



The Academy Hair and Beauty Ltd
Safeguarding Policy
Updated April 2019

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Appendix C **Glossary of terms**

Please note that any amendments / additions to this policy will be notified to all staff via email, team and staff meetings and will be sent out throughout the year.

Section 1

Aim and principles

This document is the safeguarding policy for **The Academy** which will be followed by all employees within the provision and promoted by those in the position of leadership within the company.

The **aims of this policy** are

- to outline The Academy commitment to safeguarding and promoting the welfare of learners and apprentices.
- to make sure that the actions of any employee, in the context of the services provided by The Academy, are transparent and safeguard all learners and apprentices including vulnerable adults from potential risk of harm. **This is our highest priority.**
- to maintain an environment where learners, apprentices, staff, parents/carers, guardians and clients feel comfortable and safe in the knowledge that appropriate action will be taken.

The Academy has a designated **Safeguarding Lead** (Lindsay Burr, Director) who is available as a contact point in case of any query or concern.

The following five principles underpin our safeguarding approach:

1. **Prevention:** take action before the harm happens
2. **Protection:** support and protection for those who are in need
3. **Partnership:** local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting safeguarding issues.
4. **Accountability:** accountability and clear delivery of safeguarding
5. **Empowerment:** support learners and apprentices to make their own decisions and informed consent. If consent isn't given, but in order to fulfil its statutory safeguarding duties, The Academy still needs to make a referral to Children/Adult Social care and/or the police. This will be explained in a sensitive way and learner will be supported throughout, they will be given the reasons why a referral was needed.

The Academy community has a statutory duty to safeguard its learners and apprentices and recognises its legal and moral duty to promote the well being of learners and protect them from harm and respond to safeguarding concerns.

Every learner and apprentices has, at all times and in all situations, the right to feel safe and protected. We have a primary responsibility for the care, welfare and safety of learners and apprentices in our care, and will carry out this duty through our induction process for staff and all learners and apprentices, teaching and learning, day to day practices, extra curricular



event, trips and visits, tutorial care and extended college activities. All members of The Academy community will at all times act proactively in learner welfare matters especially where there may be a possibility that a learner may be at risk of harm.

We consistently promote these principles and this policy to enable our learners, we do this through one to one support meetings, group tutorials, pastoral activities and extended Academy activities. We enable learners and apprentices to feel confident to talk to us so we can provide effective support, information and guidance relating to the specific concern.

Through induction, team meetings and external training courses staff are trained to adopt an accepting and non-judgmental attitude towards learners and apprentices as part of their role in pastoral care. The Academy trains staff on how to initially advise and work with parents/carers and learners who may talk to them about concerns and we hope they see The Academy as a safe place if there are difficulties at home.

Learners and apprentices can talk to whoever they feel comfortable talking to as every member of staff is trained in the Safeguarding Policy and procedures. Learners and apprentices are told who their Safeguarding Officers are, the names and photos of the officers are displayed in the main entrances of the sites. Safeguarding Officers will meet all learners and apprentices to explain their role and tell them their concerns will be taken seriously.

Staff are trained not to promise secrecy and if concerns are such that a referral has to be made to Safeguarding Officers, and then appropriate agencies, in order to protect the learner or apprentices from abuse then staff will explain this legal obligation to the learner.

To ensure protection of learners and apprentices and prevent abuse if there are any suspicions that a learner's physical sexual or emotional well-being is being, or is likely to be, harmed, or that they are being neglected or abused in any way, appropriate action will be taken. This action will be in accordance with the safeguarding procedures issued by the safeguarding Children Board, if the learner or apprentice is under the age of 18 or Safeguarding Adult Board, they are over the age of 18, of the local authority area where the learner resides.

To ensure commitment to the policy The Academy:

- Ensures that the whole Academy community is an integral part of the safeguarding process.
- Accepts totally that safeguarding is required and is appropriate for all
- Plans, prepares and carries out training to ensure the staff and college community are alert to the possibility that learner/s and apprentice/s is at risk of or suffering harm, and know how to report their concerns or suspicions.
- Designated safeguarding Lead, has the knowledge and skills to recognise and act on safeguarding concerns. They will act as a sources of advice, and be responsible for coordinating action in The Academy and liaising with agencies.
- Ensures that all staff have safeguarding procedures of the Safeguarding Children/Adults Boards and, where appropriate, the local authority, and act on any advice given.
- Staff will be trained in the Anti Bullying Policy and share this with learners at Induction, bullying will be addressed and is not tolerated. This includes bullying that is sexual, racial, disability or special educational needs motivated. Cyber bullying



- Upholds arrangements relating to the use of computers and ICT are covered by the e-safety policy and associated procedures. Any concerns relating to the improper use of facilities should be reported and will be investigated, action taken where appropriate, in line with the relevant procedures.

Section 2

Safeguarding policy statement

Safeguarding is everyone's responsibility we are committed to safeguarding and promoting the welfare of all learners including apprentices. All managers and staff recognise that a safe and trustworthy environment combined with clear lines of communication and decisive action ensures the best outcomes for learners. The college expects all staff, employers and partners to endorse and practice this commitment at all times.

Statement of intent

The Academy believes that it is unacceptable for a young person or vulnerable adults to experience abuse of any kind and recognises its responsibility to safeguard the welfare of any young people or vulnerable adults whilst on any provision run by The Academy.

The purpose of the policy is:

- To protect the young people and vulnerable adults who come into contact with The Academy.
- To provide staff and volunteers with guidance on procedures they should adopt in the event that they suspect a young person or vulnerable adult may be experiencing, or be at risk of, harm.

This document sets out the arrangements The Academy has in place to safeguard young people and vulnerable adults whilst they are on the provision. The Academy's approach reflects the legislative context and also takes account of relevant guidance and good practice relating to the work-based learning sector. The procedure for dealing with concerns, reporting and recording any concerns relating to safeguarding young people and vulnerable adults is set out in **Sections 4, 5 and 6**.

