



ESTAR

ELITE SKILLS, TRAINING
& RECRUITMENT

Safeguarding Policy

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1.1 Introduction

All ESTAR Group staff, governing body, associates, third-party providers, employers and volunteers have a duty of care to safeguard and promote the welfare of learners, both those that are attending work experience (i.e. traineeships).

Everyone working with learners, vulnerable adults and their families should be familiar with this document and with their role in reporting any safeguarding concern to the relevant local authority and also within ESTAR Group's internal recording procedure.

This policy is also available to learners and other stakeholders at the initial point of their engagement with ESTAR Group and can be viewed and promoted on our website at www.estareducation.com

All staff are informed of the policies location and any relevant documentation to support the policy.

Commitment to the policy from all staff is adhered to by reading this policy and signing once complete.

We not only ensure whether arrangements for Safeguarding learners are appropriate and effective (Ofsted EIF July 2022) <https://www.gov.uk/government/publications/education-inspection-framework> but we have also implemented outstanding measures to ensure that safeguarding policy and procedures are fully embedded into the learning journey and we work closely with employers to ensure the most effective systems are in place.

ESTAR Group ensures reflection on and learning from best practice in safeguarding through the Local Children's Safeguarding Board's performance framework. The ESTAR Group Safeguarding policy links to other relevant policies within the setting to ensure awareness of specific safeguarding issues and how to respond across the education setting's community: staff, parents and learners.

These details are outlined and described in Keeping Children Safe in Education May 2022 (KCSiE) <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

This policy and guidance is read by all staff members and a power point presentation for each member of staff has been made available to keep. This policy is also made available to learners/ parents (if appropriate).

In order to support effective practice, the corporate ESTAR Group safeguarding policy template has been adapted and expanded to meet the requirements of KCSiE, whilst retaining its structure.

All staff and volunteers have a legal duty to report in strict confidence to their safeguarding officer if they have cause for concern and believe that an individual (employed, volunteer, learner, visitor or anyone else at the company) for whatever reason:

- Harmed a child or vulnerable adult or is doing so
- Caused a child or vulnerable adult to be harmed
- Put a child or vulnerable adult at risk of harm
- Attempted to harm a child or vulnerable adult
- Incited another person to harm a child or vulnerable adult
- Is a victim of abuse

1.2 What is Safeguarding?

Safeguarding is the protection of children and adults at risk from abuse and neglect, promoting health and development, ensuring safety and care, and ensuring optimum life chances.

The Safeguarding Agenda includes a wide range of potential risks (See decision making tool for help with indicators of Safeguarding concern)

- Abuse (physical, emotional, financial, institutional, sexual, and organisational)
- Self-neglect
- Discrimination
- Child sexual exploitation
- Bullying and cyberbullying
- Domestic abuse
- Substance misuse
- Fabricated and induced illness
- Faith abuse
- Forced marriage
- Gang and youth violence
- Private fostering
- Female genital mutilation (FGM)
- Gender based violence
- Radicalisation
- Sexting
- Teenage Relationship abuse
- Trafficking and modern slavery
- Breast ironing
- Mental health concerns
- Missing children in education

1. Definitions

A Child is defined as anyone under the age of 18.

An adult at risk (or vulnerable adult) is defined as any person over the age of 18 and at risk of abuse or neglect because of their need for support or personal circumstance.

Alongside the Safeguarding Agenda above this could be due to, and not limited to any of the following:

- Living in sheltered housing
- Receiving any form of health care
- Receiving a welfare service in order to support their need
- Receiving a service due to their age or disability
- Living in residential accommodation as a care home
- Receiving domiciliary care in their own home
- Expectant or nursing mothers living in residential care
- Persons under supervision of the probation service

While the definitions of a child and adult at risk give the rationale for legislative intervention, it is important to note that a person may be deemed at higher risk of a safeguarding issue affecting them due to other factors, examples:

- Poor numeracy and literacy skill or specific learning need
- Unsupportive home environment
- English not the first language
- Unsupportive employer
- Underrepresented group
- Acting as a carer for another family member
- Background in offending
- Disability or social need

2. Our Responsibility

We all have a responsibility to ensure that children, young people and adults at risk are protected from harm, informed about potential risks to their welfare, and understand how to seek help.

We ensure all concerns are dealt with timely and appropriately and we also have a responsibility to minimise the risk of allegations against our staff.

All staff are expected to comply with any DBS check request and to have a good understanding of what constitutes a safeguarding or welfare concern and how to provide support, guidance and the channels for escalating a concern.

To assist staff in this, on-going training and awareness, as well as continuous information, advice and guidance are provided to help staff to feel confident in proactively promoting safeguarding and understanding their individual responsibilities. ESTAR Group has made available and promotes this policy via our website or available on request.

All staff are expected to protect any children, young person or adult. It is ESTAR Group's duty of care to consider the working environment and the possible risks, not only in the workplace but in their own homes. Raising awareness and providing help and support for any learner is paramount to ESTAR Group's safeguarding procedures.

The responsibilities of particular individuals are detailed below:

Our Managing Director –

- To ensure we have effective policies, and these are implemented and followed.
- Ensure enough time and resources are allocated to employees to carry out their responsibilities.

Designated Safeguarding Lead – DSL outlined in KCSiE 2022 information.

DSL – **Keiran Casey** – keiran.casey@estareducation.com

DSL – **Emma Brett** – emma.brett@estareducation.com

Our Trainer/Tutors –

- To check safety and welfare with all learners at each visit/communication, ensuring learners complete all safety related learning activities within their programme.

- Be aware of the indicators that there may be a safeguarding issue and use the chart for reporting issues. Report in a timely and appropriate manner.

Support Staff –

Be mindful of indicators that there may be a safeguarding issue, should you meet a learner or potential learner.

Follow the Flow Chart for reporting issues that concern them or are reported to them in a timely manner.

Abuse can take many forms including:

- Physical abuse
- Sexual abuse
- Emotional / psychological abuse
- Neglect
- Physical and mental health

<https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/>

In addition to the above, vulnerable adults may also be subject to:

- Financial and material abuse
- Self-neglect

It is important that vulnerable people are protected from any form of harm.

As such all complaints, allegations or suspicions must be taken seriously.

The following procedure must be followed whenever an allegation is made that a person has been abused or when there is a suspicion that abuse may be taking place.

Harming activities by other persons who are not employed staff or volunteers will be dealt with using normal company procedures for incident management. The police and the local safeguarding boards may nevertheless be involved.

<https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>

To support the safeguarding agenda, it may on occasion be necessary to refer to other company policies and procedures on Prevent, Health & Safety, Harassment and Bullying. In all cases safeguarding will take precedent over other policy and procedure areas.

Allegations of abuse are serious. Where a claim of abuse made against a member of staff is not substantiated and is found to have been malicious in intent, this would be dealt with through the company's learner or staff disciplinary procedure.

We are committed to training all staff to work within the local safeguarding procedures and operational safeguarding arrangements.

