

SAFEGUARDING LEARNERS

INFORMATION BOOKLET FOR EMPLOYERS AND LEARNERS

Version 8 – September 2016



Disclosure &
Barring Service

THE PURPOSE OF THE BOOKLET

This booklet has been developed to provide employers and learners with all the information needed to enable them to understand the topic of Safer Recruitment and the Safeguarding of Learners.

It will explain what safeguarding is about, where it has come from and where to go and who to contact if you require any further help or advice. It also details the policies and procedures in place at Gloucestershire Engineering Training (G.E.T.) to safeguard young people in their care and advise you of your responsibilities and obligations in relation to same.

We have endeavored to include only the information that is essential for you to know. Further detailed information can be provided if necessary. Further copies of the booklet can be provided upon request.

WHAT IS SAFEGUARDING?

The background

Safeguarding proceeds from a deep commitment to place the learner at the centre of our concerns, and to build around the learner those policies, practices and procedures they need to succeed. Further Education colleges and providers of adult, community and work-based learning in England are required by law to secure the safety of children, young people and vulnerable adults who are their learners. In 2008 the Department for Innovative Universities and Skills (DIUS) made a commitment to safeguarding young people and vulnerable adults.

Safeguarding aims to protect learners from sexual, physical and emotional harm by looking at preventative action. The importance of safeguarding was brought to a lot of people's attention when high profile abuse cases were reported in the media. Safeguarding in further education also includes protecting learners over the age of 18. For example:

- Work-based learners
- Learners on new 14-19 Diploma courses.

Safeguarding is made up of various different acts such as:

- Human Rights Act 1998
- United Nations Convention on the Rights of the child
- Safeguarding Vulnerable Groups Act 2006
- Children Act 1989/2004
- Education Act 2002
- Rehabilitation Act 2002
- Rehabilitation of Offenders Act 1974
- Sexual Offences Act 2003
- Safeguarding Children and Safer Recruitment in Education 2007
- Keeping Children Safe in Education September 2016
- Counter-Terrorism and Security Act 2015.

As a minimum, all educational establishments must ensure they have the following in place:

- Safeguarding policy
- Safer recruitment policy
- Equality and diversity policy including anti-racism and anti-homophobia
- Programme of induction and protection of staff
- Procedures/processes for the dissemination of Safeguarding information for staff, employers and learners
- A Designated Person who is responsible for Safeguarding within the organisation

Who are we safeguarding from?

Most people are afraid of 'stranger danger' and the things given the majority of media attention such as pedophiles and strangers who abuse. However, this is relatively uncommon compared to abuse perpetrated by family and acquaintances.

Individuals who suffer abuse are most likely to suffer abuse at the hands of someone known to them, this could be staff, co-workers or learners, volunteers or outside contractors that visit or work alongside them on a regular basis. It could be anyone with whom the individual builds a relationship and begins to trust.

Safeguarding must be looked at in the widest possible sense, therefore practically anyone and everyone must be considered and G.E.T. as a training provider and the sponsor company as the Employer must have procedures in place to risk-assess learners in their care.

SAFEGUARDING POLICY/PROCEDURE

G.E.T.'s Obligations

As a training provider we have a legal responsibility to safeguard all learners in our care. In order to do this we will ensure that all employees have an enhanced Disclosure and Barring Service (DBS) check that is obtained before any appointment is made. Those already in employment at G.E.T. have had enhanced DBS checks undertaken.

Part of our commitment to Safeguarding is ensuring that everyone is aware of the organisation's policies, procedures and systems. Every allegation that is made must be taken seriously and the correct action and steps must be taken.

As a Training Provider we have certain obligations that we must carry out to ensure the safest working environment we can for both learners and employees. We must make sure that:

- There is a comprehensive and effective safeguarding policy in place
- There is a designated person/s who deals with safeguarding and Safeguarding Lead
- There are effective measures to ensure safer recruitment for staff.

G.E.T's Policy

G.E.T. has a comprehensive Safeguarding Policy which a copy is attached in Appendix A of this booklet. Further work has been undertaken to ensure that Safeguarding is a theme that runs through all policies and procedures within the organisation and amendments have been made to ensure its inclusion to all work procedures and instructions.

