



[www.bdld.org.uk](http://www.bdld.org.uk)

# **Safeguarding Policy**

October 2019

## **Policy Statement**

BDLD is fully committed to safeguarding the welfare of all children, young adults, vulnerable adults and staff that are within its premises or remit. It recognises its responsibility to take all reasonable steps to promote safe practice and to protect children, young adults, vulnerable adults and staff from harm, abuse and exploitation. BDLD acknowledges its duty to act appropriately to any allegations, reports or suspicions of abuse.

Staff and contractors will endeavour to work together to encourage the development of an ethos which embraces difference and diversity and respects the rights of children, young adults, vulnerable adults and staff.

In implementing this safeguarding policy BDLD will:

- Ensure that all workers understand their legal and moral responsibility to protect children, young adults, vulnerable adults and staff from harm, abuse and exploitation;
- Ensure that all workers understand their responsibility to work to the standards that are detailed in this policy and work at all times towards maintaining high standards of practice;
- Ensure that all workers understand their duty to report concerns that arise about a child, young adult, vulnerable adult or a worker/contractor's conduct towards a child, young adult, vulnerable adult and staff to BDLD's safeguarding champion or deputy. BDLD has a safeguarding champion, Kevin Moore and a deputy, Bob Kitchin. This applies to all contracts delivered by BDLD.
- Ensure that the safeguarding champion or deputy understands his/her responsibility to refer any safeguarding concerns to the statutory safeguarding agencies (i.e. Police and/or Social Work);
- Ensure that any procedures relating to the conduct of workers are implemented in a consistent and equitable manner;
- Provide opportunities for all workers to develop their skills and knowledge particularly in relation to the welfare and protection of children, young adults, vulnerable adults and staff;
- Ensure that children, young adults, vulnerable adults and staff are enabled to express their ideas and views on a wide range of issues and will have access to BDLD's complaints procedure as required.
- Endeavour to keep up-to-date with national developments relating to the welfare and protection of children, young adults, vulnerable adults and staff.
- The Company's safeguarding procedures will detail the steps which will be followed where there are concerns that a child, young adults, vulnerable adults or staff could be experiencing abuse and/or neglect. The procedures will help to ensure a speedy and effective response for dealing with such concerns (see Appendix 2).

## **Section 1 - Introduction**

- 1.1 These procedures have been designed to ensure the welfare and protection of any child, young adult, vulnerable adult or staff member who accesses the services provided by BDLD. The procedures recognise that safeguarding can be a very difficult subject for workers to deal with to the extent that it is sometimes easier to close your eyes to what is happening or believe that it is somebody else's problem to deal with.
- 1.2 BDLD is committed to the belief that protecting children, young adults, vulnerable adults and staff is everybody's responsibility and therefore the aim here is to provide guidelines that will enable all workers and contractors to act appropriately to any concerns that arise in respect of a child, young adults, vulnerable adults and staff.

## Section 2 - Recognising the Signs and Symptoms of Abuse

- 2.1 It is important in this section to provide definitions of abuse under the umbrella headings of Physical Abuse, Emotional Abuse, Sexual Abuse and Neglect. More details are provided in Appendix 1.
- 2.2 BDL D will advise that all staff will need to familiarise themselves with these definitions.
- 2.3 BDL D will arrange for the appropriate members of staff to undertake training to gain a basic awareness of the signs and symptoms of child abuse. BDL D will ensure through its conflict resolution course that a module will be included on safeguarding for children, young adults, vulnerable adults and staff. All staff are required to complete the **Barnet Council** safeguarding module within their first month of employment.
- 2.4 BDL D recognises it is equally important that procedures provide some detail about how concerns about the safety of children, young adults, vulnerable adults and staff can come to light.
- 2.5 These include but are not restricted to:
- a) A child, young adult, vulnerable adult and staff alleges that abuse has taken place or that they feel unsafe;
  - b) A third party or anonymous allegation is received;
  - c) The appearance, behaviour, play, drawing or statements of a child, young adults, vulnerable adults and staff cause's suspicion of abuse and/or neglect;
  - d) A child, young adults, vulnerable adults and staff reports an incident(s) of alleged abuse which occurred some time ago;
  - e) A report is made regarding the serious misconduct of a worker or contractor towards a child, young adults, vulnerable adults and staff.

