprivation of contact, humiliation, intimidation, coercion, verbal abuse, isolation, or withdrawal from services
- financial or material abuse – including exploitation and pressure in connection to wills, property, inheritance, or financial transactions
- neglect or acts of omission – including ignoring medical or physical care needs, withholding of medication or adequate nutrition and failure to provide access to appropriate health, social care, or educational services
- discriminatory abuse – including racist, sexist, and other forms of harassment.
- extremism or radicalisation – being drawn into or to support terrorism, terrorist ideology and forms of extremism. Being encouraged to undertake violent activities on the grounds of religious belief which may include attacks on others

Procedure for responding to safeguarding concerns relating to vulnerable adults

43. The principles for staff in identifying and responding to incidents of concern in relation to adults are the same as those for children and young people. In most cases the same process and guidance outlined in **Part 2 – Sections 1 to 5** will need to be followed by the staff member. There are differences in the definition of abuse and in the response of the statutory agencies to concerns raised with them by Aire Vocational Training.

44. **In summary** if an act of abuse or neglect of a vulnerable adult is identified or suspected then the Aire Vocational Training staff member should:

- stop everything else and concentrate on what you are observing or being told
- ensure the immediate safety of the vulnerable adult (and any other persons)
- do not promise confidentiality or agree to keep something secret
- do not investigate yourself and avoid asking leading questions
- obtain the necessary information to make an informed referral

- contact the Aire Vocational Training Safeguarding Team **Safeguarding Officer Lynette Lee 07786 383434 / 0113 28343664** or **The Designated Person for Prevent Lynette Lee 0778 6383434 / 0113 8343664**
- - to discuss next steps and appropriate action -
- make and keep a record of the incident and actions taken.

Annex 1. Definitions

Abuse and neglect

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults or another child or children.

Physical abuse

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

Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the 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 serious bullying (including cyber-bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- protect a child from physical and emotional harm or danger
- ensure adequate supervision (including the use of inadequate care-givers)
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Peer on Peer Abuse

All children are capable of abusing their peers. This can manifest itself in a whole spectrum of behaviours including –

- Bullying including cyberbullying
- Social media
- Persuasive / suggestive behaviour

Sexual violence and harassment

This can be defined as 'unwanted conduct of a sexual nature' that can occur online and offline. In the context of this guidance this means in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded, or humiliated and/or create a hostile, offensive or sexualised environment. It can include:

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names.
- Sexual "jokes" or taunting.

Sexting

Sexting is when someone shares sexual, naked, or semi-naked images or videos of themselves or others or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, laptops - any device that allows you to share media and messages.

This is also known as youth produced sexual imagery

The UK Council for Internet Safety (UKCIS) Education Group has published Advice for Schools and Colleges on Responding to Sexting Incidents

www.gov.uk/government/publications/sexting-in-schools-and-college

Up skirting (now a criminal offence and has reporting requirements)

This typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm. It is now a criminal offence and may constitute sexual harassment. Cases of 'up skirting' have a mandatory requirement for being reported

Initiation /hazing type violence and rituals

The practice of rituals, challenges, and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group

Sexual Violence and harassment

In this guidance this refers to sexual violence in the context of child-on-child sexual violence. Children can and do abuse other children. Sexual violence covers a spectrum of behaviour. It can refer to sexual offences under the Sexual Offences Act 2013. This includes: -

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

Consent

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

It is important to know that: -

- A child under the age of 13 can never consent to any sexual activity.
- The age of consent is 16.
- Sexual intercourse without consent is rape.

It is also important to differentiate between consensual sexual activity between children of a similar age and that which involves any power imbalance, coercion, or exploitation. Due to their additional training, the designated safeguarding lead (or deputy) should be involved and leading the school or college response. If in any doubt, they should seek expert advice. It is important that schools and colleges consider sexual harassment in broad terms. Sexual harassment (as set out above) creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Harmful Sexual Behaviour (HSB)

Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is "harmful sexual behaviour". The term has been widely adopted in child protection and is used in this advice. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context.

Extremism and Radicalisation

The government defines radicalisation as ‘the process by which a person comes to support terrorism and forms of extremism leading to terrorism.’ Young and vulnerable students are susceptible towards radicalisation by malicious individuals who attempt to lead the young/vulnerable students astray and to commit violent extremism.

