**Safeguarding Policy**

**(Including Child Protection and the Safeguarding of Vulnerable Adults)**

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**A General Policy Statement**

Succeed has a statutory and moral duty to ensure that the company functions with a view to safeguarding and promoting the welfare of children receiving education and training at Succeed. It recognises its role, along with other local services, in facilitating the well-being of children.

Succeed embraces and will promote the five expected outcomes for children and young people as set out in the Ofsted Common Inspection Framework.

* Enjoying a healthy lifestyle
* Staying safe
* Enjoying and achieving
* Making a positive contribution
* Achieving economic well-being.

Throughout these policies and procedures, reference is made to “children and young or vulnerable people”. This term ‘children’ is used to mean “those under the age of 18”.

The company recognise that some adults are also vulnerable to abuse, accordingly, the procedures may be applied (with appropriate adaptations) to allegations of abuse and the protection of young or vulnerable adults.

The company is committed to ensuring that it:

 Provides a safe environment for all of its students to learn in

 Identifies children and young or vulnerable people who are suffering, or likely to suffer, significant harm, and

 Takes appropriate action to help ensure that such children and young or vulnerable people are kept safe, both at home and at Succeed.

In pursuit of these aims, the company will approve and annually review policies and procedures with the aim of:

 Raising awareness of issues relating to the welfare of children and young or vulnerable people and the promotion of a safe environment for the children and young or vulnerable people learning within Succeed

 Aiding the identification of children and young or vulnerable people at risk of significant harm, and providing procedures for reporting concerns

 Establishing procedures for reporting and dealing with allegations of abuse against members of staff

 The safe recruitment of staff through the use of recognised assessment agencies

In developing the policies and procedures, the company will consult with, and take account of, guidance issued by the Department for Education and Skills and other relevant bodies and groups.

The company will refer concerns that a child or young or vulnerable person might be at risk of significant harm to Social Services or an appropriate agency.

A group of managers will undertake appropriate training in Child Protection issues, and those affecting young or vulnerable people, and the Head of Administration or will maintain a register of those members of staff who have received training.

The Head of Administration and all staff working with children and young or vulnerable people will receive training adequate to familiarise them with protection issues and responsibilities and the company procedures and policies, with refresher training at least every 3 years. There will be a senior member of the Succeed management team with lead responsibility for protection issues (the designated senior member of staff with lead responsibility for the protection of children and young or vulnerable people). He/she will be supported by a designated member of staff at each of the companies with special responsibility for protection issues.

The company will receive from the designated senior member of staff with lead responsibility for the protection of children and young or vulnerable people an annual report that reviews how the duties have been discharged.

The company recognises the following as definitions of abuse:

**Physical Abuse**

Physical abuse causes harm to a person. It may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning or suffocating. It may be done deliberately or recklessly, or be the result of a deliberate failure to prevent injury occurring.

**Neglect**

Neglect is the persistent or severe failure to meet a person’s basic physical and/or psychological needs. It will result in serious impairment of the person’s health or development.

**Sexual Abuse**

Sexual abuse involves a person being forced or coerced into participating in or watching sexual activity. It is not necessary for the person to be aware that the activity is sexual and the apparent consent of the person is irrelevant.

**Emotional Abuse**

Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the person’s behavior and emotional development, resulting in low self-worth. Some level of emotional abuse is present in all forms of abuse.

**B Designated Staff with Responsibility for Safeguarding**

Senior Staff Member with Lead Responsibility

The designated senior member of staff with lead responsibility for safeguarding issues is **Andrew Mackenzie (Head of Administration).**

This person is a senior member of the Succeed management team. He/she has a key duty to take lead responsibility for raising awareness within the staff of issues relating to the welfare of children and young or vulnerable people, and the promotion of a safe environment for the children and young or vulnerable people learning within the Succeed.

He/she has received training in child and young or vulnerable learner protection issues and inter-agency working and will receive refresher training at least every 3 years. He/she should keep up to date with developments in all relevant protection issues.

The designated senior member of staff is responsible for:

 Overseeing the referral of cases of suspected abuse or allegations to the relevant investigating agencies

 Providing advice and support to other staff on issues relating to child and young or vulnerable people’s protection

 Maintaining a proper record of any protection referral, complaint or concern (even where that concern does not lead to a referral)

 Ensuring that parents of children and young or vulnerable people within the company are aware of the Succeeds protection policy

 Liaising with the appropriate agencies

 Liaising with employers and training organisation’s that receive children or young or vulnerable people from the Succeed on long term placements to ensure that appropriate safeguards are put in place

 Ensuring that staff receive basic training in protection issues and are aware of the

Succeed protection procedures.

The designated senior member of staff will provide an annual report to the company setting out how the Succeed has discharged its duties. He/she is responsible for reporting deficiencies in procedure or policy identified by the SFA (or others) to the company at the earliest opportunity.

Designated Staff Members

Other designated members of staff with responsibility for safeguarding issues are **Lou Pearce**.

