

**This policy links to and should be read in conjunction with the following policies:**

- Learning and Behaviour Policy
- Health & Safety Policy
- Whistle Blowing Policy
- Anti-Bullying and Harassment Policy
- Equality and Diversity Policy
- IT Security Policy
- Online Safety Policy
- Complaints, Compliments and Concerns Procedure
- Health and Wellbeing Policy
- Risk Assessment Policy
- Disciplinary Policy and Procedure
- Staff Induction Policy
- Disability and Accessibility Policy

This policy is written in line with the Department for Education publication *Keeping Children Safe in Education 2022* and will be reviewed according to publication updates. The policy is also reviewed annually by the lead and deputy safeguarding officers.

**KEY SAFEGUARDING CONTACTS AT CREATIVE PROCESS**

**Designated Safeguarding Lead (DSL):**

Stephen Burkes

CEO

Contact number: 07825 509 267

Email: [stephen@creativeprocessdigital.com](mailto:stephen@creativeprocessdigital.com)

**Alternative Safeguarding contact:**

Natalie Dzerins

Operations Manager

Contact number: 07514 512 229

Email: [natalie@creativeprocessdigital.com](mailto:natalie@creativeprocessdigital.com)

## KEY CONTACTS WITHIN THE LOCAL AUTHORITY

### Safeguarding Adult Board

The Brighton & Hove Safeguarding Adult Board (SAB) is a group of statutory, private, voluntary, and independent organisations across Brighton & Hove who work together to empower and protect some of the most vulnerable members of our community

<https://www.bhsab.org.uk/>

### The Safeguarding Partnership

The Brighton & Hove Safeguarding Children Partnership (BHSCP) is independently chaired and consists of three key agencies who collectively hold statutory responsibilities for keeping children and young people safe: the Local Authority (through Families, Children and Learning), Health (through Brighton & Hove Clinical Commissioning Group) and Sussex Police.

The BHSCP's objectives are to:

- Co-ordinate local work undertaken by all agencies and individuals to safeguard and promote the welfare of children and young people
- Ensure the effectiveness of that work

<https://www.bhscp.org.uk/>

Local Authority Designated Officers (LADO)	Darrel Clews (children's lead)  Katherine Taylor-Birnie (adults' lead)
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## Introduction

We commit to ensuring that Creative Process Digital:

- Provides a safe environment for young people and vulnerable adults.
- Identifies young people and adults who are or may become vulnerable who are suffering, or likely to suffer, significant harm, and ensures they are kept safe.
- Safeguards young people and adults from being drawn into committing terrorist-related activity.

The CEO will approve and annually review policies and procedures with the aim of:

- Raising awareness of issues relating to the welfare of young people and adults who are or may become vulnerable and promoting a safe environment for these students when learning within the company.
- Aiding the identification of young people and adults who are, or may become, vulnerable, who are at risk of significant harm, and providing procedures for reporting and addressing concerns.



- Establishing procedures for reporting and dealing with allegations of abuse.
- Monitoring procedures which promote safer use of the internet and technology as per the company's Online Safety Policy
- Ensuring the safe recruitment of staff and the maintenance of a single central record.
- Ensuring that individuals at risk of being drawn into terrorism are identified and are referred to the Prevent and Channel Co-ordinator for appropriate support.

In developing the policies and guidelines, the Governing Body will consult with, and take account of, guidance issued by the Department for Education and East Sussex Local Safeguarding Children's Board, and other relevant bodies and groups. The Governing Body will act in accordance with guidance provided in the publication [Keeping Children Safe in Education 2022](#)

This policy applies to all persons acting on behalf of, or engaged in, activities associated with Creative Process Digital including, for example, staff employed by the company, visitors to and contractors working at company premises.

Any concerns about the conduct of staff should be taken to the CEO. Any concerns about the CEO should be taken to the Managing Director.

Following an update from the Education and Skills Funding Agency (ESFA) (September 2017) regarding new safeguarding clauses in the funding agreements and contracts for 2017 to 2018, the company is now required to make the ESFA aware if it is the subject of an investigation by the local authority or the police. The company's Designated Safeguarding Lead will provide the required information by email.

### **Company Statement**

Creative Process Digital has a statutory and moral duty to ensure that the company functions with a view to safeguarding and promoting the welfare of young people and adults who are or may become vulnerable and who receive education and training at the company.

Throughout this policy and procedure reference is made to 'young people and vulnerable adults'. This term is used to mean 'those under the age of 18' and adults who are or may become vulnerable over the age of 18. The company recognises that some adults are also vulnerable to abuse, and accordingly the procedures may be applied (with appropriate adaptations) to allegations of abuse and the protection of vulnerable adults. Where appropriate, the company will also refer to the Sussex Safeguarding Adults Policy & Procedures (<https://sussexsafeguardingadults.procedures.org.uk/>)

Safeguarding and promoting the welfare of young people is a broader term than child protection. It includes protecting young people from maltreatment, preventing impairment of mental and physical health or development and ensures young people can grow up in safe circumstances.



Child protection is part of this definition and refers to activities undertaken to prevent young people suffering, or likely to suffer, significant harm.

When operating this policy Creative Process Digital uses the following accepted governmental definitions of extremism and radicalisation which are:

*Extremism: 'Vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs; and/or calls for the death of members of our armed forces, whether in this country or overseas'.*

*Radicalisation: 'the process by which a person comes to support terrorism and forms of extremism leading to terrorism'.*

### **Safer recruitment**

All staff are subject to checks through the Disclosure and Barring Service (DBS). This service carries out criminal record checks to identify unspent convictions of potential staff as per the Rehabilitation of Offenders Act (ROA) 1974. In addition, staff will have two references requested prior to employment. Where suitability checks are delayed a risk assessment will be undertaken and staff will be unable to work unsupervised.

Staff working with under 18s should not place themselves, or their students, in vulnerable situations. Consideration must always be given to both the environment and the staff member's own behavior to minimise risk. Staff should avoid, where possible, lone working with a student.

### **Staff Training**

The induction and ongoing training of staff will include the following key aspects:

Staff understand the difference between a safeguarding concern and a student in immediate danger or at risk of significant harm. When concerned about the welfare of a student, staff should always act in the best interests of the person. Staff are advised to maintain an attitude of 'it could happen here' where safeguarding is concerned.

Staff understand that:

- Students poor behaviour may be a sign that they are suffering harm or that they have been traumatised by abuse.
- Students who have a social worker may be educationally disadvantaged and face barriers to attendance, learning, behaviour and positive mental health.
- Mental health issues for students may be an indicator of harm or abuse, or where it is known that a student has suffered harm or abuse this may impact on their mental health, behaviour and education.



- Safeguarding incidents and/or behaviours can be associated with factors outside the college and/or can occur between students outside of these environments. All staff, but especially the DSL (and deputies), should consider whether students are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and students can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

Staff know how best to respond to a student who makes a disclosure of abuse or harm. If staff are unsure, they should always speak to the Safeguarding Lead (CEO).

If staff have any concerns about a student's welfare, they should act on them immediately. Staff should not assume a colleague, or another professional will take action.

The Safeguarding Lead should always be available to discuss safeguarding concerns. If in exceptional circumstances, the Safeguarding Lead is not available, this should not delay appropriate action being taken. Staff should consider speaking to a member of the senior leadership team. In these circumstances, any action taken should be shared with the Safeguarding Lead as soon as is practically possible.