Staff at GET have all been through formal safeguarding training and procedures are in place to ensure that the dissemination of safeguarding information is effective and efficient.

A new recruitment policy has also been devised to ensure that the process of safer recruitment is implemented and followed and that thorough checks are undertaken to ensure protection for the young people in our care. Our recruitment policy is an employee policy, and has been attached at Appendix B for your information.

The Lead Safeguarding Person

The lead safeguarding person at G.E.T. is Linsey Temple.

The lead is a member of staff who will take responsibility for safeguarding in the company. They will deal with and be responsible for all safeguarding procedures and will act on any concerns that are raised. If the safeguarding lead decides to further investigate any allegation that is raised, they will appoint a designated person to conduct the process.

The Designated Person's responsibilities will include;

GET's Designated persons- Jessica Jones, Jan Sully, Gareth Cook, Martin Wear and Mikela Lowthian

- Taking responsibility for promoting positive safeguarding procedures and practices within the organisation.
- Receiving information from, and offer advice to staff, learners and employers.
- Maintaining secure records in relation to safeguarding issues and allegations.
- Assessing information promptly and taking appropriate action.
- Being familiar with national and local safeguarding legislation.
- Knowing who to contact and establish links with their local Safeguarding Children's Board and the relevant people within children and adult services or police.

If there is a problem regarding the Safeguarding Lead/ Designated Person/s, the Chairperson of G.E.T. or any one of the current Directors can be approached. A list of Directors can be obtained from G.E.T. upon request.

The Employers Obligations

Each employer also has a responsibility to ensure the safeguarding of learners in their employment and amendments to the training contract have been issued which will stipulate how this should be managed. We accept that learners will take part in one to one contact when in company and it would be impractical to expect the employer to DBS check every employee that may come into contact with the learners, but we will require an assurance that the employer is committed to safeguarding and has all the relevant information required to enable them to identify the signs and know how to act. If an employer has a concern they can report it to their nominated Review Officer or directly to the Lead Designated Person.

If G.E.T. has a concern, they will raise the issue with the company representative and agree a course of action. G.E.T. will refuse to work with and withdraw the services provided to any employer who breaches their commitment to safeguarding. They will also inform the relevant external agencies of any concerns.

The Learners' Obligations

Whilst there are not any obligations by law, G.E.T. will expect all learners to be vigilant and aware of the signs of potential abuse and report anything they feel is suspicious. We will expect all learners to report issues related to themselves and also related to their fellow learners.

How to Act

If a learner reports any form of abuse (see next page for forms of abuse) you must follow the correct steps:

- Always listen to what you are being told without making any judgement
- Don't ask ANY questions or try to investigate yourself
- Write down everything you are being told and sign and date what you have written
- Never promise confidentiality
- Explain how the reporting of any incidents/concerns will be dealt with
- Give this straight to your Designated Person who will deal with the investigation further

The Five R's

Recognise- All staff must be aware and recognise behaviour that could indicate potential abuse.

Respond- Response is vital. Every allegation must be reported and never ignored, the correct approach is extremely important to both the learner and the person involved.

Report- Report any concerns to the designated person, if you cannot do so report them to the organisational leader or deputy, never withhold from reporting any type of information.

Record- you should only record exactly what you have been told, using factual words and quotes from the individual themselves.

Refer- only a Designated person or their deputy can make the decision to refer an allegation or complaint having examined all information correctly and accurately.

Duty of care

The duty which rests upon an individual and or organisation to ensure that all reasonable steps are taken to ensure the safety of a child or young person involved in any activity or interaction for which that individual or organisation is responsible. Any person in charge of, or working with children or vulnerable adults in any capacity is considered, both legally and morally to own them a duty of care.

Recognising Abuse

It is the responsibility of all staff at GET to recognise an abusive situation or the results of one. There are various signs of abuse which you might spot, dependent on the type of abuse.