Extremism is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty, mutual respect and tolerance of different faiths and beliefs and the calls for death of members of our armed forces, whether in this country or overseas. During the process of radicalisation, it is possible to intervene to prevent vulnerable people being radicalised.

Radicalisation can happen in many different ways. Specific background factors may contribute to vulnerability which are often combined with specific influences such as family, friends or online, and with specific needs for which an extremist or terrorist group may appear to provide the answer. The internet and the use of social media has become a major factor in the radicalisation of young people.

The government has defined terrorism, in section 1 of the Terrorism Act 2000, as ‘the use or threat of action...designed to influence the Government or to intimidate the public or a section of the public... for the purpose of advancing a political, religious or ideological cause’. The governments Counter Terrorism Strategy defines extremism as ‘the process by which a person comes to support terrorism and forms of extremism leading to terrorism’.

Prevent

From 1 July 2015 specified authorities, including all schools are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (‘the CTSA 2015’), in the exercise of their functions to have ‘due regard to the need to prevent people from being drawn into terrorism’. This duty is known as the Prevent duty. The duty came in to force for sixth form colleges and FE colleges/providers in the early autumn.

The statutory Prevent guidance summarises the requirements in terms of four general themes:-

- The risk of students being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology should be assessed. This means being able to generate both a general understanding of the risks affecting young people in the area and a specific understanding of how to identify individual students who may be at risk of radicalisation and what to do to support them. Clear procedures should be in place for protecting young people at risk of radicalisation.
- The Prevent duty builds on existing local partnership arrangements; safeguarding arrangements should take into account the policies and procedures of Local Safeguarding Children Boards (LSCBs).
- Prevent guidance refers to the importance of Prevent awareness training to equip staff to identify students at risk of being drawn i to terrorism and to challenge extremist ideas.

- We must ensure that students are safe from terrorist and extremist material when accessing the internet, ensuring that suitable filtering is in place. It is also important that students are taught about online safety.

Channel

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/964567/6.6271_HO_HMG_Channel_Duty_Guidance_v14_Web.pdf?msclkid=8d2a0a20b5b611ec8d437974a85db608

<https://homeofficemedia.blog.gov.uk/2021/10/18/factsheet-prevent-and-channel-2021/>

Channel is a programme with focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn in to terrorism. It provides a mechanism for educational institutes to make referrals is they are concerned that an individual might be vulnerable to radicalisation. An individual’s engagement with the programme is entirely voluntary at all stages.

In line with our policy and procedure, the Designated Safeguarding/Prevent Officer will make the referral to the Police who will assess and signpost to Channel.

Following a referral, the panel will assess the extent to which identified individuals are vulnerable to being drawn into terrorism, and, where considered appropriate and necessary consent is obtained, arrange for support to be provided to those individuals.

County Lines

The term ‘county lines’ is used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of “deal line”. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons. Please see below publication for additional information

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/863323/HOCountyLinesGuidance - Sept2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/863323/HOCountyLinesGuidance_-_Sept2018.pdf)

The concept of significant harm

Some children are in need because they are suffering or likely to suffer significant harm. The Children Act 2004 and 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children and gives local authorities a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering or is likely to suffer significant harm.

A court may make a care order (committing the child to the care of the local authority) or supervision order (putting the child under the supervision of a social worker, or a probation officer) in respect of a child if it is satisfied that:

- the child is suffering, or is likely to suffer, significant harm, (including impairment suffered from seeing or hearing the ill-treatment of another); and
- the harm or likelihood of harm is attributable to a lack of adequate parental care or control.

There are no absolute criteria on which to rely when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the degree and the extent of physical harm, the duration and frequency of abuse and neglect, the extent of premeditation, and the presence or degree of threat, coercion, sadism and bizarre or unusual elements. Each of these elements has been associated with more severe effects on the child, and/or relatively greater difficulty in helping the child overcome the adverse impact of the maltreatment. Sometimes, a single traumatic event may constitute significant harm, for example, a violent assault, suffocation, or poisoning. More often, significant harm is a compilation of significant events, both acute and long-standing, which interrupt, change or damage the child's physical and psychological development. Some children live in family and social

circumstances where their health and development are neglected. For them, it is the corrosiveness of long-term emotional, physical, or sexual abuse that causes impairment to the extent of constituting significant harm. In each case, it is necessary to consider any maltreatment alongside the child's own assessment of his or her safety and welfare, the family's strengths, and support services, as well as an assessment of the likelihood and capacity for change and improvements in parenting and the care of children and young people.