Mandatory Annual Safeguarding training in addition to CPD has been put in place to demonstrate these procedures and raising concerns/issues.

There are detailed requirements for safer recruitment outlined in KCSiE. These include specific requirements for education settings include keeping a single check register of the staff recruited and the required checks (i.e. DBS) that have been undertaken.

Please also refer to our Safer Recruitment Policy.

All staff have enhanced disclosure as working with under 18s and vulnerable groups form part of our education offer.

3. Multi-agency Working

The 3 safeguarding partners are:

- Local authority (LA)
- Clinical commissioning group within the LA
- Police within the LA

4. The Role of the DSL

The DSL Keiran Casey & Emma Brett hold ultimate accountability for ensuring safeguarding arrangements for both learners including apprentices, staff and associates.

They both ensure that safeguarding matters are central to the strategic management of ESTAR Group. The DSL is an experienced and qualified practitioner. The role of the DSL is key in ensuring that operational safeguarding in the service-specific contexts is effective. The DSL will also ensure that local delivery staff develop close working relationships with other agencies involved in safeguarding arrangements in order that they effectively monitor the safety of the children and young people that ESTAR Group works with.

Designated Safeguarding Lead job description is available to view in Annex A
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
(page 92)

Every member of staff or volunteer has a responsibility for ensuring that learners are safeguarded while they are using ESTAR Group services.

ESTAR Group organisational safeguarding standards recognise that we safeguard in a wide range of circumstances with a diverse group of learners. Therefore, managing the risk to learners in these contexts can require different sets of knowledge and skills, and different responses, some of which are driven by statute and legislation.

Our safeguarding standards and behaviours seek to underpin safeguarding in all of our practice and are derived from section 11 of the Children Act (2004) and the Care Act (2014) as well as best practice guidance such as “Working Together to Safeguard Children”
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2> and of course most recently KCSiE (2022).

Line Management: every staff member must ensure that disclosures are reported to the DSL immediately. In consultation with the staff member, the DSL will decide as to whether a referral is necessary/ will take place.

All reported disclosures regardless of outcome must also be reported internally within ESTAR Group through the completion of the ‘Safeguarding Incident form’ joint with the written referral to the appropriate local authority safeguarding team.

The form has 3 parts:

- Part 1 outlines the basic details of the referral and part 2 the details of the incident being reported. Both part 1 and 2 must be completed at the same time following the disclosure.
- The form must then be anonymised by removing the person’s personal details be password protected and sent by email to the DSL.

- Part 3 of the form must be completed within 7 days subsequent to the submission of Parts 1 and 2 once the outcome of the referral is known and resubmitted as detailed above.

All staff have enhanced disclosure as working with under 18 s and vulnerable groups form part of our education offer.

5. What are the Responsibilities of an Employer?

- To understand what is meant by safeguarding and promote the welfare of learners
- Be aware of your required duties towards the welfare of children and vulnerable adults
- Be familiar with our guidance, in particular, the reporting arrangements

It is the responsibility of the employer to ensure employees working alongside learners are free from convictions and of sound character and judgement and will not pose as any threat or danger to learners.

6. What do I do if my Learner Discloses Information to me?

- Re-assure the learner that they have done the right thing
- Record what the learner said, using theirs words where possible. Sign and date the record
- Inform our Designated Person or deputy as soon as possible and pass on the written record
- Maintain confidentiality and do not discuss with others
- Listen without making judgements
- Stay calm
- Try not to ask questions, but if you must, make sure they are open-ended questions to clarify understanding and not to probe or investigate
- Don't give an opinion or offer advice
- Don't promise confidentiality - explain you may need to talk to a DSL

Employees working closely with children or vulnerable learners should be alert to the possibilities of harm and they should inform only—and not investigate or offer advice.

If any member of staff has a safeguarding issue brought to their attention, they must treat it as a matter of urgency and contact the Designated Safeguarding Team.

Any concern must be documented and emailed to the Designated Safeguarding Lead. Unless in immediate harm, where the relevant authorities will be contacted immediately.

In this situation, ensure that the learner is accompanied and kept safe until the relevant authorities arrive.

If you have any concerns about an apprentice, then please do not hesitate to contact one of ESTAR Group designated safeguarding lead/ deputy in the absence of the Lead.

7. Honour-based Violence Which Includes FGM and Force Marriage

Female Genital Mutilation (FGM) is illegal in England and Wales under the FGM Act 2003 ("the 2003 Act"). It is a form of child abuse and violence against women. FGM comprises all procedures involving partial or total removal of the external female genitalia for non-medical reasons.

<https://www.gov.uk/female-genital-mutilation-help-advice>

The FGM mandatory reporting duty is a legal duty provided for in the FGM Act 2003 (as amended by the Serious Crime Act 2015). The legislation requires regulated health and social care professionals and teachers in England and Wales to make a report to the police where, in the course of their professional duties, they either:

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

For the purposes of the duty, the relevant age is the girl's age at the time of the disclosure/identification of FGM (i.e. it does not apply where a woman aged 18 or over discloses, she had FGM when she was under 18). Complying with the duty does not breach any confidentiality requirement or other restriction on disclosure which might otherwise apply. The duty is a personal duty which requires the individual professional who becomes aware of the case to make a report; the responsibility cannot be transferred. The only exception to this is if you know that another individual from your profession has already made a report; there is no requirement to make a second.

Reports under the duty should be made as soon as possible after a case is discovered, and best practice is for reports to be made by close of the next working day, unless any of the factors described below are present. You should act with at least the same urgency as is required by your local safeguarding processes.

If you think you are dealing with such a case, it is a mandatory requirement to inform your designated safeguarding lead, as soon as practicable.

It is recommended that you make a report orally by calling 101, the single non-emergency number. You should be prepared to provide the call handler with the following information-

Explain that you are making a report under the FGM mandatory reporting duty:

- Your details: Name, contact details (work telephone number and e-mail address) and times when you will be available to be called back, job role, place of work
- Details of your organisation's designated safeguarding lead: name, contact details (work telephone number and e-mail address), place of work
- The girl's details: name, age/date of birth, address

Throughout the process, you should ensure that you keep a comprehensive record of any discussions held and subsequent decisions made, in line with standard safeguarding practice. This will include the circumstances surrounding the initial identification or disclosure of FGM, details of any safeguarding actions which were taken, and when and how you reported the case to the police (including the case reference number).

Forced marriage is an abuse of human rights, a form of violence against women and men, where it affects children, child abuse and where it affects those with disabilities abuse of vulnerable people. A forced marriage is one in which one or both spouses do not (or, in the case of some adults with learning or physical disabilities or mental incapacity, cannot) consent to the marriage and violence, threats, or any other form of coercion is involved. Coercion may include emotional force, physical force or the threat of physical force, and, financial pressure. In an arranged marriage, both parties have consented to the union but can still refuse to marry if they choose to.

FGM and forced marriage are child abuse, and employers and the professional regulators are expected to pay due regard to the seriousness of breaches of the duty.

