

## **FE Safeguarding, Child Protection and Adults at Risk Policy 2022/23**

### **Policy Review**

This policy will be reviewed in full annually

The policy was last reviewed and agreed by Michelle Springer, Designated Safeguarding Lead on 8th October 2022 (Changes made on 28.04.2023: Safeguarding lead names. Update on External Services).

It is due for review in August 2023 .

### **Context and Framework**

This policy has been developed in accordance with the principles established by:

- the Children Act 1989 & 2004,
- the Education Act 2002
- 'Working Together to Safeguard Children' 2016
- Revised Safeguarding Statutory Guidance 2 'Framework for the Assessment of Children in Need and their Families' 2000.

The guidance also adheres to:

- Children and Families Act 2014
- Safeguarding Vulnerable Groups Act 2006
- DoH Statement of Government Policy on Adult Safeguarding 2013
- Prevent Strategy 2011
- Counter Terrorism and Security Act 2015, including the Prevent Duty/Multi agency Statutory Guidance on Female Genital Mutilation 2016.
- Information Sharing, Advice for practitioners providing safeguarding services to children, young people, parents and carers 2018
- Keeping Children Safe in Education, Statutory guidance for schools and colleges, September 2018.

### **Definitions**

For the purposes of this policy young people are any learners under the age of 18 and those whom are considered vulnerable. The Safeguarding Vulnerable Groups Act 2006 defines a 'adults at risk as:

A person aged 18 and over who is or may be:

- receiving a social care service
- receiving a health service
- living in sheltered accommodation
- detained in custody or under a probation order
- requiring assistance in the conduct of his/her affairs
- receiving a service or participating in an activity targeted at older people with disabilities or with physical or mental health conditions

Under the Statutory Guidance for Keeping Children Safe in Education' 2018 a child can be defined as:

- Anyone under the age of 18

## **Purpose of this policy**

The purpose of this policy is to provide advice for staff and associates working with us on helping us to meet our commitment of ensuring that any child or vulnerable adult receiving any form of training, advice or guidance through us is protected from all forms of exploitation and abuse.

We have interpreted and acted on substantial guidance to take preventative measures to protect young people and adults at risk from abuse: physical; sexual; psychological/emotional; financial or material; neglect and acts of omission and impairment to their personal and social development.

Our policy is to ensure so far as is possible that all who work with us maintain a proper focus on safeguarding. Our policy is also based on the notion that “It is unlawful for the body responsible for an educational institution to discriminate against a disabled person” (Disability Discrimination Act 1998, 2005). We are committed to creating a culture of vigilance towards all safeguarding matters to protect all stakeholders of BAJ.

## **Our responsibilities**

- Promote the health and welfare of young people and vulnerable adults by providing opportunities for them to take part in our programmes safely (Children Act, 2004).
- Respect and promote the rights, wishes and feelings of young people and vulnerable adults.
- Promote and implement appropriate procedures to safeguard the well-being of young people and vulnerable adults and protect them from abuse.
- Support staff and associates to adopt best practice to safeguard and protect young people and vulnerable adults from abuse and to minimise risk to themselves.
- Require staff and associates to adopt and abide by this Safeguarding Policy
- Respond to any allegations of misconduct or abuse of young people or adults at risk in line with this policy.
- Conduct CRB/DBS checks with all the staff who are in contact with learners
- Ensure staff carry out Safeguarding/refresher training once a year and provide certification
- Ensure all staff and learners wear ID badges at all times whilst on the premises
- Ensure that all learners are taught about safeguarding from their very first day at BAJ

## **Principles**

The welfare of young people and adults at risk is everyone’s responsibility, particularly when it comes to protecting them from abuse. Young people and vulnerable adults have a lot to gain from us. Our programmes provide an excellent opportunity for participants to learn new skills, grow in confidence and maximise their potential.

## **This policy is based on the following principles:**

- The welfare of young people and adults at risk is the primary concern.
- All young people and adults at risk, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identity have the right to protection from abuse.