### **Guest speakers and visitors**

Creative Process Digital values the opportunities presented by external speakers for students to experience diverse opinion and to enter into debate. This is seen as an essential part of both personal and academic development.

The company values the tradition of academic freedom and holds that no subject or belief should be excluded from reasonable, constructive discussion and debate. The company values freedom of opinion and speech but recognises that, in the interests of the whole learning community, this must exist within formal guidelines.

The company recognises and supports the moral and legal frameworks of the society and community within which it works.

The company will not accept the use of language by external speakers that offends and is considered to be intolerant. Specifically, this means offensive, misogynistic, misanthropic, sexual, transphobic or racist language irrespective of context. Direct attacks on any religions or beliefs are not permitted. The company will not tolerate any person who intentionally demeans individuals and groups defined by their ethnicity, race, religion and/or belief, sexuality, gender, disability, age or lawful working practices and which give rise to an environment in which people will experience, or could reasonably fear, harassment, intimidation or violence.



## **Work-based Learning**

All students on work-based learning programmes receive an induction, which includes raising awareness of the company's commitment towards safeguarding including preventing extremism and radicalisation, details of the support services offered and contact details for the Safeguarding Lead.

The understanding of all aspects of safeguarding, preventing extremism and radicalisation and safe working practices is checked at each review and the opportunity to discuss any issues is given.

The company has arrangements in place to ensure that, prior to work-based learning commencing:

- Pre-placement health and safety checks of employers' premises and health and safety management arrangements are complete, including insurance details
- Employers are made aware of relevant company policies
- The requirements for DBS checks are assessed and the relevant processes undertaken where required

## **International and ESOL students**

The company will ensure that for students where English is not their first language the induction on safeguarding is delivered so that they gain a full understanding. There will be a strong focus on the promotion of values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.

## **Students with a learning difficulty or disability**

Students with learning difficulties and/or disabilities can face additional safeguarding challenges. The company will ensure that students who have a learning difficulty or disability are made fully aware of the safeguarding procedures during their initial assessment and induction. This will ensure that the information is delivered and adapted so it is accessible and meets their individual need.

Information on how to contact the Safeguarding Lead will also be adapted when required; a safeguarding email address is available. The expectation is that learning support staff, or their study programme tutor will act as their first line of contact. This is particularly important for those students who have communication support needs.

All relevant company staff working with young people and adults who are or may become vulnerable will receive training which adequately familiarises them with safeguarding young person and adult issues, their responsibilities and the relevant company guidelines and policies. These staff will receive refresher training every year. The company will ensure that in addition there are designated and trained senior management and safeguarding officers; these staff will receive training every year.



The company will refer concerns that a young person or vulnerable adult might be at risk of significant harm to appropriate external agencies.

## **Mental Capacity**

Students are deemed to have 'capacity' unless shown otherwise through a formal process as per the Mental Capacity Act 2005.

## **Types of abuse**

The company recognises the following as definitions of abuse: *"Abuse is a violation of an individual's human and civil rights by any other person or persons. Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act or it may occur when a young person or vulnerable adult is persuaded to enter into a financial or sexual transaction to which he or she has not consented or cannot consent. Abuse can happen in any relationship and may result in significant harm to, or exploitation of, the person subjected to it."* It is every young person's and adult's right to live free from abuse in accordance with the principles of respect, dignity, autonomy, privacy and equity.

This could include young people and adults with learning disabilities, mental health problems, and people with a physical disability or impairment. Their need for additional support to protect themselves may be increased when complicated by additional factors, such as domestic violence, physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems social or emotional problems, poverty or homelessness.

The following categories of abuse are not mutually exclusive, and a young person or vulnerable adult may be subjected to more than one type of abuse at the same time, whatever the setting.

## **Definitions of abuse**

### Physical abuse

- Hitting, slapping, scratching, shaking, throwing
- Pushing or rough handling
- Poisoning, burning or scalding, drowning, suffocating
- Assault and battery
- Restraining without justifiable reasons
- Inappropriate and unauthorised use of medication
- Physical harm caused by feigning the symptoms of, or deliberately inducing, injury in a young person or vulnerable adult
- Using medication as a chemical form of restraint



- Inappropriate sanctions including deprivation of food, clothing, warmth and health care needs

### Sexual abuse

- Sexual abuse which involves forcing or enticing a young person or vulnerable adult to take part in sexual activities, not necessarily involving a high level of violence, whether or not the person is aware of what is happening, the risks involved or the consequences
  - Rape or attempted rape
  - Sexual assault and harassment
  - Non-contact abuse e.g., voyeurism, exposing children to pornography, grooming (including via the internet), accessing or creating indecent images of children

### Psychological and emotional abuse

- Persistent emotional maltreatment
- Emotional and verbal abuse
- Humiliation and ridicule which may convey that they are worthless, unloved, inadequate or valued only insofar as they meet the needs of another person
  - Threats of punishment, abandonment, intimidation or exclusion from services
  - Isolation or withdrawal from services or supportive networks
  - Deliberate denial of religious or cultural needs
  - Removing opportunities to express their views, deliberately silencing them or mocking what they say or how they communicate
- Failure to provide access to appropriate social skills and educational development training
  - Imposing age or developmentally inappropriate expectations
  - Interactions beyond the person's developmental ability, overprotection, limitation of exploration or learning, prevention of normal social interaction
  - Seeing or hearing ill-treatment of another, serious bullying (including cyber-bullying) causing the person to frequently feel frightened or in danger
- Exploitation and corruption

### Neglect and acts of omission

- Failure to meet medical, physical care and psychological and emotional needs
- Failure to access care or equipment for functional independence
- Failure to ensure adequate supervision including the use of inadequate caregivers or the failure to ensure access to appropriate medical care or treatment
  - Failure to provide access to appropriate health, social care or educational services
  - Failure to provide adequate food, shelter, heating, lighting and clothing (including exclusion from home or abandonment) etc.
- Failure to protect from physical or emotional harm or danger
- Failure to give prescribed medication
- Failure to give privacy and dignity
- Professional neglect



### Financial

- Misuse or theft of money
- Fraud and/or extortion of material assets
- Misuse or misappropriation of property, possessions or benefits
- Exploitation, pressure in connection with wills, property or inheritance

### Discriminatory abuse

- Discrimination demonstrated on any grounds including sex, race, colour, language, culture, religion, politics or sexual orientation
- Discrimination that is based on a person's disability or age
- Harassment and slurs which are degrading
- Hate crime

### Trafficking and sexual exploitation

The safeguarding procedure will raise staff awareness of the increased concerns of trafficking and sexual exploitation with reference to Child Sexual Exploitation: Definition & Guide for Practitioners (<https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners>)

### Bullying, including cyberbullying

- Physical bullying is bullying that takes the form of physical abuse, such as pushing, shoving, hitting, fighting, spitting, and tripping.
- Emotional bullying is bullying that involves insults, derogatory remarks, name calling, and teasing. Also included are attempts to ostracize the victim, such as being left out or ignored, which is sometimes referred to as social bullying, as distinguished from verbal bullying. Emotional bullying can be done in person or through cyber-bullying.
- Face-to-face bullying is bullying in which students confront each other in person.
- Cyber-bullying is bullying that takes place online, through either email, chat rooms, social networking services, text messages, instant messages, website postings, blogs, or a combination of means. Cyber-bullies may conceal their identity so that their victim experiences an anonymous attack.
- The content of cyber-bullying can consist of all of the types of content including posting insulting and derogatory comments about someone or sending such comments to someone; sending mean or threatening messages; gossiping about someone online including posting sensitive or private information; impersonating someone in order to cast that person in a bad light; and excluding someone from an online page or group. Unwanted contact, also known as harassment, is another form of cyber-bullying.
- Bullying is repeated and intentional behaviour, can have a devastating effect and must be addressed immediately.