<https://www.gov.uk/guidance/forced-marriage>

8. Grooming – What Does the Term Grooming Mean?

- Grooming is a word to describe people befriending children and vulnerable adults to take advantage of them for sexual preferences.
- Grooming is also used by extremist group to radicalise individuals into supporting and potentially committing terrorist attacks.
- You will probably associate grooming with children, and predominantly this is what you will hear and see in the media on the subject, but it does also affect vulnerable adults

What is sexual online grooming?

- Sexual online grooming is when people form relationships with children pretending to be their friend, using social media platforms to do so
- The person carrying out the online grooming will try to establish the likelihood of the child telling someone. They will also find out as much as they can on the child's family and social networks
- Online groomers will tend to use chatrooms, which are focused on young people. There are countless teen chat rooms on the internet
- Those carrying out the grooming will pretend to be a child themselves, similar in age to the person they are grooming. They will even change their gender to make it easier to befriend the person they are grooming
- Grooming online is anonymous and children find it easier to trust an online 'friend' than
- someone they have met 'face to face'

How do you know if a learner is being groomed online?

- Wanting to spend more and more time on the internet
- Being secretive about who they are talking to online and what sites they visit
- Switching screens when you come near the computer
- Possessing items – electronic devices or phones – you haven't given them
- Using sexual language, you wouldn't expect them to know
- Becoming emotionally volatile

Grooming – In person

- Groomers will hide their true intentions and may spend a long time gaining a child or vulnerable adults' trust.
- They may try to gain the trust of the whole family to allow them to be left alone with a child or vulnerable adult

Groomers may deliberately try to work with children or vulnerable adults and gain the trust of their colleagues

To gain trust, groomers will:

- Pretend to be someone they are not, for example saying they are the same age online
- Offer advice or understanding
- Buy gifts
- Give the child or vulnerable adult attention
- Use their professional position or reputation
- Take them on trips, outings or holidays

Children or vulnerable adults may not speak out about their situation because they:

- Feel ashamed
- Feel guilty
- Are unaware that they are being abused
- Believe they are in a relationship with a 'boyfriend' or 'girlfriend'

9. Contextualised Safeguarding

The paragraph on contextual safeguarding in KCSiE 2022 now reads: 'All staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school, college or placement and/or can occur between children outside of these environments. All staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extrafamilial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.'

9.1 Safeguarding Learners with SEND

ESTAR Group recognises that learners with special educational needs and/or disabilities (SEND) may face additional safeguarding challenges, regardless of whether they are enrolled on government-funded apprenticeships or privately funded training programmes.

These learners may be at increased risk of abuse, neglect, or exploitation, and may face greater difficulty in recognising or communicating concerns.

Our safeguarding approach is inclusive of all delivery types and ensures that:

- Communication methods are tailored to meet individual needs, including accessible language, one-to-one conversations, or assisted communication tools.
- Learners with SEND are offered additional time, support, and reassurance during safeguarding conversations, reviews, and progress meetings.
- Risk assessments are undertaken where appropriate, particularly when work placements or employer-based training environments are involved.
- All safeguarding concerns are considered in the context of the learner's cognitive, emotional, and physical development.

We ensure staff are trained to recognise that safeguarding needs may present differently in learners with SEND. They are also reminded not to make assumptions about a learner's vulnerability or understanding based solely on a diagnosed condition.

Where required, we collaborate with employers, families, external specialists, and local agencies to provide coordinated support, ensuring learners with SEND are fully protected and empowered throughout their time with ESTAR.

Our safeguarding culture promotes accessibility, sensitivity, and proactivity — ensuring all learners, including those with additional needs, feel safe, supported, and heard.

10. County Lines Drug Trafficking

In the United Kingdom, county lines drug trafficking is the practice of trafficking drugs into rural areas and smaller towns, away from major cities. Traffickers recruit vulnerable children, including children in pupil referral units who have been excluded from school, as drug dealers. Some young people are recruited via "debt bondage", whereby they enter county lines to pay off drug debts. Others take part of their own volition, owing to boredom and a lack of legitimate opportunity.

<https://www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines>

<https://www.nationalcrimeagency.gov.uk/what-we-do/crime-threats/drug-trafficking/county-lines#:~:text=County%20Lines%20is%20where%20illegal%20drugs%20are%20transported,people%20who%20are%20coerced%20into%20it%20by%20gangs>

11. Online Safety, IT, Cyber Security & Virtual Lessons

The internet is used in ESTAR Group to raise educational standards, to promote learner achievement, to support the professional work of staff and to enhance the learners management functions. Technology is advancing rapidly and is now a huge part of everyday life, education and business. We want to equip our learners with all the necessary I.T skills that they will need in order to enable them to progress confidently in their educational careers and onward towards their working environments when they leave education. We

carry out an annual review to online safety, supported by a risk assessment that considers and reflects the risks learners face.

Safeguarding students and tutors online

Some learners were being educated at home during the coronavirus (COVID-19) outbreak, so leaders and teachers were having to adjust to remote education strategies. While this was happening, it is important that we continued to follow safeguarding procedures -online education should follow the same principles set out in your school's staff behaviour policy (sometimes known as a code of conduct). Keeping teachers safe when providing remote education is also essential. Remote education is a new experience for both staff and learners, so it's important that training providers understand how to approach safeguarding procedures online.

<https://www.gov.uk/guidance/safeguarding-and-remote-education-during-coronavirus-covid-19>

<https://www.gov.uk/government/publications/online-safety-in-schools-and-colleges-questions-from-the-governing-board>

It is important that staff and volunteers are alert to potential risks vulnerable people may be exposed to, and that steps have been taken to mitigate the risk of this occurring, with specific reference to:

Content – e.g. exposure to age inappropriate material, inaccurate or misleading information, socially unacceptable material (e.g. inciting violence, hate or intolerance) and illegal material (including images of child abuse)

Conduct – e.g. personal online behaviour that increases the likelihood of, or causes harm, for example, making, sending, and receiving explicit images (e.g consensual and non-consensual sharing of nudes and semi-nudes and/or pornography, sharing other explicit images and online bullying)

Contact – e.g. grooming using communication technologies leading to inappropriate behaviour or abuse

Commerce – e.g. exposure to inappropriate advertising, online gambling, identity theft and financial scams

Culture – e.g. bullying via websites, mobile phones or other communication technologies, or inappropriate downloading of copyright materials (i.e. music, films, images); exposure to inappropriate advertising, online gambling and financial scams

Social Media – e.g. Twitter, Instagram, Facebook, and other social media sites can also include and be used for bullying, coercion and grooming and as a point of exposure for extremism, sexual misconduct and scamming (e.g. financial schemes)

Phishing – the fraudulent practice of sending emails purporting to be from reputable companies in order to induce individuals to reveal personal information, such as passwords and credit card numbers.