- It is everyone's responsibility to report any concerns about abuse and the responsibility of the Social Services Department and the Police to conduct, where appropriate, a joint investigation.
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately (Dealing with Allegations of Abuse against Teachers and other staff. Department for Education, 2011)
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.
- All staff in contact with children and adults at risk will have CRB/DBS clearance Local (Safeguarding Children's Board Minimum Standard for Safer Recruitment, 2010)

## Roles and Responsibilities for all staff and associates

- Staff and associates must respect a young person's/adults at risk rights to privacy and encourage them to feel comfortable enough to report attitudes or behaviour they do not like.
- Our staff and associates are expected to act with discretion with regard to their personal relationships. They should ensure their personal relationships do not affect their professional role within the organisation.
- Safeguarding report forms are located in the staff shared drive. Any completed forms must be emailed or delivered as a print out to the **Designated Safeguarding Lead**.
- All staff and associates should be aware of the procedures for reporting concerns or incidents, and should familiarise themselves with the contact details of the **designated person**.
- All staff will have the opportunity to attend internal safeguarding training sessions twice per year led by the **Designated Safeguarding Lead**. All staff will be required to complete annual online training for safeguarding and Prevent.
- Training opportunities within safeguarding and Prevent are available externally and it is the duty of a staff member to request attendance to these with their line manager.
- All staff must implement the Academy's Safeguarding Policy to all stakeholders. All tutors must ensure that all learners are aware of the Academy's Safeguarding Policy on their induction day. Learners must all sign the induction checklist to confirm that they are familiar with this policy.
- If a member of staff or associate finds himself or herself the subject of inappropriate affection or attention from a young person/vulnerable adult, they should inform the designated safeguarding lead.
- If a member of staff or associate has any concerns relating to the welfare of a young person/adults at risk , be it concerns about actions or behaviour of another staff member or associate or concerns based on any conversation with the young person/vulnerable adult, particularly if an allegation is made, they should report this to the **designated person in writing and verbally. All verbal conversations will be recorded in writing.**
- Staff and associates should not start an investigation or question anyone after an allegation or concern has been raised. Staff or associates should just record the facts and report these to the **designated person**.
- All Staff will be required to take a Disclosure and Barring Service Check before working with the Academy and we reserve the right not to employ a candidate or to terminate an existing employees contract if the check raises any issues that might be detrimental to the welfare of the Academy's stakeholders.

### BAJ's Designated Safeguarding Lead and Deputies:

- Sharjeel Nawaz [Principal of Academy [sharjeel.nawaz@baj.ac.uk](mailto:sharjeel.nawaz@baj.ac.uk)]
- Michelle Springer Designated Safeguarding Officer [Pastoral Care Lead 07403 742 116]
- Miranda Sharpe Deputy Safeguarding officer (Birmingham Centre Lead 0121 655 0105)
- Center Manager Sheffield (TBC)
- HR Lead (TBC)

\*Escalation of serious incidents - including external providers.

The designated and deputy safeguarding person will hold an up to date safeguarding qualification and relevant experience

Any concerns about the conduct of staff in the academy should **only** be taken to the **Designated Safeguarding Lead** or the **Head of HR**. In circumstances where it is not possible or inappropriate to raise with the Designated Safeguarding Officer or the deputies, matters should be referred to the HR. If there are concerns about the Principal of Academy, then concerns can be addressed to the Chief Executive Gabriel Gherscovic.

If the matter requires further action then please contact OFSTED or local authority as appropriate.

<https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure>

In an emergency situation involving danger to staff or learners contact the police immediately - 999

Always take the advice of the Local Authority DSL if possible.

Camden, Birmingham and Sheffield DSL can also provide information, advice and guidance

[.https://www.camden.gov.uk/safeguarding-adults-and-children](https://www.camden.gov.uk/safeguarding-adults-and-children)

<https://www.bhamcommunity.nhs.uk/about-us/safeguarding>

<https://www.sheffield.gov.uk/social-care/adult-safeguarding>

These staff members:-

- will know how to make an appropriate referral and signpost at risk students.
- will be available to provide advice and support to other staff on issues relating to safeguarding and Prevent Duty
- have particular responsibility to be available to listen to young people and vulnerable adults studying at the Academy or on placement
- will deal with individual cases, including attending case conferences, Channel meetings and review meetings as appropriate
- have received training in safeguarding, Prevent and issues and inter-agency working, as required by the Children's and Adults Safeguarding Boards and will receive refresher training at least every 2 years.

All allegations of abuse or harm will be treated seriously and consistently. This may lead to an investigation of a possible criminal offence by the police, involvement of an appropriate social care worker or an investigation of our provision and consideration of disciplinary action on staff or learners.

## **Managing Disclosures – Receive, Reassure, React and Record**

Guidance for Staff

### **Receive**

- Do not ask questions or probe for information as this may contaminate evidence and prohibit a police investigation

- Listen to what is being said, without displaying shock or disbelief.
- Accept what is said.

- Make a note of what has been said as soon as practicable.

