

# Safeguarding Policy



V5	July 21
Update	Annually
Next Review	July 22
Responsible Manager	Head of Quality and Delivery
Approved by CEO	

# Policy Overview

## Promotion of the policy

DC Reclamation Ltd trading as Code recognises it has a statutory duty of care to ensure that the business and staff, function with a view to safeguarding and promoting the welfare of all apprentices receiving education and training at Code.

This policy is introduced at Apprentices induction, their Tutor explains the policy and introduces the apprentices to the safeguarding process and who the points of contact are. This is also included in the apprentice handbook which is readily available on their learning platform.

Safeguarding is promoted via embedding into curriculum, displays in classrooms and activities and is discussed at reviews and tutorials. Employers are introduced to safeguarding policy and procedures and the statutory guidance is highlighted at the implementation stage of contracting. Employers are engaged in the promotion of the safeguarding policy with regular updates via employer reports and are involved in ensuring apprentices are safe whilst in their workplaces.

## Staff and stakeholder engagement

Staff are made aware of the policy at their induction, and they undertake safeguarding training at induction and annually thereafter to ensure they are up to date and knowledgeable in safeguarding policy and processes. Staff are committed and realise the importance of safeguarding due to their regular training, receiving updates from the safeguarding lead and other key partners such as the local safeguarding board. It is an agenda item at all meetings ensuring it is at the forefront of their day-to-day practice.

Staff are updated on policies at monthly team meetings. Information on safeguarding is discussed at quality reviews and any issues are reported to Senior Management Team meetings and at Governors meetings with action plans put in place if required.

## Safeguarding Policy

### Key Contacts:

Local Authority	Children	Adults
Newcastle	0191 277 2500	0191 2788377
Northumberland	01670 536400	01670 622683
South Tyneside	0191 424 6512	0191 424 6000
County Durham	03000 265 434	03000 267 979
Sunderland	0191 520 5560	0191 561 8934
North Yorkshire	01609 780780	01609780780

<b>Designated Safeguarding Lead (DSL)</b>	Clare Learwood	<a href="mailto:clare.learwood@Code-academy.co.uk">clare.learwood@Code-academy.co.uk</a>	01915358379
<b>Deputy Designated Safeguarding Lead (DDSL)</b>	Dean Smith	<a href="mailto:dean.smith@Code-academy.co.uk">dean.smith@Code-academy.co.uk</a>	01915358411

If you have concerns around safeguarding outside of office hours; please contact the police on 101, or 999 in an emergency. Or report it to NSPCC on 0808 800 5000.

## Scope

DC Reclamation trading as Code has a statutory duty of care to ensure that the business and staff, function with a view to safeguarding and promoting the welfare of all apprentices receiving education and training at Code. We acknowledge the definitions of children, young people, and adults at risk of harm. However, this policy sets out Code's commitment to protecting all apprentices and sets out the guidelines staff must follow. Code also recognises its statutory duties under 'The Revised Prevent Duty Guidance' (April 2019). For full details please refer to the Prevent Policy which is closely aligned to this policy.

The Department for Education statutory guidance 'Keeping Children Safe in Education' (September 2019) defines a child as anyone under 18 years old.

Code is committed to the ethos set out in *figure 1*.



**Figure 1**

Safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable all children to have the best outcomes.

This policy also covers safeguarding adults at risk of harm who are defined as anyone aged 18 years of age and over who needs care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of abuse or neglect; and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect, as defined by 'The Care Act' (2014).

'The Care Act' (2014) places statutory safeguarding duties on Local Authorities that apply equally to all adults with care and support needs, regardless of whether the adult lacks mental capacity or not, and regardless of setting, other than in prisons and approved premises.

The Act sets out six key safeguarding principles:

1. Empowerment
2. Prevention
3. Proportionality
4. Protection
5. Partnership
6. Accountability

## **Objectives**

DC Reclamation Ltd trading as Code is therefore committed to ensuring that it:

- Provides a safe environment to learn.
- Identifies apprentices who may be at risk are suffering, or likely to suffer, significant harm.
- Takes appropriate action to see that all apprentices are kept safe.
- Creates supportive environments which enables apprentices to speak out.
- Promote the Fundamental British Values; democracy, the rule of law, individual liberty, and mutual respect and tolerance of those of different faiths and beliefs.