"An email that is likely a phishing scam"

Filters and monitoring

Whilst considering their responsibility to safeguard and promote the welfare of children and provide them with a safe environment in which to learn, governing bodies and proprietors should be doing all that they reasonably can to limit children's exposure to the above risks from the school's or college's IT system. As part of this process, governing bodies and proprietors should ensure their school or college has appropriate filters and monitoring systems in place. Governing bodies and proprietors should consider the age range of their children, the number of children, how often they access the IT system and the proportionality of costs vs risks. The appropriateness of any filters and monitoring systems are a matter for individual schools and colleges and will be informed in part, by the risk assessment required by the Prevent Duty. 33 The UK Safer Internet Centre has published guidance as to what "appropriate" filtering and monitoring might look like: UK Safer Internet Centre: appropriate filtering and monitoring.

Addressing these issues through training for staff and volunteers, and awareness raising with service users, or members of the community, will be undertaken by the Company. If there is any indication that a vulnerable person is experiencing difficulties in this area (for instance if they are reported to be spending long periods of time using a PC on their own or if they appear unnecessarily defensive, secretive or anxious about their PC use), then this must be taken seriously.

Virtual lessons and live streaming

Should work based learning providers choose to provide remote education using live streaming or pre-recorded videos, guidance from the National Cyber Security Centre (NCSC) on which video conference service is right for your school and using video conferencing services securely could help schools to set up video conferencing safely, if this is the chosen approach.

In addition, guidance from the UK Safer Internet Centre on safe remote learning includes detailed advice on live, online teaching, and the safeguarding guidance from London grid for learning (LGfL) includes platform-specific advice.

Teaching and assessing from home is different to teaching in the classroom. Tutors/ Assessors should try to find a quiet or private room or area to talk to learners, parents or carers. When broadcasting a lesson or making a recording, consider what will be in the background.

12. Cyber Security

Cyber security is how individuals and organisations reduce the risk of cyber-attack. Cyber security's core function is to protect the devices we all use (smartphones, laptops, tablets and computers), and the services we access - both online and at work - from theft or damage. It is also about preventing unauthorised access to the vast amounts of personal information we store on these devices, and online.

Cyber security is important because smartphones, computers and the internet are now such a fundamental part of modern life, that it's difficult to imagine how we'd function without them. From online banking and shopping, to email and social media, it's more important than ever to take steps that can prevent cyber criminals getting hold of our accounts, data, and devices.

Cybercriminals don't care that the world is going through a Pandemic- the risk and likelihood of a Cyberattack during these times has never been higher.

Action Fraud is the UK's national reporting centre for fraud and cybercrime and monitors and investigates cyberattacks. They have reported a 400% increase in reported cyberattacks, including phishing attacks on hospitals during Covid.

Cyber criminals exploit weaknesses in software and apps to access your sensitive personal data, but providers are continually working to keep you secure by releasing regular updates. These updates fix weaknesses, so criminals can't access your data. Using the latest versions of software, apps and operating system on your phone, tablet, or smart device can immediately improve your security. Remember to update regularly, or set your phone, tablet or smart device to automatically update so you don't have to think about it. Ensure all devices are running Malware and Anti-virus software, change passwords regularly and don't share these or input passwords in public places, ensure you reduce Permissions to a 'Need'

Learn more and start now:

www.esfa-cyber-essentials.com

12. Cyberbullying

Cyberbullying involves the use of electronic communication devices to bully people. These include: mobile phones, tablets, iPads, laptops and PCs.

Social media platforms such as Facebook, Instagram, Twitter and WhatsApp are used by cyberbullies to put out their communications.

Who is most at risk?

- Children using social media unsupervised
- Vulnerable adults are particularly at risk if they are using social media, as they may be more emotionally and mentally susceptible to the abuse

13. Peer-on-Peer (Child-on-Child)

All staff should be aware that children can abuse other children (often referred to as peer-on-peer abuse). This can happen both inside and outside of school or college and online. We need to recognise the indicators and signs of peer-on-peer abuse and know how to identify it. This is most likely to include, but may not be limited to:

- Bullying (including cyber bullying, prejudice-based and discriminatory bullying)
- Abuse in intimate personal relationships between peers
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and or encourages physical abuse)
- Sexual violence such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and or encourages sexual violence)
- Sexual harassment such as sexual comments, remarks, jokes, and online sexual harassment, which may be standalone or part of a broader pattern of abuse

- Causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party
- Consensual and non-consensual sharing of nude and semi-nude images and or videos
- Up skirting which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm
- Initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may include an online element
- All staff are aware of policies and procedures relating to peer-on-peer abuse and regularly review this through CPD

It's a criminal offence to create or share explicit images of a child, even if the person doing it is a child.

<https://learning.nspcc.org.uk/research-resources/briefings/sexting-advice-professionals>

14a. Child Sexual Exploitation (CSE)

These are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Save the Children states child exploitation refers to the “use of children for someone else's advantage, gratification or profit” often resulting in unjust, cruel, and harmful treatment of the child. These activities are to the detriment of the child's physical or mental health, education, moral or social-emotional development.

CSE can affect any child, who has been coerced into engaging in sexual activities, this includes 16 and 17-year-olds who can legally consent to having sex.

Child exploitation disruption toolkit - <https://www.gov.uk/government/publications/child-exploitation-disruption-toolkit>

14b. Child Criminal Exploitation (CCE)

Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, committing vehicle crimes or threatening or committing serious violence to others. They can become trapped by this type of exploitation as perpetrators can threaten both victims and their families with violence and other things.

It is important to note that the experience of girls who are criminally exploited can be vastly different to that of boys, the indicators may be the same, however we need to be aware that girls are at risk of criminal exploitation too.

15. Serious Violent Crime

All staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include increased absence from school/

college, a change in friendship or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children and vulnerable adults have been approached by, or are involved with, individuals associated with criminal networks or gangs. All staff should be aware of the associated risks and understand the measures in place to manage these. Advice for schools and colleges is provided in the Home Office's Preventing youth violence and gang involvement and its Criminal exploitation of children and vulnerable adults.

Child on child sexual violence and sexual harassment

This part of the statutory guidance is about how schools and colleges should respond to all reports and concerns of child-on-child sexual violence and sexual harassment, including those that have happened outside of the school or college premises, and or online.

Sexual violence and sexual harassment can occur between two children of any age and sex, from primary through to secondary stage and into colleges. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable. As set out in Part one of this guidance, all staff working with children are advised to maintain an attitude of 'it could happen here'.

Addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

Children who are victims of sexual violence and sexual harassment wherever it happens, will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school or college. As set out in Part one of this guidance, schools and colleges should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college, including intimate personal relationships.

Whilst any report of sexual violence or sexual harassment should be taken seriously, staff should be aware it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys. However, even if the statistics show that girls are more likely to be victim, it is vital we acknowledge boys can also be victims of sexual violence and sexual harassment, and we must strive to ensure that they feel comfortable to speak out and seek help.