## **Photography, images and video**

Staff should not use personal devices such as mobile phones or cameras to take photos or videos of students and should only use work-provided equipment. Students will identify on their learning agreement as to whether they give consent for their photograph or video footage to be taken. If concerned please seek advice from the Designated Safeguarding Lead.

## **Sexual imagery (previously known as sexting)**

The safeguarding procedure will raise staff and students' awareness of the implications that self-generated indecent images can have and the procedures that need to be followed when dealing with such cases in line with police guidelines:

- The implications of opening offensive images on a computer;
- Images should never be viewed or printed, and the device secured.

## **Definition of 'sexual imagery'**

There are a number of definitions but for the purposes of this advice sexual imagery is simply defined as:

- Inappropriate, offensive images or videos generated by children under the age of 18, or of children under the age of 18 that are of a sexual nature or are indecent.
- These images are shared between young people and/or adults via a mobile phone, handheld device or website with people they may not even know.

No two cases will be the same and it is therefore necessary to carefully consider each case on its own merit and apply a consistent approach when dealing with an incident to help protect the student, staff and the college. The range of contributory factors in each case also needs to be considered in order to determine an appropriate and proportionate response. All staff and students should be familiar with the seriousness of sharing sexual imagery and with the safeguarding procedures should such situations arise.

## **Private fostering**

A private fostering arrangement is one that is made privately, without the authority of the local authority for the care of a child under the age of 16 or 18 if disabled, by someone other than a parent or close relative. These young people may be vulnerable, particularly if they have come from another country. In some cases, they are affected by abuse and neglect, or are involved in trafficking or child sexual exploitation. There is a mandatory duty to inform the local authority of children in such arrangements.

## **When a child is missing or their whereabouts are unknown**

All students under 18 or who are vulnerable adults who go missing or their whereabouts are unknown will be reported to police. If the student is deemed to be at immediate risk the



safeguarding lead will report this to police immediately. Any relevant information that might help to find or support the child will be shared. If the student is a Looked After Child, a Care Leaver or an Unaccompanied Young Person the company will immediately contact police and social services.

It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict zones, female genital mutilation (FGM) and forced marriage.

### **Female Genital Mutilation**

Female genital mutilation (FGM) comprises all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons. The practice is illegal and must be reported to police as soon as possible.

The Female Genital Mutilation Act 2003 was brought into force on 3 March 2004 and makes it an offence for UK nationals or permanent UK residents to carry out female genital mutilation (FGM) abroad, or to aid, abet, counsel or procure the carrying out of FGM abroad, even in countries where the practice is legal.

FGM is extremely harmful. It is not like male circumcision. It causes long-term mental and physical suffering, difficulty in giving birth, infertility and even death. It cannot be justified as a cultural or religious practice. Leaders of all the main faiths have spoken out against it. Girls under 15 are at most risk. Concerns regarding any students must be reported to the safeguarding team for an immediate referral to police.

### **Hate crime**

Hate crime is an act of violence or hostility directed at people because of who they are or who someone thinks they are. Incidents of hate crime should be reported to the safeguarding manager at the relevant campus.

### **Online harassment**

Online harassment is unwanted conduct on any digital platform encompassing threats, stalking and/or coercion that makes people feel upset, threatened, coerced, humiliated or discriminated against. Incidents of online harassment should be reported through the safeguarding lead. If immediate intervention is required, please call the emergency safeguarding numbers.



## **Sexual harassment and violence**

Sexual harassment is when someone behaves in a way that makes a person feel distressed, intimidated or offended and the behaviour is of a sexual nature. This includes sexual comments and jokes, unwelcome sexual advances, inappropriate touching, displaying photos or pictures of a sexual nature and sending emails or messages with sexual content.

The Sexual Violence and Sexual Harassment between Children in Schools and Colleges guidance (<https://sussexchildprotection.procedures.org.uk/qkylts/information-sharing-and-confidentiality/recognition-of-abuse-and-neglect>) gives advice on how to deal with these situations. Please refer any concerns the safeguarding lead. If immediate intervention is required, please call the emergency safeguarding numbers.

## **Forced marriage**

Forced marriage is a marriage in which one or both spouses do not (or, in the case of some vulnerable adults, cannot) consent to the marriage and duress is involved. It is an entirely separate issue from arranged marriage, and the two things should not be confused. Forced marriage is a human rights abuse and falls within the Crown Prosecution Service's definition of domestic violence. Young people at risk of a forced marriage are usually experiencing emotional and/or physical abuse at home.

The majority of forced marriages involve a young female victim, but young men can also be victims. Around one-third of the cases handled by the FMU (Forced Marriage Unit) involve children under 18 years of age.

Concerns regarding any students must be reported to the safeguarding team without delay. Staff must be aware there may be only one opportunity to speak to a potential victim of forced marriage, so an appropriate initial response is vital. The victim's family, friends or members of the community **MUST NOT** be informed. The victim has sought help, and this will likely increase the risk to the victim significantly. Forced marriage is closely linked to honour-based violence and honour killings. All those involved will want to bear in mind that mediation as a response to forced marriage can be extremely dangerous. There have been cases of victims being murdered by their families during mediation. Mediation can also place someone at risk of further emotional and physical abuse.

Victims should be reminded of their rights – they have the right to choose who they marry and the right to make decisions about their lives.

The Designated Safeguarding Lead will contact the Forced Marriage Unit, which has a public helpline that provides confidential advice and support to victims, and to practitioners handling cases of forced marriage.



## **Parental involvement**

The safeguarding team will contact parents/carers of students under the age of 18 to discuss any concerns about a child's welfare with the family and, where possible, seek their agreement to making referrals to children's social care, unless it is deemed that it may place the student at greater risk.

Where possible the safeguarding managers will keep the parent/carer informed of actions and progress.

## **Online safety**

Online safety covers issues relating to young people as well as adults and their safe use of the internet, smartphones and other electronic communications technologies, both in and out of the company. It includes awareness-raising for all members of the company community on risks and responsibilities and is part of the duty of care, which applies to everyone working with young people and vulnerable adults.

All members of staff will be made aware of the importance of good e-safety practice in the learning environment in order to educate and protect the young people and vulnerable adults in their care.

Staff awareness will be raised about managing their own professional reputation online, including how to demonstrate appropriate online behaviours compatible with their role. Personal use of social networking, social media and personal publishing sites will be discussed as part of staff induction and safe and professional behaviour will be outlined in the Staff Acceptable Use Policy. Staff will only use official company-provided email accounts to communicate with students and parents/carers.

Online safety awareness will be part of student induction.

Safe and responsible use of the internet and information technology will be reinforced across the curriculum and subject areas. Students will be advised never to give out personal details of any kind which may identify them and/or their location outlined in the Student Acceptable Use Policy. Particular attention to online safety education will be given where students are considered to be vulnerable.

The Designated Safeguarding Lead will be informed of any online safety incidents, and any incidents involving child protection or vulnerable adult concerns will then be escalated appropriately. Any material that the company believes is illegal will be reported to appropriate agencies such as Internet Watch Foundation (IWF), Sussex Police or CEOP (Child Exploitation & Online Protection Centre).

