



Safeguarding & Prevent Policy September 2021 to September 2022

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1. Purpose

Safeguarding and promoting the welfare of children is **everyone's** responsibility. **Everyone** who comes into contact with children and their families and carers has a role to play in safeguarding children. 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.¹

The purpose of the Safeguarding Policy, Procedures and Training are to ensure the PMA provides a safe environment for children, young people and adults at risk to learn. The PMA is committed to:

- a. Raising the awareness and identification of children or adults at risk who are at risk of significant harm and providing clear procedures for reporting concerns.
- b. Raising the awareness of young people and adults at risk, including the importance of staying safe on-line.
- c. Establishing procedures for reporting and dealing with allegations of abuse against members of staff.
- d. The safe recruitment of staff.

2. Scope

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.

This policy applies to all PMA staff, whether teaching, administrative, management or support, as well as to volunteers. The word "staff" is used to denote all these groups.

PMA staff will follow the guidance outlined in the safeguarding procedure.

The PMA has a statutory and moral duty to promote and safeguard the welfare of all our learners under the age of 18 and Adults at risk receiving education and training at the PMA. This includes protecting them from situations where they may be abused.

The policy applies to all learners under the age of 18 years of age, all adults at risk, all learners over the age of 18 where there are minors in the household and abuse is disclosed and all staff without exception. The policy is also applied to all visitors and contractors to the PMA. The policy applies to all PMA sites and community venues.

¹ DfE Keeping children safe in education September 2021

3. Responsibility

The policy ensures all disclosures are referred to the Designated Safeguarding Officers, where they will be acted upon accordingly.

Operational responsibility for the implementation of the policy lies with the Head of Business Operations. This policy will be monitored by the Governance Board and the Head of Business Operations at appropriate intervals and will be reviewed on a regular basis.

Any changes or addendums in response to changes in year will be agreed by the Governance Board and shared with staff and via the PMA communications.

The Safeguarding Team will meet monthly to discuss any issues, and update on individual learners, and where appropriate updates from Channel Panel meetings including the Prevent strategy and local pertinent information available to the PMA.

The Client Services Director and Operations Director have overall responsibility for Safeguarding.

4. General Principles

- 4.1 The PMA recognises that it has a statutory obligation under the Children Act 1989, the Children Act 2004, section 175 Education Act 2002, section 55 of the Borders, Citizenship and Immigration Act 2009, Keeping Children Safe in Education Sept 2021, which has been extended to cover 6-19 academies and apprenticeships, referencing the Education and Training (Welfare of Children) Act 2021 to safeguard and promote the welfare of its individuals. This document offers guidance and outlines procedures that should be followed in all cases of suspected abuse and situations of serious risk. It applies to all individuals under the age of 18 or those over 18 who are considered to be “adults at risk”. Adults at risk are people aged over 18 who are affected by mental ill health, have a learning difficulty or disability, or a physical disability or impairment.
- 4.2 Safeguarding and promoting the welfare of children is defined as protecting children from maltreatment; preventing impairment of children’s health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.
- 4.3 In relation to adults at risk the government set out key principles in The Care Act 2014² (Chapter 14).
- 4.4 The PMA also recognises its responsibility to safeguard children and adults at risk in the wider community. For instance, if an individual has younger siblings or an adult at risk within their family.
- 4.5 This policy applies to all “children” i.e. young persons under the age of 18 years or those over 18 considered to be an adult at risk.

² http://www.legislation.gov.uk/ukpga/2014/23/pdfs/ukpga_20140023_en.pdf

4.6 The welfare of the child/learner is, at all times, of paramount importance, irrespective of where any harm takes place.

5. Procedures

Throughout the Safeguarding Policy and Procedures, references are made to 'children and young people', this term is used to mean 'those under the age of 18'. The PMA recognises that some adults are also vulnerable to abuse, hence this policy will also refer to adults at risk. The PMA is committed to ensuring that we:

- a. Provide a safe environment to learn, onsite and remotely, for children, young people and adults at risk.
- b. Identify children, young people and adults at risk who may benefit from early help. Ensure the appropriate staff and/or external agencies are involved in an early help assessment.
- c. Identify children, young people and adults at risk who are suffering, or likely to suffer significant harm, and take appropriate action to see that such children, young people and adults at risk are kept safe, both at home, in the workplace and at the PMA.
- d. Establish clear procedures for reporting and dealing with allegations of abuse.
- e. Establish a clear training schedule to ensure all staff are trained and familiar with the Safeguarding Policy and Procedures.
- f. Provide appropriate support to learners who have been abused. For example, signposting them appropriately to other services.
- g. Establish clear procedures for reporting and dealing with allegations of abuse against members of staff.
- h. Establish the safe recruitment of staff (including volunteers) in compliance with the Disclosure and Barring Service (DBS) regulations, including DBS checks and additional barring checks to ensure that staff are not prohibited from teaching as well as obtaining and checking of references and identity checks.
- i. Ensure all staff who work for The PMA are made aware during induction, of the Sexual Offences Act 2003 and that it is an offence for a person over the age of 18 to have a relationship with a child under the age of 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies where the child is in full-time education and the person works at the same establishment as the child, even if he/she does not teach the child.

In developing the Safeguarding Policy, the PMA have consulted with and taken into account, guidance issued by the Department for Education (DfE), the NSPCC, CEOP, UK Council for Child Internet Safety (UKCCIS) the FE/HR Regional Prevent Co-ordinators and Prevent.

The PMA will refer concerns that a child, young person or adult at risk is at risk of significant harm to Social Care and/or the Police.

Designated Staff with Responsibility for Child Protection

There will be a member of the PMA Management Team, with lead responsibility for child protection and adult at risk protection who reports to the Senior Directors. The designated member of staff with lead responsibility for child protection and adult at risk protection is the Head of Business Operations, assisted by, the Deputy Safeguarding Officer. All Designated Safeguarding Officers will be required to update their training every 2 years.

All staff undergo safeguarding and child protection training at induction; all staff receive training annually to ensure they are equipped with the skills and knowledge to safeguard children effectively. Refresher and update training takes place throughout the year if appropriate.

The governing body and the Senior Leadership Team (SLT) will receive on a quarterly and annual basis, a report on safeguarding issues and duties discharged. The designated member of staff with lead responsibility for child protection and adults at risk protection is responsible for reporting deficiencies in procedure or policy identified by regional Safeguarding Partnerships (or others) to the governing body at the earliest opportunity.

Designated Member of Staff with Lead Responsibility

The Head of Business Operations has the lead responsibility for safeguarding and child protection and has a key duty to take lead responsibility for raising awareness with staff of issues relating to the welfare of children and young people, and the promotion of a safe environment for the children and young people learning within the PMA.

The Head of Business Operations has undertaken Advanced Safeguarding for Designated Safeguarding Leads. The Director and wider team and will receive refresher training at least every 2 years as well as regularly monitoring developments surrounding safeguarding and child protection.