In pursuit of these aims, Code will annually review this policy and procedures with the aim of:

- Raising awareness of issues relating to the welfare of apprentices and the promotion of a safe environment for those learning with us
- Ensuring staff have appropriate training annually and are kept abreast of relevant bulletins, updates, and changes to safeguarding practices.
- Promoting the identification of children, young people, and adults at risk of harm and providing procedures for reporting concerns. For apprentices, this is detailed in the apprentice handbook and explained at induction.
- Establishing procedures for reporting and dealing with allegations of abuse, which all staff need to be familiar with.
- Ensuring the safe recruitment of staff.
- Monitoring staff performance, ensuring disciplinary procedures are in place and repeating

Disclosure and Barring Service (DBS) checks every 3 years.

In developing policy and procedures, Code will consult with, and take account of, guidance issued by the Education Skills Funding Agency (ESFA), Gov.UK Keeping Children Safe in Education and Training and other relevant bodies and groups. This policy and its associated procedures have been developed in cooperation with the Local Adult Safeguarding Board. (LSB)

Code will refer concerns to the relevant safeguarding board of a child, young person, or adults at risk of harm, following safeguarding procedures by the designated person, the Head of Quality and Delivery.

All staff working with children, young people, or adults at risk of harm will receive training which is adequate to familiarise them with Safeguarding issues and responsibilities and Code policy and procedures, with refresher training at least every year.

There is a Senior Manager with special responsibility for Safeguarding issues.

The Designated Safeguarding Lead (DSL) is:

Clare Learwood: [clare.learwood@Code-academy.co.uk](mailto:clare.learwood@Code-academy.co.uk)

0191 5358379

If the DSL is not available, then the contact is the Deputy Designated Safeguarding Lead (DDSL):

Dean Smith: [dean.smith@Code-academy.co.uk](mailto:dean.smith@Code-academy.co.uk)

01915358411

For all Safeguarding concerns including PREVENT; Clare Learwood is your first point of contact for advice and guidance.

If you have concerns around safeguarding outside of office hours; please contact the police on 101, or 999 in an emergency. Or report it to NSPCC on 0808 800 5000.

CODE recognises that the Children's Act 1989 states that the welfare of the individual is the paramount concern. We will also follow guidelines in the Keeping Children Safe in Education Statutory guidance for schools and colleges September 2019, this is incorporated into our induction checklist for all new staff.

Safeguarding will form part of the agenda for all staff meetings and any incidents will be reported and reviewed by the Senior Team to ensure any deficiencies or weaknesses in the safeguarding policy and procedures are brought to their attention and will be remedied without delay. Code recognises the following as definitions of abuse as expressed within the categories below:

## **1. Physical Abuse**

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

## **2. Psychological Abuse**

The persistent emotional maltreatment of an individual such as to cause severe and adverse effects on the individual's emotional development. It may involve conveying to an individual 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 individual opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing individual frequently to feel frightened or in danger, or the exploitation or corruption of the individual. Some level of emotional abuse is involved in all types of maltreatment of an individual, although it may occur alone.

## **3. Sexual Abuse**

Sexual violence and abuse are any behaviour of a sexual nature which is unwanted and takes place without consent or understanding; including exploiting or grooming children (CSE) or adults at risk of harm to initiate sexual contact or misconduct. The intention to inflict of sexual contact upon a person by forcible compulsion or the engaging in sexual contact with a person who is below a specified age or who is incapable of giving consent because of their age or mental or physical incapacity.

It also includes up skirting, which 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; sexting (also known as youth produced sexual imagery); and initiation/hazing type violence and rituals.

## **4. Neglect**

Neglect is defined as; the failure to take care of someone or something. The persistent failure to meet an individual's basic physical and/or psychological needs, likely to result in the serious impairment of the individual's health or development.

## **5. Financial or Material Abuse**

Financial or material abuse includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property.

## **6. Discriminatory Abuse**

Includes racist and sexist abuse based on a person's disability and other forms of harassment.

## **7. Domestic Violence**

Includes psychological, physical, sexual, financial, emotional abuse and so called 'honour' based violence.

## **8. Modern Slavery**

Encompasses, slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive, and force individuals into a life of abuse, servitude, and inhumane treatment.