The policy refers to all young people and vulnerable adults regardless of gender, ethnicity, disability, sexuality or religion. It is the duty of all employed staff at The Academy to follow it.

For details of the Acts see **Appendix A**.

All staff at The Academy are subject to an enhanced DBS check prior to commencement with the company and a central register is held. Details of the DBS checks carried out on staff with partner organisations that have contact with The Academy learners, are checked and held centrally prior to their having sustained contact with the learners.

The Academy will additionally ensure that all student helpers, mentors, etc. who are in regular or significant occasional contact with under-18s or vulnerable adults, must have had a satisfactory enhanced DBS check, before allowing them to work with children or vulnerable adults.



All The Academy staff have completed a basic on-line safeguarding awareness course and the Safeguarding Champion has undertaken further in-depth training to meet with Ofsted and LSCB recommendations.

Contact has been made with the local safeguarding children's boards (LSCB) across the region and the appropriate details sourced for support and specialist organisations. Details of the sub-regional LSCB's are held at **Appendix D**.

Section 3

In relation to learners including apprentices under the age of 18 years old, and classed as a child in law, the college has a statutory duty, as set out in the Education Act 2002 and Children Act 2004, to promote and safeguard the welfare of children and have due regard to guidance issued by the Secretary of State at all times. The Academy adopts the definition used in the statutory guidance: Working Together to Safeguard Children 2018, issued by the Dept. for Education (DfE), which applies to all children and, defines safeguarding and promoting children and young people's welfare as:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable children to have the best outcomes

The above statutory guidance defines child protection as part of safeguarding and promoting welfare. Child protection is the activity undertaken to protect children who are suffering, or are likely to suffer significant harm including all forms of abuse and neglect, female genital mutilation or other so called honour based violence, and extra-familial threats like radicalisation and any kind of child exploitation. Such concerns will be referred into Children Social Care and the police if appropriate.

Safeguarding Adults

In relation to learners and apprentices aged 18 years and over, and classed as an adult in law, The Academy has a statutory safeguarding duty, as set out in the Care Act 2014, which must be seen in conjunction with Mental Capacity Act (including DoLs) 2005 and the Human Right Act 1998. The college must have regard to guidance issued by the Secretary of State at all times.

The adult safeguarding duties set out under the Care Act 2014 apply to an adult, aged 18 or over, who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs).
- Is experiencing, or at risk of abuse or neglect.
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.



The Care Act 2014 defines safeguarding as “protecting an adult’s right to live in safety, free from abuse and neglect”. The above duties apply in relation to any person who is aged 18 or over and at risk of abuse or neglect because of their needs for care and support. Such concerns will be referred into Adult Social Care and the police if appropriate.

Whilst these duties have to be met for a referral to Adult Social Care and/or the police, The Academy policy is to safeguard all learners and Apprentices. So through a concern may not meet the threshold for such a referral and/or support of these external agencies, The Academy is committed to safeguarding and supporting all learners as appropriate.

The adult with care and support needs, in need of safeguarding, will hereafter be referred to as the adult throughout the policy.

Looked After Children including previously Looked After Children and Care Leavers

Staff should be aware that these learners may need additional services, assistance, protection and consideration.

The Safeguarding Lead at The Academy is the main point of contact for coordinating support for these learners both internally and externally. The Safeguarding Team will hold a record of these learners including contact details of the learners social worker, carer, relevant contact details for previously looked after children, and, the details of the personal advisor or next of kin for the care leavers.

For looked after children, staff are expected to work alongside the Safeguarding Lead who will attend Personal Education Plan meetings to support their education as well as support with the Looked After Child review meetings. The Academy will liaise with as necessary with social workers, personal advisors and or next of kin regarding any concerns.

Learners with Special Educational Needs

Staff should be aware that these learners may face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group of learners including communication barriers.

Staff must:

- Be aware that these learners and apprentices may not outwardly show any signs of abuse.
- Further explore possible indicators of abuse such as behaviour, mood and injury without making assumptions that these factors just relate to the learner’s disability.
- Monitor these groups of learners to ensure that they are not being disproportionately impacted by behaviours such as bullying or peer group isolation.

These learners will have a support profile in place to guide staff in providing additional support to overcome barriers.

Safeguarding issues

Lists of signs and symptoms are not failsafe mechanisms and should not replace the need for training, but they are often helpful indicators, in certain combinations, of the likelihood or reality of abuse. Children, young people and vulnerable adults may behave strangely or appear unhappy for many reasons as they move through the stages of life and their families experience changes:

- Remember that there can be other explanations for an individual showing such signs or behaving in such ways, particularly those with disabilities or complex needs
- There is a good deal of overlap between the signs and symptoms of the different types of abuse, particularly between emotional and other types of abuse.

More details on signs and symptoms of abuse are set out in the Staff Safeguarding Pack (Child Protection). Below are some specific safeguarding issues:

Prevent

All learners and apprentices must be protected from the risk of radicalisation. Section 26 of 'the Counter-Terrorism and Security Act 2015' (the Act) places a duty on certain bodies ("specified authorities" listed in Schedule 6 to the Act), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". It is the responsibility of The Academy in its capacity as a provider of further education including apprenticeships, to have regard to this duty. The duty also requires The Academy to 'actively promote' the fundamental British Values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs. For further details see The Academy Prevent Policy.

