

## 1. Safeguarding Policy Statement

- 1.1 AGILE GROUP will carry out its responsibilities under all relevant legislation, regulations and formal guidance for the protection of children and vulnerable adults.
- 1.2 AGILE GROUP holds as one of its highest priorities the health, safety and welfare of all children and vulnerable adults involved in courses or activities which come under the responsibility of the AGILE GROUP.
- 1.3 AGILE GROUP and its staff have a collective and individual duty to ensure that its staff fulfils their responsibilities to safeguard and promote the welfare of children and vulnerable adults, and to prevent child abuse and to report any abuse discovered or suspected.
- 1.4 AGILE GROUP will advise all parents/ guardians/ carers of learner's under18 of the existence of the AGILE GROUP's Safeguarding Policy and Procedures, and the fact that this may require cases to be referred to the investigative agencies in the interests of the child.
- 1.5 AGILE GROUP will advise children and vulnerable adults who are students about the standards of behaviour and conduct they can expect from staff and volunteers and of what to do if they experience or suspect abuse.
- 1.6 AGILE GROUP will work with appropriate local agencies, and in particular Local Safeguarding Children's Boards (LSCBs), to ensure that children are safeguarded through the effective operation of the AGILE GROUP's safeguarding procedures.
- 1.7 AGILE GROUP recognises that any child and vulnerable adult can be subject to abuse and all allegations of abuse will be taken seriously and treated in accordance with AGILE GROUP's procedures.
- 1.8 AGILE GROUP recognises that it is the responsibility of all staff to act upon any concern no matter how small or trivial it may seem.
- 1.9 AGILE GROUP recognises its responsibility to implement, maintain and regularly review the procedures that are designed to prevent or notify suspected abuse.
- 1.10 AGILE GROUP requires all staff to follow the Code of Behaviour on Children and Vulnerable Adult Protection, which is appended to this policy document, and will draw the attention of staff to this code of conduct and procedures in induction and relevant training.
- 1.11 AGILE GROUP is committed to supporting, resourcing and training those who work with, or who come into contact with, children and vulnerable adults and to providing appropriate supervision.
- 1.12 AGILE GROUP will prepare and implement an action plan to ensure that it fulfils its duties to protect children and vulnerable adults.

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## 2. Scope

This policy deals with the protection of children and vulnerable adults. Children are those under 18 years of age and will include those aged 16 - 18 on Apprenticeship courses.

## 3. Key Principals

### Statutory Framework

- 3.1 The Children Act 1989 provides the legal framework for the protection of children in the UK. Under the Children Act a child is defined as any person under 18 years of age.
- 3.2 The Protection of Children Act 1999 requires employers to carry out Criminal Record Checks before employees are allowed to come into contact with children and Vulnerable Adults. AGILE GROUP is required under this legislation to apply for an enhanced disclosure from the Criminal Records Bureau for staff working with such learners.
- 3.3 Working Together to Safeguard Children, 1999 is a Government Guidance document which sets out how all agencies and professionals should work together to promote children and Vulnerable Adults welfare and protect them from abuse and neglect and requires all employees to follow the procedures for protecting children from abuse. The guidance makes clear that employees are also expected to ensure that they have appropriate procedures in place for responding to situations in which they believe that a child has been abused or is at risk of abuse –these procedures should cover circumstances in which a member of staff is accused or suspected of abuse.
- 3.4 DfES Safeguarding Children in Education (2004) derives from the Education Act 2002 and places the following responsibilities on all educational Organisations:
  - a. Staff should be alert to signs of abuse and know to whom they should report any concerns or suspicions.
  - b. A Designated Senior Person (DSP) should have responsibility for co-ordinating action within the AGILE GROUP and for liaising with other agencies.
  - c. Staff with designated responsibility for child and Vulnerable Adult protection should receive appropriate training.
  - d. Educational Organisations should be aware of and follow the procedures established by the LSCBs and, where appropriate, by the Local Education Authority or Children's Social Care (England) /Social Services Department (Scotland).
  - e. Educational Organisations should have procedures, of which all staff are aware, for handling suspected cases of abuse of children, including procedures to be followed if a member of staff is accused of abuse. Circular 10/95 also states that "parents should be made aware of the (educational Organisations) safeguarding policy and the fact that this may require cases to be referred to the investigative agencies in the interests of the child."