## **9. Organisational**

Relates to practices adopted in care settings, including poor care standards, inadequately trained staff, under resourced facilities, unsupervised staff, where staff work in isolation or have little support from managers, rigid routines, and lack of positive responses to complex care needs.

## **10. Self-neglect**

Covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and included behaviour such as hoarding. It should be noted that self-neglect may not prompt a safeguarding referral. An assessment will be made on a case-by-case basis. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this without external support.

## **11. Forced Marriage**

A forced marriage is a marriage in which one or both spouses do not (or in the case of some adults with learning or physical disabilities, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual, and emotional pressure. Further information can be found at [fmv@fco.gov.uk](mailto:fmv@fco.gov.uk) ; 0207 008 0151.

## **12. Female Genital Mutilation**

Female Genital Mutilation (FGM) involves procedures that include the partial or total removal of the external female genital organs for cultural or other non-therapeutic reasons. The practice is medically unnecessary, extremely painful and has serious health consequences, both at the time when the mutilation is carried out and in later life. The age at which girls undergo FGM varies enormously according to the community. The procedure may be carried out when the girl is new-born, during childhood or adolescence, just before marriage or during the first pregnancy. FGM constitutes a form of child abuse and violence against women and girls and has severe short-term and long-term term physical and psychological consequences. In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003 which stipulates mandatory reporting duties which requires regulated health and social care professionals and teachers in England and Wales to report 'known' cases of FGM in under 18s which they identify during their professional work to the police.

## **IT and social media**

Code recognises that social media can be a medium by which some forms of abuse are channelled. Tutors and supporting staff ensure internet safety is embedded into the curriculum and that apprentices receive relevant and appropriate guidance on how to stay safe and how to report concerns over online content.

Online learning and accessing content on the internet are other platforms for abuse to occur. Code has rigorous cyber security mechanisms in place and is certified as cyber secure. Staff are updated in online safety as part of their training.

## **Designated Staff with Lead Responsibility for Safeguarding**

The designated senior member of staff with lead responsibility for safeguarding issues is:

Clare Learwood – Head of Quality and Delivery

This person is a senior member of the management team and has a key duty to take lead responsibility for raising awareness with all staff of issues relating to the welfare of apprentices.

The designated senior member of staff is responsible for:

- Overseeing the referral of cases of suspected abuse or allegations to the individual's Services
- Providing advice and support to other staff on issues relating to safeguarding
- Maintaining a proper record of any safeguarding referral, complaint, or concern (even where that concern does not lead to a referral)
- Ensuring that parents/guardians of individual, child, young person, or adults at risk of harm are aware of the safeguarding policy; this is detailed in the apprentice's handbook.
- Liaising with the LSB, PREVENT Single Point of Contact (SPOC) and other appropriate agencies.
- Liaising with employers and other training organisations that receive individuals or young people from Code on work or study placement to ensure that appropriate safeguards are put in place, this forms part of the risk assessment.
- Ensuring that all staff receive basic training in safeguarding issues and are aware of the safeguarding procedures.

### **Dealing with a Disclosure of Abuse and Procedure for Reporting Concerns, including PREVENT:**

If an individual child, young person, or adult at risk of harm tells a member of staff about possible abuse:

#### **Use the 5 Rs Recognise, Respond, Report, Record, Refer.**

- The General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing but provide a framework to ensure that personal information about individuals is shared appropriately.
- Listen carefully and stay calm. Take what the individual is saying seriously. Remember that this disclosure will have taken a lot of courage.
- Reassure the individual that by telling you, they have done the right thing.
- Do not interview the individual, but simply clarify what is said, to be sure that you understand what the individual is telling you. You are not trying to get at the truth or to interrogate the individual. You are trying to make clear what they are saying. This can be achieved by using simple prompts such as 'Tell me', 'Explain more fully' or 'Describe that for me'. This simply helps establish a free narrative account without contaminating the disclosure or investigation.
- Do not put words into the individual's mouth. Do not ask leading questions.
- Inform the individual that you must pass the information on, you cannot promise

confidentiality, but that only those that need to know about it will be told.