Other contexts

Protection of vulnerable adults

Alongside Aire Vocational Training's responsibility to safeguarding children and young people, it has equal regard and concern for safeguarding vulnerable adults who are not covered by child protection legislation.

Aire Vocational Training staff should be aware of their responsibility towards vulnerable adults and to contribute to preventing further abuse if they are made aware of it.

A vulnerable adult is defined by the Safeguarding Vulnerable Groups Act 2006 as a person who is aged 18 years or over (See Above – Sections 34 – 36)

Note, however, that people are not vulnerable adults just because of any learning difficulty or learning disability. They will be defined as vulnerable adults when they receive health, social care or other services, or activities specifically for those with learning difficulties and/or disabilities.

As such Aire Vocational Training's staff may have contact with vulnerable adults in the workplace as well as in general further education, sixth form or other colleges and, occasionally working in partnership with other providers or stake holders.

Adults considered to be vulnerable in the above definition may have a range of learning difficulties and/or disabilities, including mental health difficulties, significant behavioural and emotional difficulties; cognitive learning difficulties, including severe and complex learning disability; sensory disability; and speech and language disability and communication disorders, including autistic spectrum difficulties and Asperger's Syndrome.

This is not a complete list, nor does it imply that all learners who have such learning difficulties and/or disabilities should be considered to be a vulnerable adult. All incidents and concerns must be reported to the designated person.

What is meant by abuse in the context of vulnerable adults?

In addition to definitions provided above, in the context of vulnerable adults the following outlines the main forms of abuse:

- **physical abuse**, including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions
- **sexual abuse**, including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting
- **psychological abuse**, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or withdrawal from services or supportive networks
- **financial or material abuse**, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions, or benefits
- **neglect and acts of omission**, including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating
- **discriminatory abuse**, based on disability, gender, race, age, religion or belief, gender reassignment and sexual orientation and other forms of harassment, slurs or similar treatment.
- **extremism or radicalisation** – being drawn into or to support terrorism, terrorist ideology and forms of extremism. Being encouraged to undertake violent activities on the grounds of religious belief which may include attacks on others

Incidents of abuse may be **multiple**, either to one person in a continuing relationship or service context – or to more than one person at a time. Patterns of abuse and abusing vary and reflect very different circumstances. These include:

- serial abusing in which the perpetrator seeks out and ‘grooms’ vulnerable individuals. Sexual abuse usually falls into this pattern as do forms of financial abuse
- long-term abuse in the context of an ongoing family relationship such as domestic violence
- opportunistic abuse such as theft
- situational abuse which arises because pressures have built up and/or because of difficult or challenging behaviour

- neglect of a person's needs because those around him or her are not able to be responsible for their care, for example, if the carer has difficulties attributable to such issues as debt, alcohol, or mental health problems
- institutional abuse which features poor care standards, lack of positive responses to complex needs, rigid routines, inadequate staffing and insufficient knowledge base within the provider or service
- unacceptable 'treatments or programmes with sanctions or punishments such as withholding food and drink, seclusion, unnecessary and unauthorised use of control and restraint, or over-medication
- failure to ensure staff receive appropriate guidance on anti-racist and anti-discriminatory practice
- failure to access key services such as health care and dentistry
- misappropriation of benefits and/or use of the person's money by other members of the household
- fraud or intimidation in connection with wills, property, or other assets.

Some instances of abuse will constitute a criminal offence. In this respect vulnerable adults are entitled to the protection of the law in the same way as any other members of the public. In addition, statutory offences have been created which specifically protect those who may be incapacitated in various ways. Examples of actions which may constitute criminal offences are assault, whether physical or psychological, sexual assault and rape, theft, fraud, and other forms of financial exploitation, and certain forms of discrimination, whether on racial or gender grounds.