The designated Safeguarding Officer is responsible for:

- a. Overseeing the referral of cases of suspected abuse or allegations to Social Care.
- b. Identifying deputy designated safeguarding leads and ensure they are appropriately trained.
- c. Ensure the designated safeguarding lead and or a deputy is available in PMA to discuss safeguarding concerns.
- d. Ensuring that adequate and appropriate cover is available for out of hours activities.
- e. Providing advice and support to other staff on issues relating to child protection.
- f. Maintaining a proper record of any child protection referral, complaint or concern, even where that concern does not lead to a referral (see section 16 Confidentiality and section 17 Written Records).

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- g. Liaising with the Senior Directors and Governors in relation to ongoing enquiries under Section 47 of the Children Act 1989 and police investigations.
 - h. Ensuring that parents of children and young people within the PMA are aware of the PMA's Safeguarding Policy.
 - i. Liaising with the relevant local authority, and other appropriate agencies.
 - j. Liaising where appropriate with secondary schools which send learners to the PMA to ensure that appropriate arrangements are made for the learners.
 - k. Liaising with other providers when a learner leaves to join another provider to ensure their child protection file is transferred to the new provider as soon as possible, ensuring secure transit, and confirmation of receipt.
 - l. Liaising with employers and training organisations that receive children or young people from the PMA on long term placements or employ learners as part of their apprenticeship to ensure that appropriate safeguards are put in place.
 - m. Ensuring that staff receive appropriate training in child protection issues and are aware of the PMA child protection procedures.

Designated Staff Members

The other designated member of staff with responsibility for safeguarding issues is the Deputy Safeguarding Lead.

These designated staff members:

- a. Report to the senior member of staff with lead responsibility
- b. Will know how to make an appropriate referral
- c. Will ensure that all referrals to Social Care / Police will be made verbally and/or via the appropriate referral form as directed by the Local Safeguarding Partnership.
- d. Will be available to provide advice and support to other staff on issues relating to child protection
- e. Have particular responsibility to be available to listen to children and young people studying at the PMA
- f. Will deal with individual cases, including attending case conferences and review meetings as appropriate.
- g. Have received training in child protection issues and inter-agency working, as required by the Local Safeguarding Partnership, and will receive refresher training at least every 2 years.
- h. Will ensure that all referrals, complaints or concerns remain confidential (see section 16 Confidentiality and section 17 Written Records)

Designated Governor

The designated governor is responsible for liaising with the Senior Directors and the Designated Safeguarding Lead with lead responsibility over matters regarding child and adult at risk protection, including:

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- a. Ensuring that the PMA has procedures and policies which are consistent with the Local Safeguarding Partnership's (Social Care) procedures
 - b. Ensuring that the governing body considers the PMA policy on safeguarding each year
 - c. Ensuring that each year the governing body is informed of how the PMA and its staff have complied with the policy, including but not limited to a report on the training that staff have undertaken.

The designated governor is responsible for overseeing the liaison between agencies such as the police, social services in connection with allegations against the Directors. This will not involve undertaking any form of investigation, but will ensure good communication between the parties and provide information to assist enquiries. To assist in these duties, the designated governor shall receive appropriate training.

The Governing Body

Governing bodies and proprietors have a strategic leadership responsibility for their organisations safeguarding arrangements and must ensure they comply with their duties under legislation.

The Governing Body should ensure that:

- The PMA has appropriate policies and procedures in place in order for appropriate action to be taken in a timely manner to safeguard and promote children's welfare. This includes an effective child protection and safeguarding policy and a code of conduct. The policy is provided to all staff, including temporary staff and volunteers, and is made available to parents on request
- Appropriate safeguarding responses are in place for children who go missing from education, particularly on repeat occasions in order to identify the risk of abuse and neglect and to prevent the risks of their going missing in the future
- The PMA operates safe recruitment procedures and makes sure that all appropriate checks are carried out on staff and volunteers who work with children
- The PMA has procedures for dealing with allegations of abuse against staff and volunteers that comply with the guidance
- A senior member of PMA is designated to take overall responsibility for safeguarding and that this person has the necessary training and experience to undertake this role
- Staff undertake appropriate safeguarding training
- They remedy, without delay, any deficiencies or weaknesses regarding safeguarding arrangements
- A governor is nominated to be responsible for liaising with the relevant LA and/or partner agencies in the event of allegations of abuse being made against the Directors

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- An identified member of staff has responsibility for monitoring the achievement and personal circumstances of learners who are in local authority care
 - Where services or activities are provided on the PMA premises by another body, the body concerned has appropriate policies and procedures in place in regard to safeguarding and liaises with the PMA on these matters where appropriate
 - They review their policies and procedures annually
 - All policies and procedures take into account the statutory guidance outlined in “Keeping children safe in education: statutory guidance for schools and Colleges” DfE, September 2021 and “Working together to safeguard children” HM Government, February 2019.

A safeguarding update is submitted to Governors quarterly. An annual report is produced to ensure that Governors have an overview of safeguarding activities undertaken during the year and approve areas for development.

5.1 Definitions of child or adult at risk, abuse and neglect

Abuse: a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children.³

All staff are made aware that abuse, neglect and safeguarding issues are rarely stand-alone events that can be covered by one definition or label. In most cases multiple issues will overlap with one another.

The PMA recognises the following as definitions of abuse:

³ DfE Keeping Children Safe in Education September 2021

Physical abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child or adult at risk. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child whom they are looking after. This situation may be described as fabricated or induced illness by carer.

Emotional abuse

Emotional abuse is the persistent emotional ill treatment of a child or adult at risk such as to cause severe and persistent adverse effects on the individual's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, for example, by witnessing domestic abuse within the home or by being bullied, or, the exploitation or corruption of children. This also includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone.

Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or in watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Sexual abuse towards adult at risks includes rape and sexual assault or sexual acts to which the adult at risk has not or could not consent and/or was pressured into consenting.

Neglect

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

Bullying & harassment and cyber bullying are also forms of abuse which are addressed in the Anti-Bullying & Harassment Policy.

Contextual Safeguarding

As well as threats to the welfare of children & young people from within their families, children & young people may be vulnerable to abuse or exploitation from outside their families.

These threats might arise at PMA, from within peer groups, or more widely from within the wider community and/or online.

These threats can take a variety of different forms and children can be vulnerable to multiple threats, including: exploitation by criminal gangs and organised crime groups such as county lines; trafficking, online abuse, sexual exploitation and the influences of extremism leading to radicalisation.

Child sexual exploitation (CSE)

CSE involves exploitative situations, contexts and relationships where young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) as a result of engaging in sexual activities. Sexual exploitation can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks out exploitation is an imbalance of power in the relationship. The perpetrator always holds some kind of power over the victim which increases as the exploitative relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming. However, it is also important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

The definition of child sexual exploitation:

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage of increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.⁴

Female Genital Mutilation (FGM)

FGM professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM. There is a range of potential indicators that a child or young person may be at risk of FGM, which individually may not

⁴ Child sexual exploitation: Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation (Department for Education February 2017)

indicate risk but if there are two or more indicators present this could signal a risk to the child or young person. Victims of FGM are likely to come from a community that is known to practise FGM. Professionals should note that girls at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject. Staff should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care.