The company will record e-safety incidents and manage concerns in accordance with the company's disciplinary policies where appropriate.



## **County lines**

County lines involves adults who recruit young people and children to become involved in illegal activities, most often involving either drug selling or drug and weapons transportation. These young people are often coerced by being offered money, valuable items, friendship or anything else that the young person may need/want. This could include a 'safe' place to stay.

The company will work with external agencies to identify young people who are either engaged or at risk of engaging, in county lines activity. Information will be held and shared appropriately to safeguard all students. Localised information will be updated and actioned regularly through liaison with Sussex Police.

Training will be given to all staff around the signs, implications and effects on young people and updated regularly. Staff will be given training and support to report concerns to the safeguarding team.

Information sessions will be delivered to students through effective tutorials and/or external agency involvement.

Support will be offered to staff and students through the company's safeguarding and wellbeing teams where appropriate.

## **Mental health**

Mental health problems can, in some cases, be an indicator that a student has suffered or is at risk of suffering abuse, neglect or exploitation. Where it is known that young people have suffered abuse, neglect or other potentially traumatic adverse childhood experiences, this can impact on their mental health, behaviour and education. The company will identify the additional needs of these students and provide extra monitoring and pastoral support to mitigate these additional barriers. Where necessary, referrals will be made to mental health professionals for further support.

## **Site security**

The company is committed to reduce the risk of unauthorised access/egress. All staff members have a responsibility to ensure our buildings and grounds are secure and for reporting concerns that may come to light.

We check the identity of all visitors and volunteers coming to the company. Visitors are expected to sign in and out at reception and display a visitor's badge while on the company site. Any individual who is not known or identifiable will be challenged for clarification and reassurance.



## **Designated staff with specific responsibility for safeguarding young people and adults who are or may become vulnerable**

Designated Safeguarding Lead: CEO

The company has a designated Safeguarding Lead with specific responsibilities for the safeguarding of young people and vulnerable adults. The designated governor will receive appropriate safeguarding training.

The designated safeguarding lead is responsible for liaising with the staff over matters regarding safeguarding young people and vulnerable adults, including:

- Ensuring that the company has guidelines and policies which are consistent with the area safeguarding young people and vulnerable adult procedures.
- Ensuring that each year the company reviews its policy relating to the safeguarding of young people and vulnerable adults.

The designated safeguarding lead is responsible for overseeing the liaison between external agencies such as police, social services – as defined by the East Sussex Local Safeguarding Children's Board. This will not involve undertaking any form of investigation but will ensure good communication between the parties and provide information to assist enquiries.

The post holder has a key duty regarding the promotion of a safe environment for the young people and adults who are or may become vulnerable whilst learning within the company and for ensuring that relevant staff are aware of their duties and obligations. The post holder will ensure that deficiencies in procedural policy identified by the East Sussex Local Children's Safeguarding Board (or other agencies) are brought to the attention of the company at the earliest opportunity.

The post holder has received appropriate training in safeguarding young people and vulnerable adult issues as required by the East Sussex Local Children's Safeguarding Board and will receive refresher training every year.

Deputy Safeguarding Lead: Operations Manager

The company's safeguarding team has responsibilities which include:

- Ensuring appropriate cover is in place throughout the academic year; the telephone number is staffed 9am-5pm Monday-Friday.
- Overseeing the referral of cases of suspected abuse or allegations to area services and police.
- Overseeing areas of the company organisation which may not fall within their remit, but may impact upon effective safeguarding such as behaviour, attendance, medical needs/first aid, SEND and bullying.
- Providing advice and support to staff on issues relating to safeguarding young people and vulnerable adults.



- Maintaining an accurate record of any referral, complaint or concern relating to any young person or vulnerable adult (even where such a concern does not lead to a referral) and ensuring that these records are kept securely in line with the ESCC Keeping Records of Child Protection and Welfare Concerns Guidance:

<https://czone.eastsussex.gov.uk/safeguarding/safeguarding-in-schools-colleges-and-early-years-settings/safeguarding-model-policies-and-guidance/record-keeping-guidance/>

- Liaising with Children's Services and other appropriate agencies such as the police, social services and the Prevent Coordinator etc.
- Where appropriate, liaising with residential care establishments.
- Liaising with employers and training organisations that receive young people and adults who are, or may become vulnerable, from the company on long term placements to ensure that appropriate safeguards are put in place.
- Ensuring that staff receive basic training in safeguarding young persons and vulnerable adults issues and are aware of the company's procedures.
- Being available to provide advice and support to other staff on issues relating to safeguarding young people and adults who are or may become vulnerable and to listen to young people and adults who are or may become vulnerable studying with the company.
- Dealing with individual cases, including attending case conferences and review meetings as appropriate.
- Undertaking training in safeguarding young people and vulnerable adults' issues and inter-agency working, as required by the East Sussex Local Children's Safeguarding Board, and undertaking refresher training every year.

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

A member of staff may suspect that a student is being abused or is at risk of significant harm. A student may disclose to a member of staff that they are being abused.

In these circumstances the following procedure should be followed:

If a member of staff has concerns about a student and believes that they are being abused, at risk of immediate harm, at risk of being radicalised or are missing, the member of staff should call an Emergency Safeguarding Number (CEO: 07458300878) and speak to the Designated Safeguarding Lead who will consider and advise whether the company should register the concern.

### **Disclosure of abuse**

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

- Listen carefully and stay calm
- Question without pressure to be sure that what is being said is properly understood by the member of staff
- Reassure the individual concerned that they have done the right thing
- Explain to the individual who has disclosed that the information must be passed on, but only to those who need to know about it



- Note the main points promptly and carefully
- Make a note of the date, time and place, what the individual said/did, the questions asked by the member of staff
- Contact the safeguarding team

Staff must **not**:

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

### **Reporting to designated staff**

Staff should report concerns, suspicions or disclosures of abuse, risk of radicalisation or missing students immediately to the designated safeguarding lead.

### Reporting and dealing with allegations against staff

An allegation made against a member of staff might indicate:

- The possibility that a criminal act against or relating to a young/vulnerable person has been committed
- That there is reasonable cause to believe that a young or vulnerable person is suffering or may suffer significant harm
- That the alleged perpetrator is unsuitable to work with young/vulnerable people.

The response to such an allegation might lead to:

- Police investigation of a possible criminal offence
- Enquiries by Children's or Adult Services about whether there is a need for protection or some other action
- The possibility of disciplinary action or dismissal by the employer

Due to the potential seriousness of such an allegation the case must be immediately referred to the Managing Director.

Allegations must not be discussed with the alleged perpetrator.

### **Whistleblowing**

The company is committed to operating in an ethical and principled way. The company has a Whistleblowing Policy and Procedure to provide employees with a means for raising genuine concerns. Where a member of staff does not feel able to raise an issue with their employer or feels that genuine concerns are not being addressed, other whistleblowing channels are open to them:



- General advice can be found at: [www.gov.uk/whistleblowing](http://www.gov.uk/whistleblowing)
- The NSPCC whistleblowing hotline – 0800 800 5000 or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

### **Record keeping**

Safeguarding records created by company staff will be logged electronically. Any documents relating to a student that cannot be stored electronically will be stored in a locked cabinet onsite with access only to those with direct safeguarding responsibility. This ensures cases can be picked up by other officers should someone be absent.

All records should be kept until a young person's 25th birthday.