## Section 3 - A Named Person(s) for Safeguarding

- 3.1 BDL D recognises that it should have in place a safeguarding champion who is responsible for dealing with safeguarding issues that may arise. A deputy has also been appointed who will be available in his absence.
- 3.2 These individuals will be trained in safeguarding and their responsibilities clearly stated within our procedures.
- 3.3 As BDL D grows, so will its delivery sites. We will therefore appoint individuals at each site who will be responsible for dealing with any safeguarding concerns. In their absence, a deputy will always be available for workers to consult with.
- 3.4 The named safeguarding champion and his deputy, with contact details, are listed below:

| CHAMPION    | DEPUTY      | EMAIL  | MOBILE NO.    |
|-------------|-------------|--|---------------|
| Kevin Moore |             | <a href="mailto:kevin@bdld.org.uk">kevin@bdld.org.uk</a> | 07592 815 320 |
|             | Bob Kitchin | <a href="mailto:bob@bdld.org.uk">bob@bdld.org.uk</a>     | 07910 392 603 |

3.3 The role and responsibilities of the Safeguarding Champion(s) are:

- a) To ensure that all staff are aware of what they should do and who they should go to if they are concerned that a child, young adult, vulnerable adult and staff may be subject to abuse or neglect.
- b) Ensure that any concerns about a child, young adults, vulnerable adults and staff are acted on, clearly recorded on BDL incident report, referred on where necessary and, followed up to ensure the issues are addressed.
- c) Record any reported incidents in relation to a child, young adults, vulnerable adult and staff or breach of safeguarding policies and procedures. This will be kept in a secure place and its contents will be confidential.

#### **Section 4 - Stages to follow if you are worried about a Child, Young Person or Vulnerable Adult**

4.1 The following section should provide clear guidelines for workers to follow if they have concerns about a child, young adult, vulnerable adult and/or staff member. BDL has incorporated a flowchart outlining these stages which make it easier for staff to follow (see Appendix 2).

4.2 BDL recognises that it has a duty to act on reports or suspicions of abuse. It also acknowledges that taking action in cases of abuse of children, young adults, vulnerable adults and staff is never easy. However BDL believes that the safety of a child, young adults, vulnerable adults and staff should override any doubts or hesitations. When worrying changes are observed in the behaviour, physical condition or appearance of a child, young adults, vulnerable adults and staff will:

##### **Stage 1**

- Never investigate or take sole responsibility for a situation where a child, young adults, vulnerable adults and staff makes a disclosure;
- Notify BDL's safeguarding champion or deputy for safeguarding protection.
- Record what was said as soon as possible after any disclosure. The person who receives the allegation or has the concern should complete the incident report and ensure it is signed and dated.
- Respect confidentiality and keep documents secure.

##### **Stage 2**

- The safeguarding champion or deputy will take immediate action if there is a suspicion that a child, young adult, vulnerable adult or staff member has been abused or likely to be abused.

#### **Section 5 - Managing Allegations made against a member of Staff or Contractor**

5.1 All Companies that come into contact with children, young adults, vulnerable adults and staff must have procedures in place to ensure that any allegation made against a member of staff or contractor is dealt with appropriately. The procedures reflect BDL's ethos of:

5.2 Listening to children, young adults, vulnerable adults and staff or their parents/carers and taking any concerns seriously. BDL is also committed to ensuring that workers feel safe to express their concerns about the practice of others.