If a teacher, in the course of their work in the profession, discovers that an act of Female Genital Mutilation appears to have been carried out on a girl under the age of 18 the **teacher** must report this to the police. The safeguarding team will support the staff member in making the referral.

Private fostering⁵

Private fostering is very different from the care of children provided by local councils under the Children Act 1989.

Children under 16 (or 18 if disabled) are classed as privately fostered when they are cared for on a full-time basis by adults, who are not their parents or a close relative (brother, sister, aunt, uncle, or grandparents by birth or marriage) for a period of 28 days or more.

Usually a birth parent chooses and arranges private foster placements, which could take many forms. These include:

- children coming from abroad to access the education and health systems.
- children living with a friend's family after separation, divorce or arguments at home.
- teenagers living with the family of a boyfriend or girlfriend.
- people who come to this country to study or work, but antisocial hours make it difficult for them to care for their own children.

Sometimes it's the young person themselves who chooses to live elsewhere and their parents do not object.

There are many reasons why a parent may be unable to look after their child full time, such as:

- Being admitted to hospital.
- Going abroad for lengthy periods.
- A breakdown in relationship between a parent and young person.

Should the PMA become aware of a private fostering arrangement in place for a learner this will be reported to the relevant local authority, to ensure they are aware. The PMA understands that the local authority has a duty to ensure that children are well cared for in a safe and suitable home.

⁵ Warrington Borough Council website www.warrington.gov.uk

Child Criminal Exploitation: Serious Violent Crime & County Lines

County lines is the police term for urban gangs supplying drugs to suburban areas and market and coastal towns using dedicated mobile phone lines or “deal lines”. It involves child criminal exploitation (CCE) as gangs use children and vulnerable people to move drugs and money. Gangs establish a base in the market/suburban location, typically by taking over the homes of local vulnerable adults by force or coercion in a practice referred to as ‘cuckooing’. County lines is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons.

Like other forms of abuse and exploitation, county lines exploitation:

- Can affect any child or young person (male or female) under the age of 18 years.
- Can affect any vulnerable adult over the age of 18 years.
- Can still be exploitation even if the activity appears consensual.
- Can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence.
- Can be perpetrated by individuals or groups, males or females, and young people or adults.
- Is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

Mental Health

Mental health problems can, in some cases, be an indicator that a learner has suffered or is at risk of suffering abuse, neglect or exploitation. Whilst only appropriately trained professionals should attempt to make a diagnosis of a mental health problem, staff are well placed to observe learners day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

If staff have a mental health concern about a learner that is also a safeguarding concern immediate action should be taken by reporting the concern to the PMA safeguarding team.

Other safeguarding issues include:

- Bullying including cyber bullying
- Children missing from home, care or education
- Domestic violence
- Drugs
- Fabricated or induced illness
- Faith abuse
- Forced marriage
- Gangs and youth violence

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- Gender-based violence/violence against women and girls
 - Hate
 - Preventing radicalisation
 - Relationship abuse
 - Trafficking

Additional forms of abuse relevant to adult at risks:

Financial/Material Abuse

This includes theft, fraud, pressure around wills, property or inheritance or misuse of benefits.

Discriminatory Abuse

This includes racist, sexist, or other forms that are based on a person's disability and other forms of harassment, or similar treatment.

Self-Neglect

This is not a direct form of abuse but staff need to be aware of it in the general context of risk assessment/ risk management and to be aware that they may owe a duty of care to a vulnerable individual who places him/herself at risk in this way.

5.2 Forced Marriage

The tradition of arranged marriages has operated successfully within many communities and many countries for a very long time. A clear distinction must be made between a forced marriage and an arranged marriage. In arranged marriages, the families of both spouses take a leading role in arranging the marriage but the choice whether to accept the arrangement remains with the individuals. In forced marriage, at least one party does not consent to the marriage and some element of duress is involved.

Forced marriage is primarily an issue of violence against women. Most cases involve young women and girls aged between 13 and 30 years, although, there is evidence to suggest that as many as 15% of victims are male.

Forced Marriage is a criminal offence, the offences can include, abduction, physical violence, threatening behaviour. Sexual Intercourse without consent is rape.

How to proceed if you suspect a learner may be forced into a marriage against their will.

If you suspect that one of your learners is being forced into a marriage against their will, contact a Designated Safeguarding Officer, who will make an assessment whether to contact Social Services or go directly to the Forced Marriage Unit with the Police.

If a female ethnic minority learner leaves PMA unexpectedly and without

explanation, contact a Designated Safeguarding Officer, who will try to find out why this learner has 'suddenly' left the PMA without explanation and monitor any concerns.

5.3 Procedure to follow in the event of a disclosure or concern being raised with regards to child protection or adult at risk protection

If a learner discloses to a member of staff that abuse has taken place, they should be listened to carefully. The following points give guidance on how to proceed with a learner who makes an allegation.

- 5.3.1 The member of staff receiving the disclosure should remain calm
- 5.3.2 The learner should be listened to carefully, but not interviewed or asked to repeat the account. As soon as it becomes clear that the learner is making an allegation of abuse, it is important that the learner is gently informed, that the member of staff cannot keep this information to themselves, that they have a legal duty to pass it on to the Designated Safeguarding Officer. Confidentiality cannot be offered to the learner.
- 5.3.3 The learner should not be interviewed. Questions can be asked without pressure to ensure the member of staff fully understands what the learner is telling them. The questions must be simple and not leading. For example, if a learner states that they have been hurt, ask 'How were they hurt' as opposed to 'Did someone hit you'. Care should be taken to ensure assumptions are not made about what a learner is saying.
- 5.3.4 As soon as possible, all of the details should be noted, including timing, setting, who was present, and what was said. The details should be passed to a Designated Safeguarding Officer. Make sure the account reported is verbatim to the learners own words or as close as is possible.
- 5.3.5 The Designated Safeguarding Officer will discuss the line of action they have to take, so that the learner is informed of the next stage. It may be appropriate for the Designated Safeguarding Officer to meet with the learner. Details will be logged on the confidential log on the sharepoint
- 5.3.6 If a Designated Safeguarding Officer is not available, contact the Senior Directors. If the Lead or Deputy Designated Safeguarding Officer cannot be contacted, the Senior Directors will make a decision on action to be taken in line with this policy, which could include referral to the relevant Social Care or the Police.

The statutory guidance states that any member of staff can make a referral if they have concerns about a child or adult at risk. However, the PMA policy is for all referrals to be made via the Safeguarding Officers so that referrals can be managed and monitored effectively.

However, if a child or adult at risk is in immediate danger or is at risk of harm a referral should be made to children's social care and/or the police immediately. Anyone can make a referral. Where referrals are not made by the designated safeguarding lead the designated safeguarding lead should be informed, as soon as possible, that a referral has been made.

