

# SAFEGUARDING AND PREVENT POLICY HANDBOOK

**Version:** 8

**Approved by:** Davies Learning Solutions Board

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## Change History

Policy handbook to be reviewed annually or to align to updates with legislation

Version	Date	Author	Description of change
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V2	07/06/2021	Janet Miles	Review and update
V3	08/07/2021	Janet Miles	Review COVID guidance
V4	14/09/2021	Janet Miles	Update in line with 'Keeping Children Safe in Education' 21
V5	09/02/2022	Wayne Bell	Review/Update
V6	1/11/22	Wayne Bell	Update in line with sexual health content, cyber bullying and LGTBQ+ awareness KCSIE 22
V7	21/8/23	Wayne Bell	Update in line with KCSIE June 23 – filtering and monitoring, SR online checks, recording of allegation and retention of information.
V8	24/7/24	Wayne Bell	Update in line with new policies for U18 learners in response to Ofsted

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## 1. Statutory Framework

Davies Learning Solutions recognises its duty to work with other agencies to protect all stakeholders. Our safeguarding mission is to ensure that young people, vulnerable adults, and our internal staff are protected from harm. In the management of its programmes, the discharge of functions, and in implementing this Policy and various Procedures, Davies Learning Solutions will remain mindful of its duty of care and other legal obligations such as those it owes under the Health and Safety at Work Act 1974, the General Data Protection Act 2018, the Safeguarding Vulnerable Groups Act 2006, the Equality Act 2010, the Protection of Freedoms Act 2012 and the Counter Terrorism and Security Act 2015.

This Policy incorporates the following:

- Keeping children safe in education (2023) (KCSIE)
- Working Together to Safeguard Children (2018)
- Disqualification under the Childcare Act 2006 (2018)
- Prevent Duty Guidance for England and Wales (2015)
- Channel Duty Guidance: Protecting vulnerable people from being drawn into terrorism (2015)
- Multi-agency statutory guidance on FGM (2016)
- What to do if you're worried a child is being abused: advice for practitioners (2015)
- Information sharing: advice for practitioners providing safeguarding services (2018)
- Child sexual exploitation: definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation (2017)
- Sexual violence and sexual harassment between children in schools and colleges (2018)
- Stop Knife Crime – Met Police guidance
- Sexual Offences Act 2003
- Mental Capacity Act 2005
- Safeguarding vulnerable Groups Act 2006
- The Care Act 2014

### 1.1 Context

Davies Learning Solutions are committed to maintaining the highest possible standards to meet its social, moral, and legal responsibilities to safeguard the welfare of every apprentice (for apprentice, this term includes a child/young person or vulnerable adult), and thereby ensuring a

safe and friendly environment, including awareness and protection from aspects such as radicalisation and extremism. Davies Learning Solutions values freedom of speech and the expression of belief and ideology as fundamental rights of British society.

Davies Learning Solutions believes that:

- Every apprentice has the right to exist in a safe, caring, and inclusive learning and working environment
- All apprentices should be valued and respected as individuals, and always treated with dignity
- Bullying in any form is strictly unacceptable
- Racist, homophobic, and sexist language or behaviour is strictly unacceptable
- Every apprentice has the right to learn and/or work in a democratic environment where any signs of radicalisation and extremism are promptly dealt with
- Any form of discrimination, abuse, harassment, or victimisation are strictly unacceptable
- All apprentices have the right to expect an adult in a position of responsibility to listen to them when they need to express themselves
- All apprentices and staff should be protected from peer-on-peer abuse and this should be reported and dealt with appropriately

All staff must recognise that ignoring abuse is not an option and must report any concerns for the well-being of apprentices in accordance with this policy and guidance, which has the full commitment of Davies Learning Solutions Senior Management Team and Board. Staff are encouraged to read and suggest updates or edits to this and any other policy where they feel changes would be beneficial.

This Safeguarding policy should be read in conjunction with the following policies:

- Equality, Diversity, and Inclusion Policy
- Disclosure and Barring Service (DBS) Policy (Group Policy)
- Apprentice Health and Safety Policy
- Anti-Harassment & Bullying Policy
- GDPR Policy (Group Policy)
- Freedom of Expression Policy (Group Policy)
- Information Technology Security Policy (Group Policy)
- Visiting Speaker Policy

All policies can be found on Davies Group Intranet along with further resources in the Safeguarding section of shared documents in SharePoint.