But 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

Responding to reports of sexual violence and sexual harassment. Part two of this guidance is clear that systems should be in place (and they should be well promoted, easily understood and easily accessible) for children to confidently report abuse, knowing their concerns will be treated seriously

Schools and colleges not recognising, acknowledging or understanding the scale of harassment and abuse and/or downplaying some behaviours related to abuse can lead to a

culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure. Pre-planning, effective training and effective policies will provide schools and colleges with the foundation for a calm, considered and appropriate response to any reports. Governing bodies and proprietors should ensure that the school or college contributes to multi-agency working in line with statutory guidance Working Together to Safeguard Children.

This part of the guidance does not attempt to provide (nor would it be possible to provide) detailed guidance on what to do in any or every particular case. The guidance provides effective safeguarding practice and principles for schools and colleges to consider in their decision-making process.

Ultimately, any decisions are for the school or college to make on a case-by-case basis, with the designated safeguarding lead (or a deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police.

Responding to the report

It is important to note that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. In some cases, the victim may not make a direct report. For example, a friend may make a report or a member of school or college staff may overhear a conversation that suggests a child has been harmed or a child's own behaviour might indicate that something is wrong. As per Part one of this guidance, if staff have any concerns about a child's welfare, they should act on them immediately rather than wait to be told.

The school's or college's initial response to a report from a child is incredibly important. How the school or college responds to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward.

It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe. Abuse that occurs online or outside of the school or college should not be downplayed and should be treated equally seriously. 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 or their experience minimised.

Safeguarding & supporting the victim

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the victim:

- The needs and wishes of the victim should be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is reasonably possible. Wherever possible, the victim, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim's daily experience as normal as possible, so that the school or college is a safe space for them.

- Consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. Schools and colleges should be aware that, by the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and alleged perpetrator(s).
- The victim should never be made to feel they are the problem for making a report or made to feel ashamed for making a report.
- Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.
- Schools should be aware that sexual assault can result in a range of health needs, including physical, mental, and sexual health problems and unwanted pregnancy. Children and young people that have a health need arising from sexual assault or abuse can access specialist NHS support from a Sexual Assault Referral Centre (SARC). SARCs offer confidential and non-judgemental support to victims and survivors of sexual assault and abuse. They provide medical, practical, and emotional care and advice to all children and adults, regardless of when the incident occurred.

Support can include:

Children and Young People's Independent Sexual Violence Advisors (ChISVAs) provide emotional and practical support for victims of sexual violence. They are based within the specialist sexual violence sector and will help the victim understand what their options are and how the criminal justice process works if they have reported or are considering reporting to the police. ChISVAs will work in partnership with schools and colleges to ensure the best possible outcomes for the victim.

Police and social care agencies can signpost to ChISVA services (where available) or referrals can be made directly to the ChISVA service by the young person or school or college. Contact details for ChISVAs can be found at Rape Crisis and The Survivors Trust

Child and Adolescent Mental Health Services (CAMHS) is used as a term for all services that work with children who have difficulties with their emotional or behavioural wellbeing. Services vary depending on local authority. Most CAHMS have their own website, which will have information about access, referrals and contact numbers.

The specialist sexual violence sector can provide therapeutic support for children who have experienced sexual violence. Contact Rape Crisis (England & Wales) or The Survivors Trust for details of local specialist organisations. The Male Survivors Partnership can provide details of services which specialise in supporting men and boys.

NHS - Help after rape and sexual assault - NHS (www.nhs.uk) provides a range of advice, help and support including advice about the risk of pregnancy, sexually transmitted infections (STI), reporting to the police and forensics.

Rape and sexual assault referral centres services can be found at: Find Rape and sexual assault referral centres. Sexual assault referral centres (SARCs) offer medical, practical and emotional support. They have specially trained doctors, nurses and support workers. If

children, young people, or their families are unsure which service to access, they should contact their GP or call the NHS on 111.

Childline provides free and confidential advice for children and young people.

Internet Watch Foundation works internationally to remove child sexual abuse online images and videos and offers a place for the public to report them anonymously.

Childline / IWF: Remove a nude image shared online Report Remove is a free tool that allows children to report nude or sexual images and videos of themselves that they think might have been shared online, to see if they can be removed from the internet.

Victims may not talk about the whole picture immediately. They may be more comfortable providing information on a piecemeal basis. It is essential that dialogue is kept open and encouraged. When it is clear that ongoing support will be required, schools and colleges should ask the victim if they would find it helpful to have a designated trusted adult (for example, their form tutor or designated safeguarding lead) to talk to about their needs. The choice of any such adult should be the victim's (as far as reasonably possible). Schools and colleges should respect and support this choice.

A victim of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. While schools and colleges should avoid any action that would have the effect of isolating the victim, in particular from supportive peer groups, there may be times when the victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. This should be because the victim wants to, not because it makes it easier to manage the situation. If required, schools and colleges should provide a physical space for victims to withdraw.

It may be necessary for schools and colleges to maintain arrangements to protect and support the victim for a long time. Schools and colleges should be prepared for this and should work with children's social care and other agencies as required.

It is therefore important that the designated safeguarding lead knows how and where to seek support.

It is important that the school or college do everything they reasonably can to protect the victim from bullying and harassment as a result of any report they have made.

Whilst they should be given all the necessary support to remain in their school or college, if the trauma results in the victim being unable to do this, alternative provision or a move to another school or college should be

considered to enable them to continue to receive suitable education. This should only be at the request of the victim (and following discussion with their parents or carers).

It is important that if the victim does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs. The designated safeguarding lead should take responsibility to ensure this happens (and should discuss with the victim and, where appropriate their parents or carers as to the most suitable way of doing this) as well as transferring the child protection file.

16. Risk Assessment

See Safeguarding Risk Assessment CP-078

The company uses risk assessments to inform the planning of safeguarding activities. This takes place at a number of levels:

- Single Check Register – explicit section on Safeguarding
- Safeguarding risk assessment – considering safeguarding measures to be put in place for various groups of staff
- Hazardous activity risk assessments – in line with the company health & safety policy

Risk assessments are reviewed and updated on a regular basis as needs demands and at least once every year.

17. Raising Awareness of Safeguarding Procedures & Mitigation of Risk

It is important that all members of the company recognise the role they play in safeguarding.

All staff, volunteers and contractors, if relevant, are trained in and receive regular updates in e-safety and recognising and reporting concerns.

We will abide by Government guidance relating to learners safety and measures that need to be taken to minimise the risk of infection during pandemics. We will be vigilant to the mental health and wellbeing of learners during the time of any isolation and provide a support plan for regular contact where attendance is not a normal indicator of engagement. Learners will also be provided with guidance on safe home working/learning. See our Covid Response Plan.

An external speaker or visitor is used to describe any individual or organisation who is not a member of staff or learner working with us, or one of its contracted partners, who has been invited to speak to staff/learners. It is paramount that Safeguarding measures are in place including ensuring a reasonable notice period for checks to be made.

Our policies recognise that Internet Safety is a whole team/organisation responsibility which includes learners and their parents and carers. Children, young people and adults at risk may expose themselves to danger, whether knowingly or unknowingly, when using the Internet and other technologies. Additionally, some children, young children and adults at risk may find themselves involved in activities which are inappropriate or possibly illegal. We therefore recognise our responsibility to educate all learners, teaching them the appropriate behaviours and critical thinking skills to enable them to remain both safe and legal when using the Internet and related technologies. These issues are addressed within the learner journey, within relevant policies and procedures and with parents and carers.