Female Genital Mutilation

Female Genital Mutilation (FGM) is illegal in England and Wales under FGM Act 2003. It is a form of child abuse and violence against women. FGM comprises all procedures involving partial and total removal of the external female genitalia for non medical reasons. Section 5B of the FGM Act 2003 introduces a mandatory reporting duty which requires regulated health and social care professional and teachers in England and Wales to report to the police 'known' cases of FGM in under 18s which they identify in the course of their work, where they either:

- Are informed by a girl under 18 that an act of FGM has been carried out on her.
- Observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe that the act was necessary for the girls physical or mental health or for purposes connected with labour or birth.

Complying with the duty does not breach any confidentiality requirements or others restriction on disclosure which might otherwise apply. This duty on teachers does not apply in 'at risk' or suspected cases or in cases where the learner is 18 or over. In these cases, tutors school follow the normal safeguarding procedures. Normal safeguarding procedures apply for reporting of FGM. The Safeguarding Team make the appropriate referral to Children's Social Care if it is believed that a learner has been subjected to or is at risk of FGM. In these cases, parents will not be informed before seeking advice.

Peer on peer abuse

Staff are aware that learners and apprentices are capable of abusing their peers. This is generally referred to , but not limited to, bullying, cyberbullying, sexual violence and sexual harassment, physical abuse, sexting, initiating violence and rituals. Staff know that each



report of peer on peer abuse will be taken seriously staff must report such allegations to the Safeguarding Team who will record such allegations and the outcome on the central safeguarding file and on learners files where appropriate.

The Academy will carry out an immediate risk assessment, including consideration of how to support and protect the victim and possibly the alleged perpetrator. The risk assessment will consider the victim, especially their protection and support, the alleged perpetrator, and all other learners and apprentices (and if appropriate adult learners, adult apprentices and staff) at The Academy and any actions will be appropriate and proportionate to keep all safe.

The whole Academy approach to prevent peer on peer abuse includes:

Mandatory staff training

- Learners and apprentices awareness through induction, tutorials and one to one meetings
- Academy zero tolerance to peer on peer abuse set out in the anti bullying policy discussed with all learners and apprentices at induction, tutorials and training.

Learner on Learner Sexual Violence and Sexual Harassment

Sexual violence and sexual harassment is not acceptable and will not be tolerated by the college. Every report of sexual violence or sexual harassment will be taken seriously and considered on a case by case basis, supported by other agencies such as Children's Social care and the police as appropriate.

Staff are trained to, and must, report such allegations to the Safeguarding Team who will record such reports and the outcome in the Safeguarding File and relevant learners and apprentice files where appropriate.

The Academy will carry out an immediate risk assessment, including consideration of how to support and protect the victim and possibly the alleged perpetrator. The risk assessment will consider the victim, especially their protection and support, the alleged perpetrator, and all other learners and apprentices (and if appropriate adult learners, adult apprentices and staff) at The Academy and any actions will be appropriate and proportionate to keep all safe.

Mandatory staff training

- Learners and apprentices awareness through induction, tutorials and one to one meetings
- Academy zero tolerance to sexual violence and/or sexual harassment set out in the anti bullying policy discussed with all learners and apprentices at induction, tutorials and training.

Sexting

For this context sexting is images or videos generated:

- By children under the age of 18
- Children under the age of 18 that are sexual in nature or are indecent.

These images are shared between young people and/or adults via a mobile phone, handheld device or website with people that they may or may not know.

When an incident involving a youth produced sexual imagery comes to The Academy attention:

- The incident must be referred to the Safeguarding Team as soon as possible
- The safeguarding Team will hold an initial review meeting with appropriate staff which will aim to establish risks, further information required, action and if an immediate referral is required to the police and/or children's social care.

- Subsequent interviews will take place with young people involved
- Parents should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the young person at risk from harm
- At any point if there is a concern a young person has been harmed or is at risk of harm a referral will be made to children's social care/ and or the police straight away.

Safeguarding arrangements for 14-16 year olds (Year 10 & 11 equivalent)

Some learners studying at The Academy are aged between 14-16 years old and will be in the equivalent to Years 10 & 11 at secondary school. If those learners are still on school roll, but may be attending The Academy through an arrangement with the school, the school has ultimate responsibility for safeguarding these learners. Therefore, any safeguarding concerns that arise through The Academy should be reported into the designated member of school staff immediately. The school and The Academy will then liaise regarding the most appropriate course of action in order to safeguard the learner. If the designated member of school staff can't be contacted, and the safeguarding concern is one that requires immediate action, The Academy has a responsibility to act immediately to safeguard the learner and notify the designated member of school staff as soon as is practicably possible.

Section 4

Dealing with concerns including Prevent for further information see Prevent Policy

It is not the responsibility of any member of the college community to investigate any suspicions or concerns that a learner or apprentice is at risk of or is suffering significant harm. The concerns should be reported to the Safeguarding Team immediately and should also be recorded using The Academy safeguarding forms. Staff should provide as much details as possible about concern, clarifying facts. If an alleged crime has been committed, it is necessary to gather basic facts about the alleged perpetrator (name, age, address, access to children and adults), but not take any action that may alert the alleged perpetrator.

A safeguarding cause for concern is an action, observation, disclosure or discussion that makes staff feel anxious about the safety or wellbeing of a learner or apprentice.

All safeguarding causes for concern must be reported to a safeguarding officer and recorded in the Central Safeguarding File. The Safeguarding team will decide on the appropriate actions, and notify the members of staff of the actions. Whilst awaiting the advice and actions from the safeguarding Team, staff must continue to monitor the situation, if the situation changes staff must immediately report it with further details. If the concern becomes one of immediate suffering or likely suffering or harm then follow the guidance below. The safeguarding team will consider if the concern needs to be passed on to Children or Adult Social Care for further action, following the procedures of these agencies respectively for making a referral.