The following abbreviations are used throughout this document:

- DSL – Designated Safeguarding Lead
- DSO – Designated Safeguarding Officer (Tier1)
- LADO – Local Authority Designated Officer
- PL - Prevent Lead (Prevent Specialist)
- SO – Safeguarding Officer (Tier2)

Throughout this policy and guidance, reference is made to “children and young people” (hereinafter referred to as apprentices). This terminology is used to mean “those under the age of 18” or vulnerable adults. The definition of a vulnerable adult includes (but is not restricted to) individuals with any of the following:

- Learning Difficulties
- Disability (physical or mental)
- Physical Impairments
- Sensory Impairments
- Mental Health Needs
- Age Related Frailty
- Dementia
- Brain Injuries
- Drug, Alcohol or Substance Problems
- Someone at risk of abuse or harm

## **1.2 Safeguarding looked after children and young people**

The term ‘looked after’ refers to children and young people who are in the care of the Government or who are provided with accommodation for more than one continuous period. Children and young people who live away from home for other reasons whilst not being ‘looked after’ may still be vulnerable.

### **Working hours and rest breaks for workers aged 16 or 17**

By law, workers aged 16 or 17 must not work more than 8 hours a day and 40 hours a week.

They must also have, as a minimum:

- a 30-minute break if their working day is longer than 4.5 hours
- 12 hours rest in any 24-hour period in which they work (for example, between one working day and the next)
- 48 hours (2 days) rest taken together, each week or – if there is a good business reason why this is not possible – at least 36 hours rest, with the remaining 12 hours taken as soon as possible afterwards

### **Night working**

Those aged 16 or 17 must not work after 10pm or before 7am.

They can work until midnight or from 4am onwards if it's necessary in the following types of work:

- advertising
- agriculture
- a bakery
- catering
- a hospital or similar

- a hotel, pub, or restaurant
- post or newspaper delivery
- retail

But this is only if:

- there are no adult workers available to do the work
- working those hours will not have a negative effect on the young person's education or training

If they do need to work after 10pm or before 7am, the employer must make sure the young worker:

- is supervised by one or more adult workers where necessary for their protection
- has enough rest at another time if they need to work during their normal rest breaks or rest periods

It's against the law for anyone aged under 18 to work between midnight and 4am, even if they do one of the jobs above.

All employers (clients) are made aware of the above legislation when young apprentices are onboarded for their company.

### **1.3 What is safeguarding and wellbeing?**

The term 'Safeguarding' describes the broader preventative and precautionary approach to planning and procedures that are necessary to be in place to protect apprentices, including children and adults from potential harm or damage. Safeguarding apprentices, vulnerable adults and young people delivers preventive action and not just a reaction. Davies Learning Solutions believes that safer recruitment is an important aspect of Safeguarding.

'Well-being' is a general term for the condition of an individual or group, for example their social economic, psychological, spiritual, or medical stage; high level and low-level happenings can be associated with positive or negative feelings. Davies Learning Solutions' apprentices are encouraged to talk about their well-being in their coach meetings to ensure we catch any concerns early. There is a statutory and moral duty to ensure that Davies Learning Solutions safeguards all apprentices and promotes their welfare at all times.

Although preventative measures are never infallible, there remains a pressing responsibility to ensure that the most robust safety network possible is in place where young people and vulnerable adults are concerned.

The welfare of apprentices, children, and vulnerable adults is everyone's responsibility. Davies Learning Solutions employees are expected to follow the procedures in this policy to ensure that all allegations or suspicions of abuse or significant harm to anyone are reported to the relevant statutory agency. We will share all relevant information with the respective statutory agencies (Social Services, Police and/or Channel) as needed.

## 1.4 What is Prevent?

The Government first set out the 'Prevent' Strategy in 2011. Under the Prevent duty, there is a greater awareness and legal responsibility to safeguard all individuals from extremism, ideologies, and radicalisation, and from July 2015 also includes the active promotion of 'Fundamental British Values'. In respect of safeguarding individuals from radicalisation, the organisation works to the 'Prevent' element of the Government's Counter Terrorism Strategy. This includes links with and/or referral to the Channel Programme. This programme aims to work with the individual to address their specific vulnerabilities, prevent them becoming further radicalised and possibly entering the criminal justice system as a result of their actions.