## Appendix A: The role of the Designated Safeguarding Lead

### **Managing referrals**

The designated safeguarding lead will:

- Refer cases of suspected abuse or harm to East Sussex children's social care as required.
- Refer cases to the Channel programme where there is a radicalisation concern as required.
- Refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required.
- Refer cases where a crime may have been committed to the police as required, using the NPCC's When to call the police guidance (<https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners>) to inform this decision.

### **Working with others**

The designated safeguarding lead will:

- Liaise with the Managing Director to inform them of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations
- As required, liaise with the "case manager" and the designated officer(s) at the local authority for child protection concerns in cases which concern a staff member.
- Liaise with staff on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies.
- Act as a source of support, advice and expertise for all staff.
- Cooperate with Children's Social Care for enquiries under section 47 of the Children Act 1989.
- Attend, or ensure other relevant staff members attend, child protection conferences, core group meetings and other multi-agency meetings, as required.
- Liaise with other agencies working with the child, share information as appropriate and contribute to assessments.
- Play a pivotal role in multi-agency safeguarding arrangements.



## Training

The designated safeguarding lead (and any deputies) will undergo training to provide them with the knowledge and skills required to carry out the role. This training will be updated at least every two years.

The DSL will undertake Prevent awareness training.

In addition to the formal training set out above, their knowledge and skills will be refreshed (this might be via e-bulletins, meeting other DSLs, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, and at least annually, to allow them to understand and keep up with any developments relevant to their role so they:

- Understand the assessment process for providing early help and statutory intervention, including the East Sussex continuum of need and the SPOA referral arrangements.
- Have a working knowledge of how East Sussex children's social care conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so.
- Ensure each member of staff has access to, and understands, the company safeguarding and child protection policy and procedures, especially new and part time staff.
- Organise whole company safeguarding and prevent training for all staff members regularly; provide updates at least annually. Ensure staff members who miss the training receive it by other means.
- Are alert to the specific needs of children in need, those with special educational needs and young carers.
- Can keep detailed, accurate, secure written records of concerns and referrals which are in line with ESSCP; Keep Records of Child Protection and Welfare Concerns.
- Understand and support the company with regards to the requirements of the Prevent duty and can provide advice and support to staff on protecting children from the risk of radicalisation.
- Can understand the unique risks associated with online safety (including when students are online at home) and be confident that they have the relevant knowledge and up to date capability required to keep students safe whilst they are online at the company.
- Can recognise the additional risks that students with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online.
- Obtain access to resources and attend any relevant or refresher training courses.
- Encourage a culture of listening to students and taking account of their wishes and feelings, among all staff, in any measures the company may put in place to protect them.
- Maintain accurate records of staff induction and training.

## **Raise awareness**

The designated safeguarding lead will:

- Ensure the company's safeguarding and child protection policies are known, understood and used appropriately.
- Ensure the company's safeguarding and child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with governing bodies regarding this.
- Ensure the safeguarding and child protection policy is available publicly and parents are aware that referrals about suspected abuse or neglect may be made and the role of the company in this.
- Link with the ESSCP to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements.
- Help promote stronger educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children, including children with a social worker, are experiencing, or have experienced with teachers and company leadership staff.
- This will include ensuring that the company, and staff, know who these children are, understand their academic progress and attainment and maintain a culture of high aspirations for this cohort; supporting teaching staff to identify the challenges that students in this group might face and the additional academic support and adjustments that they could make to best support them.
- Ensure that staff understand that children who have a social worker due to safeguarding or welfare needs may need this help due to abuse, neglect and complex family circumstances. A child's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning behaviour and positive mental health.
- Where students need a social worker, this should inform decisions about safeguarding (for example, responding to unauthorised absences or missing education where there are known safeguarding risks) and promoting welfare (for example, considering the provision of pastoral and/or academic support, alongside action by statutory services).
- Ensure that staff are aware that mental health problems can, in some cases, be an indicator that a student has suffered or is at risk of suffering abuse, neglect or exploitation.
- Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff, however, are well placed to observe student's day- to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.
- Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences can impact on their mental health, behaviour and education.
- If staff have a mental health concern about a student that is also a safeguarding concern, immediate action should be taken, following their child protection policy and speaking to the Designated Safeguarding Lead.



### **Child protection file**

Where student leave the company, the DSL will ensure their safeguarding and child protection file is transferred to the new provider as soon as possible. The DSL should ensure secure transit obtain confirmation of receipt.

In addition to the safeguarding and child protection file, the DSL will also consider if it would be appropriate to share any information with the new training provider in advance of a student leaving. For example, information that would allow the new educational establishment to continue supporting victims of abuse and have that support in place for when the student arrives.

### **Availability**

The DSL or a deputy will always be available (during company hours) for staff in the company to discuss any safeguarding concerns. Where any activities take place outside of regular company hours, the company will ensure that a DSL is available to be contacted during this time.

### **Quality assurance**

Monitor the implementation of and compliance with policy and procedures, including periodic audits of child protection and welfare concerns files (at a minimum twice a year). Complete a self-assessment audit of the company's safeguarding arrangements at frequencies specified by the ESSCP and using the audit tool provided by ESCC/SLES for this purpose.

Provide regular reports, to the company detailing changes and reviews to policy, training undertaken by staff members and the number of students with child protection plans and other relevant data.

Take lead responsibility for remedying any deficiencies and weaknesses identified in safeguarding and child protection arrangements.

## [Appendix B: Child protection and safeguarding procedure](#)

### **Definitions**

**Children** are any people who have not yet reached their 18th birthday; a 16-year-old, whether living independently, in further education, in the armed forces or in hospital, is a child and is entitled to the same protection and services as anyone younger.

**Child protection** is part of safeguarding and promoting the welfare of children and refers to activity undertaken to protect specific children who are suffering, or likely to suffer, significant harm.

**Early help** means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years to teenage years.

**Harm** is ill treatment or impairment of health and development, including impairment suffered from seeing or hearing the ill treatment of another.

**Safeguarding** is the action we take to promote the welfare of children and protect them from harm:

- protecting children from maltreatment;
- preventing impairment of children's mental or physical health and 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.

### **Categories of abuse:**

**Abuse:** a form 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 others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

**Physical abuse:** a form of abuse which 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:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child 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 a child's developmental capability as well as overprotection and limitation of exploration and learning or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), 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, although it may occur alone.

**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 or not 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. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. Child sexual exploitation is also sexual abuse; it involves children and young people receiving something, for example accommodation, drugs, gifts or affection, as a result of them performing sexual activities, or having others perform sexual activities on them. It could take the form of grooming of children, e.g., to take part in sexual activities or to post sexual images of themselves on the internet.

**Neglect:** 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, for example, 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 caregivers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs. Depending on the age and capacity of the child, staff should be aware of possible self-neglect, e.g., where a child may not be following medical guidance or taking medication as prescribed. Where this is the case this should be raised as a safeguarding concern.

### **Recognition – what to look for**

Staff members should refer to the detailed information about the categories of abuse and risk indicators in the Pan-Sussex Child Protection & Safeguarding Procedures (<https://sussexsafeguardingadults.procedures.org.uk/>) for further guidance.

In an abusive relationship, the child may:

- appear frightened of their parent(s);



- act in a way that is inappropriate to their age and development, although full account needs to be taken of different patterns of development and different ethnic groups;
- however, they may also not exhibit any signs of stress/fear.