If at any time there is an immediate risk of serious harm to a learner or apprentice or staff believe that a learner is suffering or likely to suffer significant harm, contact must be made with the Safeguarding Team immediately so that prompt, appropriate action and referrals can be made to safeguard the learner and apprentice. If contact with a Safeguarding Officer cannot be made an immediate referral must be made to Children and Adult Social Care, it



must be the social care team in the local area that that student resides. If appropriate support from the appropriate emergency services must be sought.

If a learner or apprentice has a social worker, safeguarding staff must keep the social worker updated on any safeguarding concerns.

Responding to a disclosure/allegation of abuse

If a learner or apprentice tells you they are at risk of harm or have been harmed or abused follow these basic guidelines.

- Stay calm
- Listen carefully to what is said
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others – do not promise to keep secrets
- Allow the individual to continue at his/her own pace
- Ask questions for clarification only and at all times avoid asking questions that suggest a particular answer
- Reassure the individual that they have done the right thing in telling you
- Tell them what you will do next and with whom the information will be shared. Tell them that you will be speaking to the person at The Academy who is responsible for their protection and that they may contact the relevant Safeguarding Children's Board if it is felt necessary and they will advise what we should do next
- Record in writing what was said using the individual's own words as soon as possible – note date, time any names mentioned, to whom the information was given and ensure that the record is signed and dated ideally use the Alert Form in the register.
- Contact a safeguarding Officer or Lead, as detailed above for further advice and for onwards referral if a safeguarding Officer cannot be contacted, as necessary
- Do not talk to other people about the incident. Others should only be made aware of this on a 'need to know' basis

Section 5 Recording

A record will be put on the Office Safeguarding File by Safeguarding Officers to include:

- Learner information
- Details of other agencies the learner or apprentice may be working with
- Whether a child protection, child in need, early help assessment or adult safeguarding arrangement is in place
- Chronological information including causes for concerns, emails, telephone calls, meeting notes.
- Concerns about and/or contact with the learner or apprentice and actions taken
- Information on any siblings.
- Details will be added
- The file is kept in a secure place

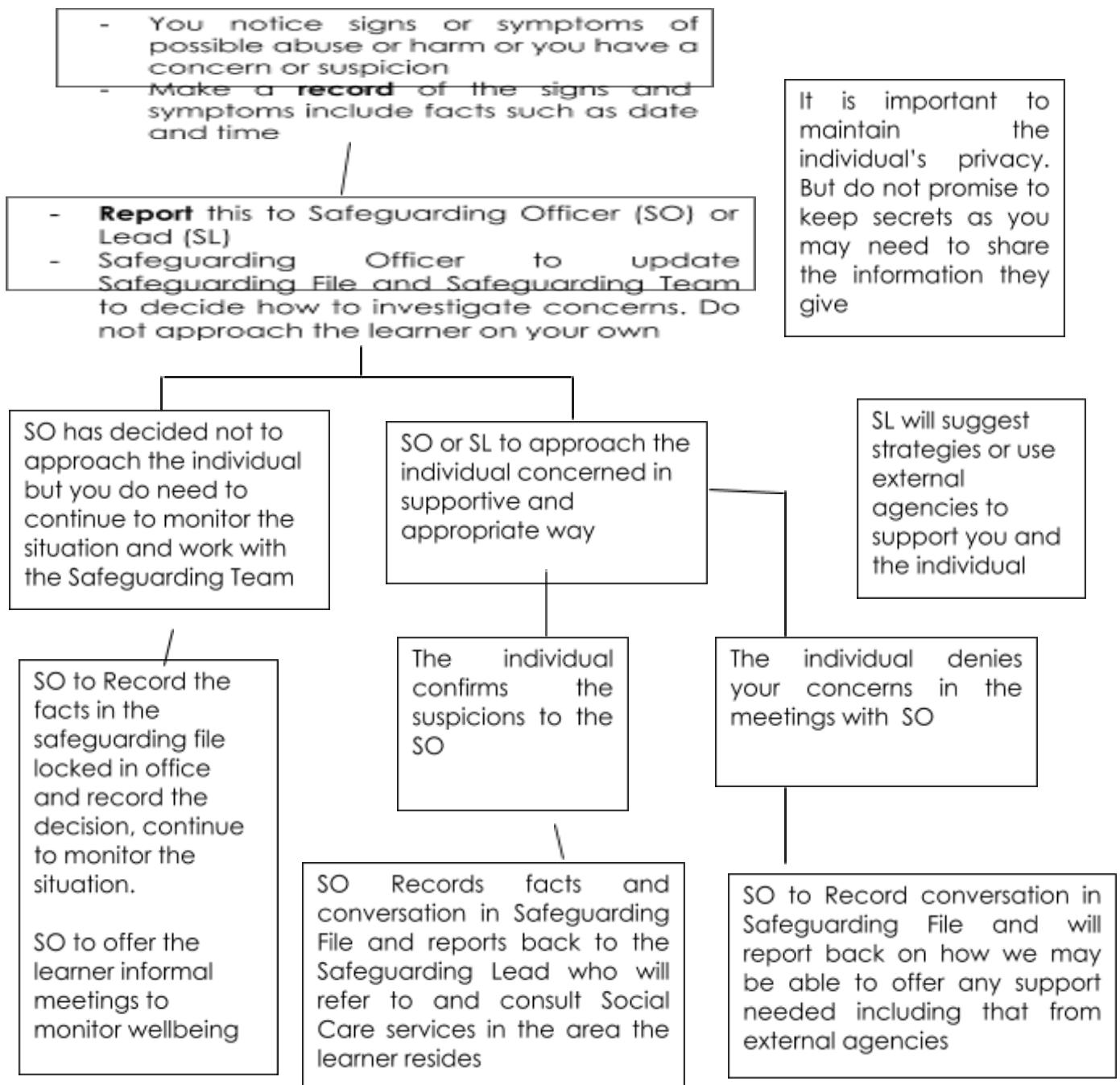
The safeguarding team holds the safeguarding records in the Office Safeguarding File this is separate to the Tutor Learner File that the tutors hold. Due to the highly confidential nature