We will ensure filters are in place to prevent access to unsuitable sites and we will monitor and report monthly on the use of the network and internet to ensure that any learner, staff, associate, volunteer or contractor attempting to access inappropriate, harmful or indecent images are found, then the police will be informed immediately and we will fully support their investigation.

If involving a staff member/volunteer, immediate suspension, in line with the disciplinary process, will immediately take effect and the managing safeguarding and prevent allegations

procedure may need to be instigated by the DSL. We will take the police advice when learners are involved as to whether the relevant commissioner should be informed.

Photographs – The welfare and protection of our children and adults at risk is paramount and consideration should always be given as to whether the use of photography will place them at risk. Images may be used to harm children or adults at risk, for example as a preliminary to grooming or by displaying them inappropriately on the internet, particularly social networking sites. For this reason, consent must be sought from those with parental responsibilities (this may include the Local Authority in the case of looked after children).

Recording of learner assessment is in line with awarding body regulation.

We are aware of the Safeguarding Partners escalation procedures for raising concerns in respect of poor practice and recognise our responsibility to utilise these as and when necessary, in the interest of safeguarding and promoting the welfare of children and vulnerable adults.

Safeguarding must be a topic covered within the induction of every member of the company community whether they are learners, staff or employers used by the company for work experience purposes.

Learners: Within the induction programme learners will be made aware of the following:

- What constitutes abuse under Safeguarding, including risks from remote/ on line learning
- The reporting procedures for self-referral or reporting suspected abuse of a friend or colleague
- To whom the referral should be made
- The responsibility each learner has for another

Staff: Within the staff induction programme employees will be made aware of the following:

- The procedure for reporting issues associated with safeguarding including risks from remote/ online learning
- The key company personnel to whom the report should be made
- The responsibility of members of staff under the Safeguarding Policy and other associated policies
- Newly appointed staff will have a job role induction (JRI) in line with the our Probation policy over a 6-month period. A robust induction into the safeguarding of children, young people and adults at risk procedures is provided when they join the organisation, this includes mandatory reading of the internal and external policies and legislation.
- All staff, as part of their CPD will regularly read policies, answering questions to ensure they understand the policies
- All new staff will complete Child Protection and Vulnerable Adult Awareness training

As well as during induction the following is implemented:

- ✓ Policy will be reviewed annually or sooner if changes in legislation occur

- ✓ Safeguarding refresher training also completed annually for all staff
- ✓ Each learners' journey and learner surveys will incorporate the Safeguarding and Prevent agenda
- ✓ Learner reviews will incorporate both Safeguarding and Prevent agenda (with employers present)
- ✓ Staff and SLT meetings will have Safeguarding and Prevent on the agenda as mandatory
- ✓ Staff supervision meetings will have Safeguarding and Prevent on the agenda as mandatory

Employers: Any employer working with a learner must be given training on the ESTAR Group Safeguarding Policy and Procedures by the learner's Tutor or nominated representative prior to the learner embarking upon the experience or placement. The Tutor and employer must:

- Identify a key employee who will act as the main contact for the learner on experience or placement for the purposes of child protection
- Instruct that the key employee on the company's Safeguarding Policy and Procedures and identify who their key point of contact is within company for any referrals for suspected abuse under Safeguarding
- Sign a declaration that appropriate training has taken place and that the employee is fully aware of their responsibility and the reporting process (appropriate notes and procedures will be left with the employee for reference purposes).

Keeping Yourself Safe- Safeguarding Code of Conduct

You will naturally build a rapport with learners/apprentices, and they may see you as a confident and support but be sure to maintain professional boundaries whenever carrying out work on ESTAR Group's behalf. Be respectful and appreciate you are in a position of trust.

Uphold confidentiality within certain remits when required by the situation, but be careful not to promise to keep secrets or ask others to do so.

We follow the Equality and Human Rights Commission Statutory Code of Practice 2010. This safeguarding Code of Conduct also details how Individuals can protect themselves against allegations of abuse. Avoid personal and social contact with children or adults at risk and seek to minimise the risk of any situation arising in which misunderstandings can occur.

You should NOT:

- Engage in flirting or innuendo, make suggestive terms or gestures, or indicate favouritism for a child or vulnerable adult
- Issue or threaten any form of physical punishment

- Initiate or engage in sexually provocative games, conversations or activity involving or observed by young people, whether based on talking or touching
- Make sexually suggestive remarks or discriminatory comments to or in front of a young person or discuss staff's own sexual relationships in front of them
- Engage in any sort of sexual relationship with a young person, even when the young person is aged 16 or over and therefore legally able to consent
- Use any type of physical punishment in order to discipline. Shouting at young people should be avoided whenever possible and only used if alternative forms of discipline have failed
- Photograph or film young people for which no prior consent has been sought
- Broadcast or view any audio and / or visual material (CDS, DVDs, videos, computer or games etc) That has inappropriate content for young children.
- Invite or allow a young person or adult at risk who you have met through your work to your home or another location where the purpose is one of friendship or an intimate relationship
- Engage in or tolerate any inappropriate physical activity involving young people
- Allow the use of inappropriate language to go unchallenged
- Do things of a personal nature for children or adults at risk that they can do for themselves
- Dismiss an allegation of any sort relating to a learner's or adults at risk's welfare or delay the reporting of an allegation
- Discourage anyone from reporting concerns or ask individuals to keep secrets
- Make promises to keep secrets, keep any disclosure confidential, overreact or be judgmental, should you suspect abuse
- Spend excessive amounts of time alone with children or vulnerable adults, away from others
- Make unnecessary physical contact with children or vulnerable adults. However, there may be occasions where physical contact is unavoidable, such as providing comfort at times of distress or physical support in contact sports, etc. in all cases, contact should only take place with consent of the child or the vulnerable adult.
- Arrange to meet a child, adult at risk or their families, with whom you work outside of working hours, unless it is with consent of the parents/carers and person in charge of the activity
- Give or receive gifts and / or substances such as drugs, alcohol, cigarettes or e-cigarettes to / from a young person or their families.
- Consume alcohol, take illegal drugs or legal highs during the working day / evening or at events, including during any breaks or when in the presence of young people
- Smoke / vape with, or in front of, young people
- Steal, or condone someone else's stealing, regardless of the value of the stolen item.