Alleged criminal offences differ from all other non-criminal forms of abuse in that the responsibility for initiating action invariably rests with the state in the form of the police and Crown Prosecution Service. While private prosecutions are theoretically possible, they are exceptional in practice. Accordingly, when complaints about alleged abuse suggest that a criminal offence may have been committed it is imperative that reference should be made to the police as a matter of urgency. Criminal investigation by the police takes priority over all other lines of enquiry.

Non-criminal forms of abuse must be also treated with the highest priority. These should be brought to the attention of the designated person. Such instances may also require referral to other statutory agencies, including local social service departments.

The guidance on the Adults List (previously the Protection of Vulnerable Adults) requires providers who provide services for vulnerable adults to carry out stringent pre-employment checks on all staff.

The procedure to be followed by Aire Vocational Training staff is identical to suspected abuse involving children or young adults. The designated person is the main point of contact for all Aire Vocational Training staff that suspect any form of abuse or receive allegations of abuse. The designated person will liaise initially with the police and other agencies as required.

Forced marriage

Forced marriage and honour-based violence are human rights abuses and fall within the Government's definition of domestic violence. Forced marriage is defined as a marriage conducted without the full consent of both parties and where duress is a factor. There is a clear distinction between forced marriage and an arranged marriage. In arranged marriages, the families may take a leading role in arranging the marriage, but the choice of whether or not to accept remains with the prospective spouses. In a forced marriage, one or both spouses do not consent to the marriage. The young person could be facing physical, psychological, sexual, financial, or emotional abuse to pressure them into accepting the marriage.

Many of these acts are committed against children. The Government's Forced Marriage Unit has produced guidelines, in conjunction with DfE, on how to identify and support young people threatened by forced marriage.

Procedure

Again, the procedure to be followed by all Aire Vocational Training staff is similar to that when other types of abuse involving children or young adults is suspected. However, if a child appears to be at immediate risk, refer to section 3 of this policy for further advice on action to be taken. The designated person is the main point of contact for all Aire Vocational Training staff that suspect any form of abuse or receive allegations of abuse. The designated person will liaise initially with the police and other agencies such as the Forced Marriage Unit as required. You can find more advice on how the Forced Marriage Unit works at: <https://www.gov.uk/guidance/forced-marriage#history>

Breast Ironing

Breast flattening (sometimes known as breast ironing) is when a girl's breasts are pressed with a hot object, massaged, pounded or flattened over time to flatten them and delay their development.

This is different from choosing to bind your breasts – we have lots more information and advice about gender identity and how to cope with how you're feeling.

Breast flattening is often done by a female family member, like a mother, aunty or grandmother, who believe this will help keep the girl safe from unwanted attention from men. Whatever the reason – breast flattening is abuse and it's wrong. It can be very painful and cause health issues.

Procedure

As above, the procedure to be followed by all Aire Vocational Training staff is similar to that when other types of abuse involving children or young adults is suspected. However, if a child appears to be at immediate risk, refer to section 3 of this policy for further advice on action to be taken. The designated person is the main point of contact for all Aire Vocational Training staff that suspect any form of abuse or receive allegations of abuse. The designated person will liaise initially with the police and other agencies such as the LADO

FGM

FGM is a form of child abuse. It's dangerous and a criminal offence in the UK. We know: there are no medical reasons to carry out FGM it's often performed by someone with no medical training, using instruments such as knives, scalpels, scissors, glass or razor blades children are rarely given anaesthetic or antiseptic treatment and are often forcibly restrained. it's used to control female sexuality and can cause long-lasting damage to physical and emotional health. FGM can happen at different times in a girl or woman's life, including:

- when a baby is new-born
- during childhood or as a teenager
- just before marriage
- during pregnancy

For more information please go to: <https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/female-genital-mutilation-fgm/#signs>

Please follow the above procedures

Challenging extremism

If students make comments which could be regarded as extremist staff should encourage the students:

- To think critically
- To consider whether the evidence they have is accurate and full
- To consider whether they have received a partial and/or unsustainable interpretation of evidence.
- To consider alternative interpretations and views

Staff should use opportunities to challenge extremist narratives through discussion with students. If staff do not feel confident in challenging extremist ideas with their Students they should ask for support from the Safeguarding or Prevent officer.