- Remember to only record necessary, proportionate, relevant, adequate, and accurate information
- Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up to-date, is shared in a timely fashion, and is shared securely.
- Tell them to whom you will report the matter. (Designated Safeguarding Lead).
- Thank the individual.
- Note the main points carefully.
- Make a detailed note of the date, time, place, what the individual said, did and your questions, etc. Sign and date the record. The designated person will advise on how and where to store safeguarding records. It is essential that you use verbatim accounts in your recording, i.e., only document the words the individual or young person or vulnerable adult uses.
- Designated staff should consider what family/carer contact is required.

Staff should not investigate concerns or allegations themselves but should report them immediately to the designated person. Staff need to act without delay by speaking with the designated person on the day the alert has been raised.

The Local Safeguarding Procedures outline the process for making a referral when there is a concern that an individual, young person, or vulnerable adult may be suffering significant harm. The referral should be made to the area where the individual lives.

### **Reporting and Dealing with Allegations of Abuse against Members of Staff**

The procedures apply to all staff, whether teaching, administrative or management. The word “staff” is used for ease of description.

In rare instances, staff of training providers have been found responsible for individual abuse. Because of their frequent contact with the individual, staff may have allegations of individual abuse made against them. Code recognises that an allegation of individual abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and that investigations are thorough and not subject to delay.

It is also recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual’s reputation, confidence, and career. Therefore, those dealing

with such allegations within Code will do so with sensitivity and will act in a careful, measured way.

It is good practice to gain the consent of the individual and/or family to share information. From the outset professionals should explain openly and honestly to individual children, young person, or adults at risk of harm and families, what and how information will be shared and why. Their agreement should always be sought unless seeking permission would put the individual or others at increased risk of significant harm or an adult at risk of serious harm or if it would undermine the prevention, detection or prosecution of a serious crime including where seeking consent might lead to interference with any potential investigation.

Wherever possible, you should respect the wishes of individual and families who do not consent to share information. You may; however, share information if, in your judgment on the facts of the case, there is a need to override the lack of consent due to individual protection issues.

Information relevant to safeguarding and promoting the wellbeing of individual will cover:

- Information about the health and development of an individual and his/her exposure to possible harm
- Information about a parent/carer who may need help too or may not be able to care for an individual adequately and safely.
- Information about other individuals who may pose a risk of harm to the individual.

### **Concerns about a Member of Staff from a Colleague**

A member of staff may have concerns about another member of staff. These concerns must be communicated to the senior member of staff designated with lead responsibility for safeguarding. Where concerns arise about staff, it is vital that the individual whistleblowing is included in discussions from the outset and that the individual's immediate safety is ensured.

### **Receiving an Allegation from an Individual**

A member of staff who receives an allegation about another member of staff from an individual should follow the guidelines below for dealing with disclosure. The allegation should be reported immediately to the DSL, unless the DSL is the person against whom the allegation is made, in which case the report should be made to the Deputy DSL.

The DSL (or designated person if the allegation is against the DSL) should:

- Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the DSL (or designated person)
- Record information about times, dates, locations, and names of potential witnesses
- Ensure the individual's immediate safety.

### **Initial Assessment by The DSL (or designated person)**

The DSL (or designated person) will make an initial assessment of the allegation, consulting with relevant parties and witnesses, and the Local Safeguarding Board as appropriate. Where the allegation is either a potential criminal act or indicates that the individual has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the relevant LSB or the police.

It is important that the DSL (or designated person) does not investigate the allegation. The initial assessment should be based on the information received and is a decision whether the allegation warrants further investigation.

Other potential outcomes are:

- The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the individual. The matter should be addressed in accordance with Code's disciplinary procedures.
- The allegation can be shown to be false because the facts alleged could not possibly be true.

### **Enquiries and Investigations**

Safeguarding enquiries by external agencies or the police are not to be confused with internal, disciplinary enquiries by Code.

Code may be able to use the outcome of external agency enquiries as part of its own procedures. The safeguarding agencies, including the police, have no power to direct Code to act in a particular way; however, Code will assist the agencies with their enquiries.

Code will continue its internal enquiries while the formal police investigation continues; to do otherwise may prejudice the investigation.

Any internal enquiries shall conform with the existing staff disciplinary procedures. If there is an investigation by an external agency, for example the police, the DSL (or designated person) should normally be involved in, and contribute to, the inter-agency strategy discussions. The DSL (or designated person) is responsible for ensuring that Code gives every assistance with the agency's enquiries. They will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The DSL (or designated person) shall advise the member of staff that he/she should consult with a representative, for example, a trade union.

