

Safeguarding Policy and Code of Practice

Introduction

This policy seeks to ensure Basingstoke ITEC Limited undertakes its responsibilities with regard to protection of children and vulnerable adults and will respond to concerns appropriately.

Basingstoke ITEC Limited recognises its moral and statutory responsibility to safeguard and promote the welfare of all young people and vulnerable adults. We endeavour to provide a safe and welcoming environment where all people are respected and valued. We are alert to signs of abuse, neglect and people being drawn into terrorism and follow our procedures to ensure young people and vulnerable adults receive effective support, protection and justice.

The document is designed to guide staff in avoiding situations that might lead to allegations against them and to provide assurance to other parties, for example parents, schools, the Local Authority, funding and inspection agencies, Disclosure and Barring Service (DBS) and associated guidelines in recognition of the Local Safeguarding Boards that a strategy within the Company exists to safeguard learners.

This Policy has been drawn up to assist staff in maintaining entirely proper and professional relationships with learners and vulnerable adults. Its purpose is to provide a clear and unambiguous picture of the boundaries associated with staff roles and the use of power and authority and clarifies the organisations expectations.

The term learner includes both young people and vulnerable adults as defined below:

- Young people means those under the age of 18 including all those up until their 18th birthday
- A Vulnerable Adult is generally an adult over the age of 18 years, who may be unable to take care of themselves or protect themselves from harm or being exploited. This may include but is not limited to someone who has mental illness, physical or sensory disability or has a learning disability

Policy Statement

The welfare, safety and protection of learners are of the upmost importance to Basingstoke ITEC Limited and consequently we aim to adopt the highest possible standards and take all reasonable steps in relation to safeguarding their well-being. The organisation recognises its duty of care and legal obligation to safeguard and promote the welfare of all its learners and to respond immediately if there is any suspicion that a learner may be at risk, under threat or a victim of any activities or actions which are deemed to be in contravention of this policy or any existing or new legislation.

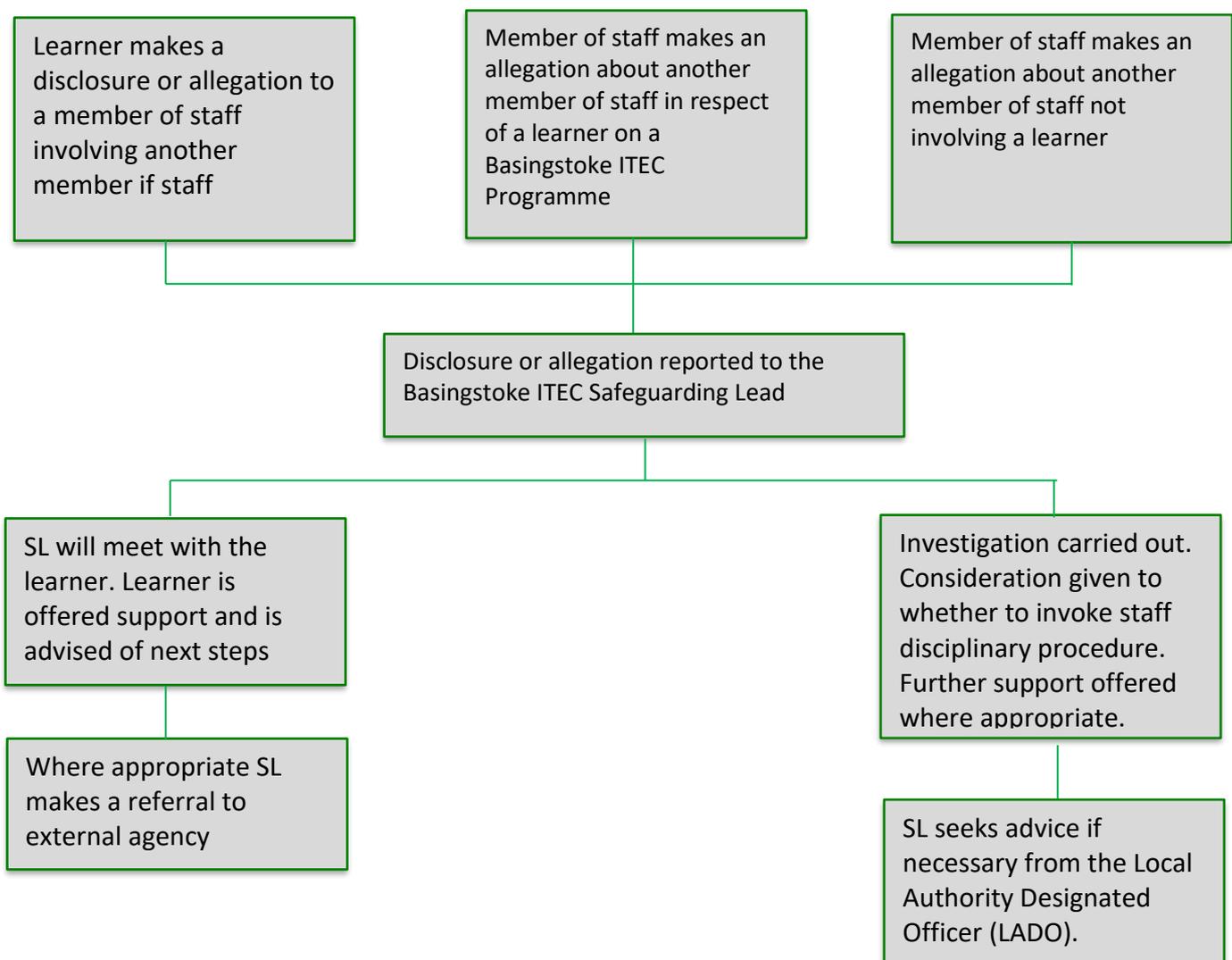
The General Manager is the Designated Safeguarding Person within Basingstoke ITEC Limited, who will act following any expression of concern. This person will, where required, make appropriate referrals to the statutory child protection agencies. In the absence of the