### **Reassure**

- Reassure the learner, but only so far as is honest and reliable. For example, don't make promises you may not be able to keep eg 'I'll stay with you' or 'everything will be alright now'.
- Do reassure and alleviate guilt, if the learner refers to it. For example, you could say:
  - You have been brave to tell me.
  - I am glad you came to me.
  - I am sorry this has happened.
  - This was not your fault.
  - We are going to do something together to get help.
- Do not promise to keep it a secret as your professional responsibilities require you to report the matter.

### **React**

- React to the learner only as far as is necessary for you to establish whether or not you need to refer this matter, but do not interrogate for full details.
- Do not ask 'leading' questions, for example 'what did he do next?' (this assumes he did!), or 'did he touch your private parts?' Such questions may invalidate your evidence (and the child's) in any later prosecution in court.
- Do not criticise the alleged perpetrator;
- Do not ask the learner to repeat it all for another member of staff. Explain what you have to do next and who you have to talk to. Reassure the pupil that it will be a DMS and no one else. Try to see the matter through yourself and keep in contact with the pupil. Ensure that if an interview undertaken by Children's Social Care or the Police is to follow, that the pupil has a support person present if the pupil wishes it (possibly yourself).

### **Record**

- Make some very brief notes at the time on any paper which comes to hand, and write them up as soon as possible.
- Do not destroy your original notes in case they are required by a court.
- Record on the same day the date, time, place, persons present and noticeable non-verbal behaviour, and the words used by the learner. If the learner uses sexual 'pet' words, record the actual words used, rather than translating them into 'proper' words.
- Draw a diagram or complete a body map to indicate the position of any bruising if it is visible.
- Record statements and observable things, rather than your 'interpretations' or 'assumptions'.

### **Recording**

Concerns about students should be recorded on the individual/personal chronological form and put in a personal folder and on the the BAJ central 'at risk' log sheet., which will detail the concerns about a student, discussion with the appropriate Designated Person or in their absence, another appropriate member of the safeguarding team and parents or carers where appropriate and any

agreed actions and outcomes. Tracking sheets, referrals to Children's Social Care and Child Protection Conference and Core Group meeting minutes will be held confidentially, separately from a student's main group records in the personal folder.

Records should be signed and dated and kept in chronological order. Group actions minuted in child protection conferences/strategy meetings must be implemented.

Recording is a tool of professional accountability and is central to safeguarding and protecting students. It is not always possible to know whether a small or vague concern held today may increase as the days or weeks pass and later form the substance of a child or vulnerable adult protection referral. For this reason it is vital that concerns are recorded accurately so that they can be monitored and emerging patterns noticed. All records will be kept in a secure storage facility that only the DSL and deputy DSL's will have access to. Private learner information concerning safeguarding issues will not be kept on our IT systems. We will however keep a password protected central log on our system to keep account of learners who have had a safeguarding issue. No detailed account of the issue will be kept on this log and only the Designated Safeguarding Lead and the Deputy Safeguarding Leads will have access to the password and central log..

## **Referral**

If a student discloses that they have been subjected to abuse to any staff member in the Group, the staff member must report to the Designated Person. The Group's Designated person or a nominated deputy will then respond within an hour and make the necessary referrals to Children's Social Care in the child's home borough. Where a student is transferring to another Group, the Group's Designated Person should liaise with the setting the pupil is transferring to and copy and forward records to the other Group. Frequent contact will remain between the DSL and the referral group to monitor the welfare of the learner.

## **Supporting Staff**

We recognise that child protection is a difficult and sometimes upsetting subject for those who work with students. Working with a student who has suffered harm or is at risk of harm may be stressful and distressing. We are committed to supporting such staff by providing opportunities for them to talk through their experiences and anxieties with the Designated Person for your College/Training or another member of the safeguarding team , and to seek further support as appropriate. All staff and volunteers should feel able to raise concerns about poor or unsafe practice; such concerns will be addressed sensitively and effectively in accordance with agreed whistle blowing procedures. A copy of the summary version of 'What to do if You're Worried a Child is Being Abused' should be made available to every member of staff.

We believe that working within clear safeguarding and child and Adults at Risk protection policies and procedures also helps to support staff in carrying out their duties and responsibilities effectively.

## **Looked After Child / Young Person (LAC)**



A Looked After child, Young Person or care leaver is in need of local authority care services to gain a reasonable standard of health and development, and aged 18 and under.

- Report attends issues and concerns if the young person goes missing from education.
- Follow referral procedures if suspecting the young person is at risk of harm or danger.

Further information can be found on working together to safeguard children 2018

## **SEND**

Special Education Need and Disability (SEND) is the definition of either a behavioural, physical, emotional, and learning impairment or disability, which affects a young person's learning. As a result of the individual having complex SEND needs, they may have an Educational Health Care Plan (EHCP) up to the age of 25, to indicate their learning or disability needs (*ie Autism, Anxiety, Depression, etc.*).