5.3.7 If the learner is over the age of 18, is suffering a form of abuse, but is not deemed an adult at risk, but at PMA we are aware that there may be other siblings under the age of 18 in the environment, then a Designated Safeguarding Officer must be informed.

5.3.8 Where a disclosure has been made learners will be signposted and supported to source support if required

5.4 Reporting on Allegations of a Learner abusing another Learner (Peer on Peer abuse)

All staff are made aware that children, young people and adults at risk are capable of abusing their peers. Peer on peer abuse is abuse and should never be tolerated or passed off as "banter" or "part of growing up".

Should an allegation of abuse be made against a learner by another learner, the Designated Safeguarding Officer needs to be contacted immediately. The Designated Safeguarding Officer will inform Social Services to determine if the police should be contacted as a matter of course.

Parents or carers and the employer will be informed and a decision will be made whether to suspend the accused learner, pending outcome of any investigation by PMA, the Employer, and or Social Care or Police if appropriate.

Victims of peer abuse will be supported through PMA where appropriate in partnership with relevant external agencies.

Examples of Peer abuse:

- Bullying (including cyberbullying)
- Physical abuse (such as hitting, biting, hair pulling)
- Sexual violence
- Sexual harassment
- Upskirting
- Sexting (also known as youth produced sexual imagery)
- Initiation/hazing type violence or rituals

All staff will be made aware of gender issues that can be prevalent when dealing with peer on peer abuse. This could for example include girls being sexually touched/assaulted or boys being subject to initiation/hazing type violence.

5.5 Sexual violence and sexual harassment between children in PMA⁶

Context

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physically and verbally) and are **never acceptable**. It is important that **all victims are taken seriously** and offered appropriate support.

Reports of sexual violence and sexual harassment are extremely complex to manage. **It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted.** It is also important that other children, adult learners and PMA staff are supported and protected as appropriate

⁶ DfE Sexual Violence and sexual harassment between children in schools and colleges May 2018

The PMA will:

- make clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up.
- not tolerate or dismiss sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”.
- challenge behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia and flicking bras and lifting up skirts.
- understand that all of the above can be driven by wider societal factors beyond the PMA, such as everyday sexist stereotypes and everyday sexist language. This is why a whole PMA approach (especially preventative education) is important.

SEND

Children with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers. Additional barriers can sometimes exist when recognising abuse in SEND children. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability without further exploration.
- the potential for children with SEND being disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs.

Any reports of abuse involving children with SEND will therefore require close liaison with the Designated Safeguarding Lead (or deputy) and the named person with oversight for SEN in the PMA.

Children who are lesbian, gay, bi, trans, or questioning their sexuality (LGBTQ) can be targeted by their peers. In some cases, a child who is perceived by their peers to be LGBTQ (whether they are or not) can be just as vulnerable as children who identify as LGBTQ.

Definitions

Sexual violence

For the purpose of this policy, when referring to sexual violence we are referring to sexual offences under the **Sexual Offences Act 2003** as described below:

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

What is consent? Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

- a child under the age of 13 can never consent to any sexual activity.
- the age of consent is 16.
- sexual intercourse without consent is rape.

Sexual harassment

For the purpose of this policy, sexual harassment refers to 'unwanted conduct of a sexual nature' that can occur online and offline and is referred to in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names.
- sexual "jokes" or taunting.

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- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes and displaying pictures, photos or drawings of a sexual nature.
 - online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.
 - Upskirting is a highly intrusive practice, which typically involves someone taking a picture under another person's clothing without their knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm, and is a specific criminal offence in England & Wales
 - Online sexual harassment may include:
 - non-consensual sharing of sexual images and videos.
 - sexualised online bullying;
 - unwanted sexual comments and messages, including, on social media.
 - sexual exploitation; coercion and threats.

Sexual harassment creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Harmful sexual behaviour

Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage.

Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two and should be considered in a child protection context.

When considering harmful sexual behaviour, ages and the stages of development of the children are critical factors to consider. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years' difference however, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled.

Children displaying harmful sexual behaviour have often experienced their own abuse and trauma. It is important that they are offered appropriate support.

The immediate response to a report

Responding to the report

The initial response to a report from a child is important. It is essential that **all** victims are reassured that they are being taken seriously and that they will be supported and kept safe. **A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.**

In some cases, the victim may not make a direct report. For example, a friend may make a report or a member of staff may overhear a conversation that suggests a child has been harmed. It is important that in such instances staff take appropriate action personally by reporting these concerns to the PMA safeguarding team **immediately. In such cases, the basic safeguarding principles remain the same, but it is important to understand why the victim has chosen not to make a report themselves. This discussion should be handled sensitively and with the support of children's social care if appropriate.**

Where reports of alleged sexual violence or sexual harassment involves learners from PMA, but is alleged to have taken place away from PMA or employer premises, or online, or where the children concerned attend two or more different providers. **Appropriate information sharing and effective multi-agency working will be especially important.**

Considering confidentiality and anonymity

Confidentiality

Staff taking a report should **never promise confidentiality** as it is very likely that it will be in the best interests of the victim to seek advice and guidance from others in order to provide support and engage appropriate agencies.

The designated safeguarding lead (or a deputy) will consider the following:

- **parents or carers should normally be informed** (unless this would put the victim at greater risk)
- the basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, **a referral should be made to children's social care**
- **rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police.**

Anonymity

The PMA will do all it reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment. Amongst other things, this will mean carefully considering, based on the nature of the

report, which staff should know about the report and any support that will be put in place for the children involved.

Risk Assessment

When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) will make an immediate risk and needs assessment.

Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis.

The risk and needs assessment will consider:

- the victim, especially their protection and support.
- the alleged perpetrator.
- all the other children (and, if appropriate, adult learners and staff), especially any actions that are appropriate to protect them.

Risk assessments will be recorded (written or electronic) and will be kept under review.

At all times PMA will actively consider the risks posed to all learners and putting adequate measures in place to protect them and keep them safe.

The designated safeguarding lead (or a deputy) will ensure engagement with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required.

Professional assessments will be used to inform the PMA's approach to supporting and protecting learners and updating the PMA risk assessment.

Action following a report of sexual violence and/or sexual harassment

What to consider

The designated safeguarding lead (or a deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the PMA's initial response.

Important considerations will include:

- **the wishes of the victim** in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered.
- **the nature of the alleged incident(s)**, including: whether a crime may have been committed and consideration of harmful sexual behaviour.

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- **the ages** of the children involved.
 - the **developmental stages** of the children involved.
 - any **power imbalance** between the children. For example, is the alleged perpetrator significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
 - is the alleged incident a **one-off** or a **sustained pattern** of abuse.
 - are there **ongoing risks** to the victim, other children, adult learners or school or PMA staff?