You SHOULD:

- Work in a room where you can be visibly seen, leave the door open and make sure other adults visit the room regularly whilst respecting children and vulnerable adult's rights to privacy, encouraging children and adults to feel comfortable enough to report attitudes or behaviours they do not like.
- Plan activities that involve more than one other person being present, or at least within sight and hearing of others. If this is unavoidable, always ensure your line manager knows where you are, with whom and why.
- Act with discretion with regard to personal relationships at organized activities, ensuring your personal relationships do not affect your leadership role within the organisation. All pre-existing relationships do between staff, volunteers, delivery partners, contractors and / or participants of the organised activities must be declared. Avoid working in isolation with children and adults at risk, follow the recommended adult to young
- People ratios for meetings and activities and ensure there is separate sleeping accommodation for young people, adults and group leaders
- Never give out a personal mobile number or private e-mail address and ensure working hours of contact ability are stated
- Be aware of the procedures for reporting concerns or incidents and be familiar with the contact details of the DSL
- Treat all young people and adults equally and listen to them, avoiding favouritism and gossiping ensure allegations or disclosures by a young person or another adult are taken seriously and reported, including any made against you. Follow the procedures for reporting concerns
- Never befriend or chat to children or adults at risk on social media / network sites. Always use professional language when writing, phoning, emailing or using social media / network to communicate with young people or vulnerable adults.
- Be aware that young people can develop heterosexual and homosexual infatuations (crushes) towards adults working with them. If this happens, tell your line manager and then respond to the situation in a way that maintains the dignity of all concerned.
- Immediately report concerns relating to the welfare of a child or adult at risk in your care, whether these concerns are about actions / behaviours of another colleague or based on any conversation with the child or vulnerable adult, particularly when they make an allegation
- Act as a role model
- Set and monitor appropriate boundaries and relationships when working with children and adults at risk, based on openness, honesty and respect for the child or vulnerable adults.
- Ensure that the focus of your relationship with a young person that you have met through any programmes remains professional at all times. The aim should never be to develop the relationship into a friendship or intimate relationship

- Respect a young person or vulnerable adult's right to personal privacy but never agree to keep any information relating to the harm or a young person or adult at risk confidential. Provide support to a child,
- Young person or adult at risk making a complaint
- Remain calm and ensure that no one is in immediate danger if they suspect abuse. Report any concerns to the DSL without delay and record all the facts
- Ensure that if a distressed young person needs comfort, that this is done in a way that is both age appropriate and respectful of their personal space. Never act in a way which may be perceived as threatening or intrusive. Always ask a young person before you act. Hugging should be limited and never initiated by staff / volunteers. Any hugging should be done by the side of the young person with an arm placed around the shoulders, side by side.
- Ensure that if any kind of physical support is required during any activities, it is provided only when necessary in relation to the activity and that this is done in a way that other colleagues can observe you.

18. Dealing With Disclosure of Abuse & Procedure for Reporting Concern

Note 1: Promises of confidentiality must not be given as the matter may develop in such a way that these promises cannot be honoured.

Note 2: Learning Difficulties and / or Disabilities: Some people with learning difficulties and / or disabilities may need different treatment to other persons e.g. in the way their physical/mental condition might mask possible abuse.

Note 3: Forced Marriage: If there are concerns that a vulnerable person (male or female) is in danger of a forced marriage, you should contact the company nominee for safeguarding who will contact the Forced Marriage Unit (FMU) (020 7008 0151) or by visiting the FMU page of the Foreign and Commonwealth Office website. The police and Children's Services will also be contacted. You can also call 101 for advice and guidance. If the complainant is the person being abused, questions should be kept to the minimum necessary to understand what is being alleged and leading questions should be avoided. The use of leading questions can cause problems for the subsequent investigation and any court proceedings.

A full record shall be made as soon as possible of the nature of the allegation and any other relevant information including:

- ✓ the date
- ✓ the time
- ✓ the place where the alleged abuse happened
- ✓ your name and the names of others present
- ✓ the name of the complainant and, where different, the name of the young person who has allegedly been abused
- ✓ the nature of the alleged abuse
- ✓ a description of any injuries observed

- ✓ an account of the allegation that should be signed and dated by the person completing the report

Any suspicion, allegation or incident of abuse must be reported to the DSL (or deputy DSL in their absence) as soon as possible and at least within two hours.

The DSL shall telephone and report all allegations and incidents of abuse to either the Children Services department duty social worker, or the adult safeguarding duty team before the end of the company day. A written record of the date and time of the report shall be made, and the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the relevant department within 24 hours.

The DSL should discuss with the social services department what action will be taken to inform the parents of the young person and a note of that conversation should be made.

If the DSL cannot be contacted within 2 hours of the allegation or observation, the person making the report must notify the local Children Services department of the issue and inform the company's nominated member of staff, as soon as possible, about the action taken.

The nominated member of staff must notify the Directors/ CEO of any allegation or incident as soon as is practicable and in any event within 24 hours of the initial concern arising.

Written records.

The DSL shall retain a copy of:

- ✓ The report
- ✓ Any notes, memoranda or other correspondence dealing with the matter
- ✓ Any other relevant material

Copies of reports, notes etc. should be kept securely locked at all times. Ensure Data Protection compliance.

19. Reporting & Dealing With Allegations of Abuse Against Members of Staff

Where an allegation of abuse is made, and it involves a member of Company staff the Company will comply at all times with guidance Safeguarding Children in Education: Dealing with Allegations of Abuse Against Teachers and Other Staff.

<https://www.gov.uk/government/publications/allegations-of-abuse-against-teachers-and-non-teaching-staff>

Allegations against a staff member who is no longer teaching or employed by ESTAR Group should be referred to the police. Historical allegations of abuse should also be referred to the police.

Employers have a duty of care to their employees. They should ensure they provide effective support for anyone facing an allegation. It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in college is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and, at the same time supports the person who is the subject of the allegation.

Allegations against staff should be reported to the Managing Director. The Managing Director will then consult with the DSL. Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children/ vulnerable adults at college or whether alternative arrangements can be put in place until the allegation or concern is resolved.

Any suspicion, allegation or actual abuse of a young person by a member of staff must be reported to the nominated member of staff as soon as possible and at least within two hours. If within 2 hours of the initial concern it has not been possible to contact the nominated member of staff the matter must be reported to the CEO.

Full records must be made about the alleged incident/s as described above.

Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services or the police. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support. They should also be given access to welfare counselling or medical advice where this is provided by the employer.

Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

Parents or carers of the child or vulnerable adult involved should be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or police or children's social

care services need to be involved, the case manager should not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers. Parents or carers should also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed but the parents or carers of the child should be told the outcome in confidence.

The Company will, as deemed appropriate through the investigation, co-operate fully with the Police, Social Services and other external organisations in the execution of their duties within the investigation.

The Managing Director with senior responsibility for Safeguarding will be kept informed of any situation where the investigation of an alleged incident under the Safeguarding Policy and Procedure is necessary.

Parents or carers of a young person or vulnerable adult involved should be told about the allegation as soon as possible if they do not already know of it (subject to discussion with the relevant authority). They should also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process.

If the designated safeguarding lead is the subject of the allegation or complaint, the matter must be reported directly to the Managing Director.

20. Confidentiality

It is extremely important that when an allegation is made, the school, college or provider make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002 (see paragraphs 213-214). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

KCSiE 2022 -identifies GDPR and withholding information:

‘Governing bodies and proprietors should ensure relevant staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the GDPR.’