AGILE GROUP follows the detailed guidelines set out in Circular 10/95 in dealing with all cases of abuse or suspected abuse against children. Section 175 of the Education Act 2002 This section of the Act requires providers to

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safeguard and promote the welfare of child and Vulnerable Adults. AGILE GROUP will follow any guidance issued on this section of the Act. The AGILE GROUP will keep its policy and procedures on safeguarding under review to take account of any new Government legislation, regulations or best practice documents to ensure that staff are kept fully up to date with their responsibilities and duties with regard to the safety and well-being of children and Vulnerable Adults.

3.5 Local Safeguarding Children Boards bring together all services for children and young people in a local area to focus on improving outcomes for all children and young people. The outcomes that are most important to children and young people are:

- Being Healthy
- Staying safe
- Enjoying and achieving
- Economic wellbeing
- Making a positive contribution

## 4. Monitoring and Review

This policy will be monitored through update reports presented to the Apprenticeship Senior Management Team and will be formally reviewed annually. In addition, these policies will be reviewed by a working group of apprentices at least on an annual basis. The purpose of this review will be to provide opportunity for feedback and recommendations to support AGILE GROUP in providing a safe and open environment for all. This review will also ensure that all apprentices are familiar with the safeguarding policies and establish if that good communication and safeguarding information is in place across the programme.

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## Safeguarding Procedures

These procedures should be read in conjunction with the Department for Education and Skills document 'What to do if you're worried a child is being abused' Dec 2006.

### 1. Purpose

The purpose of these guidelines is to ensure that the rights of children and vulnerable adults are protected through staff awareness of the issues and the following of the statutory and local guidelines in the reporting of concerns.

It is the responsibility of all staff working within AGILE GROUP to record and report Child Protection concerns, i.e. where they believe a child has been or is at risk of abuse, neglect or significant harm. This responsibility extends to all staff and not just those specifically working with under 18s.

### 2. Definition of terms

The Safeguarding Policy describes the support and protection procedures for all learners under the age of 18, or vulnerable learners over this age, who may be “at risk” of abuse.

#### 2.1 The definition of a “child”

“Child” is defined as all young people under the age of 18, in accordance with the 1989 Children Act.

#### 2.2 The definition of a “Vulnerable Adult”

“Vulnerable Adult” is defined as, “a person who is, or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation”.

### 3. Categories of Abuse

Children can be potentially abused within the family, community, and in AGILE GROUP by employees (including those employed to promote their welfare and protect them from abuse), volunteers, visitors, and fellow students, the following are broad categories of abuse.

#### • Physical Abuse:

May involve hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child and vulnerable adult. Physical harm may also be caused when

a parent or carer feigns the symptoms of, or deliberately causes ill health to a child and Vulnerable

Adult who they are looking after. This is commonly described using terms such as 'fictitious illness by proxy' or 'Munchausen's syndrome by proxy'.

#### • Emotional Abuse:

Is the persistent emotional ill-treatment of a child or vulnerable adult such as to cause severe and persistent effects on the child and vulnerable adult's emotional development. It may involve conveying to children or vulnerable adults that they are worthless and unloved, inadequate, or valued only so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed in children and vulnerable adults. It may involve causing children or vulnerable adults frequently to feel

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frightened or in danger, or the exploitation or corruption of children and vulnerable adults. Some level of emotional abuse is involved in all types of ill-treatment of a child or vulnerable adult, though it may occur alone.

- **Sexual Abuse:**

Involves forcing or enticing a child or vulnerable adult to take part in sexual activities, whether or not the child or vulnerable adult is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape) or non-penetrative acts. They may include non-contact activities, such as involving children or vulnerable adults in looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging children or vulnerable adults to behave in sexually inappropriate ways.

- **Neglect:**

Is the persistent failure to meet the child's or vulnerable adults basic physical and/ or psychological needs, likely to result in the serious impairment of the child or vulnerable adults health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failure to protect a child or vulnerable adults from physical harm or danger, or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child or vulnerable adults basic emotional needs.