Children sharing a classroom or workspace: Initial considerations when the report is made

Any report of sexual violence is likely to be traumatic for the victim. However, reports of rape and assault by penetration are likely to be especially difficult with regard to the victim and close proximity with the alleged perpetrator is likely to be especially distressing. Whilst the PMA establishes the facts of the case and starts the process of liaising with children's social care and the police, **the alleged perpetrator will be removed from any classes they share with the victim, face to face or on-line.** The employer will also be informed and expected to invoke relevant procedures.

The PMA will also consider how best to keep the victim and alleged perpetrator a reasonable distance apart on PMA premises and in the workplace. **These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of the alleged perpetrator.**

For other reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator, should be considered immediately

Options to manage the report

Each report will be considered on a case by case basis and will include careful consideration of when to inform the alleged perpetrator. Where a report is going to be made to children's social care and/or the police the PMA will seek advice on when and how the alleged perpetrator will be informed. This will not stop the PMA taking immediate action to safeguard children where required.

There are four likely scenarios for PMA to consider when managing any reports of sexual violence and/or sexual harassment:

1. Manage internally
2. Early help
3. Referrals to children's social care
4. Reporting to the police

Ongoing response

For information on good practice in managing the ongoing response to reports of sexual violence and sexual harassment the PMA will use the advice published in the Department for Education's document '**Sexual violence and sexual harassment between children in schools and PMA's** May 2018.

The advice in this document will be used to inform actions around:

1. Safeguarding and supporting the victim
2. Safeguarding and supporting the alleged perpetrator
3. Discipline and the alleged perpetrator
4. Working with parents and carers
5. Safeguarding other children

Sexting (also known as Youth Produced Sexual Imagery)

Sexting is when someone shares sexual, naked or semi-naked images or videos of themselves or others, or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, and laptops - any device that allows you to share media and messages. Sexting may also be called, trading nudes, dirties, pic for pic⁷.

Creating and sharing sexual photos and videos of under 18's is illegal. Advice issued by UK Council for Child Internet Safety (UKCCIS) has issued the phrase 'youth produced sexual imagery' instead of sexting. This covers the following types of incident:

- A person under the age of 18 creates and shares sexual imagery of themselves with a peer under the age of 18
- A person under the age of 18 shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult
- A person under the age of 18 is in possession of sexual imagery created by another person under the age of 18⁸

Disclosing private sexual photographs and films with intent to cause distress is a criminal offence.⁹ However the PMA is aware of the consequences of criminalising children and follows the guidance issued by the Police when dealing with cases of sexting to ascertain full circumstances and identify whether the act is:

Aggravated – Criminal or abusive elements

Adult involvement or criminal or abusive behavior by minors such as sexual abuse, extortion, threats, malicious conduct arising from personal conflicts.

⁷ NSPCC website www.nspcc.org.uk

⁸ Sexting in schools and colleges: Responding to incidents and safeguarding young people

⁹ Criminal Justice and Courts Act 2015

Experimental – Youths sending, receiving or forwarding sexually explicit messages, photographs or images of themselves: 1) to share with established boy or girlfriends 2) To create romantic interest in another youth 3) For reasons such as attention seeking (no criminal element or intent)

In the first instance the PMA will follow guidance issued by UKCCIS and existing safeguarding procedures when alerted to concerns regarding sexting. Should instances of sexting be disclosed or uncovered by the PMA, which are thought to be aggravated these will be referred to the CSE Co-ordinator (Police) at the relevant local authority. If appropriate young people will be directed to Child Exploitation Online Protection Centre (CEOP) to report if appropriate

Consensual image sharing, especially between older children of the same age, may require a different response. It might not be abusive – but children still need to know it is illegal; whilst non consensual is illegal and abusive. UKCIS provides detailed advice about sharing of nudes and semi-nude images and videos.¹⁰

5.6 Reporting and Dealing with Allegations of Abuse against Members of Staff

In rare instances, staff of education institutions have been found responsible for child abuse. Due to their frequent contact with children and young people in a variety of situations, including the wider caring role, staff may have allegations of abuse made against them. Staff relationships with learners may lead to allegations against them being made by learners or parents. The PMA recognises that an allegation of child abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. The PMA therefore needs policies and procedures on the management of situations where there are allegations of abuse.

These procedures outline the steps to be followed and considerations to be made for the reporting and subsequent management of an allegation of abuse against a member or members of staff.

It is imperative that those dealing with an allegation maintain an open mind and those that investigations are thorough and not subject to delay.

The PMA recognises that the Children Act 1989 states that the welfare of the child is the paramount concern. It also recognises that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence and career. Therefore, those dealing with such allegations within the PMA will do so with sensitivity and will act in a careful, measured way.

5.6.1 Scope - These procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers. The word "staff" is used to denote all these groups.

¹⁰ Part One: Safeguarding information for all staff
Keeping Children Safe in Education September 2021

5.6.2 Procedures - Making an allegation regarding concerns over another staff member.

There are two ways to raise concerns regarding the conduct of another staff member. Staff can either report the allegation directly to the Head of Business Operations, Director of Operations or Director of Client Services, Human Resources or they may use the Whistleblowing Procedure.

If they choose to use the Whistleblowing Procedure, then the staff member must be made aware that anonymity cannot be guaranteed if the matter is subsequently dealt with by the Police or other external organisation. The Whistleblowing Procedure outlines how a member of staff can report an allegation. The Senior Directors and Human Resources will then decide on how to deal with the matter following normal procedures, which will result in a referral to the Local Area Designated Officer (LADO).

5.6.3 Procedures - Receiving an Allegation from a Child

A member of staff who receives an allegation about another member of staff from a child should follow the guidelines in section 2.3 for dealing with disclosure.

The allegation should be reported immediately to the Director Business Operations or Senior Directors (unless one of the Directors are the person against whom the allegation is made, in which case the report should be made to the Chair of Governors).

Immediately upon an allegation being made, as well as consulting with the LADO at Social Care and/or the Police, the Head of Business Operations or the senior Directors, should:

- Obtain written details of the allegation, signed and dated from the person who received the allegation. (Not from the learner who made and/or was the subject of the allegation)
- The written details should be countersigned and dated by the Head of Business Operations (or designated person).
- Record information about times, dates, locations and names of potential witnesses.

5.6.4 Initial Assessment by the Senior Directors (or designated person)

The designated person should make an initial assessment of the allegation (ensuring consultation with the Staff Member with Lead Responsibility, the Designated Governor and the relevant Local Safeguarding Partnership as appropriate).

Where the allegation is considered to be either a potential criminal act or indicates that the child has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to a LADO at Social Care.

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

Other potential outcomes are:

- a. The allegation represents inappropriate behavior or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the child. The matter should be addressed in accordance with the PMA staff disciplinary procedures.
- b. The allegation can be shown to be false because the facts alleged could not possibly be true.

5.6.5 Enquiries and Investigations

Safeguarding enquiries by Social Care or the Police are not to be confused with internal, disciplinary enquiries by the PMA. The PMA may be able to use the outcome of external agency enquiries as part of its own procedures. The safeguarding agencies, including the police, have no power to direct the PMA to act in a particular way; however, the PMA should assist the agencies with their enquiries. Social Care and the Police would be likely to convene a Senior Strategy Meeting and a representative of the PMA would be expected to participate.