In an abusive relationship, the parent or carer may:

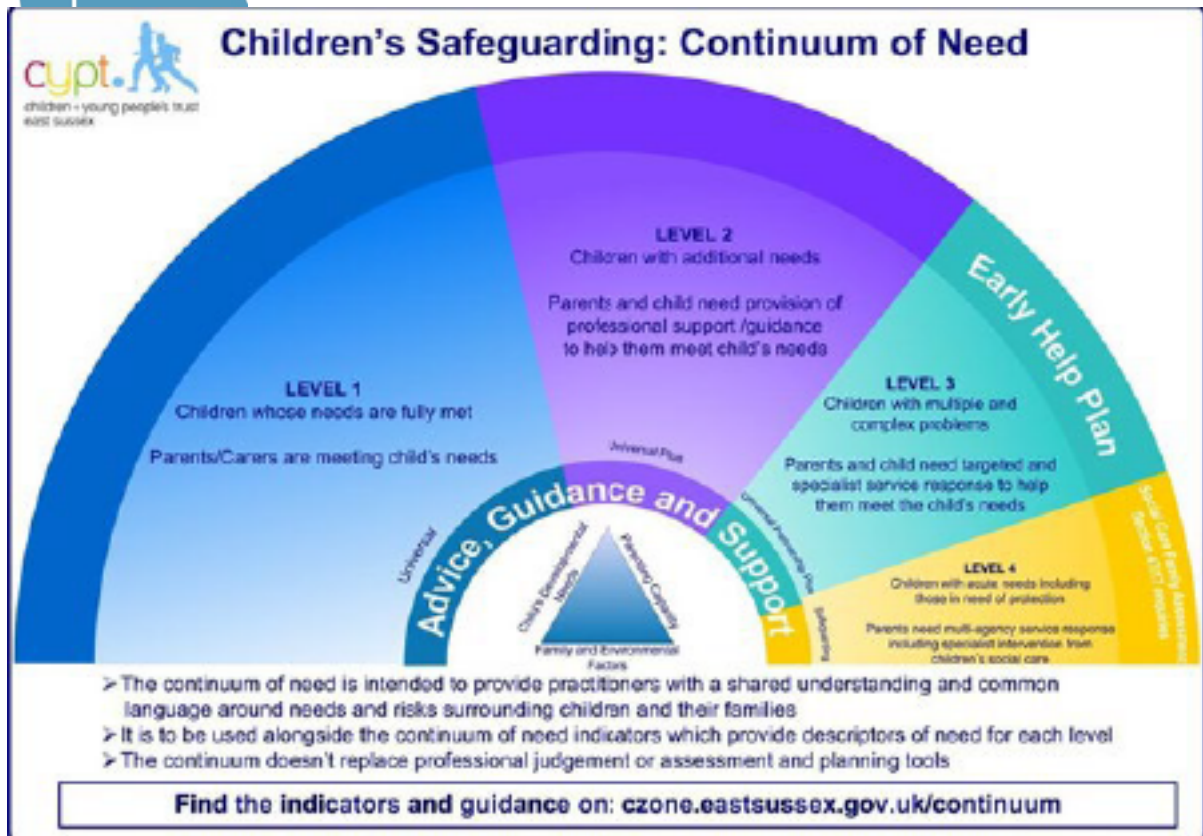
- persistently avoid child health services and treatment of the child's illnesses;
- have unrealistic expectations of the child;
- frequently complain about or to the child and fail to provide attention or praise;
- be absent;
- be misusing substances;
- persistently refuse to allow access on home visits by professionals;
- be involved in domestic violence and abuse;
- be socially isolated.

Serious case reviews, now known as safeguarding practice reviews, have found that parental substance misuse, domestic abuse and mental health problems, if they coexist in a family could mean significant risks to children. Problems can be compounded by poverty, frequent house moves or eviction.

### **Safeguarding Children Continuum Of Need**

The Safeguarding Children Continuum of Need has been developed so that everyone working with children in East Sussex has a common language for understanding the needs and risks surrounding children and their families. It is important that all members of staff are familiar with it.

The Continuum of Need shows that a child's or family's additional needs can be on a range from one to four, and that needs can shift from early help to child protection and back to preventative early help. It covers children whose needs are increasing as well as children whose needs are decreasing after Children's Social Care involvement. The Continuum of Need will help practitioners to identify the right level of support for the child in the least intrusive way while keeping the child safe.



## The Continuum of Need identifies four levels of need

### Level 1:

- children who are achieving expected outcomes
- their needs are met by their parents and by accessing universal services such as health and education
- they do not have additional needs

### Level 2:

- children with additional needs
- parents need professional support or guidance to help them meet their children's needs
- extra support can usually be provided by agencies that already know the family, e.g., their pre-school, school or college or NHS community services such as Health Visiting

### Level 3:

- children with multiple and complex needs
- children and parents need targeted early help or specialist services to meet the children's needs
- needs are met through multi-agency support and the use of Early Help Plans

#### Level 4:

- children with acute needs, including those in need of protection
- children and parents need multi-agency responses which include specialist intervention from Children's Social Care through the family assessment process

By referring to the Continuum of Need and indicators, the company can identify when assessment and support for a child and family need 'stepping up' to a referral to Social Care and when the needs of a child and their family have been reduced enough for them to be 'stepped down' to early help services.

When assessing cases of possible neglect, the ESCC Neglect Matrix (<https://www.npcc.police.uk/documents/Children%20and%20Young%20People>) will be used. This tool mirrors the Continuum of Need, but with greater focus upon potential indicators of neglect mapped across each of the four levels of need.

#### **What action to take if you have concerns about a child**

When concerned about the welfare of a child, staff should always act in the best interests of the child.

If staff are unsure, they should always speak to the DSL.

If staff have any concerns about a child's welfare, they should act on them immediately. Staff should not assume a colleague, or another professional will take action.

The DSL or a deputy should always be available to discuss safeguarding concerns. If in exceptional circumstances, the DSL (or deputy) is not available, this should not delay appropriate action being taken. Staff should consider speaking to a member of the senior leadership team and/or take advice from SPoA. In these circumstances, any action taken should be shared with the DSL (or deputy) as soon as is practically possible. Details of the concern should be recorded.

#### **Dealing with a disclosure made by a child**

If a child discloses that he or she has been abused or experienced harm in some way, the member of staff or volunteer should follow this guidance.

- Listen to what is being said without displaying shock or disbelief;
- Only ask questions when necessary to clarify;
- Accept what is being said;
- Allow the child to talk freely – do not put words in the child's mouth;
- Reassure the child that what has happened is not his or her fault;
- Do not promise confidentiality – it may be necessary to refer the child to Children's Social Care;
- Stress that it was the right thing to tell;

- Do not criticise the alleged perpetrator;
- Explain what has to be done next and who has to be told;
- Inform the DSL (or deputy) without delay;
- Record the concern;
- Dealing with a disclosure from a child and safeguarding issues can be stressful.

Consider seeking support for yourself and discuss this with the DSL.

### **Discussing concerns with the family and the child**

In general, we will always discuss any concerns the company may have with the child's parents. They need to know that we are worried about their child. However, we will not discuss our concerns if we believe that this would place the child at greater risk or lead to loss of evidence for a police investigation.

If we make a decision not to discuss our concerns with the child's parents or carers this will be recorded in the child's safeguarding file with a full explanation for our decision.

It is important to consider the child's wishes and feelings, if age appropriate, as part of planning what action to take in relation to concerns about their welfare.

When talking to children, we will take account of their age, understanding and preferred language, which may not be English. It is also important to consider how a disabled child may need support in communicating.

