

Education Centre policy Safeguarding

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POLICY SUMMARY

These procedural guidelines will enable staff to recognise and take appropriate action when there is a concern or allegation of significant harm to Learners/Students undertaking education programmes within EPUT. The procedure complies with Working Together to Safeguard Children 2015, Guidance from the Local Safeguarding Children Boards in Essex, Bedfordshire and Suffolk and reflects the principles of the Safeguarding Vulnerable People in the NHS- Accountability and Assurance Framework 2015.

These procedures also reflect local Trust children's services operational protocols available on the Trust Intranet page

The Trust monitors the implementation of and compliance with these guidelines in the following ways:

The Director responsible for monitoring and reviewing this Clinical Guideline is Sean Leahy - Executive Director of People & Culture

**Education Centre policy
Safeguarding**

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Assurance Statement

This Workforce Development and Training Department Safeguarding Guideline are set out for use in conjunction with the Essex Partnership University NHS Foundation Trust (EPUT) Safeguarding Policy. Its use is for those Students and Learners undertaking education programmes within the Trust. This guideline is to be used in conjunction with the Trust Safeguarding of Children policy and Safeguarding of Vulnerable Adults policy.

1 INTRODUCTION

- 1.1. The Workforce, Development and Training Department (WDT) aims to maintain a safe and welcoming environment in all its training venues for staff, students and visitors. It is committed to meeting its duty to safeguard and promote the welfare of children and vulnerable adults, and recognises its role in identifying cases of suspected abuse and to liaise and work in conjunction with the Trust Safeguarding Team following the Trust Safeguarding Policy and guidelines.
- 1.2. It takes seriously its obligation to deliver the outcomes specified in the Ofsted common inspection framework. In the context of this policy, inspectors will make a judgement on the effectiveness of leadership and management by evaluating the extent to which leaders, managers and governors safeguard all learners.
- 1.3. The Workforce, Development and Training Department recognise the need to work with other agencies in performing its duties under the Education Act 2002 and Children Act 2004. These are, in summary:
 - to have in place and follow procedures in keeping with local inter-agency (Local Safeguarding Children's Board) guidelines
 - to operate safer recruitment procedures
 - to have in place procedures to deal with allegations against staff
 - to ensure all staff working with learners/ students receive appropriate safeguarding training and are aware of their responsibilities
 - to review guidelines in line with Trust policy
- 1.4. The safety and well-being of learners and students are paramount and all concerns about abuse are taken seriously.
- 1.5. The WDT department is committed to applying these principles in respect of those felt to be 'vulnerable'.

- 1.6. The Trust has a nominated Safeguarding lead that monitors all procedures relating to the protection and safeguarding of children and vulnerable adults including safer recruitment and staff training.
- 1.7. The WDT department reserves the right to refuse admission to any student/ learner who may pose a risk to children or vulnerable adults, and all Learners/ Students as Trust employees have undertaken a Disclosure and Barring Service check.

2 LEGAL FRAMEWORK

- 2.1 The Children Act 1989 placed a duty on Local Authorities to investigate situations where a child is at risk of significant harm. The Trust have a legal obligation to work with investigating agencies acting on behalf of children in need.
- 2.2 Section 175 of the Education Act 2002 requires Education establishments to have arrangements in place to ensure that they safeguard and promote the welfare of children.