It is recognised that radicalisation can occur in an individual from any section of society and is not particular to any racial, ethnic, or social group. The organisation will take steps to challenge any views deemed to be extreme and report concerns through the Safeguarding reporting process.

We will assess the risk of people being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology, and becoming radicalised. Davies Talent Solutions coaches talk to learners about the wider curriculum at all visits and monitor them for any changes in behaviour which would be discussed with their line managers. All Davies Talent Solutions Training staff receive regular training, raise awareness, and actively promote the Prevent duty and fundamental British Values. We record and report on all concerns or issues relating to potential Prevent threats. If in the extreme case a serious Prevent incident occurs all staff are aware of the anti-terrorism **Hotline number 0800 789321**.

## 1.5 The Prevent duty refers to all staff, volunteers, and contracted staff

Davies Learning Solutions Training has zero tolerance of abuse and other harmful behaviours and recognises that safeguarding and the promotion of safe behaviour is part of our business as usual.

This handbook has been developed to:

- Ensure that all staff in contact with apprentices take all reasonable measures to assess and minimise the risk of harm to them
- Where there are concerns about the Safeguarding, Prevent or welfare of apprentices, to ensure prompt and appropriate action is taken to address these concerns
- Provide staff with guidance on procedures they should adopt if they suspect an apprentice may be experiencing, or be at risk of, harm or radicalisation
- Provide support to our employers (clients) to assist them in identification and reporting of any apprentices experiencing, or at risk of, harm or radicalisation including changes in behaviour that might not be evident in a coaching session
- Promote the opportunity for apprentices to voice their concerns and provide clear robust procedures and confidential help
- Protect and prevent abuse towards apprentices and staff including from peers
- Set out steps to raise, record and monitor both safeguarding and prevent concerns
- Ensure that we are fully committed to educating apprentices and employers on the legal requirements towards the Prevent Duty
- To protect employees and apprentices from radicalising influences through training



and information sharing that ensures that they are resilient to extreme narratives

This handbook which includes Safeguarding and Prevent will be promoted through:

- Staff inductions
- Availability on the Intranet and SharePoint shared documents Safeguarding folder
- Monthly safeguarding updates from the DSL to the business
- Monthly business wide CPD sessions

To achieve this, Davies Learning Solutions will:

- Provide a safe environment for all apprentices and employees, by ensuring thorough risk assessments and safe working practices are put in place and by implementing a procedure for handling concerns or direct disclosures. To support this, Davies Learning Solutions will consider and act on a 'Notice, Check and Share' strategy and include this in all training relating to Safeguarding and Prevent
- Have a Designated Safeguarding Lead and Prevent Lead who will report to Board and will take the strategic lead in relation to Safeguarding Prevent/Apprentice Protection issues. They will provide the appropriate information, advice, guidance and support to Davies Learning Solutions staff and associates and work with other agencies when necessary. In addition, Davies Learning Solutions staff and apprentices are supported by a team of DSOs and Mental Health First Aiders, and Tier2 Safeguarding Officers.
- Ensure all staff operating procedures and apprentice information includes reference and information about this policy and these roles
- Raise issues relating to the safeguarding, prevent and welfare of apprentices with staff and senior managers, following the processes outlined in the guidance section of this document
- Provide clear and concise training for all staff that work with apprentices and provide regular updates on Safeguarding and Prevent
- Keep staff and managers up to date with legislation in relation to apprentices including children, young people, and vulnerable adults in respect of safeguarding, welfare and prevent
- Raise employee awareness of safeguarding and prevent issues such as minimising risk, recognising abuse, treating all apprentices with respect, and understanding the signs that make people vulnerable to being drawn into terrorism and to challenge extremist ideas which are used by terrorist groups
- Take appropriate action to ensure that apprentices are kept safe, and issues, concerns or disclosures are reported appropriately
- Identify and act wherever it is found that apprentices are suffering, or likely to suffer, significant harm
- Establish procedures for reporting and dealing with allegations of abuse and radicalisation
- Equip apprentices with the skills they need to keep themselves safe online and, in the workplace
- Listen to apprentices, encourage them to respect and care for others and take action to stop any inappropriate verbal or physical abuse taking place
- Operate safe recruitment of staff, ensuring that through risk assessment, appropriate questions and checks are undertaken at application, interview and throughout

employment

- Ensure Davies Learning Solutions meets the requirements of the Disclosure and Barring Service
- Ensure all line managers carry out Safer Recruitment training to ensure a consistent approach to fairness of selection and compliance to equality, diversity, and inclusion
- Ensure staff are clearly aware on how to recognise peer-on-peer abuse and appropriately challenge this behaviour. Staff must also ensure to remain vigilant in this area, as even if there are no reported cases on peer-on-peer abuse, it does not mean this is not happening