If students behave in a way which contravenes the equality and diversity aspects of the code of conduct which they have signed then this is a disciplinary issue e.g. refusing to work with a gay student or a student of a different ethnicity. It should be dealt with through normal provider disciplinary processes.

Annex 2. Complaints or concerns about our staff

Aire Vocational Training will seek to ensure that children and young people, parents and carers, members of the public and service providers and our employees have ready access to us if they have concerns about the conduct of our staff or those undertaking work on our behalf.

We have rigorous procedures in place to ensure that the individuals who are recruited into Aire Vocational Training posts are fit and suitable for those posts and we have robust policies which enable us to follow up quickly any allegations about the conduct of our own staff.

The Aire Vocational Training designated person will work closely together to ensure that any safeguarding concern relating to a Aire Vocational Training employee is dealt with quickly and appropriately.

Pre-employment

Recruitment and pre-appointment checks

During the recruitment process, Aire Vocational Training routinely checks an individual's suitability for working in Aire Vocational Training in various ways.

We analyse CVs to assess that the individual has the appropriate skills, knowledge and background to undertake the duties of the post they are applying for. We also look for any gaps in employment and will challenge these with the individual if necessary. During interviews we will ask specific questions around the protection of children to ascertain whether the individual is suitably aware of potential risks to children, young people or vulnerable adults.

When an offer of employment is made, we routinely check the individual's suitability for the post through occupational reference checking. Individuals must provide two referees, one of whom must be their last employer. Where any information is falsely submitted or where information is provided which gives cause for concern, we may withdraw any conditional offer of employment if considered necessary. We also check the individual's eligibility to work in the EU, and whether the individual is medically fit for the post.

Disclosure and Barring Service checks

We carry out enhanced Criminal Record Bureau DBS enhanced checks for all staff and their managers, all senior managers at director level and above, and staff who work as contractors and stakeholders who routinely deal with child protection issues. We also carry out DBS enhanced checks on any staff who may find themselves alone with children. From the point when new members of staff are required to be registered, Aire Vocational Training will receive notification of any change in their approved status with regard to safeguarding; we will also recheck employees every three years with the DBS enhanced check. Where any offence is disclosed by the DBS enhanced check, we will investigate this fully, having consideration of the Rehabilitation of Offenders Act 1974, and may withdraw an offer of employment or move to dismiss a current employee where necessary. We will also require Aire Vocational Training staff to inform us of any pending notifications relating to them as individuals as soon as they know of these.

During employment

Complaints

A complaint about the conduct of a Aire Vocational Training employee may come through various routes. These include:

- through our formal complaints procedure
- through learners
- through employers

- Parents/Carers/Guardians
- through other correspondence from the public
- through our helpline
- through one Aire Vocational Training employee making a complaint about the conduct of another Aire Vocational Training employee. This may be made through Aire Vocational Training's **whistleblowing policy**, but any subsequent investigation and action would be carried out according to the safeguarding procedure and the disciplinary policy.

However we receive the complaint, Aire Vocational Training will ensure that all complaints are treated with due care and attention, considering the expectations of the public and also the fair treatment of our employees. Where the complaint involves a safeguarding issue, this should immediately be referred to the designated person who will take the appropriate action. If this involves an allegation about a Aire Vocational Training employee, they will immediately refer as appropriate.

Aire Vocational Training's external complaints procedure

Aire Vocational Training has a formal complaints policy in place for anyone wishing to make a complaint about the conduct of any Aire Vocational Training staff or anyone working as a partner of Aire Vocational Training. This policy provides details of how to make a complaint and to whom it should be addressed.

An **internal complaints/grievance procedure** is available to our employees, which outlines the actions that will be taken if a complaint is made against a Aire Vocational Training employee. On occasion, and where appropriate, Aire Vocational Training's disciplinary procedure may be invoked against an Aire Vocational Training employee, where the initial stages of investigation under the complaints procedure show that disciplinary action may be warranted.