- **Significant Harm:**

Some children or vulnerable adults may be in need because they are suffering or likely to suffer significant harm. The Children Act V section 47 (1) introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interest of the children.

- **Financial Abuse**

Some children and vulnerable adults may be abused or exploited financially including fraud and extortion.

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#### 4. Safeguarding

##### Designated Senior Person (DSP)

All schools, Organisations and providers are required to have a designated member of staff, who is assigned to act upon child and vulnerable adult protection concerns. At AGILE GROUP this person is called the Designated Senior Person (DSP) for safeguarding and she is responsible for co-ordinating action within AGILE GROUP and liaising with other agencies. The AGILE GROUP DSP for safeguarding is Naomi Lawton (Operations/ IQA Manager). The DSP for safeguarding is required to know:

- how to identify the signs and symptoms of abuse and when to make a referral
- the local Child and Vulnerable Adult protection procedures and the DSPs role within them
- the role and responsibilities of the investigating agencies and how to liaise with them
- the requirements of record keeping
- the conduct of a child protection conference and how the DSP or other members of staff can make an appropriate contribution to it.

#### 5. Advice to Staff on When to Take Action & How

Once you suspect or know of any abuse of any child or vulnerable adult, you should immediately inform the DSP in person or by telephone. Even if you have only heard rumours of abuse, or you have a suspicion but do not have firm evidence, you should still contact the DSP to discuss your concerns. It is important to understand that your responsibilities extend to suspicion of abuse in any area of the child or vulnerable adults life, not just in the AGILE GROUP learning environment. You must also contact the DSP if you know or suspect that a member of staff or student has a previous history of abuse of children and/or vulnerable adults. If you become aware of any allegations against a member of staff this must always be escalated to the DSP. If the DSP is not immediately available you should then contact one of the Senior Partners of AGILE GROUP. You must not try to investigate the matter on your own. Staff are not equipped or qualified to do so.

If, following your initial contact with the DSP, it is decided that the matter should be taken further; a written report must be prepared. A written report is essential to prevent any misrepresentation of your findings, and should be sent to the DSP within 24 hours of the suspicion arising. The report should be factual and should not include opinions or personal interpretations of the facts presented. The report should contain as much detail as possible, including any apparent physical signs of abuse or other circumstances which led to your suspicions, or the account given to you of abuse by the child or vulnerable adult concerned, as accurately as you are able to record it. The report should be signed, dated and a copy stored in a secure place. If you are unsure about what to write, you can get advice from the DSP.

If a child or vulnerable adult comes to you with a report of apparent abuse, you should listen carefully to the child or vulnerable adult, using the following guidelines. When listening to a child or vulnerable adult staff must:

- allow the child or vulnerable adult to speak without interruption
- never trivialise or exaggerate the issue

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- never make suggestions
- never coach or lead the child or vulnerable adult in any way
- reassure the child or vulnerable adult, let them know you are glad they have spoken up and that they are right to do so
- always ask enough questions to clarify your understanding, do not probe or interrogate – no matter how well you know the child or vulnerable adult – spare them having to repeat themselves over and over.
- be honest – let the child or vulnerable adult know that you cannot keep this a secret; you will need to tell someone else.
- try to remain calm – remember this is not an easy thing for them to do.
- do not show your emotions – if you show anger, disgust or disbelief, they may stop talking. This may be because they feel they are upsetting you or they may feel your negative feelings are directed towards them
- let the child or vulnerable adult know that you are taking the matter very seriously
- make the child or vulnerable adult feel secure and safe without causing them any further anxiety.

At the earliest opportunity involve the DSP.

The DSP will be responsible for liaising with external agencies and recording essential information about each case and for collecting reports and notes as appropriate. Any detailed information about a case will be confined to the DSP, (if not involved in the allegations) and the Senior Partner and any external agencies the DSP determines to engage. The Manager(s) and staff reporting the allegations will be kept informed of the progress of the case on a 'need to know' basis.

## 6. What Happens Next?

Taking into account all the information available, the DSP will decide on the next steps, which may include taking no further action. In most cases the DSP will seek advice from the Local Authority Designated Officer (LADO) and agree what further action is necessary, which may include:

Seek further advice from The LSCB

Undertake further investigation under the direction of the LADO or support an investigation by the LSCB

Make a referral to the appropriate agency, as signposted.