Likewise for Adults at risk who present mental health concerns will receive support by following the referral processes to inform the DSL and SL promptly.

Where a young person has Complex needs and is vulnerable concerns must be reported

Reference can be made to keeping children safe in education 2019

## **Private Fostering**

Privately fostered students under the age of 18 are cared for by someone other than a parent or close relative (e.g. step-parents, siblings, siblings of a parent and grandparents) for 28 days or more. Group staff should make a referral to Group's appropriate Designated Person or in their absence a deputy who will notify Children's Social Care if:

- They become aware of a private fostering arrangement which is not likely to be notified to the local authority
- They have doubts about whether a child's carers are actually their parents, and there is evidence to support these doubts, including concerns about the child's welfare

Further information about private fostering arrangements can be found at [www.baaf.org](http://www.baaf.org)

## **Our commitment to reviewing our safeguarding practices**

We will work in partnership with local safeguarding partnerships and committees, to include the Safeguarding Children's Boards and the Safeguarding Adults Boards, to seek guidance on developing our safeguarding practices and dealing with allegations of harm that may have occurred at home or in other situations outside of our remit.

All policies and practices are reviewed annually to ensure that we have sound systems in place to minimise abuse of vulnerable adults and young people and to take action where abuse is suspected.

## **Definitions of abuse**

### **Physical abuse**

This may include 'hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions'. Children with special educational needs are more vulnerable to physical abuse.



Some of the recognised signs of physical abuse are:

- unexplained burns
- scratches
- bruising and abrasions
- drowsiness from misuse of medication; and
- anxiety in the presence of an abuser

### **Sexual abuse and sexual harassment**

This may include 'rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting'. Sexual harassment can be defined as any demeaning sexual act carried out on a person. This can be verbal or physical. Children with special educational needs are more vulnerable to sexual abuse and this must be considered by all tutors.

Some of the recognised signs of sexual abuse are:

- changes in behaviour
- bruising
- sexually transmitted diseases
- sexualised behaviour

### **Psychological/emotional abuse**

There is a strong similarity between the descriptions of these. Emotional abuse is generally described as an element of psychological abuse.

Psychological abuse may include emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Some of the recognised signs of psychological or emotional abuse are:

- fear
- passivity
- confusion
- apathy
- lack of eye contact
- low self-esteem
- disturbed sleep patterns
- reluctance to talk openly

### **Financial or material abuse**

This may include 'theft, fraud, exploitation or the misuse or misappropriation of property, possessions or benefits'

Some of the recognised signs of financial or material abuse are:

- loss of jewellery and personal property
- lack of money to purchase basic items
- a bill not being paid when money is entrusted to a third party
- inadequate clothing
- unexplained withdrawal of cash
- loss of money from a wallet or purse

### **Female Genital Mutilation (FGM)**

Female genital mutilation is any procedure that's designed to alter or injure a girl's (or woman's) genital organs for non-medical reasons. It is sometimes known as 'female circumcision' or 'female genital cutting.' It is mostly carried out on young girls. (DoH 2014) All staff are required to undertake online FGM awareness training. It is mandatory for all tutors to report disclosures on FGM about a female under the age of 18.

### **Peer-on-Peer**

Peer-on-Peer is when a young person is exploited/abused by their peer(s), the abuser is the same age, or close in age to the young person. At the very least, everyone directly involved in the abuse is under 18 years of age.

### **Cyber Abuse**

Whilst modern technology is embraced at the Academy, we are mindful of the potential for bullying to occur. All staff must undertake annual training in e-safety. In alignment with our general policies on anti-bullying, we stand by the belief that:

- a) all learners have a right not to be bullied and
- b) bullying is always unacceptable

### **Definition of Cyber-Bullying**

Whilst there is no legal definition of cyberbullying within UK law, in accordance with the Department for Education it can be described as: 'The use of Information and Communications Technology, particularly mobile phones and the internet, deliberately to upset someone else.' Adding that: "Upsetting someone can take a variety of forms. It can involve threatening, distressing or humiliating a target, and, as such, encompasses a wide range of behaviours".

The following categories are considered as cyber-bullying:

- bullying by texts or messages or calls on mobile phones
- the use of mobile phone cameras to cause distress, fear or humiliation
- posting threatening, abusive, defamatory or humiliating material on websites, to include blogs, personal websites, social networking sites
- using e-mail to message others
- hijacking/cloning email accounts
- making threatening, abusive, defamatory or humiliating remarks in chat rooms

The Academy uses appropriate security systems to restrict access to harmful or explicit material including firewalls and anti-virus software. Where appropriate, the Academy audits ICT communications and regularly reviews the security arrangements in place.

