

# Safeguarding & Child Protection Policy

This document is approved and authorised for application within The MCG Group Holdings Ltd and all associated subsidiary companies.

Signed  Colm McGinley, CEO

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## Purpose and Aims

The purpose of Simply Education's safeguarding policy is to help ensure vulnerable adults and children are safe and protected from harm.

This policy will give clear direction to our staff about any safeguarding responsibilities that our organisation has in respect of the provision of contractors supplied by us who work with children or vulnerable adults.

Simply Education fully recognises the contribution it can make to help protect adults and children from harm and supporting those contractors providing services through our organisation.

This policy applies to all staff and contractors providing their services via Simply Education.

## Legislation and Statutory Guidance

This policy is based on the Department for Education's statutory guidance, [Working Together to Safeguard Children 2018](#). We comply with this guidance and procedures set out by the Local Safeguarding Children Board and Adults Board for the area where our contractors provide their services. This policy is also based on the following legislation and guidance:

- [The Children Act 1989 \(and 2004 amendment\)](#) – which provides a framework for the care and protection of children
- [The Care Act 2014](#) – which provides a framework for the care and protection of adults
- [The Rehabilitation of Offenders Act 1974](#)
- Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#)
- [‘What to do if you’re worried a child is being abused’](#), DfE (March 2015)

## Definitions

Safeguarding and promoting the welfare of children and adults means:

- Protecting children and vulnerable adults from maltreatment
- Preventing impairment of children's or vulnerable adult's health or development
- Taking action to enable all children and vulnerable adults to have the best outcomes

Abuse is a form of maltreatment of a child or adult. Somebody may abuse or neglect an adult or child by inflicting harm, or by failing to act to prevent harm. Adults and 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.

Neglect is a form of abuse and is the persistent failure to meet a child or vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of that individual's health or development. Neglect may also occur during pregnancy as a result of maternal substance abuse. Neglect may involve a parent or carer failing to:

- Provide adequate food, clothing, and shelter (including exclusion from home or abandonment);
- Protect from physical and emotional harm or danger;
- Ensure adequate supervision (including the use of inadequate caregivers); or
- Ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child or vulnerable adult's basic emotional needs.

## Our Ethos

The child's welfare is of paramount importance as outlined in the Children Act 1989. Simply Education will endeavour to ensure that contractors working with children and/or vulnerable adults that are supplied by us maintain an ethos where their service users are secure and are safe.

Everyone who comes into contact with children and their families has a role to play in safeguarding children. We recognise that our contractors can play an important role as they are in a position to identify concerns. When concerned about the welfare of an adult or child, our contractors are always expected to act in the best interests of the child.

All staff will, through training, know how to respond to a concern relayed by or related to one of our contractors as well as how to record and report this information.

At all times we will strive to work in partnership with colleagues from other agencies in line with [Working Together to Safeguard Children 2018](#) and the relevant Safeguarding Children and Adults Boards procedures.

## Roles and Responsibilities

Designated Safeguarding Lead (DSL) Stephen Belcher 01234 216199. Senior Lead for Safeguarding Nigel Wharton 07717 347239.

It is the responsibility of every member of staff and contractor to ensure that they carry out the requirements of this policy and, at all times, work in a way that will safeguard and promote the welfare of all children and vulnerable adults.

The Senior Lead for Safeguarding at Simply Education is accountable for ensuring the effectiveness of this policy and our compliance with it.

The Senior Lead for Safeguarding will ensure that:

- The safeguarding policy is in place and is reviewed annually, is available to those involved in implementing it and has been written in line with statutory guidance;
- A Manager is designated to take the lead responsibility for safeguarding issues (including providing advice in relation to the management of allegations procedures that relate to a contractor);
- All staff receive an induction and are provided with a copy of this policy;
- All staff undertake appropriate safeguarding training for their role;
- Safer recruitment practices are followed to prevent candidates who may pose a risk to children or vulnerable adults;
- Any weakness with regard to safeguarding arrangements that are brought to their attention will be remedied without delay;
- Staff feel able to raise concerns about poor or unsafe practice and such concerns are addressed sensitively in accordance with agreed whistle-blowing procedures;
- Liaison will take place with the Designated Officer for the Local Authority (commonly known as 'LADO') in the event of an allegation of abuse being made against a member of staff where their role involves working with children.

The Designated Safeguarding Lead (DSL) is a member of staff, who takes the lead for safeguarding issues at Simply Education. The DSL will carry out their role in accordance with any responsibilities outlined in [Working Together to Safeguard Children 2018](#).

The DSL will provide safeguarding advice and support to other staff. Any concern for a child/adult's safety or welfare will be given to the DSL.

The DSL and/or a deputy will always be available for staff to discuss any safeguarding concerns. If a DSL is not available in person, we will ensure that they are available via telephone and any other relevant media.

Through appropriate training, the DSL will liaise with Police, Adults or Children's Services where necessary, and make referrals of suspected abuse.