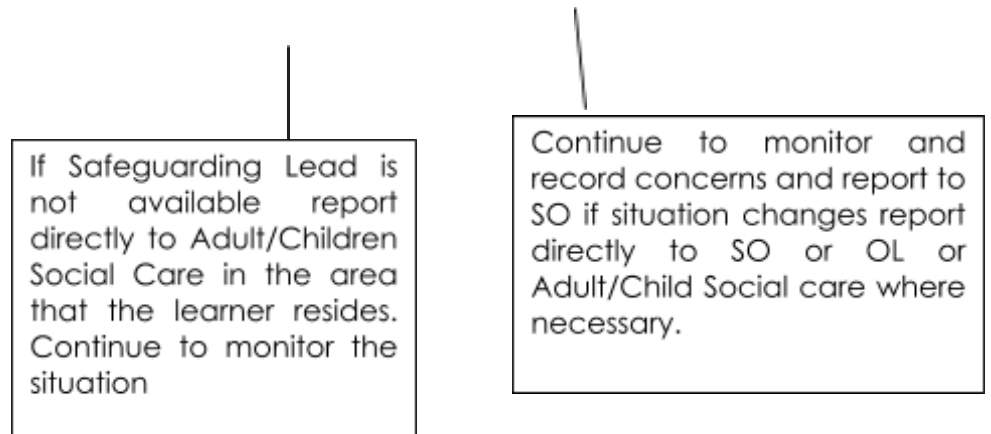


of a child/adult protection or safeguarding concern, staff **must** not update the Tutor Learner Files with this information. The Safeguarding Team is responsible for making appropriate records. However all staff are responsible for upholding safeguarding principles and all phone calls and meetings must be recorded on the Tutor Comments sheet and the safeguarding Team to be made aware and able to record in the safeguarding File. Staff should be aware that records may be shared with others at some stage and in exceptional cases, the possibility that they may become evidence in court.

The Safeguarding Team meet every six weeks to discuss safeguarding issues which are 'live' to monitor that agreed actions have been implemented. Assess the impact of the actions and the progress being made. Agree the next steps. Quality assure the written records. Ensure that clear actions are followed up where there is a child or adult protection plan in place and the outcomes are monitored. Make sure The Academy is represented at relevant meetings.

Concern reporting procedure for Staff – Section 6





The **Safeguarding Lead** will feed back to the person who made the referral.

Section 7 Recruitment

In order to ensure that learners and apprentices are protected whilst at The Academy we will make sure that all staff are carefully trained, DBS checked and supervised.

We accept our responsibility to follow the guidance set out in the most up to date version of the statutory guidance 'Keeping Children Safe in Education'. In particular, we will make sure that the following checks are satisfactorily completed before a person takes up a position:

- Identity checks to establish that applicants are who they claim to be including having sight of applicants birth certificate, passport or driving licence
- Checking academic qualifications to make sure all are genuine
- References being undertaken
- Previous employment history will be examined and any gaps accounted for
- Appropriate enhanced DBS checks are completed

Induction and training

All new members of staff will receive induction training, which will give them an overview of the organisation and ensure they know its purpose, mission, services and structure, as well as how to identify and report abuse and safeguarding concerns within the appropriate levels of confidentiality.

All new staff will complete an online safeguarding training programme prior to starting work at The Academy. They will be expected to attend mandatory safeguarding awareness training, FGM awareness training and online Prevent and Channel training. This will enable them to fulfil their responsibilities in respect of safeguarding learners.

They will have access to The Staff Safeguarding Pack which is available on reception at both sites, and a copy of the Safeguarding Policy and Staff Code of Conduct. The induction programme is mandatory for staff and they must go through and understand the Prevent Policy and as well as the safeguarding procedures.



The Safeguarding Policy is available on The Academy website and is available in the office Academy documents.

Conduct of Staff

All staff are given a Staff Code of Conduct at staff induction. The Academy has a duty to ensure that high standards of professional behaviour exist among all staff who come into contact with learners and apprentices and that all staff are clear about what constitutes as appropriate behaviour and professional boundaries.

At all times staff are required to work in a professional way with learners and apprentices of all ages. All members of staff must be aware of their responsibilities when:

- Working alone with a learner or apprentice
- Coming into physical contact with a learner or apprentices
- Dealing with sensitive information
- Contacting learners – this will ideally be done through the main office/reception but can be done through approved/closed channels on social media and messaging sites within reasonable working/business hours
- Disclosing personal details including what may be on personal social media accounts
- Meeting learners and families outside of Academy hours and Academy duties
- Receiving gifts from learners, parents and apprentices.

Appropriate training will be provided to staff in relation to the area listed above.

It is misconduct if a member of staff fails to act on reasonable suspicion that a learner or apprentice is suffering harm or fails to act in accordance with the policy and The Academy will take action.

If staff have a concern about poor or unsafe practice and potential failing they will be listened to and action will be taken. If staff feel they are unable to raise issues internally or feel that their concerns are not being addressed other whistle blowing channels are available. The NSPCC Whistleblowing helpline is available as an alternative route as well as further guidance on whistleblowing for employees available on the www.gov.uk/whistleblowing website.

There are a range of mechanisms in place to ensure that learners and apprentices feel comfortable to express their concerns to staff, for example:

- Safeguarding Officers who each learner and apprentice have met and see on site
- Learner Voice Surveys
- Through their class representatives
- Drop in sessions
- An open approach to discussing issues

Section 8

Allegations against members of staff

Allegations against members of staff must be reported immediately to the director of The Academy. This includes historical allegations as well as allegations against staff who no longer work at The Academy. The director will decide the next steps.