How we talk to a child will also depend on the substance and seriousness of the concerns. We may need to seek advice from Children's Social Care or the police to ensure that neither the safety of the child nor any subsequent investigation is jeopardised.

If concerns have arisen as a result of information given by a child, we will reassure the child but not promise confidentiality.

We will discuss our concerns with the parents and seek their consent to making a referral to Children's Social Care, unless we consider that this would place the child at increased risk of significant harm.

We do not need the parents' consent to make a referral if we consider the child is in need of protection, although parents will ultimately be made aware of which organisation made the referral.

If parents refuse to give consent to a referral but we decide to continue, we will make this clear to Children's Social Care.

If we decide to refer a child without the parents' consent, we will record this with a full explanation of our decision.



When we make our referral, we will agree with Children's Social Care what the child and parents will be told, by whom and when.

### **Early help for children and families**

Most parents can look after their children without the need of help other than from their family or friends. However, some parents may need additional help from our company or other services such as the NHS. Providing help early is more effective in promoting the welfare of children than reacting later.

Our company will work together with other agencies to provide a coordinated offer of early help, in line with Working Together to Safeguard Children (July 2018) (<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>) and local guidance, to any child who needs it.

We will pool our knowledge within the company and with other agencies about which families or children need additional support in a range of ways so that we can work out how best to help them. We will use the East Sussex Safeguarding Continuum of Need tool to identify what level of need the child or their family has.

We will work closely with targeted early help services and Children's Social Care if we feel families need more support and input, or children are at risk of harm, and we will continue to provide support if other services are also needed.

We will talk to the family about referral to a targeted early help service and explain that there may be a need to involve other professionals, including talking to a social worker about our concerns. We will seek the family's consent for the referral.

If the family does not consent to an early help service, we will make a judgement about whether the needs of the child will escalate, or the child will become unsafe without help. If our judgement is that the needs or concerns will escalate, then we will contact the Children's Social Care Single Point of Advice for a consultation with a qualified social worker in order to make a shared decision about whether the level of concerns calls for a referral to Children's Social Care.

### **Children's Social Care-led responses to concerns about a child**

Once Children's Social Care has accepted our referral as needing a social-care-led response (Level 4 of the Continuum of Need), we will cooperate with Children's Social Care and the police in any emergency action they take using their legal powers for immediate protection of the child.

We will participate in any multi-agency discussions (strategy discussions), if invited to do so, and share information about the child and their family to plan the response to concerns.

We will ensure that a relevant staff member participates in all initial and review child protection conferences, if we are invited to attend. The staff member will work together



with other agencies to discuss the need for and agree to an outcome-focused child protection plan and will ensure that the child's wishes, and views are considered in their own right in planning.

If we are members of the core group to implement a child protection plan, we will ensure a relevant staff member participates in all core group meetings.

We will ensure that we complete all actions allocated to us as part of the outcome-focused plan, whether a child protection plan or a family support plan, in a timely way.

We will continue to monitor children once their plans are ended to ensure that they are supported and kept safe.

### **Information sharing and consent**

It is essential that people working with children can confidently share information as part of their day-to-day work. This is necessary not only to safeguard and protect children from harm but also to work together to support families to improve outcomes for all.

The company may have to share information about parents or carers, such as their medical history, disability or substance misuse issues, for investigations of child abuse carried out by Children's Social Care.

We will proactively seek out information as well as sharing it. This means checking with other professionals whether they have information that helps us to be as well informed as possible when working to support children.

The Data Protection Act 2018 and the General Data Protection Regulations 2018 are not barriers to sharing information and do not change duties under safeguarding. They are there to ensure that personal information is managed in a sensible way and that a balance is struck between a person's privacy and public protection.

We should be sharing any concerns we have with parents at an early stage, unless this would put a child at greater risk or compromise an investigation. Parents need to know what our responsibilities are for safeguarding and protecting children and that this involves sharing information about them with other professionals.

We will be clear about the purpose of sharing confidential information and only share as much as we need to achieve the purpose.

We will try to get consent from parents (or the child, if they have sufficient understanding<sup>3</sup>) to share information, if possible. However, we do not need consent if we have serious concerns about a child's safety and well-being. If we decide to share information without consent, we will record this with a full explanation of the decision.



Consent will not be sought from parents or carers (or the child, if they have sufficient understanding, if:

- it would place a child at increased risk of harm; or
- it would place an adult at risk of serious harm; or
- it would prejudice a criminal investigation; or
- it would lead to unjustified delay in making enquiries about allegations of significant harm to a child; or
- required by law or a court order to share information.

Consent is not necessary in cases where Children's Social Care are making child protection enquiries under section 47 of the Children Act 1989. Information needs to be shared with Children's Social Care; staff members must make sure to record what information has been shared.

Consent is necessary, for:

- Children's Social Care investigations or assessments of concerns under section 17 of the Children Act 1989. Children's Social Care will assume that we have obtained consent from the parents to share information unless we make them aware that there is a specific issue about consent. This must be discussed with a social worker in the Single Point of Advice.
- Early help (level 3) referrals and assessments. Assessments are undertaken with the agreement of the child and their parents or carers.

Where there is any doubt about the need for seeking consent, advice will be sought from the DSL or from the Children's Social Care Single Point of Advice.

A record will be made of the decision to share information, with or without consent, and the reasons for it. Equally a record will be made of any decision not to share information including the reason for this.

## **Record keeping**

Accurate and timely record keeping is an important part of the company's accountability to children and their families and will help us in meeting our key responsibility to respond appropriately to welfare concerns about children.

Records will be factual, accurate, relevant, up to date and auditable. They will support monitoring, risk assessment and planning for children and enable informed and timely decisions about appropriate action to take.

All staff members, volunteers, contractors and activity providers will ensure that they record and report safeguarding concerns in line with guidance from the ESSCP Keeping Records of Child Protection and Welfare Concerns Guidance.



The DSL will ensure that records are maintained accurately for children with safeguarding concerns, and that stand-alone files are created and maintained in line with requirements of the above guidance.

### **Professional challenge and disagreements**

Working with children and families, and in particular child protection work, is stressful and complex, as well as involving uncertainty and strong feelings. To ensure that the best decisions are made for children, we need to be able to challenge one another's practice.

We will promote a culture within our company that enables all staff members to raise, without fear of repercussions, any concerns they may have about the management of safeguarding in the company. This may include raising concerns about decisions, action and inaction by colleagues about individual children. If necessary, staff members will speak with the Designated Safeguarding Lead or the Managing Director.

Cooperation across agencies is crucial; professionals need to work together, using their skills and experience, to make a robust contribution to safeguarding children and promoting their welfare within the framework of discussions, meetings, conferences and case management. If there are any professional disagreements with practitioners from other agencies, the DSL will raise concerns with the relevant agency's safeguarding lead in line with guidance in the Pan-Sussex Child Protection and Safeguarding Procedures.

If the company disagrees with the child protection conference chair's decision, the DSL will consider whether they wish to challenge it further and raise the matter with Children's Services Head of Safeguarding.

### **Procedure for managing allegations of abuse against staff**

Within this document the term 'staff' should be broadly read as any adult working within the company, whether directly employed, providing a contracted service, a one off service such as a supply teacher or a volunteer.

Our aim is to provide a safe and supportive environment which secures the wellbeing and very best outcomes for the children at our company. We do recognise that sometimes the behaviour of adults may lead to an allegation of abuse being made.

Allegations sometimes arise from a differing understanding of the same event but, when they occur, they are distressing and difficult for all concerned. We also recognise that some allegations are genuine and there are some adults who deliberately seek to harm or abuse children.