Physical Abuse

Signs of physical abuse

- Bruises to the eyes, mouth, or ears, fingertip bruising (grasp mark)
- Unlikely reasons given for the injury or a refusal to give any explanation
- Bruises of different ages in the same place
- Outline bruises (hand prints, belts or shoes)
- Burns bites and scars or unusual shaped scars and fractures
- Fear of suspected abuser being contacted

Forms of physical abuse

- Hitting / slapping / smacking / pushing / kicking
- Poisoning
- Burning / Scalding
- Fabricating the symptoms of or deliberately inducing illness, and/or misuse of medication
- Restraint or inappropriate sanction

Sexual Abuse

Sexual abuse involves forcing or enticing a child, young person or vulnerable adult to take part in sexual activities including sexual exploitation..

Sexual abuse also includes involving children or young people in non-contact activities, such as looking at or producing pornographic material, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Those who want to sexually abuse young people or vulnerable adults will usually build up a relationship with the person first before abusing them.

Signs of Sexual Abuse

- Behavioural concerns: for example, depression, self-harm, suicide attempts, running away, overdoses, over or under eating.
- Sudden changes in mood and altered attitudes to particular adults
- Sexually transmitted diseases
- Direct disclosure

Emotional Abuse

All abuse involves some level of emotional abuse, although it may occur on its own without other signs of abuse.

Signs of emotional abuse

Emotional abuse can be very difficult to define or prove, but there are signs and symptoms to identify it. Possible indicators include:

- Behavioural problems such as petty crime, telling lies, being disruptive
- Low self-esteem and lack of confidence
- Aggression
- Indiscriminate attachment to others or failure to attach to a parent
- Lethargy, depression and anxiety - including loss of vitality and being withdrawn
- Developmental delay including difficulty with learning
- Self-harm or covering the evidence of self-harm

Neglect

Learners that need extra care from an adult could be vulnerable to neglect. Neglect can involve all or some of the following:

- 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

Signs of neglect

- Undernourished
- Unclean skin and hair
- Dirty or soiled clothing
- Inappropriate clothing for the weather
- Expressing hunger or stealing food
- Tiredness
- Not receiving appropriate medication

Financial Abuse

Financial abuse could involve a learner having money, benefits or possessions taken from them by either someone they know, or don't know. This could be a family member, a peer, or a person in authority over the learner.

Cultural Implications

All staff need to be aware of cultural difference which may affect some learners.

Forced Marriage

Forced marriage' is defined as marriage without the consent of either or both parties, and where coercion is used. Forced marriage is not the same as arranged marriage, where although the families involved may select a partner, those partners ultimately have the right to consent to, or refuse, the marriage.

Female Genital Mutilation

In some cultures, Female Genital Mutilation (FGM), female circumcision, is practiced on girls and young women. FGM is illegal in the UK and cultural considerations can never override a child's legal right to be safe from harm. Indeed, women in the UK from cultures practicing FGM have been in the forefront of working to ensure it is stamped out.

Honour Killings

So called 'honour killings' are murders within families of victims who are believed to have brought 'shame' on the family. The 'shame' could be caused by a victim refusing to enter into an arranged marriage, or for having a relationship that the family considers inappropriate. The potential victim of an honour killing may go missing in order to escape their family.