If the learner or apprentice is a child (under the age of 18) and anyone makes an allegation (current or historic) or is suspected that a member of staff may have:

- Behaved in a way that has harmed or may have harmed a child, young person or vulnerable adult
- Possibly committed a criminal offence against, or related to, a child, young person or vulnerable adult
- Behaved towards a child, young person, vulnerable adult in a way that indicated s/he is unsuitable to work with children, young people and vulnerable adults as they may pose a risk of harm.

You should speak immediately with the director of The Academy who is the Safeguarding Lead at The Academy. Basic information about the allegation will be collated and a decision made as to whether it meets the threshold to be reported to the Local Authority Designated Officer (LADO) and within the 24 hour timescale of reporting such concerns to LADO. The LADO will discuss the concerns and offer advice and guidance on how the situation will be managed. The Academy will not investigate the concerns or enter into discussions with the alleged perpetrator without initial advice from the LADO.

If the learner or apprentice is an adult (18+) with care and support needs and an allegation (current or historic) is made or it is suspected that a member of staff may have:

- Behaved in a way that has harmed or may have harmed an adult with care and support needs
- Possibly committed a criminal offence against or related to an adult with care and support needs
- Behaved towards an adult with care and support needs in a way that indicates s/he is unsuitable for work with adults with care and support needs.
- Behaved in a way that has harmed children or may have harmed children which means their ability to provide a service to adults with care and support needs must be reviewed.
- May be subject to abuse themselves and as a consequence means their ability to provide a service to adults with care and support needs must be reviewed.
- Behaved in a way which questions their ability to provide a service to an adult with care and support needs which must be reviewed eg conviction for grievous bodily harm against someone who is not an adult with care and support needs.

When referring to adults with care and support needs staff are (PiPOT) people in a position of trust and such allegation must be reported to the director of The Academy and she will work within the lines the North Yorkshire safeguarding Adults Board protocol. Whilst the PiPOT protocol is concerned with potential harm to adults with care and support needs if the allegation is such that there is a concern that the person may also pose a risk to children, then Children's Services and/or LADO must be informed as appropriate.

Physical contact with learners and apprentices



Members of staff may have to have physical contact with learners and apprentices and this is to be conducted in a professional way as set out in the Staff Code of Conduct.

Contracting

All contractors cannot work unsupervised if DBS checks are not carried out. The Academy is responsible for determining safe level of supervision. The Academy should always check the identity of contractors and their staff on arrival and contractors are approved only by the director and Safeguarding Lead.

Photographing learners and apprentices under 18

The Academy will not allow images of learners and apprentices to be used on the website, social media, publicity and press releases, without signed permission to do so.

Images showing children and young people under the age of 18 and vulnerable adults should not be used on any organisations social networking site e.g. Facebook without the signed permission of the parent or carer.

It is important to consider the following risks when posting images of under 18s on social media:

- the tagging of children, young people and vulnerable adults thus identifying them at a location and allowing the opportunity for abusers to identify and locate them on social networking sites
- the morphing of the image
- personal intimidation by posting derogatory, abusive and threatening comments
- cyber bullying

Confidentiality – Section 9

The Academy will ensure that any records made in relation to a referral are kept confidentially and in a secure place in line with the obligations under the Data Protection Act.

Information in relation to a young person or vulnerable adults' protection concerns should be shared on a "need to know" basis. However, the sharing of information is a legal duty and is vital to young persons and vulnerable adults' protection and, therefore, the issue of confidentiality is secondary to the individuals' need for protection. Regardless of the duty of confidentiality, working within the remit of our safeguarding duties, if anyone has reason to believe a learner or apprentice may be suffering harm, or at risk of harm, their duty is to forward this information without delay to the safeguarding Team.

We will raise awareness of its safeguarding responsibilities with parents, we will, where appropriate share any concerns about a learner's, or apprentice's, welfare with a parent/carer. In accordance with the requirements of 'Working Together to safeguard children (2018) and The Care Act (2014) statutory guidance', we will share information about safeguarding concerns with other relevant agencies on a need to know basis



and in line with the Data Protection Act 2018 and General Data Protection Regulations. Any requests for data on a learner or apprentices should be referred to the safeguarding team.

Retention of safeguarding records

In accordance with requirements safeguarding records will be kept for seven years.

Monitoring our progress

The Academy will collect and analyse data and information to measure our progress towards the values set out in the Safeguarding Policy. We will use all views of learners, parents, carers and other stakeholders to inform changes and improvements we make. We will keep accurate records of safeguarding issues that have been brought to our attention and will use accurate and up to date information to inform our strategic and operational decisions making.

If the Safeguarding Policy is not adhered to it will not be tolerated, behaviour which breaches our policy will lead to disciplinary or other action. To achieve commitment to the policy and train staff they are made aware of the following:

- Safeguarding Policy and procedures for raising, reporting and investigating concerns.
- Key staff who to whom a concern must be reported – The Safeguarding Team
- The responsibility of all members of staff under the policy and procedures
- Up to date guidance including Working Together to Safeguard Children 2018

Work placements

Any employer working with learners or apprentices must be aware of The Academy Safeguarding Policy and procedures. They must know that the key point of contact is the Safeguarding Lead (Academy director) who liaises directly with employers/managers to conduct meetings and reviews.

The employer must give The Academy a key point of contact for the learner for safeguarding purposes and make sure this person knows the safeguarding procedures.



Section 10

Risk Assessment

The Academy uses risk assessments to inform the planning of safeguarding activities. This may include individual learners and apprentices risk assessments where the needs or circumstances of the individual dictate that completion of a risk assessments may be beneficial. Risk assessments are usually done with a safeguarding Officer and/or Tutor and forms can be located in the master Register.



APPENDIX A

The Main Legislation

Working Together to safeguard Children (2018)

This guidance outlines how we should all work together to safeguard and promote the welfare of children.