General Manager, the Deputy Manager will act as the Designated Safeguarding Person on their behalf.

It is part of Basingstoke ITEC Limited's acceptance of its responsibilities of duty of care towards learners that members of staff who encounter child protection concerns in the context of their work will be supported when they report their concerns in good faith.

All staff of the organisation are required to uphold this policy and abide by its principles and accompanying safeguarding code of conduct.

Process for dealing with allegations against staff



Raising a Concern

Where there are concerns of a safeguarding nature, learners and staff are encouraged to discuss them with the Safeguarding Lead.

This policy should be read in conjunction with other company related policies.

Safeguarding Code of Practice

Foreword

Basingstoke ITEC Limited is formally recognised as a provider of Regulated Activities, for both Children and Vulnerable Adults, as defined by the Disclosure and Barring Service (DBS). As a Regulated Provider we are bound by law to follow set procedures and ensure that our employees are deemed as suitable to work with at risk groups.

All Basingstoke ITEC Limited employees have a contractual requirement to inform Basingstoke ITEC Limited should they become involved or be the subject of any investigation that involves the Police or Social Services. The Local Authority (via the Local Authority Designated Officer (LADO) works in partnership with the Police, Social Care Services and Regulated Providers to ensure that at all times the suitability of staff to work with at risk groups is appropriately reviewed.

Basingstoke ITEC Limited recognises that its employees are vulnerable to the possible consequences of their close professional relationships with learners and to the potential for malicious and misplaced allegations being made by learners, either deliberately or innocently, arising from the normal and proper associations that staff may have with them. It is therefore vital that all employees are prudent about their own conduct and vigilant about the conduct of others, so relationships with learners remain, and are seen to remain, entirely proper and professional.

Duty of staff

Basingstoke ITEC Limited expects all staff to:

1. Accept responsibility for the welfare of learners with whom they come into contact with during the course of their work and report any concerns about learner or somebody else's behaviour, using the procedures laid down
2. Ensure the Health and Safety of learners while they are within their responsibility
3. Train and educate the learners assigned to them according to their learning needs
4. Promote the general progress and well being of individual learners and any group of learners assigned to them
5. Provide advice and guidance to learners on educational, personal and social matters, including the provision of information about sources of more expert advice on specific questions
6. Maintain good order and discipline among learners and promote development
7. Develop awareness of the issues which can cause learners harm and have knowledge of and be able to recognise signs of the four most common types of abuse (emotional, physical, sexual and neglect)
8. Immediately report any safeguarding concerns

Key Principles

These key principles are intended to guide staff and ensure paramount consideration is given to the learner's well being by respecting and attempting to understand the following:

1. The learner's age, gender, background and any other relevant characteristics including those identified in the Equality Act 2010
2. The ascertainable wishes and feelings of the learner (whilst considering their age and understanding), physical, emotional and learning needs and the likely effect on them of any change in their circumstances
3. Any harm the learner has suffered or risk of suffering
4. All associations with learners must always be professional, appropriate and justifiable; staff should never seek gratification of their own emotional or physical needs in their relationships with learners
5. Basingstoke ITEC Limited's policy and code of practice for the safeguarding of learners has primacy over other requirements

Staff Guidance

Physical Contact

Generally, staff should not have unnecessary physical contact with their learners. There may be very limited occasions when a learner needs comfort or reassurance, which may include physical comforting. Any such physical comforting must always be acceptable to the learner – there should be no unwanted contact, no matter how well intentioned. Physical contact may be misconstrued by a learner, parent/carer or observer. Such contact can include well intentioned informal and formal gestures such as putting a hand on the shoulder or arm, which if repeated with an individual learner could lead to serious questions being raised.