Online Safety; Bullying/Harassment

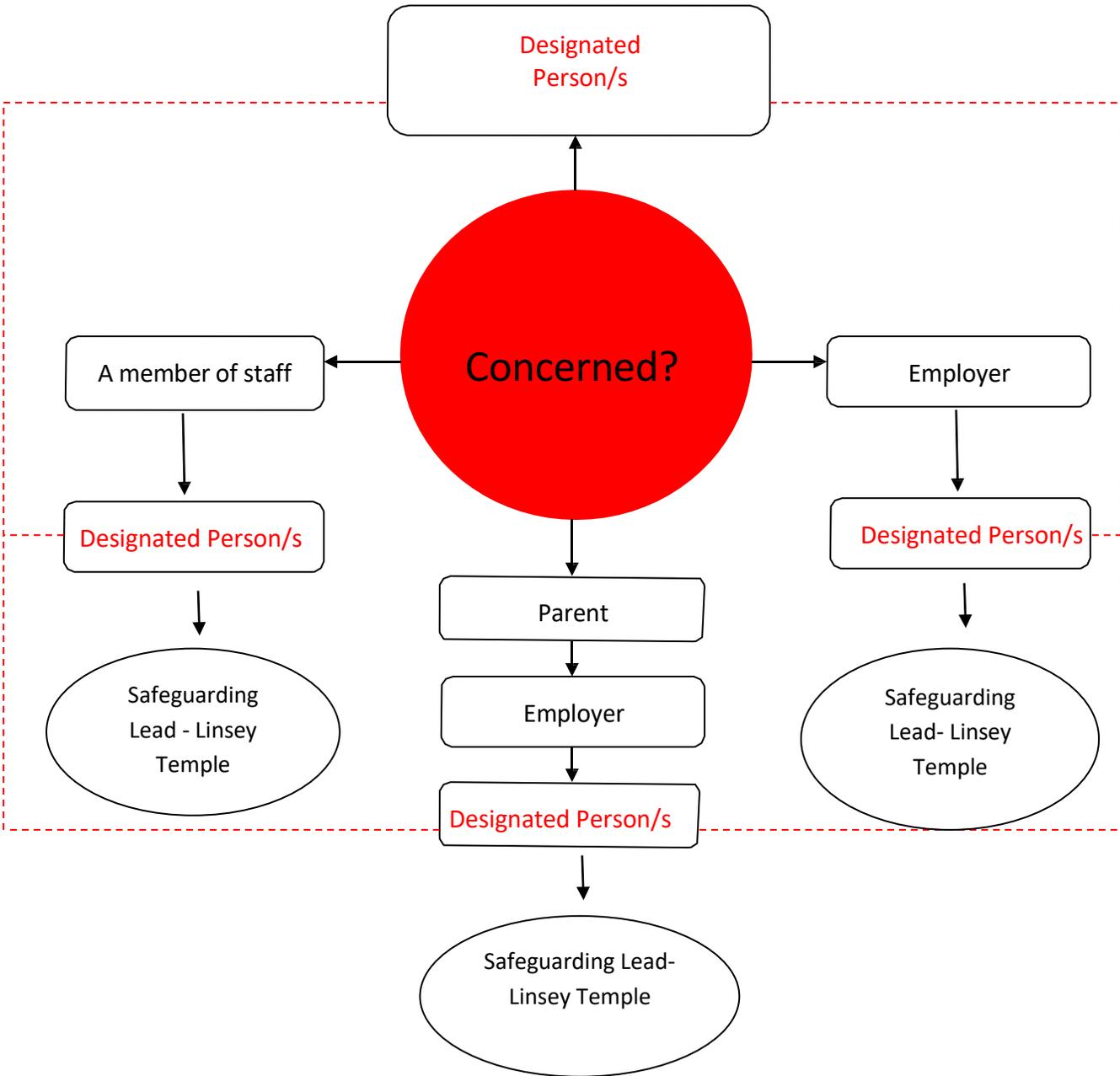
Cyberbullying can range from embarrassing or cruel online posts or digital pictures, to online threats, harassment, and negative comments, to stalking through emails, websites, social networks and text messages. The internet can also be used to target vulnerable people into radicalisation, terrorism and extremism.

It is not always obvious when someone is the victim of abuse but there are a number of signs to watch out for which may suggest that they are being abused. They are:

- A change in the individuals work
- Lots of unexplained absence
- Marks and bruises in unusual places
- What other individuals are saying
- What the individual is saying themselves

Who can I talk to?

It is important to stress that the identification of any or a number of the above signs does not automatically mean that the individual is being abused and in many cases there can be other explanations for these behaviours. However, if you feel that you are becoming the victim of abuse or you have a concern for another individual you should report it immediately. There are a number of channels of communication open to learners as can be seen below:



22. SAFEGUARDING POLICY

- 22.1 This policy has been produced to state the organisations safeguarding practices and explain the procedures that should be followed in the event that anyone has a concern or suspicion that someone may be the victim of harm or abuse.
- 22.2 All adults who come into contact with children and vulnerable adults in their work have a duty of care to safeguard and promote their welfare.
- 22.3 GET believes that it is unacceptable for a learner to experience abuse of any kind and recognises its responsibility to safeguard the welfare of all learners by commitment to practice that protects them.