Report the incident to a designated Social Worker, as signposted.

Report the matter to the police if a crime is suspected.

If a referral is made, this must be confirmed in writing to the appropriate agency within 24 hours.

The DSP may consider that those involved may require counselling. Where it is felt there is a need for counselling (which could be for the child/ren, other students, staff, parents or carers involved) the DSP will make the necessary arrangements.

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## 7. Confidentiality

Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety of the child and vulnerable adults is the overriding concern. The degree of confidentiality will be governed by the need to protect the child or vulnerable adults. The child or vulnerable adults should be informed at the earliest possible stage of the disclosure that the information will be passed on. All conversation regarding a child or vulnerable adults should always be held in private.

AGILE GROUP complies with the requirements of the Data Protection Act 1998, which allows for disclosure of personal data where this is necessary to protect the vital interests of a child or vulnerable adult.

Whatever happens, you should always be open and honest with the child or vulnerable adult if you intend to take the case further. Staff must not discuss the case with anyone other than those involved in the case. If staff have any concerns about the progress of the case or have any other concerns these must be discussed with the DSP.

## 8. Allegations Against Staff

The primary concern of the organisation is to ensure the safety of the child and vulnerable adult. It is essential in all cases of suspected abuse by a member staff that action is taken quickly and professionally whatever the validity. There are occasions where a child or vulnerable adult will accuse a member of staff of physically or sexually abusing them. In some cases this may be false or

Un-founded. However in some cases the allegations may be true. Any instance of a child or vulnerable adult being abused by a member of staff is particularly serious. On the other hand for an innocent person to be accused of such an act is a serious ordeal which can result in long term damage to their health and career. In the event that any member of staff suspects any other member of staff of abusing a student, it is their responsibility to bring these concerns to a Senior Partner and the DSP.

On being notified of any such matter the DSP shall:

Seek and follow advice from the LADO

Take such steps as she considers necessary to ensure the safety of the child or vulnerable adult in question and any other child or vulnerable adult who might be at risk

Ensure that a report of the matter is completed by the person who reported the original concern.

Put in place the steps necessary to follow the advice of the LADO

If the allegation concerns the DSP, the matter should be discussed with a Senior Partner, in addition to following the normal safeguarding procedures outlined in this document.

## 9. SAFEGUARDING CODE OF BEHAVIOUR FOR AGILE GROUP STAFF

AGILE GROUP recognises that it is not practical to provide definitive instructions that would apply to all situations at all times whereby staff come into contact with children and vulnerable adults and to guarantee the safeguarding and protection of children and vulnerable adults and staff. However, below are the standards of behaviour required of staff in order to fulfil their roles and duty of care within the organisation. This code should assist in the safeguarding and promotion of the welfare of children and vulnerable adults and in the protection of both children and vulnerable adults and members of staff. These guidelines also apply to volunteers who work in an unpaid capacity in

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AGILE GROUP premises. Staff must:

Implement the Safeguarding Policy and Procedures at all times, including acting to promote children and vulnerable adults welfare, prevent abuse and report any abuse discovered or suspected.

Staff must never:

Engage in rough, physical games including horseplay with children and vulnerable adults/ students.

Allow or engage in inappropriate touching of any kind. The main principles of touch are:

Touch should always be in response to the child or vulnerable adults need

Touch should always be appropriate to the age and stage of development of the child or vulnerable adults.

Touch should always be with a child or vulnerable adults permission

Do things of a personal nature for children or vulnerable adult that they can do for themselves or that their parent can do for them.

Physically restrain a child or vulnerable adult unless the restraint is to prevent physical injury of the child and vulnerable adults/other children/visitors or staff/yourself.

In all circumstances physical restraint must be appropriate and reasonable; otherwise the action can be defined as assault.

Make sexually suggestive comments to or within earshot of a child or vulnerable adult.