- 5.3 BDL D will ensure that any allegations made against a member of staff or a contractor will be dealt with swiftly and in accordance with these procedures:
- a) BDL D will ensure that children, young adults, vulnerable adults and staff are safe and away from the person against whom the allegation is made.
  - b) The safeguarding champion or deputy should be informed immediately.
  - c) In the case of an allegation involving the safety champion or deputy, alternative arrangements should be sought to ensure that the matter is dealt with by an independent person. That person will be the Centre Manager or the Contracts Manager in the absence of the Centre Manager.
- 5.4 The individual who first received/witnessed the concern should make a full written record on BDL D incident report (HS08) of what was seen, heard and/or told as soon as possible after observing the incident/receiving the concern. It is important that the report is an accurate description.
- 5.5 The safeguarding champion or deputy (if appropriate) can support the worker during this process but must not complete the report for the worker. This report must be made available on request from either the police and/or social services.
- 5.6 Under no circumstances should any reports be submitted to third parties outside of BDL D without the authorisation from a member of BDL D's Senior Management Team.
- 5.7 BDL D's Safeguarding Lead will review all cases received and determine whether formal reporting to the Authority is required.
- 5.8 Regardless of whether a police and/or social services investigation follows, BDL D will ensure that an internal investigation takes place and consideration is given to the operation of disciplinary procedures. This may involve an immediate suspension and/or ultimate dismissal dependant on the nature of the incident.

## **Section 6 - Recording and Managing Confidential Information**

- 6.1 An incident report ('HS08') for recording concerns/allegations of abuse, harm and neglect is available on request from the Director. The person who receives the allegation or has the concern should complete the incident report.
- 6.2 BDL D recognises that in recording concerns/allegations the level of confidentiality in dealing with those concerns/allegations must be maintained for all those involved in the process. Documentation and incident reports will be kept secure and only the safeguarding champion or deputy and BDL D's Senior Management Team will have access to the records.

## Appendix 1

### Definitions

**Physical Abuse:** May involve hitting, shaking, throwing, poisoning, burning or scalding, -drowning, suffocating, or otherwise causing physical harm to a child, young adults, vulnerable adults and staff.

Physical harm may also be caused when a parent/carer fabricates the symptoms of, or deliberately induces illness in a child, young adult, vulnerable adult and staff.

**Emotional Abuse:** The persistent emotional maltreatment of a child, young person or vulnerable adult, such as to cause severe and persistent adverse effects on their emotional development.

It may involve conveying to children, young adults, vulnerable adults and staff that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person.

It may feature age or developmentally inappropriate expectations being imposed on children, young adults, vulnerable adults and staff.

These may include interactions that are beyond the developmental capability of children, young adults, vulnerable adults and staff, as well as overprotection and limitation of exploration and learning, or preventing the child, young adults, vulnerable adults and staff from participating in normal social interaction.

It may involve seeing or hearing the ill-treatment of another.

It may involve serious bullying, causing children, young adults, vulnerable adults and staff frequently to feel frightened or in danger, or the exploitation or corruption of children, young adults, vulnerable adults and staff.

Some level of emotional abuse is involved in all types of maltreatment of children young adults, vulnerable adults and staff though it may occur alone.

**Sexual Abuse:** Involves forcing or enticing a child or young adults, vulnerable adults and staff to take part in sexual activities, including prostitution, whether or not the child, young adults, vulnerable adults and staff is aware of what is happening.

The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non- penetrative acts.

They may include non-contact activities, such as involving children, young adults, vulnerable adults and staff in looking at, or in the production of, sexual online images, watching sexual activities, or encouraging children, young adults, vulnerable adults and staff to behave in sexually inappropriate ways.