These designated staff members:

 Report to the senior member of staff with lead responsibility

 Will know how to make an appropriate referral

 Will be available to provide advice and support to other staff on issues relating to safeguarding

 Have particular responsibility to be available to listen to children and young or vulnerable people studying at the Succeed

 Will deal with individual cases, including attending case conferences and review meetings as appropriate.

 Have received training in child protection issues and inter-agency working, as required by the SFA, and will receive refresher training at least every 3 years

Designated Directors

Designated Directors are responsible for liaising with the Head of Administration and Senior Staff Member with Lead Responsibility over matters regarding protection, including:

 Ensuring that the Succeed has procedures and policies which are consistent with the

Area Child Protection Committee’s procedures

 Ensuring that the company considers Succeed’s policy on protection each year

 Ensuring that each year the company is informed of how Succeed and its staff have complied with the policy, including but not limited to a report on the training that staff have undertaken.

Designated Directors are responsible for overseeing the liaison between agencies in connection with allegations against the Head of administration or the Senior Staff Member with Lead Responsibility. This will not involve undertaking any form of investigation, but will ensure good communication between the parties and provide information to assist enquiries.

To assist in these duties, Designated Directors shall receive appropriate training.

The Designated Directors will meet termly with the Senior Staff Member with Lead

Responsibility, and a designated member of staff will attend to record the meetings.

In line with the procedures set out within the Instrument and Articles of Government for staff suspension and disciplinary matters, the Head of Administration, staff and student are not eligible to be nominated as Designated Directors. In light of their potential role during procedures involving allegations of abuse, the Chair or Vice Chair are not eligible to be nominated as Designated Directors.

**C Dealing with Disclosure of Abuse and Procedure for Reporting Concerns**

If a child or young person tells a member of staff about possible abuse: Listen carefully and stay calm.

Do not interview the child or person concerned, but question normally and without pressure, in order to be sure that you understand what they are telling you.

Do not put words into the child or person’s mouth.

Reassure them that by telling you, they have done the right thing.

Inform them that you must pass the information on, but that only those that need to know about it will be told. Inform them of to whom you will report the matter.

Note the main points carefully.

Using the Child and Vulnerable Adult Protection Concern form make a detailed note of the date, time, place, what the child or person said, did and your questions etc.

Staff should not investigate concerns or allegations themselves, but should report them immediately to the Designated Person or, in his/her absence, to a designated member of staff at one of the company’s sites with special responsibility for protection issues.

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

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

**1 Introduction**

1.1 In rare instances, staff of education institutions have been found responsible for abuse.

Because of their frequent contact with children and young or vulnerable people, staff may have allegations of abuse made against them. The company recognises that an allegation of abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind, and that investigations are thorough and not subject to delay.

1.2 The company recognises that statute states that the welfare of the child is the paramount concern, and that this is equally applicable to young or vulnerable adults. It is also recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual’s reputation, confidence and career. Therefore, those dealing with such allegations within the company will do so with sensitivity and will act in a careful, measured way.

**2 Receiving an Allegation**

2.1 A member of staff who receives an allegation about another member of staff should follow the guidelines in Part C for dealing with disclosure

2.2 The allegation should be reported immediately to the Head of Administration, unless the Head of Administration is the person against whom the allegation is made, in which case the report should be made to the Senior Staff Member with Lead Responsibility or a Designated Director. The Head of Administration (or designated person if the allegation is against the Head of Administration) should:

2.2.1 Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the Head of Administration (or designated person).

2.2.2 Record information about times, dates, locations and names of potential witnesses.

**3 Initial Assessment by The Head of Administration (or designated person)**

3.1 The Head of Administration (or designated person) should make an initial assessment of the allegation, consulting with the Senior Staff Member with Lead Responsibility, a Designated Director and the Area Child Protection Committee as appropriate. **Where the allegation is considered to be either a potential criminal act or indicates that the child or person has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the appropriate supporting agencies.**

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

3.3 Other potential outcomes are:

3.3.1 The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the child or person. The matter should be addressed in accordance with the company disciplinary procedures.

3.3.2 The allegation can be shown to be false because the facts alleged could not possibly be true.

**4 Enquiries and Investigations**

4.1 Child or young or vulnerable adult protection enquiries by social services or the police are not to be confused with internal, disciplinary enquiries by the company. The company may be able to use the outcome of external agency enquiries as part of its own procedures. The child protection agencies, including the police, have no power to direct the company to act in a particular way, however, the company should assist the agencies with their enquiries.

4.2 Succeed shall hold in abeyance its own internal enquiries while the formal police or social services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform with the existing staff disciplinary procedures.

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

4.4 Subject to objections from the police or other investigating agency, the Head of Administration (or designated person) shall:

4.4.1 inform the child/children/person or people or parent/carer making the allegation that the investigation is taking place and what the likely process will involve.

4.4.2 ensure that the parents/carers of a child making the allegation have been informed that the allegation has been made and what the likely process will involve.

4.4.3 inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve.

4.4.4 inform the CEO and/or a designated director of the allegation and the investigation.

4.5 The Head of Administration (or designated person) shall keep a written record of the action taken in connection with the allegation.