The DSL will maintain written records ensuring that they are kept confidential and stored securely.

The DSL is responsible for ensuring that all staff members (and volunteers) are aware of our policy and the procedure they need to follow.

The DSL will provide advice and guidance to staff on issues relating to allegations made about a contractor working with children or vulnerable adults.

## **Training and Induction**

When new staff join our organisation, they will be given a copy of Simply Education's safeguarding policy and told who our Senior Lead for Safeguarding and Designated Safeguarding Lead (DSL) are. All staff are expected to read this document.

Every new member of staff that joins our organisation will receive training during their induction period. This will include information relating to how to manage an allegation relating to a contractor, how to record, and the remit of the role of the DSL. The training will also include information about how to respond to concerns relating to a candidate.

All temporary staff and volunteers will be given our safeguarding policy; they will be informed of whom our Senior Lead for Safeguarding, DSL and what the recording and reporting system is.

We encourage all our staff to keep up to date with the most recent local and national safeguarding advice and guidance accessible via Bedford Borough Safeguarding Children Board and Adults Board.

Our Senior Lead for Safeguarding will also undertake appropriate training to ensure they are able to carry out their duty to manage allegations relating to contractors and safeguard children and vulnerable adults that may come to the attention of Simply Education.

## **Procedures for Managing Pathways to Help and Support**

Simply Education will adhere to safeguarding procedures that have been agreed locally with Local Authority Safeguarding Children and Adults Boards where our contractors provide services.

All staff are encouraged to report and record any worries and concerns that they have to our DSL and not see these as insignificant. A report is justified by a single incident such as an injury related to a safeguarding concern or a disclosure of abuse. It is crucial that staff record and pass on worries and concerns in accordance with this policy to allow the relevant authorities to build up a picture and intervene with support at the earliest opportunity. A reliance on memory without accurate and contemporaneous records of concern could lead to a failure to protect.

It is not the responsibility of staff to investigate concerns or determine the truth of any disclosure or allegation. All staff, however, have a duty to recognise concerns and pass the information on in accordance with the procedures outlined in this policy.

The DSL should be used as a first point of contact for worries, concerns, and queries regarding any safeguarding concerns that they become aware of in the course of their work at Simply Education. Any member of staff who receives a disclosure of abuse or suspects that a child or vulnerable adult is at risk of harm must report it immediately to the DSL. In the absence of a DSL, the matter should be brought to the attention of the Senior Lead for Safeguarding.

All concerns about a vulnerable adult, child or young person should be reported without delay and recorded in writing using the agreed procedures.

Following receipt of any information raising concern, the DSL will consider what action to take. All information and actions taken, including the reasons for any decisions made, will be fully documented.

The DSL will decide whether to make a referral to the Police, Adults or Children's Services when there are safeguarding concerns.

If a referral to Adults or Children's Services has not met the threshold for support or statutory intervention, the DSL will make a full written record of the decision and outcome.

If, at any point, there is a risk of immediate serious harm to an adult or a child, a referral should be made to the Police immediately. Anybody can make a referral.

Staff should always follow the reporting procedures outlined in this policy in the first instance. However, they may also share information directly with Children's Services, Adult's Services, or the Police if:

- The situation is an emergency and the DSL, and the Senior Lead for Safeguarding are all unavailable;
- They are convinced that a direct report is the only way to ensure the adult or child's safety.

Any member of staff who does not feel that concerns about a child or vulnerable adult have been responded to appropriately and in accordance with the procedures outlined in this policy should raise their concerns with the Senior Lead for Safeguarding. If any member of staff does not feel the situation has been addressed appropriately at this point, they should contact Adults Services or Children's Services directly with their concerns.

At Simply Education we recognise that our staff may be placed to identify concerns to prevent individuals from becoming victims of so-called 'honour-based' violence (HBV). If staff have a concern regarding an adult or child that might be at risk of HBV, they should inform the DSL who will liaise with Police and the relevant Adults Services/Children's Services.

We recognise that safeguarding against radicalisation and extremism is no different to safeguarding against any other form of vulnerability in today's society. At Simply Education, we will ensure that: The DSL has received relevant training and will act as the point of contact for any concerns relating to radicalisation and extremism of staff or contractors. The DSL will make referrals to Adults and/or Children's Services and will represent our organisation at meetings as required.

## Records and Information Sharing

If staff are concerned about the welfare or safety of any child or adult that they have information about at Simply Education they will record their concern on the agreed reporting procedure. Any worries or concerns should be passed to the DSL without delay.

Any information recorded will be kept in a secure cabinet or electronically. These files will be the responsibility of the DSL/Senior Lead for Safeguarding. This information will only be shared on the basis of 'need to know in the adult's or child's interests' and on the understanding that it remains strictly confidential.

Consent will always be sought when sharing personal information with other agencies unless to do so is deemed to increase the risk to that individual.