Keeping Children Safe in Education (2018)

Provides further guidance as to how colleges should fulfil their duties in respect of safeguarding and promoting the welfare of children in their care.

Common Inspection Framework 2015

For inspections from September 2015 the inspection report will include a written judgement stating whether the provider's safeguarding of all learners and apprentices is outstanding, good, requires improvement or inadequate.

The Children Act (1989)

Part III of The Children Act 1989 outlines the requirements for local authorities to provide services for children and their families.

Education Act (2002)

Section 175 of the 'Education Act' (2002) provides that:

"The governing body of an institution within the further education sector shall make arrangements for ensuring that their functions relating to the conduct of their institution are exercised with a view to safeguarding and promoting the welfare of children receiving education and training at the institution."

The Children (2004)

The Children Act 2004 defines statutory leadership roles for the safeguarding of children, the joint planning of children's services and how organisations should safeguard children and promote their welfare.

Care Act (2014)

The Care Act 2014 defines the process for assessing an adult's need for care and support and deciding whether a person is eligible for publicly funded care and support.

Mental Capability Act (including DoLs) 2005

Mental Capabilities Act 2005 applies if an individual has a mental health problem and does not have the capacity to make certain decisions and this can be in the short term or permanently. It provides a framework to guide professionals in making decisions in the best interest of the individual when they have lost capacity temporarily or permanently.

Human Rights Act (1998)

The Human Rights Act 1998 gives an individual legal protection of their human rights, such as right to life and right to education. It sets out a minimum standard of how public bodies, including FE and HE colleges should treat individuals.

Counter-Terrorism and Security Act (2015)

Section 26 of this act places duty on certain bodies, including FE colleges, in the exercise of their functions, to have “due regard to the need to prevent people from being drawn into terrorism” and to actively promote British values.

Female Genital Mutilation Act 2003

Provides the legislation around what FGM is and the laws that relate to it. This act was amended by the Serious Crime Act 2015 to include mandatory reporting for regulated professionals.

The Rehabilitation of Offenders Act (1974)

This act made any convictions ‘spent’ after a certain period and the convicted person would not normally have to reveal or admit the existence of a spent conviction. In most circumstances, an employer cannot refuse to employ someone, or dismiss them, on the basis of a ‘spent’ conviction. However under this act all applicants for positions which give them “substantial, unsupervised access on a sustained or regular basis” to children, must declare all previous convictions whether spent or unspent, and all pending cases against them.

The Police Act 1997

This act contained the provision to set up the Criminal Records Bureau for England and Wales.

Under this act it is a criminal offence for an employer to

- Not check an employee working with children or vulnerable adults
- Give a job to someone who is inappropriate to work with children or vulnerable adults when they know this to be case.

The Counter-Terrorism Act 2008

An act of the Parliament of the United Kingdom which increased police powers for the stated purpose of countering terrorism. The first reading of the bill was held in January 2008, and it received royal assent on 26 November 2008.

The Protection of Children Act 1999

Under this act, childcare organisations (defined as those that are ‘concerned with the provision of accommodation, social services or health care services to children or the supervision of children’) must make use of the Disclosure Service in their recruitment and reporting processes and urges other organisations working with children to also do so.

Criminal Justice and Court Services Act 2000

This act covers Disclosures and child protection issues. It contains the list of convictions that bar offenders from working with children in ‘regulated positions’. These types of ‘regulated positions’ are defined in this act and include:

- Any employment in schools, children’s homes, day care premises where children are present
- Caring for, training, supervising, or being in sole charge of children
- Unsupervised contact with children



- Other positions which give the kind of access or influence which could put children at risk if held by a disqualified person (e.g. Management committee members).

Care Standards Act 2000

A DBS disclosure is required for most roles in organisations providing care or health services regulated under this act. This act also sets out the Protection of Vulnerable Adults scheme.

The POVA or Protection of Vulnerable Adults scheme was launched in 2004 by the Department of Health and the National Assembly for Wales. Legislation with regard to those working with vulnerable adults is less developed and more open to interpretation. From 20th January 2010 all new referrals to POVA are being made to the ISA who will determine new referrals in accordance within the provisions of the Safeguarding Vulnerable Groups Act under which there is no provisional listing.

Every Child Matters and the Children Act 2004

In September 2003 the Government set out in the Green Paper 'Every Child Matters'(ECM) its proposals for a radical reorganisation of children's services – from hospitals and schools, to police and voluntary groups. Subsequently 'Every Child Matters: Change for Children' was issued and the Children Act 2004 was passed. It sets out the Government's approach to the well-being of children and young people from birth to age 19. Every local authority (LA) will lead on integrated delivery of services for children and young people through multi-agency children's trusts. L.A.'s are also required to set up statutory LSCB's which are replacing the non-statutory Area Child Protection Committees. The children's trusts are a direct response to Lord Laming's report of the inquiry into the death of Victoria Climbié, which highlighted the extent to which better working together and better communication was crucial. The ECM agenda has been further developed through publication of the *Children's Plan* in December 2007, which aims to improve educational outcomes for children, improve children's health, reduce offending rates among young people and eradicate child poverty by 2020. Further details from www.everychildmatters.gov.uk

The Sexual Offences Act 2003

[Http://www.opsi.gov.uk/ACTS/acts2003/20030042.htm](http://www.opsi.gov.uk/ACTS/acts2003/20030042.htm)

The Sexual Offences Act seeks to protect children and defines a child as anyone under the age of 18. In the educational and training environment the Act applies to any adult in a position of trust, regularly involved in teaching, managing or supervising a child in an unsupervised situation.

The Act applies to all staff, whether on a substantive or sessional contract, with the exception of postgraduates (excluded in the Act because they are receiving an education at University).