Disciplinary process

This escalated disciplinary process will apply where an employee is suspected and/or accused of or deemed to have acted in contravention of the safeguarding policy. This applies where there is a child protection issue because of an employee's action or as a result of their inaction, whether wilful or because of negligence. Depending on the circumstances, this may also include a capability review. Additionally, the policy may apply where a family member or an acquaintance of an Aire Vocational Training employee is implicated in, suspected and/or accused of a matter related to abuse of a child or children where there is evidence that the employee had knowledge of the activity and did nothing.

Post employment

Recruitment and pre-appointment checks

Aire Vocational Training reserves the right to disclose information about an ex-employee where they have been disciplined and/or dismissed for misconduct, including where that is related to a safeguarding issue.

Annex 3. The legislative context

Working together to safeguard children (DCSF (now DfE), 2010) sets out how organisations and individuals should work together to safeguard and promote the welfare of children and young people, in accordance with the Children Act 1989 and the Children Act 2004. These Acts are the primary legislation from which *Working together to safeguard children* derives its legislative basis.

Part I of *Working together to safeguard children* is statutory guidance and includes in chapter 6 supplementary guidance on safeguarding and promoting the welfare of children, including:

- **sexually exploited children**
- **children affected by gang activity**
- **fabricated or induced illness**
- **investigating complex (organised or multiple) abuse**
- **female genital mutilation**
- **forced marriage and honour-based violence**
- **allegations of abuse made against a person who works with children**
- **abuse of disabled children**
- **child abuse linked to belief in 'spirit possession'**
- **child victims of trafficking.**

Part II is non-statutory practice covering lessons from research, working with children and families, safeguarding children who may be particularly vulnerable and managing individuals who pose a risk to children.

Working together to safeguard children provides helpful guidance on the roles and responsibilities of organisations and providers in the safeguarding of children and young people.

Section 11 of the Children Act 2004 and section 55 of the Borders, Citizenship and Immigration Act 2009 place duties on organisations and individuals to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. Section 175 of the Education Act 2002 places the same duties on organisations and individuals to achieve this by:

- creating and maintaining a safe learning environment for children and young people; and,
- identifying where there are child welfare concerns and taking action to address them, in partnership with other organisations where appropriate.

Under the Education Act 1996, **corporal punishment** was outlawed in all schools and many other settings. In March 2010, the government indicated that it was accepting the recommendation by Sir Roger Singleton that this ban should be extended to all settings outside the context of the family. The law forbids a teacher or other member of staff using

any degree of physical contact which is deliberately intended to punish a pupil, or which is primarily intended to cause pain or injury or humiliation. The use of reasonable force to control or restrain pupils under certain circumstances is allowed, provided authorisation has been granted to have control or charge of pupils. Other staff may also do so, in the same way as teachers, provided they have been authorised by the head teacher to have control or charge of pupils. All schools should have a policy about the use of force to control or restrain pupils and all Aire Vocational Training staff working in schools must read and retain a copy of the policy.

Further guidance about this is at:

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

Keeping children safe in education 2021- Statutory guidance for schools and Colleges September 2021. Schools and colleges and their staff are an important part of the wider safeguarding system for children. This system is described in the statutory guidance Working Together to Safeguard Children. Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child centred. This means that they should consider, at all times, what is in the best interests of the child. No single practitioner can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- **protecting children from maltreatment.**
- **preventing the impairment of children's mental and physical health or development.**
- **ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and**
- **taking action to enable all children to have the best outcomes.**

Children includes everyone under the age of 18. The role of school and college staff, school and college staff are particularly important, as they are in a position to identify concerns early, provide help for children, promote children's welfare, and prevent concerns from escalating. All staff have a responsibility to provide a safe environment in which children can learn.

Further guidance about this is at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1021914/KCSIE_2021_September_guidance.pdf

Early Years and Childcare Services – All organisations providing group day care must have a designated person who is responsible for liaison with local child protection agencies and Aire Vocational Training on child protection issues, and other staff should be able to implement child protection procedures in the absence of that person.

Vetting staff who work with children and young people

It is the responsibility of Aire Vocational Training to ensure it has secure evidence that staff have their identity, qualifications and criminal records checked.