**5 Suspension of Staff**

5.1 Suspension should not be automatic. In respect of staff other than the Head of Administration, suspension can only be carried out by the Head of Administration or a Senior Postholder. In respect of the Head of Administration, suspension can only be carried out by the CEO (or in his/her absence, the Head of Administration).

5.2 Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary, act and shall be on full pay. Consideration should be given to alternatives: eg paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.

5.3 Suspension should only occur for a good reason. For example:

5.3.1 where a child or young or vulnerable adult is at risk.

5.3.2 where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.

5.3.3 where necessary for the good and efficient conduct of the investigation.

5.4 If suspension is being considered, the member of staff should be encouraged to seek advice, for example from a trade union.

5.5 Prior to making the decision to suspend, the Head of Administration (or CEO) should interview the member of staff. This should occur with the approval of the appropriate agency. In particular, if the police are engaged in an investigation the officer in charge of the case should be consulted.

5.6 The member of staff should be advised to seek the advice and/or assistance of his/her trade union and should be informed that they have the right to be accompanied by a friend. The member of staff should be informed that an allegation has been made and that consideration is being given to suspension. It should be made clear that the interview is not a formal disciplinary hearing, but solely for raising a serious matter which may lead to suspension and further investigation.

5.7 During the interview, the member of staff should be given as much information as possible, in particular the reasons for any proposed suspension, provided that doing so would not interfere with the investigation into the allegation. The interview is not intended to establish the member of staff’s innocence or guilt, but give the opportunity for the member of staff to make representations about possible suspension. The member of staff should be given the opportunity to consider any information given to him/her at the meeting and prepare a response, although that adjournment may be brief.

5.8 If the Head of Administration (or CEO) considers that suspension is necessary, the member of staff shall be informed that he/she is suspended from duty. Written confirmation of the suspension, with reasons, shall be dispatched as soon as possible, and ideally within one working day.

5.9 Where a member of staff is suspended, the Head of Administration (or CEO) should address the following issues:

5.9.1 the Chair should be informed of the suspension in writing.

5.9.2 the Governing Body should receive a report that a member of staff has been suspended pending investigation, the detail given to the governing body should be minimal

5.9.3 where the Head of Administration has been suspended, the CEO will need to take action to address the management of the company

5.9.4 the parents/carers of a child making the allegation should be informed of the suspension, as should a young or vulnerable adult making the allegation. They should be asked to treat the information as confidential. Consideration should be given to informing a child making the allegation of the suspension

5.9.5 senior staff who need to know of the reason for the suspension should be informed

5.9.6 depending on the nature of the allegation, the Head of Administration should consider with the nominated Director whether a statement to the students of the company and/or parents/carers should be made, taking due regard of the need to avoid unwelcome publicity

5.10 The Head of Administration shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The external investigating authorities should be consulted.

5.11 The suspended member of staff should be given appropriate support during the period of suspension. He/she should also be provided with information on progress and developments in the case at regular intervals.

5.12 The suspension should remain under review in accordance with Succeed disciplinary procedures.

**6 The Disciplinary Investigation**

6.1 The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures.

6.2 The member of staff should be informed of:

6.2.1 the disciplinary charge against him/her.

6.2.2 his/her entitlement to be accompanied or represented by a trade union representative or friend.

6.3 Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension should be lifted immediately and arrangements made for the member of staff to return to work. It may be appropriate to offer counselling.

6.4 The child or children, person or people making the allegation and/or their parents as appropriate should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to Succeed of the member of staff (if suspended).

6.5 The Head of Administration (or designated person) should give consideration to what information should be made available to the general population of the Succeed.

**7 Allegations without foundation**

7.1 Obviously false allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to a referral to the Area Child Protection Committee in order that other agencies may act upon the information.

7.2 In consultation with the designated senior member of staff and/or a designated

Director, the Head of Administration shall:

7.2.1 inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or child protection action will be taken. Consideration should be given to offering counselling/support.

7.2.2 inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.

7.2.3 where the allegation was made by a child other than the alleged victim, consideration to be to given to informing the parents/carers of that child.

7.2.4 prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.

**8 Records**

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

8.2 If a member of staff is dismissed or resigns before the disciplinary process is completed, he/she should be informed about Succeed’s statutory duty to inform the statutory body under the current legislative safe recruitment procedures.

**9 Monitoring Effectiveness**

9.1 Where an allegation has been made against a member of staff, the nominated Director, together with the senior staff member with lead responsibility should, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of Succeed’s procedures and/or policies and/or which should be drawn to the attention of the agency. Consideration should also be given to the training needs of staff.

**E Recruitment and Selection Procedures**

Succeed will ensure that:

Appropriate checks are applied to staff and volunteers who may work with children and young or vulnerable adults.

Posts and roles are clearly defined.

Key selection criteria for the post or role are identified.

Vacancies are advertised widely in order to ensure a diversity of applicants. Documentary evidence of academic/vocational qualifications is obtained. Professional and character references are obtained.

Previous employment history is verified.

For statutory disclosure checks the training provider will ensure sensitive and confidential use of the applicant’s disclosure.

A variety of selection techniques (eg qualifications, previous experience, interview, reference checks) are used.