Some staff are likely to come into physical contact with their learners from time to time during their training activities, for example when showing a learner how to use a piece of apparatus or equipment. Staff should be aware of the limits within which such contact should properly take place and should consider the possibility of such contact being misinterpreted by the learner.

Any form of physical punishment of learners is unlawful, as is any form of physical response to misbehaviour unless it is by way of restraint. It is particularly important that staff understand this both to protect their own position and that of Basingstoke ITEC Limited.

The Practice of Physical Restraint

Measures must be taken by all members of staff to avoid physical contact or use of any force to restrain learners at all costs, however we do have a duty of care and it may not be avoidable at all times. If it becomes necessary for a member of staff to physically restrain a learner to prevent them from inflicting injury to themselves or others. In such cases only the minimum force necessary must be used and the matter must be reported to the Designated Safeguarding Person immediately.

Restraint can be defined as “the reasonable application of the minimum necessary force to overpower a learner with the intention of preventing them from harming themselves or others, or from causing serious damage to property”

Restraint should only be used exceptionally, when unavoidable and in keeping with the incident leading to it. It should be primarily for the benefit of the learner and, though immediate, should as far as possible be a considered response.

Restraint should not be used as a form of punishment or, in normal circumstances, to enforce compliance with instruction. It should not be attempted where the member of staff is put at undue risk.

Incidents of restraint should, in appropriate circumstances, be subject to debriefing for staff involved and lead to a review of strategies for managing the behaviour. The General Manager, or Deputy Manager, is responsible for maintaining a written record of all incidents together with witness statements as appropriate.

Where employees are the subject of physical attack by a learner(s) or their parents/carers, they should report the incident to the General Manager, or Deputy Manager, immediately.

Sexual Contact

Basingstoke ITEC Limited will not accept any behaviour that has either explicit sexual connotations or innuendos. Any such behaviour will always be treated as extremely serious and staff may be subject to the Company’s disciplinary process including Gross Misconduct.

Meetings with Learners

All staff should be aware of the potential risks which may arise from interviewing individuals in private. It is recognised that there will be occasions when confidential interviews must take place but, where possible, such interviews should be conducted in a room with visual access or with the door open, or in a room or area which is likely to be frequented by other people. Meetings with learners away from the business premises should not take place unless specific approval has been obtained from the General Manager, or Deputy Manager.

Where such conditions cannot apply, staff are advised to ensure that another adult knows that the interview is taking place.

It is not good practice and must be avoided for anyone to transport learners offsite unaccompanied; however, if this is necessary then the member of staff should inform the General Manager, or Deputy Manager. On arrival at the destination, the member of staff should contact the General Manager, or Deputy Manager to confirm arrival without incident. On departure; the member of staff should re-make contact with the General Manager, or Deputy Manager to confirm departure and estimated time of arrival at next destination or return to base.

Caring/First Aid

If a young person complains of injury or sickness, a judgement should be made as to whether they should be referred to a person qualified in First Aid or advised to see their

doctor. The learner's parents/carers will also be informed where the person is under the age of 18.

Staff who have to administer first aid (normally a trained First Aider) should ensure wherever possible that another adult is present, particularly if they are in any doubt as to whether necessary physical contact could be misconstrued.

Where it is necessary to assist with/supervise dressing or undressing a learner, staff must be of the appropriate gender and be careful to protect the dignity of the learner.

Provision of Advice and Guidance

Staff may from time to time be approached by learners for advice or may notice that a learner appears to be distressed. In such cases all staff must judge whether it is appropriate for them to offer counselling and advice or whether to refer the learner to another member of staff of another gender or to one with acknowledged expertise, experience or responsibility for that learner. All staff must in these circumstances use their discretion to ensure that any probing for details cannot be construed as unjustified intrusion.