The PMA shall hold in abeyance its own internal enquiries while the formal Police or Social Services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform to the existing staff disciplinary procedures.

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

Subject to objections from the Police or other investigating agency, the designated person shall:

- a. Inform the child/children/adult at risk/parent/carer making the allegation that the investigation is taking place and what the likely process will involve.
- b. Ensure that the parents/carers of the child making the allegation are aware that the investigation is taking place and what the likely process will involve.
- c. Inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will

involve.

- d. Inform the Chair of Governors and/or the designated Governor of the allegation and the investigation.

The designated person shall keep a written record of the action taken in connection with the allegation (see section 16 Confidentiality and section 17 Written Records).

Media attention during an investigation of an allegation can add to the problems for the member of staff and may even hinder an investigation. The PMA will carefully manage all media relations sensitively and appropriately. Regrettably, it is often the case that the media become aware of allegations through parents or learners. Any briefings to staff and governors will emphasise the need to avoid media coverage in accordance with the Staff Code of Conduct. Staff have the Human Rights Act 2000 to protect “privacy”. Advising the member of staff of any early indications of media interest and or coverage will be essential.

5.6.6 Potential Outcomes from Senior Strategy Meeting

There are four possible outcomes from a strategy meeting. If the matter is referred to the Police or Social Services, the PMA will be guided by these agencies on how to deal with the matter. It is likely that this will result in an external investigation.

Decisions on whether to suspend the member of staff and/or invoke the disciplinary procedure will be done in consultation with these organisations. The strategy meeting may decide that the PMA can investigate the matter and report back the outcome back to the strategy group. If this is the case, then the matter will be dealt with using the PMA’s disciplinary procedure. The fourth outcome could be that the strategy meeting felt there was no case to investigate.

5.6.7 Suspension of Staff

Please refer to the disciplinary procedure for guidance on suspension of staff. Consideration should be given to alternatives: e.g. paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.

The parents/carers of the child/adult at risk making the allegation will be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the learner making the allegation of the suspension.

5.6.8 The Disciplinary Investigation

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

The learner/s making the allegation and/or their parents should be informed of the outcome of the investigation and proceedings. This should occur prior

to the return to PMA of the member of staff (if suspended).

The designated person should give consideration to what information should be made available to the general population of the PMA.

The PMA will support the legal requirement to make a referral to the Disclosure & Barring Service (DBS) where they think an individual has engaged in conduct that harmed (or is likely to harm) a child or if the person otherwise poses a risk of harm to a child.

5.6.9 Allegations without foundation

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

After consultation the designated senior member of staff and/or the designated Governor shall:

- a. Inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or safeguarding action will be taken. Consideration should be given to offering counselling/support.
- b. Inform the parents/carers of the alleged victim that the allegation has been made and of the outcome
- c. Where the allegation was made by a child/adult at risk other than the alleged victim, consideration to be given to informing the parents/carers of that child/adult at risk.
- d. Prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken

5.6.10 Records

It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the member of staff's personal and confidential file (see section 16 Confidentiality and section 17 Written Records). These records should be kept until the member of staff's normal retirement age or for a period of 10 years from the date of allegation if that is longer.

If a member of staff is dismissed or resigns before the disciplinary process is completed, he/she should be informed about the PMA's statutory duty to inform the Disclosure and Barring Service (DBS).

5.6.11 Monitoring Effectiveness

Where an allegation has been made against a member of staff, the designated Governor, together with the senior staff member with lead responsibility should, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from

it that could lead to the improvement of the PMA's procedures and/or policies and/or which should be drawn to the attention of the Local Safeguarding Partnership/Social Care. Consideration should also be given to the training needs of staff.

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally.

Staff can call: 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: help@nspcc.org.uk.¹¹

6. Recruitment and Selection Procedures

The PMA pays full regard to DfE guidance “Keeping children safe in education”, September 2021, ensuring that all appropriate measures are applied in relation to everyone who works in the PMA (e.g. staff, volunteers and staff employed by contractors). Safer recruitment practice includes scrutinising applicants, verifying identity, academic or vocational qualifications, obtaining professional and character references, checking previous employment history and ensuring that a candidate has the health and physical capacity for the job. It also includes undertaking interviews and DBS checks and compliance with the Disclosure & Barring Service (DBS) regulations. As a result of The Education and Training (Welfare of Children) Act 2021 extending provisions to post 16 Education. PMA in addition to enhanced DBS checks will undertake a children's barred list check prior to the commencement of employment.

As part of the PMA's induction procedure all staff members receive Part one of Keeping Children Safe in Education; September 2021, undergo safeguarding and child protection training. Training is regularly updated and all staff receive updates at least annually.

This is outlined further in the PMA's Recruitment and Selection Policy.

7. Responsibilities of PMA Staff

The PMA has a staff Code of Conduct which all staff employed by the PMA must read and adhere to. Full compliance is essential to ensure the wellbeing of learners and staff. As well as safeguarding children/adult at risk, the Code of Conduct is also intended to protect staff from the potential risk of a safeguarding allegation being made against them. Staff must ensure they are aware of the PMA's safeguarding policy and procedures and know the identity of the Safeguarding Officers. Staff will monitor attendance closely and follow up non-attendance promptly to minimise the risk of learners missing from education and training, therefore reducing the risk of learners becoming vulnerable to abuse and harm. The PMA will also use disciplinary procedures to reinforce positive behaviour and address instances of poor behaviour including bullying.

All staff will wear a PMA staff lanyard and ID badge.

¹¹ <https://www.nspcc.org.uk/>

8. Work Place (Apprenticeships)

Employers and training organisations will be asked to co-operate with the PMA by putting in place and subscribing to appropriate safeguards. Health and Safety vetting documentation must be provided to the PMA alongside a child protection policy, and employer's liability insurance (unless eligible for ELI exemption). The PMA in conjunction with the employer will review and update this annually.

Each apprentice will have an 4-6 weekly performance review where Prevent and safeguarding will be discussed. If any concerns occur outside of these time employers and apprentices will contact their tutor as point of contact.

Appendix C gives more information, and can be used as a separate document for employers to help them understand and carry out their duty with regards to Prevent, Safeguarding and British Values.

Employers Safeguarding and Prevent Duty

Employers have a duty to comply with all current and future UK legislation and statutory responsibilities. There is a particular exception that an employer should take responsibility for an apprentice's welfare in the workplace, and to also seek appropriate advice when they feel an apprentice may be at risk in their personal lives.