Definitions

- 22.4 **Adults** – refers to any adult who is employed, commissioned or contracted to work with children and young people in either a paid or unpaid capacity.
- 22.5 **Learners** – this refers to any individual on a learning programme and includes children and vulnerable adults.
- 22.6 **Children and Young People** – individuals who have not yet reached their 18th birthday.
- 22.7 **Adults at risk** – individuals who are over the age of 18 but has some form of learning, physical or mental disability.
- 22.8 **Safeguarding** – the process of protecting children and vulnerable adults from abuse or neglect, preventing impairment of their health and development, and ensuring that they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life changes and enter adulthood successfully.
- 22.9 **Duty of care** – the duty which rests upon an individual and or organisation to ensure that all reasonable steps are taken to ensure the safety of a child or young person involved in any activity or interaction for which that individual or organisation is responsible. Any person in charge of, or working with children or vulnerable adults in any capacity is considered, both legally and morally to own them a duty of care.
- 22.10 **Lead Designated Person** – the nominated person within the organisation who has overall responsibility for safeguarding within the organisation and to whom all concerns should be reported to.

Underpinning Principles

- 22.11 The welfare of the learner is paramount.
- 22.12 It is the responsibility of all adults to safeguard and promote the welfare of children and young people. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with children and young people.
- 22.13 Adults who work with children are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- 22.14 Adults should work and be seen to work, in an open and transparent way.
- 22.15 The same professional standards should always be applied regardless of culture, disability, gender, racial origin, religious belief and/or sexual identity.
- 22.16 Adults should continually monitor and review their practice and ensure they follow the guidance contained in this document.

The Policy

- 22.17 The Safeguarding Lead with overall responsibility within GET is the Chief Executive (Linsey Temple).
- 22.18 In the absence of the Safeguarding Lead the Designated Persons will resume the responsibility of the role.
- 22.19 Any queries or questions in relation to safeguarding should be discussed with the Designated Person/s.
- 22.20 If you have suspicion or concern that someone may be the victim of harm or abuse you should inform the Designated Person/s immediately.
- 22.21 In order to ensure there is a safe learning environment, GET will embed safeguarding into the practices of the organisation in the following ways:
 - 22.21.1 Ensuring all staff are vigilant and aware of the possible signs of harm or abuse through regular update sessions via internal meetings
 - 22.21.2 Providing all learners and employers will be issued with a safeguarding information booklet.
 - 22.21.3 Ensuring the learner induction process contains a section on safeguarding practices and procedures.
 - 22.21.4 All employer contracts will include a section of responsibilities and obligations in relation to the safeguarding of learners in their employment.
 - 22.21.5 All staff job descriptions and person specifications will be amended to include reference to an individual's responsibilities and obligations in relation to the

safeguarding of learners.

- 22.21.6 All promotional material will contain GET's commitment statement to the safeguarding of learners.
- 22.21.7 Posters/Information leaflets will be located in and around the building for advice and guidance.
- 22.21.8 Reviewers will be responsible for ensuring safeguarding is monitored in the workplace by formal questioning through the review process.
- 22.21.9 The Designated Person will keep up to date with current national legislation and procedures in relation to safeguarding and form networks and communication channels with the appropriate external agencies.

22.22 The Safeguarding Lead will:

- 22.22.1 Decide whether or not an allegation should be investigated further.
- 22.22.2 Appoint a Designated Person to conduct the investigation process and give guidance on how to conduct the process.
- 22.22.3 Decide whether or not the investigation should be reported to the appropriate authorities for further investigation.
- 22.22.4 Ensure that all the appropriate checks have been conducted before any new employees are recruited in any delivery role
- 22.22.5 Ensure that any allegations or concerns regarding any employee is reported to the Disclosure and Barring Service.
- 22.22.6 Inform the Group Management Board of any allegations that have been raised and investigated.

Confidentiality

- 22.23 Throughout the process of an investigation, staff may have access to highly sensitive, private and confidential information about a young person/learner.
- 22.24 This information must be kept confidential at all times and only shared when it is in the interest of the young person/learner to do so.
- 22.25 If a member of staff is in doubt about whether to share information or keep it confidential he or she should seek guidance from the Designated Persons.
- 22.26 The storing and processing of personal information about a young person/learner is governed by the Data Protection Act 1998.
- 22.27 Throughout the investigation stage, the learner must be advised of the fact that their personal and confidential information may need to be passed on to the Safeguarding Lead and in some circumstances to relevant external agencies.