Subject to discussion with the police or Individual's Services, the DSL (or designated person) shall:

- inform the individual/individual or parent/carer making the allegation that the investigation is taking place and what the likely process will involve, unless to do so would place the individual/young person at risk of significant harm.
- ensure that the parents/carers of the individual making the allegation have been informed that the allegation has been made and what the likely process will involve.
- inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve, unless to do so would place the individual/young person at risk of significant harm.
- inform the CEO of the allegation and the investigation.
- the DSL (or designated person) shall keep a written record of the action taken in connection with the allegation.

### **Allegations without Foundation**

Obviously, false allegations may be indicative of problems of abuse elsewhere. A record should be kept, and consideration given to a referral to the Local Safeguarding Board in order that other agencies may act upon the information.

In consultation with the DSL the relevant Line Manager shall:

- Inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or safeguarding action will be taken. Consideration should be given to offering counselling/support.
- Inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.
- Where the allegation was made by an individual other than the alleged victim, consideration is to be given to informing the parents/carers of that individual.
- Prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.

## **Records**

It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the member of staff's personal and confidential file.

If a member of staff is dismissed or resigns before the disciplinary process is completed, he/she should be informed about Code's statutory duty to inform the Disclosure and Barring Service via the online referral form.

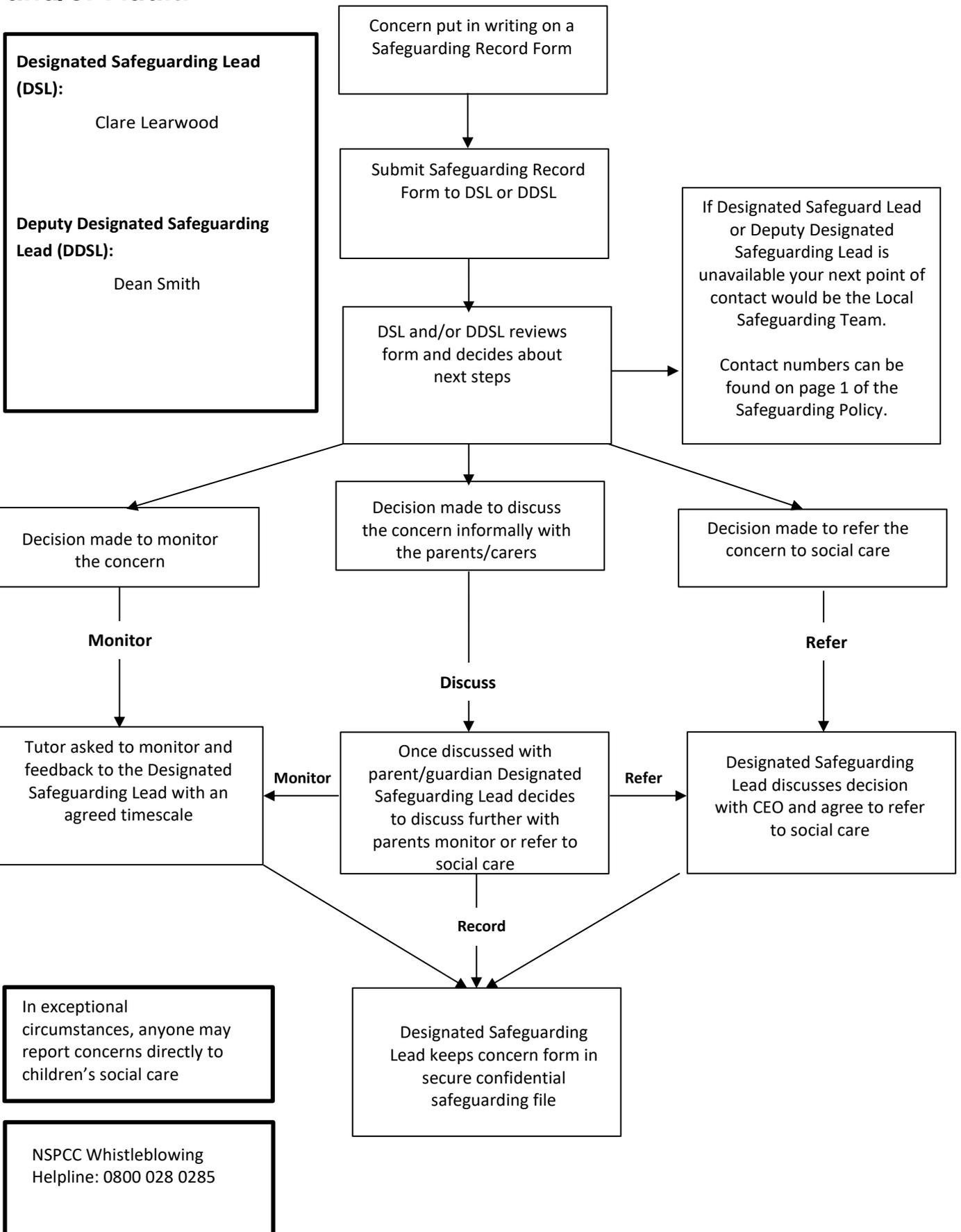
Procedures as directed by the DBS guidance 2017 and in accordance with the 2006 Vulnerable Groups Act.