This duty is very general but acquires substance in guidance issued periodically by the Department for Education. S175 imposes a statutory duty to have regard to the guidance issued by the Secretary of State.
- 2.3 The Children Act 2004 resulted from Lord Laming's report into the death of Victoria Climbié. Section 11 of the Act, which came into force in October 2005, brought other key agencies into line with the duties already placed on schools and The Trusts by s175 of the Education Act 2002. Section 13 (as amended) specifies membership of local.
- 2.4 In April 2014 the Department for Education replaced this with new statutory guidance 'Keeping Children Safe in Education'. The guidance was revised in 2015 and 2016 and reflects recent changes to the vetting of staff, including the introduction of the Disclosure and Barring Service (DBS) to replace CRB, and the notion of 'regulated activity' which prescribes which staff may and may not be subject to pre- appointment checks. The document sets out what schools and The Trusts should do to safeguard and promote the welfare of children, as well as the legal duties with which they must comply. Although it is designed to be read in conjunction with 'Working Together to Safeguard Children', the intention of the guidance was to scale back to a minimal set of requirements which make clear where individuals should use their own professional judgement.
- 2.5 The Protection of Freedoms Act 2012 changed the definitions of regulated activity and amended the provisions of the Safeguarding Vulnerable Groups Act 2006, which altered the definition of a vulnerable adult.
- 2.6 There is a mandatory duty to report known cases of Female Genital Mutilation to the police.

- 2.7 The Children Act 1989, and subsequent legislation and guidance, are concerned with the emotional, physical or sexual abuse or neglect of children, defined as under the age of 18. However, it is recognised that children acquire degrees of legal capacity (for example, the ability to give informed consent) and maturity prior to their 18th birthday, and also that there are adults over 18 who continue to be vulnerable due to a learning difficulty and/or disability. It is also acknowledged that additional barriers may exist when recognising the signs of abuse and neglect in children who have special educational needs and/or disabilities.
- 2.8 In February 2015 the Counter-Terrorism and Security Act placed on The Trusts identifies the duty to have due regard to the need to prevent people from being drawn into terrorist activity.
- 2.9 The Trust is mindful of the current local and national agenda, including child exploitation, domestic violence/domestic abuse, female genital mutilation, adverse childhood experiences, radicalisation and violent extremism, and the importance of 'early help'. The also recognises its role in promoting the wellbeing of its students, and, through its tutorial framework, cross-The Trust events and national campaigns, seeks to raise student awareness of safeguarding issues and develop resilience and protective behaviours.

3 Equality and Diversity Statement

- 3.1 EPUT is committed to the promotion and development of equality and diversity. We aim to provide a working and learning environment which values individuals equally and does not discriminate on any grounds including age, disability, race, sex (gender), sexual orientation, gender reassignment, religion or belief, marriage or civil partnership and pregnancy and maternity.
- 3.2. This policy and procedure will be implemented in accordance with our policy on equality and diversity, and decisions/actions taken in relation to a potential safeguarding or child protection incident will not be influenced by the background or situation of any persons involved. Each case will be dealt with on its own merits.
- 3.3. This policy is subject to equality impact analysis.

Supporting Documentation

In addition to the Trust Safeguarding Policies (Children and Adult) and their supporting appendices these additional documents are applicable:

- Accommodation of Students under Eighteen by Further Education The Trusts - National Minimum Standards (DoH 2002)
- Guidance for Safer Working Practice for Adults who Work with Children and Young People in Education Settings (2009)

- Dealing with Criminal Convictions Policy
- Education Act 2002 (s175)
- Children Act 1989 and 2004
- Keeping Children Safe in Education (2018)
- Prevent Duty Guidance (2015)
- What to do if you are worried a child is being abused (2015)
- Safer Practice, Safer Learning (NIACE 2007)
- SET Guidelines

4 Child Protection & Safeguarding Procedures

- 4.1 These guidelines apply to all adults, including volunteers, working in or on behalf of The Trust. They are to be read in conjunction with the EPUT Trust Safeguarding policy and guidelines.

Education institutions and their staff are an important part of the wider safeguarding system for children. This system is described in statutory guidance Working together to safeguard children.

Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child.

No single professional can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.”
Keeping Children Safe in Education DfE September 2018

It is commonly accepted that as the Trust staff spend time in contact with children young people and vulnerable adults that they are in a good position to discern whether they may be a victim of abuse or not. Therefore it is important to know what this abuse is and how it can be identified.