All cases of Cyber Abuse and Cyberbullying should be reported to the Designated Safeguarding person.

### **Neglect and acts of omission**

This may include 'ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate heating and nutrition'

Some of the recognised signs of neglect and acts of omission are:

- dehydration
- infections
- malnutrition
- hypothermia

### **Hate Crime**

This may include abuse, bullying and harassment based on the individual's age, sex, disability, religion, race or ethnicity or sexual orientation. A hate crime is when someone is targeted as a direct result of their disability, sexual orientation, gender-identity, race, religion or belief. (Police & Crime Commissioner 2016)

### **Forced Marriage/Honour Violence/Killings**

A 'forced' marriage is distinct from a consensual 'arranged' marriage because it is without the valid consent of both parties and where duress is a factor. A student who is forced into marriage is at risk of significant harm through physical, sexual and emotional abuse. Information about a forced marriage may come from the student themselves, or the student's peer group, a relative or member of the student's local community or from another professional.

Forced marriage may also become apparent when other family issues are addressed, e.g. domestic violence, self harm, child abuse or neglect, family/young person conflict, a student absent from the Group or a missing/runaway. Forced marriage may involve the student being taken out of the country for the ceremony, is likely to involve non- consensual and or under-age sex and refusal to go through with a forced marriage has sometimes been linked to 'honour killing'. Young men as well as women are victims of forced marriage.

Honour based violence is an ancient cultural tradition that encourages violence towards family members who are considered to have dishonoured their family. It is rooted in domestic violence and is often a conspiracy of family members and associates meaning victims are a risk from their parents and families.

Group staff should respond to suspicions of a forced marriage or honour based violence by making a referral to Children's Social Care 0207 527 7400 and if the risk is acute, to the Police Child Abuse Investigation Team 020 7527 8102. Group staff should not treat any allegations of forced marriage or honour based violence as a domestic issue and send the student back to the family home. It is not unusual for families to deny that forced marriage is intended, and once aware of professional concern, they may move the student and bring forward both travel arrangements and the marriage.

For this reason, staff should not approach the family or family friends, or attempt to mediate between the student and family, as this will alert them to agency involvement.

Further information and advice can be obtained from the Forced Marriage Unit [www.fco.gov.uk/forcedmarriage](http://www.fco.gov.uk/forcedmarriage) or 020 70080151 and the Honour Based Violence Helpline

## Radicalisation and Extremism

These definitions are taken from the HM Government Prevent Strategy 2011 and the Academy's duties under the Counter Terrorism and Security Act 2015. All staff are required to undertake an annual online Prevent training and assessment.

Radicalisation is defined as the process by which people come to support terrorism and extremism and, in some cases, to then participate on terrorist activity.

Extremism is 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. We also include in our definition of extremism calls for the death of members of the armed forces.

Children and young people can be drawn into violence or they can be exposed to the messages of extremist groups through a number of different mediums. This can put the child or young person at risk of being drawn into criminal activity and has the potential to cause significant harm. There is no such thing as a 'typical extremist', and those involved come from a range of backgrounds and experiences. The following indicators have been provided to help professional's identify factors that may suggest a child or young person may be vulnerable to radicalisation.

- Family tensions, unstable home environment
- Social isolation, confusion over identity
- Migration
- Experience of racism or discrimination

A child or young person may be attracted to extremism because:

- They are trying to make sense of world events
- They feel that their culture or religion is under threat
- It makes them feel a sense of identity or belonging or being part of something
- They are looking for adventure or excitement; young people who exhibit risk taking behaviour may be attracted to the sense of danger
- They have a personal grievance or experience of racism or discrimination and feel they want to change things.
- They are under pressure from their peers who have links with these groups.

A child or young person who is in the process of being radicalised may display the following signs:

- A change in communication
- Refusal to listen to others
- Use the term us and them
- A change in language
- Distancing themselves, isolation and secretive behaviours
- Made new friends who have radical or extremist views
- Spending a lot of time online, accessing extremist literature and imagery
- Appearing angry about governmental policies, especially foreign policy
- Belief in conspiracy theories
- Owning mobile phones or devices you haven't given them

**Related documents:**

Prevent Policy

FGM Policy

Keeping Children Safe in Education, Statutory guidance for schools and colleges, September 2018.(Part one) Updates: KCSIE 2020, September 2021 (part 1 Annex)

Code of Conduct

Flowchart for Raising Safeguarding Concerns

The Care Act 2014