## **Recruitment and Selection Procedures**

Code's recruitment and selection procedures are regularly reviewed and consider the following:

- They apply to staff and volunteers who may work with individual.
- The post or role is clearly defined.
- The key selection criteria for the post or role are identified.
- Vacancies are advertised widely to ensure a diversity of applicants.
- We require documentary evidence of academic/vocational qualifications.
- Professional and character references will be obtained.
- Previous employment history will be verified.
- Disclosure and Barring Service checks, as appropriate to the role; enhanced for staff in regulated activity positions and basic for all other staff.

# Appendix 1: Raising Safeguarding Concerns about a Child and/or Adult.



## Appendix 2: Safeguarding

### Record of Safeguarding

Use this template to notify and record a suspected or actual safeguarding concern. Complete all sections, attach copies of correspondence and reports, and alert the safeguarding lead immediately. Store this record and associated information in SharePoint – Safeguarding, where it can be accessed securely and without breaching confidentiality.

Name of Person Completing this Form		Date Completed		Ref No:	
<b>Information about the Learner</b>					
Learner's Name		Date of Birth			
Learner's Address including Postcode					
Telephone Number					
Gender		Ethnicity			
Email Address					
<b>Information about the complainant <i>(if different from above)</i></b>					
Name		Relationship to Learner			
Address including Postcode					
Telephone Number					
Email Address					
Date Safeguarding Alert Received		Is learner aware of complaint/ have they given consent?			
<b>Details of Incident</b> <i>(Date/ time of event(s), Factual information of what happened, context, person(s) involved, impact)</i>					

Date Acknowledgement Sent		Category of Concern/Complaint	
Name of Investigating Officer		Designation	
<p>Is this a safeguarding matter? If 'yes' have safeguarding and protection procedures been followed? Who has been informed? Has the learner given their consent to information being shared? (Note this may result in the incident being escalated to the LSB of the Learner)</p>			
<p>Does this relate to an issue about staff conduct or performance? If so, have the staff disciplinary procedures been followed? If not state any action that has been taken in relation to the staff member.</p>			
<p align="center"><b>Summary of Investigation</b> <i>(what happened, when and what evidence was found)</i></p>			
Date	Action/Findings		
<p align="center"><b>Details of Updates to Complainant</b></p>			
Date	Type of contact <i>(phone call, who was spoken to and relevant details)</i>		
<p><b>Summary of Findings based upon the Evidence</b> <i>(attach copies of relevant documents)</i></p>			
<p> </p>			
<p><b>Was safeguarding upheld/partially upheld/not upheld?</b></p>		<p> </p>	

<b>Details of actions and improvements plan where appropriate. State how and when these will be monitored</b>		
<b>Date complaint investigation report completed</b>		
<b>Date report sent to complainant for response</b>		
<b>Date response received from complainant</b>		
<b>Details of response and/or comments from complainant following receipt of report. Was complaint resolved to learner's satisfaction?</b>		
<b>Further action required by Code? (Give details):</b>		
		<b>Review of Improvement Actions (note if no further action required)</b>
<b>Date</b>	<b>Action</b>	
<b>Date closed</b>		<b>Signed off by DSL/DDSL</b>