The four principal categories of harm suffered by children are set out in national guidance. These are used to assist those responsible for the welfare and protection of children to understand and recognise the symptoms of abuse.

The diagnosis of abuse is difficult, even for experts.

Staff working with children, young people or vulnerable adults within an education/training setting may also work with people who have been at risk or experiencing domestic violence and need to have an understanding on the appropriate measures to take if this is identified.

It is NOT the role of The Trust staff to define or attempt to diagnose whether a child or vulnerable adult has suffered abuse within certain categories. An understanding of the categories is, however, important to enable staff to recognise symptoms of abuse. All Trust employees are required to follow Trust policies and guidelines with respect to Safeguarding Vulnerable Adults and Children. All Trust employees undertake Safeguarding Training at a level appropriate to their role.

5 Specific Safeguarding Issues

- 5.1 All staff should have an awareness of safeguarding issues that can put children/ vulnerable adults at risk of harm. Behaviours linked to issues such as drug taking, alcohol abuse, deliberately missing education and sexting (also known as youth produced sexual imagery) put children in danger.
- 5.2. All staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to:
- bullying (including cyberbullying);
 - physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
 - sexual violence and sexual harassment;
 - sexting (also known as youth produced sexual imagery); and
 - initiation/hazing type violence and rituals.
- 5.3. All staff should be clear as The Trust's policy and procedures with regards to peer on peer abuse.
- 5.4. Staff within the Trust Safeguarding team and expert professional organisations are best placed to provide up-to- date guidance and practical support on specific safeguarding issues.

6 Safeguarding Information for Students

- 6.1 The Trust is committed to ensuring that students are aware of behaviour towards them that is not acceptable and how they can keep themselves safe. All students on programmes within the Trust know that there is a Safeguarding Team within the Trust. The Trust will inform students of whom they might talk to, both in and out of The Trust, their right to be listened to and heard and what steps can be taken to protect them from harm. This information is delivered to students at the start of their course and reinforced throughout their programme of study. The Trust documentation also highlights who to speak to and is available on the Intranet.
- 6.2. The Trust's arrangements for consulting with and listening to students are through Student Forums and with the course/ programme lead.

- 6.3. Students are made aware of these arrangements by presentations, the tutorial programme and course handbook, the induction programme and The Trust documents available on the intranet. All Trust staff undertake safeguarding training in line with Trust policy.

Responding to a Disclosure or Suspicion of Abuse

Trust staff are required to follow the EPUT safeguarding policy and guidelines regarding disclosure or suspicion of abuse.

All allegations or suspicions must be taken seriously. The student must be advised that this information cannot be kept confidential and will be passed on to the Safeguarding Team in the first instance.

7 Safeguarding Students Aged 16 and 17

- 7.1 These students are covered in law by the Children Act. This means that allegations or suspicions of abuse must be taken seriously by The Trust and acted upon according to the procedure.
- 7.2 Concerns or suspicions must be referred to the Safeguarding Team even if the student's stated wishes are to the contrary. They will seek advice from the appropriate investigating agency and agree any further action which may be necessary.
- 7.3 Students aged 16 and 17 are encouraged to report the abuse, or give consent for a report to be made, to an investigating agency.
- 7.4 The following issues are relevant:
- what are the wishes of the student?
 - are younger siblings involved?
 - is a criminal act being committed?
 - is there immediate risk of significant harm?

8 Safeguarding Students Aged Under 16

- 8.1 Occasionally the Trust may host students under the age of 16 years for Work Placement or 'Experience Days'. If there are concerns raised regarding allegations or suspicions of abuse the Trust Safeguarding team must be contacted immediately and a written record of conversations be kept.