All staff are advised never to stop a free-flowing account or disclosure of abuse but to make sure that at an appropriate point they inform the learner that they can not keep such information confidential and need to tell someone else to get help. Example 'Thank you for telling me, I now need to tell (where possible give the name and position of who will be told) so that we can get some help for you'.

A learner may ask an employee to 'keep a secret', or to promise not to tell other people what they are about to tell them, where this happens the member of staff must explain that they are not able to promise confidentiality as they may need to tell someone else if they are to help.

Where a learner is told by a member of Basingstoke ITEC Limited staff they cannot promise confidentiality the young person may decide not to continue telling. If a learner starts to say something and then stops, the member of staff needs to try to leave it open for the learner to come back to the discussion. It may be appropriate to refer the learner to available counselling/medical services, for instance their GP.

Social Contact

Social contact with learners, other than that which is training based or organised by the company, should be positively resisted.

All staff are not permitted under any circumstances to contact learners via any social networking/internet sites. Any member of staff paid or unpaid will face disciplinary action which may result in dismissal or informing the Local Safeguarding Authority.

All staff are not permitted under any circumstances to share a personal contact details with any learner i.e. personal email address, mobile or home telephone number. Any member of staff paid or unpaid will face disciplinary action which may result in dismissal or informing the Local Safeguarding Authority.

It is unlawful to disclose, remove or share any confidential or private contact details of any learners (other than to an approved 3rd party agency with prior consent of the learner). Any breach of this rule may result in notification to the Local Safeguarding Board.

Basingstoke ITEC Limited enforces safe practice, former members of staff are not permitted to attempt to contact any learner once they are no longer an employee of the company within two years. Any breach of this rule may result in notification to the Local Safeguarding Board.

It is recognised that there may be occasions when accidental or reasonable social contact may be unavoidable, e.g. meeting learners at social events open to the public, in shops or at private parties. In such circumstances, all staff should be mindful always of their professional relationship with learners.

Never communicate with learners via Twitter, Facebook or other social media.

Never communicate with learners using personal mobile devices or email accounts.

General Relationships with Learners

All staff should ensure that their relationships with learners are appropriate to the age and gender of the learner, taking care that their conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when dealing with young learners.

Comments by staff to learners, either individually or collectively, can be misconstrued. As a general principle, staff must not make unnecessary comments to and/or about learners, which could be construed to have sexual connotations. It is also unacceptable for staff to introduce or to encourage debate amongst learners in class, training sessions or elsewhere, which could be constructed as having a sexual connotation that is unnecessary, given the context of the training session or the circumstances. However, it is recognised that a topic raised by a learner is best addressed rather than ignored.

Do not make suggestive or inappropriate remarks to a learner, even in fun, this could be misinterpreted. Inappropriate remarks include innuendo, swearing and discussing your own intimate relationships. Staff should be careful in their use of language/terminology that may be misconstrued.

The systemic use of insensitive, disparaging or sarcastic comments is unacceptable.

Do not engage in behaviour which could be construed as 'grooming' a learner for example giving a learner money, gifts or favours or talking or behaving in an inappropriate or unprofessional manner towards a learner.

Following any incidents where an employee feels that their actions have been, or may be, misconstrued, the employee should report the matter to the General Manager, or Deputy Manager.

If a member of staff at any time feels that their relationship with a learner is developing into one that would be inappropriate between a member of staff and a learner, it is their responsibility to discuss the situation with the General Manager, or Deputy Manager.

Staff Guidance on Responding to a Disclosure, Suspicion or Allegation	
1	Stay calm and listen carefully to what the learner says and how they say it
2	Acknowledge it and take it seriously
3	Allow the learner to explain in their words
4	Ask questions for clarification and avoid questions that suggest a particular answer
5	Do not offer false confidentiality or promise to keep secrets
6	Explain that this information may need to be shared with others
7	Reassure the learner that they have done the right thing by telling you
8	Tell them what you are going to do next and with whom the information will be shared
9	Make no judgements about what you have heard
10	Record in writing what was said, using the learner's own words – Note the date, time, any names mentioned, to whom the information was given and ensure the record is signed and dated
11	Refer the matter to the General Manager or Deputy Manager
12	Remember that whilst you may have been the first person encountering an allegation of abuse it is not your responsibility to decide whether the abuse has occurred. That is a task for the professional child protection agencies. Upon receipt of any such report, the General Manager or Deputy Manager will be responsible for contacting the local authority Duty Officer. Children Services: 0132 9225 379 Children Service Professional Line: 0300 5551 381 Email: csprofessional@hants.gov.uk