Have children or vulnerable adults on their own in a vehicle. Where circumstances require the transportation of children or vulnerable adults in their vehicle, another member of staff/ volunteer must travel in the vehicle. Also it is essential that there is adequate insurance for the vehicle to cover transporting children or vulnerable adults as part of the business of your work. In extreme emergencies (for medical purposes) where it is required to transport a child or vulnerable adult on their own, it is essential that another leader and the parent is notified immediately

Take a child or vulnerable adult to the toilet unless another adult is present or has been made aware (this may include a parent, agile group leader)

Where there is share use toilet facilities, all male apprenticeship staff should use the cubicles rather than urinals

Spend time alone with a child or vulnerable adult on his/her own, outside of the normal tutorial/ classroom situation. If you find you are in a situation where you are alone with a child or vulnerable adult, make sure that you can be clearly observed by others.

Engage in a personal relationship with a child or vulnerable adult/student, or a child or vulnerable adult who becomes a student, beyond that appropriate for a normal teacher/ student relationship.

Give their personal contact details (personal mobile telephone number/home telephone number or personal email address) to a child or vulnerable adult.

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### Social Networking

Interaction with learners through a social networking site should be avoided unless this has been agreed by the DSP as part of a marketing role or for managing collaborative learning.

Collaborative learning must be done by setting up an “invitation only” business/professional group discussion group for the course with appropriate privacy settings where the content can be monitored. Members of staff should only contact learners and parents using the

Companies mail, SMS, telephone and email/intranet systems.

It is unacceptable for members of staff to allow learners to access their personal social networking spaces; privacy settings should be set to ensure that access is restricted to friends only.

Add learners as „friends” to their personal social networking space.

Access as a “friend” the individual social networking sites of learners.

Post comments, photographs etc. critical of the AGILE GROUP on any forum, website, social networking site, blog etc.

Post comments critical of any other member of staff or learner on any forum, website, social networking site, blog etc.

Post comments that run counter to the AGILE GROUP’s Equality and Diversity Policy.

Post comments that recommend, or appear to endorse, law-breaking of any kind. Post comments that exhibit grossly irresponsible behaviour, or appear to endorse irresponsible behaviour, that could be argued to encourage “copycat” behaviour by learners. This would include, for example, dangerous driving or alcohol abuse.

## 10. Implications for staff

Staff who breach any of the above may be subject to the disciplinary procedure. If an allegation against a member of staff has occurred then an investigation will be carried out.

AGILE GROUP reserves the right to suspend any member of staff under the Safeguarding Policy to protect young people and Vulnerable Adults whilst an internal and/or external investigation takes place. The organisation can implement its own internal investigation during any stage of this process. This may result in disciplinary action being taken on a member of staff.

### 10.1 Suspension of staff under the Safeguarding Procedure.

Should AGILE GROUP decide to suspend the employee because of as safeguarding concern the company disciplinary policy will be utilised. If the suspension is subject to external investigation, the AGILE GROUP representatives will be unable to discuss the details of any allegations made under the Protection of Children act (1999).

Pete Stevens  
Director

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## APPENDIX A

### CRB DISCLOSURES

Under the Protection of Children Act 1999 (Section 7) AGILE GROUP is designated as a child care organisation. This means that all staff, prospective employees and students on placements that come into contact with children must be checked with the Criminal Records Bureau to prevent individuals considered unsuitable to work with children, gaining employment at AGILE GROUP, either paid or in a voluntary capacity.

Landlords and their families (over 18) who provide accommodation on behalf of The AGILE GROUP must also be checked under these procedures. To meet these requirements, AGILE GROUP will ensure that ALL new members of staff, training, or non-training will undergo CRB clearance. As this process can take up to four months, AGILE GROUP will ask all new employees to sign a declaration, stating that they are not aware of any convictions that could hinder their employment at the AGILE under observation. It is also apparent that AGILE GROUP has employees in differing roles that do not currently have CRB clearance. To ensure that AGILE GROUP meets the requirements set out in the

Safeguarding Policy AGILE GROUP will seek to obtain CRB clearance for every member of staff working on a full time, part time and voluntary basis.

To support this process, the updated Safeguarding Policy and Procedure will be issued to every member of staff, and Safeguarding briefing sessions will be held to communicate the policy and implications of the 1999 Protection of Children Act.

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