9 Confidentiality

- 9.1 A good working relationship between staff and students depends to a large extent on the establishment of trust. This may be described as a 'confidential relationship'. However, guarantees of absolute confidentiality should not be given as it may prove necessary to make a referral to the Trust safeguarding Team
- 9.2. If a student discloses abuse to a member of staff, it is important that the boundaries of confidentiality and the need to pass on that information are explained to the student. It is often easier to explain to the student that you have a responsibility to pass on information on certain matters than to get into a situation where you break a confidence.

10 Safer Recruitment of Staff

- 10.1 The Trust undertakes best endeavours to ensure that its employees are fit to work with children and vulnerable adults.
- 10.2. The Trust has safer recruitment procedures in place to prevent unsuitable people from working with children and vulnerable adults and promote safe practice.
- 10.3. Changes to the Protection of Freedoms Act which came into force in September 2012 have resulted in a new definition of regulated activity which determines when disclosure and barred list checks may be undertaken.
- 10.4. 'Keeping Children Safe in Education' (2018) describes the checks that are, or may be, required for any individual working in The Trust.
- 10.5. In accordance with the regulations, a single central record is kept of all checks and disclosures carried out. This is kept by the Trust HR department.

- 10.6 All staff employed by the EPUT training department teaching on Education Programmes will have undergone Safeguarding Training at level1/2 as part of their mandatory training which is refreshed annually.
- 10.7 All staff are made aware of our duties under the Prevent agenda and have undertaken Prevent training as part of their mandatory training

11 Safe Practice

- 11.1 The Trust ensures that all staff are safe and aware of behaviours which should be avoided.
- 11.2 Safe working practice ensures that all staff:
- are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions
 - work in an open and transparent way
 - discuss and/or take advice from Trust Designated Safeguarding Lead over any incident which may give rise to concern
 - record any incidents or decisions made
 - apply the same professional standards regardless of gender or sexuality
 - are aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them
 - undertake appropriate risk assessments for their work area
- 11.3 All allegations and concerns against staff will be taken seriously and dealt with according to the relevant statutory guidance.
- 11.4 Any such allegation must be reported to the Safeguarding Team as soon as possible and no later than 24 hours at the latest. The Designated Safeguarding Lead will investigate the allegation and deal with and refer on as appropriate.

12 Preventing Violent Extremism – The ‘Prevent’ Agenda

- 12.1 The Counter-Terrorism and Security Act (2015) places duties on The Trust to take best endeavours to prevent students from being drawn into terrorist and extremist activity, and statutory guidance is in place. In The Trust, Prevent is embedded within our safeguarding procedures, and this document should therefore be read in conjunction with the Prevent Policy.
- 12.2. Staff and governors will be trained through the Prevent mandatory training programme

- 12.3. Staff should be aware of the signs of extremism and report any such concerns through the safeguarding process. The Trust will take such concerns and take action as is necessary, through the Trust policy.
- 12.4. The Trust will also promote the ethos of the 'Prevent' agenda by encouraging free and open debate but challenging extreme views. Through its classroom practice and induction activities, it will encourage equality of opportunity and celebrate diversity.
- 12.5 The Trust will not host or allow its premises to be used by extreme groups and will seek to prevent the distribution of extreme literature. Promotion of any organisations linked to violent extremism is contrary to the values of the Trust and would constitute misconduct.
- 12.6 Students undertaking programmes of education within the Trust will have to undertake Prevent training within the programme in addition to the Trust Prevent training programme. This will be recorded as part of their individual learning plans.

All information contained within these guidelines must be in conjunction with the Essex Partnership University NHS Foundation Trust Safeguarding of Vulnerable Adults and Children policies.

13.0 MONITORING & REVIEW

- 13.1 The Trust Education team with the Safeguarding Team will ensure an audit of key parts of this policy will be undertaken every three years. with a rotating theme for example; recommendations from Serious Case Reviews, the referral process to Social Care, support offered to staff, duties being undertaken appropriately and training uptake.
- 13.2 The Safeguarding Team will work with the education team and provide advice on the review and appropriate changes to this policy.

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