We will take all possible steps to safeguard our children and to ensure that the adults in our company are safe to work with children. We will always ensure that the procedures outlined in Part 4 of Keeping Children Safe in Education September 2020 and Pan-Sussex Procedures are adhered to.



If an allegation is made or information is received about an adult who works in our company which indicates that they have behaved or may have behaved in a way that indicates that they may be unsuitable to work with children, the member of staff receiving the information should inform the DSL. Should an allegation be made against the DSL, this will be reported to the Managing Director. No member of staff will undertake further investigations before receiving advice from Single Point of Advice or LADO.

### **Supporting people**

- The company, together with Children's Social Care and the police, if they are involved, will consider the impact on the child concerned and provide support as appropriate.
- The DSL will ensure that the child and family are kept informed of the progress of the investigation.
- The Managing Director will be contacted at the earliest opportunity for advice in relation to the investigation of any allegation in line with the company's disciplinary policy, where appropriate.
- The staff member who is the subject of the allegation will be advised to contact their union, professional association or a colleague for support, (depending on the outcome of the safeguarding strategy meeting which is normally chaired by the LADO).
- The Managing Director will ensure that the staff member is provided with appropriate support, if necessary, through occupational health or welfare arrangements.
- The DSL will appoint a named representative to keep the staff member updated on the progress of the investigation; this will continue during any police or section 47 investigation or disciplinary investigation.
- The legislation imposing restrictions makes clear that 'publication' of material that may lead to the identification of the teacher who is the subject of the allegation is prohibited. 'Publication' includes *"any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public"*. This means that a parent who, for example, published details of the allegation on a social networking site would be in breach of the reporting restrictions (if what was published could lead to the identification of the staff member by members of the public).

The company has a legal duty to refer to the Disclosure and Barring Service (DBS) anyone who has harmed, or poses a risk of harm, to a child, or if there is reason to believe the member of staff has committed one of a number of listed offences, and who has been removed from working (paid or unpaid) in regulated activity or would have been removed had they not left. The DBS will consider whether to bar the person. If these circumstances arise in relation to a member of staff at our company, a referral will be made as soon as possible after the resignation or removal of the individual in accordance with advice from the LADO and/or Managing Director.

Where directed to do so by the LADO, police and/or children's social services, the company will support any safeguarding investigation by collecting the facts when an allegation is made.



In this respect it may be that the company take a lead on this safeguarding element of investigation.

### **The use of 'reasonable force'**

Managing behaviour is seen as a support issue, with actions to clarify expectations, address and modify behaviour.

The company does not advocate the use of 'reasonable force'. However, there might be circumstances when it is appropriate for staff to use in order to safeguard students. This will primarily apply, but is not limited, to specialist courses which the company has been commissioned to deliver. The use of force may involve either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of the classroom. A procedure is in place to enable staff to support students safely and use 'no more force than is needed.'

When managing incidents of reasonable force and restrictive physical interventions the company will consider whether to liaise with the LADO, where it is thought that the physical intervention may lead to an allegation.



## Appendix C: Useful contacts

**The Portal** provides a single point of contact for victims and survivors of domestic or sexual abuse and violence, helping them to find the right help, advice and support. The Portal can also give advice and support to friends, families and professionals.

Tel: 0300 323 9985

Web: [theportal.org.uk](http://theportal.org.uk)

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**National Domestic Violence Helpline** (24-hour helpline)

Tel: 0808 2000 247

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**Elder Abuse Response** raise awareness of elder abuse as well as running a Peer Support Volunteer Programme which brings older people together to support each other and a helpline.

Tel: 080 8808 8141

Web: [www.elderabuse.org.uk](http://www.elderabuse.org.uk)

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**Healthwatch** is the independent watchdog for health and social care services in Brighton & Hove. They support local individuals and communities to influence the design, delivery and improvement of local health and social care services and enable people to make informed choices about their health and wellbeing by assisting them when they have concerns or complaints about these services.

Tel: 0300 012 0122

Web: [www.healthwatchbrightonandhove.co.uk](http://www.healthwatchbrightonandhove.co.uk)

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**Public Concern at Work** is a whistle blowing line for staff concerned about bad practice in the workplace

Tel: 020 7404 6609

Web: [www.pcaw.co.uk](http://www.pcaw.co.uk)

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**Samaritans** provide a 24-hour freephone line for people to confidentially talk about any issue

Tel: 116 123

Web: [www.samaritans.org](http://www.samaritans.org)

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**Grassroots Suicide Prevention** support communities to prevent suicide, one life at a time. They teach suicide alertness and intervention skills to community members and professionals and are proudly working towards making Brighton & Hove the UK's first Suicide-Safer City. Their Stay Alive app is free to download from Google Play or Apple's App Store

Web: [www.prevent-suicide.org.uk](http://www.prevent-suicide.org.uk)

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**Mental Health Line** provide support and information over the phone

Tel: 0300 5000 101 (Monday to Friday 5pm to 9am, and 24 hours at weekends and bank holidays)

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**Saneline** out-of-hours phone helpline offering practical information, crisis care and emotional support to anybody affected by mental health problems.

Tel: 0845 767 8000 (Open 12pm to 2am)

Web: [www.sane.org.uk](http://www.sane.org.uk)

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### **Mind in Brighton & Hove**

Promotes good mental health in Brighton & Hove and across Sussex.

Tel: 01273 66 69 50

Email: [info@mindcharity.co.uk](mailto:info@mindcharity.co.uk)

Web: [www.mindcharity.co.uk](http://www.mindcharity.co.uk)

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**Speak Out** advocates work with individuals with learning disabilities in Brighton & Hove

Tel: 01273 421921

Email: [info@bhspeakout.org.uk](mailto:info@bhspeakout.org.uk)

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**NHS Carers Direct Helpline** provides carers with advice to help them make decisions about their personal support needs and the needs of the person they are looking after, including information about assessments, benefits, direct payments, individual budgets, time off and maintaining, leaving or going back to work or education.

Tel: 0300 123 1053

Web: [www.nhs.uk/conditions/social-care-and-support-guide/pages/carers-direct-helpline](http://www.nhs.uk/conditions/social-care-and-support-guide/pages/carers-direct-helpline)

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**The Carers Centre** provides services for carers to help them cope with their situation, get the support to which they are entitled, and to participate in the community of our city

Web: [www.thecarerscentre.org](http://www.thecarerscentre.org)

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**Care Quality Commission** The independent regulator of health and social care in England whose role it is to make sure hospitals, care homes, dental and general practices and other care services in England provide people with safe, effective and high-quality care

Web: [www.cqc.org.uk](http://www.cqc.org.uk)

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**My Life** is an easy-to-use, online directory listing local Brighton & Hove and national organisations and services to support everyday living

Web: [www.mylifebh.org.uk](http://www.mylifebh.org.uk)

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**Safe in the City** The Safe in the City Partnership made up of the council's casework and projects teams and Brighton & Hove's neighbourhood policing teams. They work together with partner agencies to tackle hate incidents and anti-social behaviour and reduce crime.

Web: [www.safeinthecity.info](http://www.safeinthecity.info)

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This policy will be kept up to date, will be reviewed at least annually and is signed by Creative Process Digital's CEO.

Review Date:	22 <sup>nd</sup> September 2023		
Signed:	<i>Stephen Burkes</i>	Name:	Stephen Burkes CEO
Previous Date:	18 <sup>th</sup> January 2023		