The definition of a child includes students, learners and staff under the age of 18, including part-time students, work-placements and casual staff.

Whilst a young person can consent to sexual activity once they reach the age of 16, under the Act it is a criminal offence for an adult in a position of trust in relation to a child under 18 to:

- Engage in sexual activity with that child. Sexual activity is described as touching of a sexual nature and therefore would include for example, kissing
- Cause or incite a child to engage in sexual activity
- Engage in sexual activity in front of a child
- Cause a child to watch a sexual act. This would include displaying sexually explicit or pornographic material

A position of trust applies if an adult is regularly involved in caring for, training, supervising or being in sole charge of persons under 18.

The sole reasonable defence will be that the adult had a reasonable belief that the child was in fact 18 or over.

In sexual relationships which pre-date the position of trust:

- Conduct which might otherwise be an offence under the Act is not an offence if immediately before the position of trust arose, a lawful sexual relationship existed between the adult and the child
- In any proceedings an adult would be required to prove that such a relationship existed at that time

The correct definition of a vulnerable adult set out by the government through the Independent Safeguarding Authority (ISA) is: A person aged over 18 years and who:

- Is living in residential accommodation, such as a care home or a residential special school
- Is living in sheltered housing
- Is receiving domiciliary care in their own home
- Is receiving any form of healthcare
- Is detained in lawful custody (in a prison, remand centre, young offender institution, secure training centre or attendance centre, or under the powers of the Immigration and Asylum Act 1999)
- Is under the supervision of the probation services
- Is receiving a welfare service defined as the provision of support, assistance or advice by any person, the purpose of which is to develop an individual's capacity to live independently in accommodation or support their capacity to do so
- Is receiving a service or participating in an activity for people who have particular needs because of their age or who have any form of disability
- Is an expectant or nursing mother living in residential care, or
- Is receiving direct payments from a local authority or health and social care trust in lieu of social care services

Safeguarding Vulnerable Groups Act 2006

The Act covers regulated and controlled activity providers, so widening the scope particularly in relation to vulnerable adults as opposed to the existing POVA scheme.

Regulated activity includes work that involves

- Any activity which involves close contact with children or vulnerable adults and is of a specified nature (e.g. Teaching, training, care, supervision, advice, treatment or transport)



- Any activity allowing contact with children or vulnerable adults and is in a specified place (e.g. Schools, care homes, etc.)
 - Fostering and childcare
 - Certain defined positions of responsibility (e.g director of social services, trustees of certain charities)
- And where the activity is 'frequent' (once a month or more) or takes place on three or more days in a 30 day period ('intensive').



Controlled activity includes

- Support work in general health, NHS, Further Education settings (e.g. Cleaner, caretaker, shop worker, catering staff, car park attendant, receptionist)
- Those working for specified organisations (e.g. A local authority) with frequent access to sensitive records about children and vulnerable adults
- Support work in adult social care settings (e.g. day centre cleaners, those with access to health records)

And where the activity is 'frequent' (once a month or more) or takes place on more than three or more days in a 30 day period ('intensive').

The act does not cover any employment which may occur in the context of private arrangements between family or friends, nor is it necessary for domestic employers (e.g. of a private tutor, nanny or care worker) to check individuals, but they will have the opportunity to check the status of the individual if they wish. But it will be an offence for a barred person to undertake regulated activity in a domestic circumstance.

Employers must check on potential employees before employing them in both a regulated activity and a controlled activity – they cannot take the individual's word for it nor can they allow the person to start work, even if supervised, before they know the outcome of the check.

Further details can be obtained from

<http://www.everychildmatters.gov.uk/independentsafeguardingauthority> and
www.isa.gov.org



APPENDIX B

Safeguarding Lead (The Academy)

Lindsay Burr – Director – 01653 699066 / 07979 748366

lindsay@academyhairandbeauty.com

Local Safeguarding organisations - contact details

City/town	Lead Area Designated Officer (LADO)	Phone number and email address	Detective Sergeant Public and Child Protection Unit	Phone number and email address	C S (I)
Scarborough and area Scarborough/Ryedale and Hambleton /Richmondshire	Dave Peat	07814 533363 Dave.Peat@northyorks.gov.uk	No designated officer	VATenquiries@northyorkshire.pnn.police.uk	M N N
York	Joe Cocker	07866343641 Email: joe.cocker@york.gov.uk	No designated officer	101 and ask to speak to a supervisor	S
East Riding	Tony Marsh Lorraine Wilson	Tony.marsh@eastriding.gcsx.gov.uk Lorraine.wilson@eastriding.gcsx.gov.uk	No designated officer	01482 396999	
North Yorkshire County Council – County Hall Northallerton	James Parkes – NYSCB Board Manager	01609 780780/779838 www.northyorks.gov.uk/safeguarding	No designated officer	01609 532448/533109	M N



All police non-emergencies
101

NSPCC Helpline
0808 800 5000

ChildLine
0800 1111

FAST - UK-based organisation providing support to vulnerable families and individuals.
[Http://www.familiesmatter.org.uk/](http://www.familiesmatter.org.uk/)

JAN Trust: A charity promoting women's rights, community cohesion and counter-extremism (**0208 889 9433**).

Thinkuknow: Advice for parents and carers on online safety (CEOP – Child Exploitation and Online Protection (**0870 000 3344**)).
[Http://www.thinkuknow.co.uk/](http://www.thinkuknow.co.uk/)



APPENDIX E

Safeguarding young people and vulnerable adults

Glossary of Terms

DBS

Disclosure & Barring Service

ECM

Every Child Matters

ISA

independent Safeguarding Authority

LA

Local Authority

LSCB

Local Safeguarding Children Board

PNC

Police National Computer.

POCA

Protection of Children Act.

POVA

Protection of Vulnerable Adults

NSPCC

National Society for the Prevention of Cruelty to