## **Safer Recruitment**

At Simply Education we will use the recruitment and selection process to deter and reject unsuitable contractors. We require evidence of original academic certificates. We do not accept testimonials and insist on taking up references prior to interview. We will question the contents of application forms if we are unclear about them, we ask candidates to confirm any convictions held on our application form, we will undertake Disclosure and Barring Service (DBS) checks where required to do so and use any other means of ensuring we are recruiting and selecting the most suitable contractors to work with vulnerable adults or children.

The DBS manages registration and undertakes all vetting and barring checks in relation to children. The DBS also provides a disclosure service to enable employers and other organisations to obtain access to an applicant's criminal record details when assessing their suitability to register with the agency. A disclosure provides details of a person's criminal record including convictions, cautions, reprimands, and warnings held on the Police National Computer (PNC) and may include information held by the local police forces. The Disclosure and Barring Service allows two levels of disclosure Standard Disclosure and Enhanced Disclosure. All candidates registering with Simply Education are required to be checked at Enhanced level. Enhanced disclosures contain the same information as standard disclosures but with the addition of non-conviction information from local police records considered relevant by Chief Police Officers. Disclosure information is only used for the specific purpose for which it was requested and for which the candidate's full consent has been given.

We will maintain a record of all safer recruitment checks of our contractors carried out in line with statutory requirements.

We will ensure that those responsible for recruiting staff have completed appropriate 'safer recruitment' training. At all times we will ensure that safer recruitment practices are followed in accordance with our statutory requirements.

For those contractors who have new or historical entries on a received DBS that may raise concerns of a safeguarding nature but not exclude them from being able to undertake their role. This information will be shared with anyone looking to take up the services offered by that contractor, provided consent is obtained.

## **Managing Allegations Against Staff and Volunteers**

Our aim is to provide contractors which will promote the wellbeing of children or vulnerable adults in receipt of any service provided by them. We do, however, recognise that sometimes allegations of abuse are made.

We recognise that allegations, when they occur, are distressing and difficult for all concerned. We also recognise that some allegations are genuine and that there are individuals who deliberately seek to harm or abuse children or vulnerable adults.

We will take all possible steps to safeguard vulnerable adults or children and to ensure that contractors provided by our organisation are safe to work with children and vulnerable adults. We will ensure that the procedures outlined by [Working Together to Safeguard Children 2018](#) are adhered to and will seek appropriate advice from the Designated Officer for the Local Authority (commonly known as LADO which these procedures will continue to use for ease of reference) where appropriate.

If an allegation is made or information is received about any contractor who works directly with children that has:

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child;
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.
- They are convinced that a direct report is the only way to ensure the adult or child's safety.

In addition, staff should also alert the Designated Safeguarding Lead or Senior Lead for Safeguarding if an individual who is working in London has behaved in a way in their personal life that raises safeguarding concerns. These concerns do not need to directly relate to a child (see Chapter 7 of the London Child Protection Procedures for further guidance). The member of staff receiving the information should inform the Designated Safeguarding Lead (DSL) or the Senior Lead for Safeguarding immediately and follow Simply Education's Managing Allegations Against an Agency Worker policy.

The DSL or the Senior Lead for Safeguarding will seek advice from the LADO where appropriate within one working day. No member of staff will undertake further investigations before receiving advice from the LADO.

The Designated Safeguarding Lead will assist the relevant LADO with their enquiries in line with statutory guidance and local procedures (where relevant) which may include the sharing of information in order to safeguard children and vulnerable adults.

When an allegation relates to a candidate, Simply Education will provide representation at meetings convened and chaired by the LADO or by a Senior Manager from Children's Services where a candidate is subject to an investigation considered to fall under the relevant Local Authority's complex (organised or multiple) abuse procedures.

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Simply Education will provide support to candidates who are subject to investigations as a result of an allegation made against them.

When requested by the LADO under a Local Safeguarding Children's Board 'management of allegations' procedure, Simply Education will assist with the completion of the 'internal investigation' cited under that procedure (usually designated to the 'employer' of the member of staff subject to the allegation).

Simply Education will refer to the Disclosure and Barring Service (DBS) any candidate who has harmed, or poses a risk of harm, to a child. This referral will be made as soon as possible after the cessation of the candidate's involvement with our organisation. Simply Education will also refer to the Teacher Regulation Agency (TRA) any candidate who we dismiss or cease to use services of, because of serious misconduct, or might have dismissed or ceased to use their services had they not resigned first. The TRA is responsible for

investigating allegations of serious misconduct by teachers in schools in England. They can prohibit a teacher from teaching in schools, relevant youth accommodation, sixth form college and children's homes in England.

## Data Protection

Simply Education and its employees comply fully with its obligations under data protection legislation, DBS code of practice and other relevant legislation pertaining to the safe handling, use, storage, retention, and disposal of disclosure information.