Employers Safeguarding and Prevent Role

- Familiarise themselves with relevant government legislation.
- Take appropriate steps to understand what safeguarding means in practice at their organisation, in the context of the responsibilities they have for the people they employ.
- Ensure that any staff working with apprentices in a position of trust are appropriate for the role, and do not present any danger or threat.
- If appropriate, identify a person to coordinate safeguarding across an organisation.
- Demonstrate a commitment to the principles that underpin the Prevent Duty, referring any issues or concerns to the Safeguarding Team at PMA

9. Bullying and Harassment

The PMA is committed to providing a caring, friendly and safe environment for all our learners so they can learn in a relaxed and secure atmosphere. Bullying of any kind is unacceptable. If bullying does occur, all learners should be able to tell and know that incidents will be dealt with promptly and effectively. This means that *anyone* who knows that bullying is happening is expected to let staff know. Staff are required to inform the safeguarding team of any incidence of bullying as soon as they are aware that it has occurred. This refers to both in face and remote learning.

10. Supporting Vulnerable/at risk Learners

PMA staff are alerted to the potential need for early help and intervention for a child/young person who:

- is disabled and has specific additional needs
- has special educational needs (whether or not they have a statutory education, health and care plan)
- Those in care or care leavers
- is a young carer
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups
- is frequently missing/goes missing from care or from home
- is misusing drugs or alcohol themselves
- is at risk of modern slavery, trafficking or exploitation
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse
- has returned home to their family from care
- is showing early signs of abuse or neglect
- is at risk of being radicalised or exploited
- is a privately fostered child

Services and support are available in PMA to assist and support those learners who are vulnerable or may be at risk. All tutors are trained to recognise signals that learners may be struggling or may be experiencing difficulties. Referral can be made to support services internally and externally

Assessments to identify vulnerable learners (such as those in care, care leavers, young carers, learners with learning difficulties and/or disabilities, learners with mental health problems, adults at risk, etc.) are undertaken during the on-boarding process to ensure the learners are adequately supported. Learner reviews are undertaken on a monthly basis in order to continuously monitor learner progress and emerging issues.

Any unauthorised absence is followed up by the tutor to check why the learner was not in attendance. Any persistent absence is discussed with the employer and if appropriate parents of under 18s. The unexplained absence of any child, young person or adult at risk should be referred to the safeguarding team as their absence may be an indication of potential abuse or concern.

The PMA recognises that Children and adults with special educational needs (SEN) and disabilities can face additional safeguarding challenges. During training reference is made to the additional barriers that can exist when recognising abuse and neglect in this group of children, such as:

-
- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child or adult disability without further exploration
 - Children and adults with SEN and disabilities can be disproportionately impacted by things like bullying - without outwardly showing any signs
 - Communication barriers and difficulties in overcoming these barriers

11. Visitors and Contractors

All visitors must sign in on arrival at PMA. Visitors will be asked to read and support the PMA's commitment to safeguarding our learners. They will be supervised around PMA as appropriate.

Contractors are issued with guidance on an annual basis to ensure they are aware of safeguarding and their responsibilities whilst in PMA. If appropriate, supervision or DBS checks for contractors will be arranged. The identity of contractors should be checked on arrival at the PMA.

12. Delivery

The PMA will ensure learners are taught about safeguarding, including online, through teaching and learning opportunities. Children, young people and adults at risk can develop an understanding of why and how to keep safe. The safeguarding bulletin includes key topics such as, bullying, cyber bullying, on-line safety, abuse, Prevent, British Values, Equality & Diversity, sexting, peer on peer, personal health and well-being and health and safety. Awareness raising begins at on-boarding and induction involving learners, employers and staff.

13. Safeguarding Information for Learners

All learners are informed that we have staff with responsibility for safeguarding and are told who they are. We inform learners of whom they might talk to, their right to be listened to and what steps can be taken to protect them from harm. We make learners aware of these arrangements through, induction, reviews and information on Aptem.

The PMA consults with learners to identify and address their safeguarding and health and safety concerns.

All learners will wear an ID badge in accordance with the wishes of their employer.

14. Partnership with Parents/Carers

The PMA shares a purpose with parents to keep children safe from harm and to have their welfare promoted. The PMA is committed to working with parents positively, openly and honestly ensuring that all parents are treated with respect, dignity and courtesy. The PMA respects parents' rights to privacy and confidentiality and will not share sensitive information unless given have permission, or it is necessary to do so in order to protect a child.

The PMA will share with parents any concerns we may have about their child unless to do so may place a child at risk of harm.

15. Confidentiality

In order to meet the needs of children, young people and adults at risk, the PMA recognises the importance of information sharing between professionals and local agencies.¹²

Fears about sharing information **cannot** be allowed to stand in the way of the need to promote the welfare and protect the safety of children, young people and adults at risk. Inter-agency working and information sharing are vital in identifying and tackling all forms of abuse, it is clear they are especially important to identify and prevent child sexual exploitation.

All suspicions and investigations are kept confidential and shared only with those who need to know. Consent to share information is obtained prior to information sharing, except where a young person or adult at risk is at risk from harm.

Electronic records are kept on the PMA's Sharepoint system, however these do not contain the details of referrals as this is confidential.

16. Written Records

The nominated member of staff shall retain a copy of:

- Any reports
- Any notes, memoranda or other correspondence dealing with the matter
- Any other relevant materials

The nominated member of staff will also keep copies of Children in Care Statutory Reviews, risk assessments, YJS behaviour plans, etc.

Records are electronic where possible and held on a shared drive, with limited user access. Paper copies will be securely destroyed once electronic versions are uploaded.

Copies of paper reports, notes etc. if held are stored in a securely locked filing cabinet within the PMA archives, keys are held by the Dedicated Safeguarding Lead and the Deputy Safeguarding Lead. They are kept for a minimum period of 7 years (or until learners reach the age of 25). Copies of reports regarding allegations made against staff shall be kept securely sealed by the Senior Directors until the member of staff's normal retirement age or for a period of 10 years from the date of allegation if that is longer.

¹² Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers
March 2015

NEW PART 1 GUIDANCE INSERTED



Department
for Education

Keeping children safe in education

Statutory guidance for schools and colleges

Part one: Information for all school and college staff

September 2021

[Keeping children safe in education 2021 - September.pdf](#)

Appendix B - Radicalisation & PREVENT Strategy

'The Prevent Duty' - All schools and colleges are subject to a duty under section 26 of the Counter Terrorism Act 2015, in the exercise of their functions, to have 'due regard' to the need to prevent people from being drawn into terrorism. This is known as the Prevent duty.

1) Introduction

The PMA is committed to providing learners with the necessary skills and knowledge to keep themselves and others safe. Education, like other key sectors, has a responsibility to promote values of openness and tolerance and to facilitate free debate which is characteristic of being a British citizen. It is in this context that the PMA provides a 'Radicalisation and PREVENT Strategy'.

The PMA's strategy is formed from the National Strategy known as CONTEST. It has four elements Pursue, Protect, Prepare and PREVENT. The area in which PMAs have the most influence is PREVENT which aims to stop people becoming terrorists or supporting terrorism.