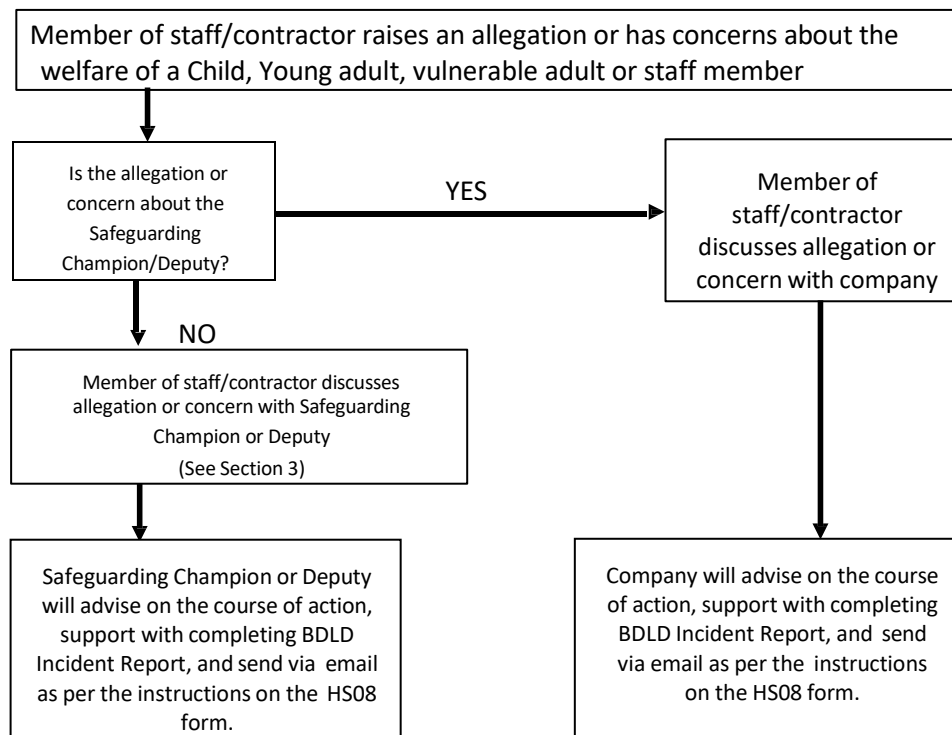
**Neglect:** Is the persistent failure to meet children, young adults, vulnerable adults and staff basic physical and/or psychological needs, likely to result in the serious impairment of their health or development.

Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment).
- Protect children, young adults, vulnerable adults and staff from physical and emotional harm or danger.
- Ensure adequate supervision (including the use of inadequate caregivers).
- Ensure access to appropriate medical care or treatment it may also include neglect of, or unresponsiveness to, children, young adults, vulnerable adults and staff's basic emotional needs.

## Appendix 2

### Decision Making Flowchart





## Appendix 3

### Company Support

If you have concern that a child, young adults, vulnerable adults and staff is being harmed as a result of abuse or neglect, you must not keep these concerns to yourself.

Keeping children, young adults, vulnerable adults and staff safe is everyone's responsibility.

You need to ensure that you speak to the appropriate Company representative i.e. safeguarding champion or deputy who will listen to and record your concern, and then take appropriate action.

The relevant numbers that you can ring for advice and to make a referral are:

- During office hours (9.00 - 5.00 Monday to Friday) call **THE SAFEGUARDING CHAMPION OR DEPUTY** to refer any child, young adults, vulnerable adults and staff in need, including safeguarding concerns. See section 3.

## **Safeguarding in Recruitment Policy**

### **1. Introduction**

BDLD is committed to safeguarding children and vulnerable groups. To reduce risk and help ensure the Organisation only employs those who are suitable to work with these groups the following measures have been introduced and apply to all employees, volunteers and visitors to BDLD.

### **2. Pre – employment checks**

Prior to a new employee starting work with the Organisation the following checks are carried out by the Safeguarding Lead:

- Barring lists check for staff in Regulated Activity
- References
- Medical clearance

#### **2.1 Barring Lists check**

A Barring Lists check will be undertaken for all staff in Regulated activity. The Barring Lists contain the names, dates of birth and National Insurance numbers of people whose employment has been barred or restricted by the Secretary of State in terms of working with children or vulnerable groups. It is an offence for the Organisation to knowingly appoint someone to a post from which they have been barred.