The following checks are made on all people working for Aire Vocational Training:

- references
- identity
- UK residence or permission to work in the UK
- Disclosure and Barring Service (DBS) enhanced disclosure
- overseas criminal record check (where necessary)
- check against the Independent Safeguarding Authority barred list
- explanations of any gaps in employment or academic history
- qualifications
- professional status
- complete induction and/or probationary period, as required for the position.

From October 2009, the three former barred lists (List 99, the Protection of Children Act List and the Protection of Vulnerable Adults List) are starting to be replaced by two new Independent Safeguarding Authority barred lists (Children's List and Vulnerable Adults List).

The **Disclosure and Barring Service** (DBS enhanced disclosures) is an executive agency of the Home Office. It provides access to criminal record information to help organisations make safer recruitment decisions by identifying candidates who may be unsuitable for certain work. The DBS enhanced checks are now offers one type of effective disclosure:

- enhanced disclosure shows current and spent convictions, cautions, reprimands, and warnings held on the Police National Computer. In the case of a post which involves working with children, the Protection of Children Act 1999 list and information that is held under the section 142 of the Education Act 2002 – commonly known as List 99 and now being replaced by the ISA children's barred list – will be searched. Any person whose name is on List 99 (now the ISA list) is barred from working with children. Enhanced disclosures also show any relevant information held by local police forces such as details of acquittals, pending prosecutions or other non-conviction information.

Existing staff should not be asked to apply for a fresh disclosure unless the employer, school, further education institution or training provider has grounds for concern about their suitability to work with children.

Applications for enhanced disclosures are usually made on paper and must be signed by the applicant and authorised by an employer.

The disclosure is sent to the applicant and a copy sent to the employer. The decision concerning the suitability of an applicant in light of the disclosure rests with the employer. The record of the disclosure must be kept in secure conditions.

Providing a person is **not** barred, they can begin work in day settings while an enhanced disclosure DBS enhanced check is being carried out as the process may take some weeks to be completed. Due to the higher requirements of the National Minimum Standards, staff or

learners working in boarding or residential provision may not take up their posts until an enhanced DBS enhanced check is complete.

Children and Vulnerable Adults Barred Lists

The Safeguarding Vulnerable Groups Act 2006 set out the legislative context for the introduction of the ISA and the Vetting and Barring Scheme, with its barred lists for children and vulnerable adults. This legislation replaces the previous barred lists under the Protection of Children Act 1999 and the Protection of Vulnerable Adults scheme.

Since October 2009, it has been a criminal offence for individuals barred by the ISA to work or apply to work with children or vulnerable adults in a wide range of posts – including most jobs in the NHS, Prison Service, education, and childcare. Employers also face criminal sanctions for **knowingly** employing a barred individual across a wider range of work.

Employers, local authorities, professional regulators, and other bodies (including Aire Vocational Training) have a duty to refer to the ISA any information about individuals working with children or vulnerable adults where they consider them to have caused harm or pose a risk of harm.

Regulated activity is the term used in the Safeguarding Vulnerable Groups Act 2006 and the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 to cover activities where people are working or volunteering with children or vulnerable adults on a regular basis.

Regulated activity covers anyone working closely with children or vulnerable adults, either paid or unpaid, not part of a family or personal arrangement, on a frequent or intensive basis. It can include, but is not limited to, any of the following:

- teaching, training or instruction, care or supervision of children or provided wholly or mainly to vulnerable adults
- providing advice or guidance for children or young people
- providing advice, guidance, or assistance wholly or mainly to vulnerable adults
- any form of healthcare treatment or therapy provided to children or vulnerable adults
- driving a vehicle that is being used for the specific purpose of conveying children or vulnerable adults
- working in a specified place.

The scheme also covers a special category of work called ‘controlled activity’. Employers will be able to employ someone barred from regulated activity to carry out controlled activity, provided they put in place specific safeguards.

Controlled activity will include:

- frequent or intensive activity that is ancillary to healthcare in hospitals or primary care
- frequent or intensive ancillary activity in adult social care settings and further education settings, and

- people working for specified organisations with access to health or social services records. In each case there must be an opportunity for contact with children or vulnerable adults, or the opportunity to have access to health or social services records for children or vulnerable adults, or educational records for children.

Name: Lynne Green, Director

Signed:

Annex 4. Safeguarding flowchart