2) Context

The aim of this strategy is to:

- Identify and assess the risks that learners may face
- Ensure external speakers and events are appropriately risk assessed
- Develop and regularly update the Prevent action plan in order to mitigate risk
- Establish effective partnerships in order to comply with the Prevent duty
- Ensure appropriate training is available for all staff across the PMA
- Embed the Prevent duty through the exemplifying of British Values
- Ensure appropriate support is in place for learners
- Ensure existing policies and procedures including Equality and Diversity and the IT policies make specific reference to the duty
- Appropriate steps are taken to ensure the monitoring and enforcement of the duty
- Ensure there is a clear response to concerns, including referral to Channel
- Develop an awareness of PREVENT in the PMA
- Recognise current practice which contributes to the PREVENT agenda
- Identify areas for improvement

3) Local Partnerships

The PMA maintains partnerships, including liaison with the FE/HE Regional Prevent Co-ordinators, to ensure that PMA staff and learners have access to relevant regional information.

4) PMA

PREVENT sits within the realm of the PMA's Safeguarding Policy. All staff are trained and regularly updated on the Policy and associated professional practice and conduct.

Whilst PREVENT sits within the PMA Safeguarding Policy and procedures, it is also integral to other policies, such as:

- Equality and Diversity
- IT Policies
- Health and Safety
- Behaviour

Issues related to radicalisation are included in safeguarding reports

5) Staff

All staff receive awareness training on an on-going basis ensuring that they are up to date with PREVENT matters.

All staff are responsible for responding appropriately to learners with challenging and inappropriate behaviour. Staff will be supported and use the skills required to challenge appropriately, as part of this strategy.

6) Learners

Learners will receive awareness training on radicalisation and how to protect themselves through the tutorial system. British Values are embedded and promoted throughout all aspects of learners programmes at PMA.

Appendix C

Keeping Apprentices Safe

At PMA we take our responsibility to ensure the safety of our learners very seriously. We are committed to working with our employers and apprentices to create a fantastic learning experience, and to ensure the highest levels of apprentice safety and wellbeing.

Our Approach

The PMA has a clear commitment to safeguarding which is overseen by a dedicated safeguarding team led by the Designated Safeguarding Lead, Head of Business Operations. As a team they promote and implement the Safeguarding Policy, ensuring it is reviewed regularly and acted upon.

Additionally, all members of staff working with apprentices are trained in safeguarding.

Employers Duty

Employers have a duty to comply with all current and future UK legislation and statutory responsibilities. There is a particular expectation that an employer should take responsibility for an apprentice's welfare in the workplace and to also seek appropriate advice when they feel an apprentice may be at risk in their personal lives.

We appreciate that for many organisations this can be a confusing and complex area. The following information is made available to employers and explains the different support PMA provides, and also some of the ways in which employers can incorporate information into their current internal procedures.

17.1. Safeguarding

Safeguarding is the overarching term used to describe the protection of the health, wellbeing and human rights of individuals. Under legislation, all parties involved in an apprenticeship have to take reasonable action to minimise risks to apprentices. This includes aspects of the apprentice's experience, both in and outside of the workplace, as well as during attendance at PMA.

Many areas are considered to fall under the definition of safeguarding, including:

- Abuse (emotional and physical)
- Bullying (including online)
- Discrimination
- Forced Marriage
- Mental Health
- Neglect and Self-Harm
- Radicalisation and Extremism

The PMA's Role:

- Ensure that employers are aware of their safeguarding obligations, through guidance and training.
- Ensure apprentices have an awareness of safeguarding and understand how to access PMA support services.
- Provide safeguarding training for all PMA employees working with apprentices
- Ensure PMA staff working with young and vulnerable people are subject to an enhanced Disclosure and Barring Service check.

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- Maintain open channels of communication with each employer. Apprentices may act very differently depending upon their environment and may feel more comfortable discussing sensitive issues with different people.

The Employer's Role:

- Familiarise themselves with relevant government legislation.
- Take appropriate steps to understand what safeguarding means in practice at their organisation, in the context of the responsibilities they have for the people they employ.
- Ensure that any staff working with apprentices in a position of trust are appropriate for the role and do not present any danger or threat.
- If possible, coordinate safeguarding across an organisation.

18.2. Prevent

As part of the Terrorism and Security Act 2015, providers are required to pay 'due regard to the need to prevent individuals from being drawn into terrorism'.

There is no single way of identifying a person who may be vulnerable to extremist ideology and it is often the culmination of a number of influences. These can include family, friends or relationships they have made online. Extremism can include non-violent action.

All apprentices studying on a programme at PMA will be expected to attend a compulsory session in which these issues will be covered.

The PMA's Role

- Provide relevant training for PMA staff so that they understand the obligations the PMA has under the Prevent Duty and how to manage risks and concerns.
- Have clear procedures in place so that any concerns can immediately be brought to specialist attention.
- Provide a forum for apprentices to explore these matters.
- Provide a contact for any information regarding the Prevent duty.
- Ensure apprentices are able to express views in non-extremist ways and create an environment and encourages respectful free speech.

The Employer's Role

- Demonstrate a commitment to the principles that underpin the Prevent Duty
- Seek specialist support if any concerns are raised.

19.3. British Values

An important part of Prevent is also the promotion of British values. These are the norm that shape our society and which are enshrined in law, through legislation such as the Equality Act 2010.

British values are described as:

- Democracy
- The rule of law
- Individual liberty
- Mutual respect
- Tolerance for those with different faiths and beliefs

Apprentices are encouraged to explore ideas in a context where these values are recognised and respected.

The PMA's Role

- To promote British values throughout an apprentice's programme
- Provide a dedicated programme of study which defines and explores British values and how they influence our society.
- Create opportunities for apprentices to apply their learning to relevant situations and contexts.
- Encourage apprentices to respect each other and their differences, including with regard to protected characteristics outlined in the Equality Act 2010.

The Employer's Role

- Demonstrate a commitment to British values
- Adhere to the requirements of the Equality Act 2010.

4. Safeguarding in Practice

The PMA is available to you as a resource and if you find that you need support managing a particular scenario please contact us. Some apprentices may feel more comfortable talking to someone outside of your organisation, so we will endeavour to be as transparent as possible with employers, while respecting the apprentices trust and adhering to PMA confidentiality policies. As always, if we feel a young person is at risk of harm we may need to break confidentiality, but this would be explained to the apprentice.

In many cases someone will not always seek help over a safeguarding issue, but there are common signs which can help you to recognise when things may go wrong.

Warning signs to consider:

- **Absence** - Missing work or not turning up to work or planned reviews
- **Change in appearance**
- **Changes in behaviour and character** - becoming quiet or loud, aggressive or withdrawn.
- **Changes in emotional health** - crying, anxiety or low mood
- **Excessive alcohol consumption**
- **Physical injuries** - cuts or bruises
- **Poor living conditions**
- **Self-harm**
- **Use of drugs**
- **Withdrawing from certain activities** - reluctance to go online, sudden changes in use of technology

It is important to stress that the existence of some of these characteristics is not a definitive sign that anything is wrong.

5. Who to Contact

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