#### **2.2 References**

Details of at least two referees are required one of which must be from the current or most recent employer and wherever possible, at least one of the referees should be able to comment on the applicant's suitability to work with children and vulnerable adults. (All referees should be asked about the candidate's suitability for the role in question and whether the referee knows any reason why the applicant should not work with children and vulnerable adults). A minimum of one satisfactory reference from the current or most recent employer must be obtained prior to the individual commencing employment with the Organisation.

#### **2.3 Medical Clearance**

All successful applicants complete a short medical questionnaire indicating their sickness absence from work over the last 2 years and whether they have any underlying medical conditions which may affect them at work. Depending upon the responses given a more detailed questionnaire may be sent to the individual for consideration. In these circumstances medical clearance must be obtained prior to the individual concerned commencing employment with the Organisation.

### **3. First day of employment checks**

New employees are required to bring the following information to the Safeguarding Lead on their first day of employment:

- Proof of their identity;
- Their right to work in the UK;
- Relevant qualifications
- A completed DBS Disclosure application form and accompanying documentation.

#### **3.1 Proof of Identity**

The Organisation will ask to see proof of identity such as a birth certificate, driving licence, or passport combined with evidence of an address. Proof of identity documents should

include some form of photographic identity (except where for exceptional reasons none is available). Such Proof of identity is also required in connection with an application for a DBS Disclosure.

### **3.2 Right to work checks**

All new employees must have evidence that they have permission to work in the UK and to do the type of work that has been offered to them. Details of the type of documentation required by the Organisation is provided by the Home Office and sent to the employee with their appointment letter.

### **3.2 Qualifications**

For all posts where professional or teaching qualifications are an essential requirement the original qualifications must be shown on the first day of employment. Photocopies of these qualifications will be retained on the employee's personal file.

### **3.3 DBS Disclosure**

All new employees (including self-employed), of the Organisation are required to apply for a Criminal Records Background (DBS) Enhanced Disclosure.

#### **3.3.1 Regulated Activity**

All posts within the Organisation defined as containing 'regulated' activity will be identified

#### **3.3.2 Regulated activity includes:**

- Unsupervised activities: teaching, training, instruction, care for or supervise or advise on well-being.
- Work for establishments 'specified places' with opportunity for contact, e.g. schools, homes, childcare premises and is carried out frequently, intensively and/or overnight.

Activity that is carried out "intensively" means it takes place on four or more days in a 30-day period or overnight.

#### **3.3.3 New employees who have lived outside the United Kingdom**

New employees who have lived outside the UK will undergo the same checks as for all other staff. In addition to these the Organisation will conduct any further checks it considers appropriate in line with DfES guidance. This is due to DBS Disclosures not generally showing offences committed by individuals whilst living abroad. Therefore, in addition to an Enhanced DBS Disclosure, additional checks such as obtaining certificates of good conduct from relevant embassies or police forces are necessary and will be sought by the Organisation.

#### **3.3.4 Supervision arrangements pending an Enhanced DBS Disclosure**

In the event that it has not been possible to obtain an Enhanced DBS Disclosure before an individual commences employment in a role that contains regulated activity, the Director or their nominee has discretion to allow an employee to begin work pending receipt of the DBS Disclosure. However, the Director or their nominee can only allow the employee to commence work in the event that the individual is appropriately supervised and that all other checks, including Barring Lists, references and medical clearance have been completed.

For those employees who commence work pending an enhanced DBS Disclosure the Organisation will put in place appropriate supervision arrangements by carrying out a risk

assessment as detailed in appendix A of this procedure.

#### **4. Fraudulent Applications**

Fraud or deception in connection with an application for employment may amount to a criminal offence (Obtaining Pecuniary Advantage by Deception). In such cases the Organisation in addition to any planned disciplinary action will consider reporting the matter to the police. The case will also be reported to the Secretary of State.