21. Safer Recruitment & Selection

See Safer Recruitment Policy (CP-036) for further details

It is extremely important that when an allegation is made, the school, college or provider make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The Company pays full regard to safer recruitment processes and best practice:

<https://learning.nspcc.org.uk/safeguarding-child-protection/safer-recruitment/>

We ensure that all appropriate measures are applied in relation to everyone who works in the Company e.g. volunteers and staff employed by contractors. Safer recruitment practice includes scrutinising applicants, verifying identity and academic or vocational qualifications, obtaining references satisfactory to the Company, checking previous employment history and ensuring that a candidate has the health and physical capacity for the job. It also includes undertaking interviews, reference checks and undertaking Disclosure and Barring Service (DBS) checks.

No new member of staff is to be employed without an enhanced DBS check.

Statutory changes, underpinned by regulations, are that:

- ✓ A DBS Enhanced Disclosure is obtained for all new appointments to the Company's workforce.
- ✓ The Company will keep a single central record detailing a range of checks carried out on staff.
- ✓ All new appointments to the Company workforce who have lived outside the UK are subject to additional checks as appropriate.
- ✓ The Company will satisfy itself that supply/temporary staff have undergone the necessary checks.

- ✓ Identity checks must be carried out on all appointments to the workforce before the appointment is made.

Single Central Record- the Company maintains a single central record of all checks on Company staff and, where appropriate, governors, volunteers and other people who may come into routine contact with vulnerable learners through the course of their studies.

The Education and Training (Welfare of Children) Act 2021 extended safeguarding provisions to providers of post 16 Education; 16-19 Academies, Special Post-16 institutions and Independent Training Providers. Some safer recruitment regulations do not apply to these providers and as such some of the “musts” for colleges do not apply to them. These checks are an essential part of safeguarding, carried out to help employers check the suitability of candidates. Therefore, the providers set out above should carry out these pre appointment checks. This has been made clear via footnotes. All offers of appointment should be conditional until satisfactory completion of the mandatory pre-employment checks. All Schools and colleges must: • verify a candidate’s identity, it is important to be sure that the person is who they claim to be, this includes being aware of the potential for individuals changing their name. Best practice is checking the name on their birth certificate where this is available.

Further identification checking guidelines can be found on the GOV.UK website.

- Obtain (via the applicant) an enhanced DBS check (including children’s barred list information, for those who will be engaging in regulated activity with children). Note that when using the DBS update service you still need to obtain the original physical certificate
- Obtain a separate children’s barred list check if an individual will start work in regulated activity with children before the DBS certificate is available
- Verify the candidate’s mental and physical fitness to carry out their work responsibilities.

A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role.

- Verify the person’s right to work in the UK, including EU nationals. If there is uncertainty about whether an individual needs permission to work in the UK, then schools and colleges should follow advice on the GOV.UK website
- If the person has lived or worked outside the UK, make any further checks the school or college consider appropriate
- Verify professional qualifications, as appropriate.

22. Monitoring & Review

This policy will be reviewed as deemed necessary through changes in law and/or good practice but at least annually.

23. Data Protection

[See Data Protection Policy \(CP-033\) for further details](#)

In deciding what information to disclose, careful consideration should be given to the provisions of the Data Protection Act 2018, the law of confidence and, where relevant, the Human Rights Act 1998.

- Be clear
- Ensure you include the key details of the learner and any required description about them in the account
- Be accurate
- Be concise
- Record only relevant information to this report. Ensure that you are clear what is a fact and what is your opinion
- You may need to offer some analysis – in this circumstance you need to be clear about why you are worried? What is the likelihood and possible impact should the risk occur?

What happens to the recording of the disclosure and other information gathered?

Apart from forming the basis for the referral, it may also be used in court reports (civil and criminal) and in statutory safeguarding processes such as investigation and assessments and child protection conferences. Internally, the ESTAR Group reporting process includes the requirement of an update on the Safeguarding Incident form (part 3) within 7 days of the disclosure which includes review of best practice.

Information sharing is vital in identifying and tackling all forms of abuse and neglect, and in promoting children's welfare, including their educational outcomes. Schools and colleges have clear powers to share, hold and use information for these purposes. As part of meeting a child's needs, it is important for governing bodies and proprietors to recognise the importance of information sharing between practitioners and local agencies. This should include ensuring arrangements are in place that set out clearly the processes and principles for sharing information within the school or college and with children's social care, the safeguarding partners, other organisations, agencies, and practitioners as required. School and college staff should be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children, whether this is when problems are first emerging, or where a child is already known to the local authority children's social care. It is important that governing bodies and proprietors are aware that among other obligations, the Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR) place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure. Governing bodies and proprietors should ensure relevant staff have due regard to the relevant data protection principles, which allow them to share (and withhold) 29 More details on information requests by the safeguarding partners is provided in Part 3 of Working Together to Safeguard Children. Personal information, as provided for in the Data Protection Act 2018 and the UK GDPR.

This includes:

- Being confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information, which is sensitive and personal, and should be treated as 'special category personal data'.
- Understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This includes allowing practitioners to share information without consent where there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner, but it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.
- For schools, not providing pupils' personal data where the serious harm test under the legislation is met. For example, in a situation where a child is in a refuge or another form of emergency accommodation, and the serious harms test is met, they must withhold providing the data in compliance with schools' obligations under the Data Protection Act 2018 and the UK GDPR. Where in doubt schools should seek independent legal advice. The Data Protection Act 2018 and UK GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children.

24. Whistleblowing & Complaints

Please also see each of these policies:

Whistleblowing Policy

Complaints Procedure

"What do I do if I am worried that another member of staff is acting in a way that may be unsuitable in practice, or may be causing harm to another person or even committing a criminal offence against another person?"

Where an allegation is made against a staff member, either employed or associate, the matter is reported immediately to the Managing Director in line with this policy and KCSiE guidance. The Managing Director will inform the DSL(s) as appropriate and the incident will be dealt with under ESTAR Group Policy in line with KCSiE 2022 guidance.

Allegations of a safeguarding nature may constitute one or all of the below:

- A concern which may mean the employee is not suitable to practice with children, young people and vulnerable adults
- A concern which has led to the possible harm to a learner
- A safeguarding concern which may be criminal in its nature or intent

Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, other whistleblowing channels are open to them:

The NSPCC's dedicated helpline is available if required as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have

concerns about the way a concern is being handled by their school, college or placement. 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

25. Related Policies

There are other specific policies that have our approach to safeguarding embedded within them. These include:

Whistleblowing Policy

Prevent Policy

Bullying and Harassment Policy

Health and Safety Policy

I.T & E- Safety Policy

and the Quality & Compliance Coordinator

Review of Procedure Statement

This procedure will be reviewed at minimum, on an annual basis or when necessary, by the Managing Director and Quality Manager of ESTAR.

Date of last Review	Print Name	Position
01/05/2025	Keiran Casey	Managing Director
	Darren Beach	Quality Manager