30 RECRUITMENT POLICY

- 30.1 G.E.T. is committed to ensuring that the procedures and practices used in the recruitment and selection of staff are fair, consistent and effective.
- 30.2 G.E.T. is also committed to ensuring that the recruitment and selection policy and procedures are in keeping with the equal opportunities policy, this relates to the following issues:
- 30.2.1 Individuals will be selected for employment on the basis of merit
 - 30.2.2 Job applicants must not be treated less favorably on the grounds of sex (gender), marital status, disability, age, religion, sexual orientation, race, colour, ethnic or national origin, or put at a disadvantage by unjustifiable conditions or requirements.
- 30.3 Recruitment of staff will be made from the widest possible field. Positions will be advertised internally and externally, including local newspapers, and on some occasions may be through a recruitment agency.
- 30.4 The applications of present staff will be treated on an equal basis with external applications.
- 30.5 All advertisements for posts and all information sent out to applicants for posts will state clearly that the organisation is an equal opportunities employer.
- 30.6 All advertisements for posts and all information sent out to applicants for posts will state clearly that G.E.T. is committed to safeguarding and promotes the welfare of learners participating in their programmes.
- 30.7 A person specification will be drawn up for each post to be filled, describing the experience, skills and other attributes required to carry out the job satisfactorily.
- 30.8 For each vacancy advertised, a file will be kept confidentially for twelve months from the date of appointment. The file will include:
- 30.8.1 Job Description
 - 30.8.2 Person specification
 - 30.8.3 Job advertisement
 - 30.8.4 All application forms
 - 30.8.5 Written record of candidate assessments and decisions made
 - 30.8.6 Any correspondence with candidates
- 30.9 Any candidate who feels that they have been discriminated against will have a right of complaint, which can be exercised by writing to the Group Management Board.

30.10 All candidates will be asked to provide evidence of the following:

30.10.1 Confirmation of their identity

30.10.2 Confirmation of their right to work in the UK (if applicable)

30.10.3 Registration with the Independent Safeguarding Authority

The Process

30.11 Identification of Vacancy.

30.12 Design job description and person specification including reference to safeguarding responsibility.

30.13 Produce application form to include sections on criminal record self disclosure and reference to level of CRB Check.

30.14 Produce Information packs for applicants to include information about safeguarding policies, procedures and checks to be carried out e.g. CRB, qualifications, identity, professional registration etc.

30.15 Advertise the post including safeguarding statement – internally and externally.

30.16 Send out application packs to applicants.

30.17 Identify an interview panel and agree selection criteria. Not set criteria in respect of the interview panel will be stipulated as the panel will vary depending on the area of the vacancy which has arisen.

30.18 Read applications and check information in order to produce a short list of applicants based on the selection criteria and create proforma to record decisions.

30.19 Invite short listed candidates for interview and request they bring evidence of identity, qualifications and professional registrations etc.

30.20 Carry out interview process and check documentation making notes for future reference.

30.21 Interview panel to discuss applicants' performance at interview and the documentation obtained and decide who to appoint.

30.22 Make a conditional offer of employment subject to satisfactory references and CRB check.

30.23 Request acceptance letter from candidate and verify references and obtain CRB check.

- 30.24 Upon receiving satisfactory references and DBS checks, confirm start date with candidate.
- 30.25 Notify unsuccessful candidates.
- 30.26 Induct candidate into the organisation and their role.

FURTHER INFORMATION

Further information and advice can be obtained from the Learner Welfare Co-ordinator Tara Ferguson on 01452 423461 or by e-mailing: t.ferguson@get-trained.org

Alternatively information can be found from the following websites/links:

Disclosure Barring Service www.gov.uk/organisations/disclosure-and-barring-service

Department for Business Innovation & Skills www.gov.uk/government/department-for-business-innovation-skills

Every Learner Matters www.apprenticeships.qa.com

Safeguarding Children in Gloucestershire
(Gloucestershire Safeguarding Children Board) www.gscb.org.uk