#### **5. The Central Record**

The Disclosure information is kept in secure conditions and is destroyed, by secure means, as soon as it is no longer needed. Disclosure information will be kept for a maximum of 6 months after receipt from the DBS. Before the Disclosure is destroyed, a record will be kept detailing:

- the date the Disclosure was obtained;
- who obtained it (including whether it was an agency);
- the level of the Disclosure;
- the unique Disclosure reference number

The central record also indicates that following checks have been completed:

- Identity checks;
- Qualification checks for any qualifications legally required for the job e.g. those posts where a person must have QTS.
- Right to work in the United Kingdom;
- Barring Lists check;
- Further overseas records checks where appropriate

The record also shows the date on which each check was completed or the relevant certificate obtained, and also shows who carried out the check. The record will also indicate whether or not the role involves regularly caring for, training, supervising, or being in sole charge of children and/or vulnerable adults.

## **Supervision Arrangements Pending DBS Disclosure**

### **1. Introduction**

Any person employed by the Organisation in a role that involves 'regulated activity' i.e. contact with children and vulnerable Groups and includes teaching, training, supervision or advice is required to have an Enhanced DBS Disclosure. For a role that includes regulated activity the Organisation seeks to obtain an Enhanced DBS Disclosure with barring list checks before an individual commences employment. However, if this has not been possible the Director or their nominee has discretion to allow an individual to begin work pending receipt of the DBS Disclosure. At BDL this discretion has been delegated to Curriculum Area Managers and Departmental Managers. The individual is then allowed to start work if they are appropriately supervised and all other checks, including: barring lists, references and medical clearance have been completed.

### **2. Supervision Arrangements**

Supervision arrangements for individuals who start work prior to the result of a DBS Disclosure need to reflect or take account of:

- What is known about the person concerned, their experience, job role and the level of responsibility.
- For those with limited experience the level of supervision required may be high.
- For those with more experience and where the references are detailed and provide strong evidence of good conduct in previous relevant work a lower level of supervision may be appropriate.
- It must be made clear to the member of staff concerned that they are subject to this additional supervision.
- The nature of the supervision should be specified and the roles of staff undertaking the supervision clearly identified.
- Employees under supervision should not be alone with students in 1:1 situations e.g. tutorials.
- The line manager is required to know the location of the new member of staff at all times including non-contact time.
- The new member of staff must understand their personal responsibility not to put themselves in a situation where they are alone with individual students.
- The arrangements should be reviewed regularly by the appropriate line manager (e.g. Curriculum Area Manager), at least every two weeks until the DBS Disclosure is received.

### **3. Risk Assessment: Supervision Pending DBS Disclosure**

Where supervision is required the line manager of the individual concerned must complete a Risk Assessment: Supervision Pending DBS Disclosure (Appendix A) and send it the Safeguarding Lead for reference, barring lists and medical checks to be completed. The Risk Assessment is then authorised by the Curriculum Area Manager or Department Manager. The individual cannot commence employment until the supervision arrangements have been authorised. Copies of the completed risk assessment will be sent to the Line Manager and the employee. The original record of the risk assessment will be retained on the employee's personal file until receipt of the DBS Disclosure.

### **4. Receipt of DBS Disclosure**

On receipt of a satisfactory Disclosure, the Safeguarding Lead will notify the employee that supervision arrangements are no longer required. If the Disclosure is returned and contains disclosed information a further risk assessment will be undertaken by the Director or their nominee to determine whether the individual concerned can remain an employee of the Organisation.

RISK ASSESSMENT: SUPERVISION PENDING DBS DISCLOSURE

Name of Line Manager .....

Name of employee.....

Job Role.....

Proposed Start Date .....

1. What experience does the new member of staff have of working with children under the age of 18 and /or vulnerable groups?
2. What will be the nature of their duties in relation to children under the age of 18 and/or vulnerable groups?
3. Will the individual concerned have unsupervised access with any of the above groups?  
  
YES/NO  
  
If YES, state the level and frequency
4. Outline the supervisory arrangements that are proposed in respect of this individual. (The nature of the supervision should be specified and the roles of staff undertaking the supervision should be clearly identified here).

Signed..... Line Manager Date .....