## 2. Responsibilities

### 2.1 Implementation

Human Resources share this Handbook with new staff during the recruitment process. Upon signing starter paperwork, staff are confirming that they have read and fully understand the content within the Handbook. This is then further reinforced during the month-long induction process where employees are exposed to a specific Prevent and Safeguarding training session, as well as being asked to complete additional online training.

This Handbook is available on the intranet, the Davies website, Thrive, and SharePoint and is prompted through new staff induction and regular CPD staff training events to encourage engagement with the principles of equality and diversity and how these can be discussed with key stakeholders. Safeguarding and Prevent training is mandatory and carried out annually, tracked and monitored by the Designated Safeguarding Lead. All new staff receive detailed training around PREVENT, Safeguarding and Sexual health as part of the induction process.

New clients go through extensive implementation processes before DLS will agree to work with them, this includes ensuring they are committed to safeguarding and prevent. All DLS Line Managers receive external Safer Recruitment Training to ensure consistent good practice to safeguard all stakeholders.

All colleagues have the responsibility to uphold the content within the Handbook. These aspects are monitored through staff observations and learner progress reviews to ensure the correct information is being addressed with learners, support plans are then put in place with staff to ensure they continually embed key information into their daily practice.

Promotional banners are created on Thrive each month, these banners promote key themes and areas of the focus to raise awareness and increase the engagement of all stakeholders. Coaches then utilise these banners to address safeguarding and prevent topics directly with learners within their sessions. Senior Leaders are then able to monitor the engagement of these promotions to ensure they are being effectively distributed and having a positive impact.

The Designated Safeguarding Lead for the business distributes monthly updates and announcements to internal staff to ensure they remain abreast of key information and updates, which are used to improve their knowledge and upskill both learners and clients. These updates are transferred to Thrive to ensure key messages run throughout all our systems for improved transparency.

## **2.2 Professional boundaries**

Davies Learning Solutions expects staff to protect the professional integrity of themselves and the organisation. The Davies Learning Solutions Training sets staff expectations and professionalism from induction and it is clearly explained that if the professional boundaries and/or policies are breached this could result in disciplinary procedures or enactment of the allegation management procedures.

It is vital that all complaints, disclosures, allegations or suspicions of abuse to apprentices, including children under 18 or vulnerable adults are dealt with fairly, quickly and consistently.

There are three main strands to be considered:

- An investigation of an actual or potential criminal offence by the police
- Involvement of Social Services
- Investigation by Davies Learning Solutions and/or an employer and consideration of any disciplinary action on staff or apprentices

### **Disclosure**

Staff are reminded that children are not always ready or able to talk about their experiences of abuse and/or may not always recognise that they are being abused.

## **2.3 Allegations of abuse against training Staff**

Allegations of abuse, or concerns raised against members of Davies Learning Solutions staff, will always be treated seriously. The allegation must always be referred to the DSL who will follow the safeguarding procedure in the same way as for other safeguarding allegations. The DSO will take the appropriate steps to ensure the safety of the apprentice, and any others who may be at risk. The DSO will also inform the DSL and will escalate to the Board in order that Davies Learning Solutions procedures may be followed, and an appropriate investigation is carried out.

Where there is a complaint against a member of staff, there may also be criminal (police) investigations and/or a child/vulnerable adult protection investigation, carried out by Social Services. Actions should be taken both to protect the apprentice and the accused member of staff.

These may include ensuring that the member of staff is not placed in a vulnerable situation while investigations take place. If the allegation or concern is against a DSO, it should be reported directly to the DSL.

If an allegation is levelled against any member of Davies Learning Solutions staff, line management must be informed immediately; actions may require full and proper investigation in line with Davies Group disciplinary processes which may include:

- Giving the staff member leave of absence on full pay
- Suspending the staff member
- Ensuring that the staff member is not working alone with apprentices

This would be relevant if an online or face to face workshop on the learners premises for anyone under the age of 18. What this means to us is that should an allegation be made against a member of staff running an activity, the DSL should investigate this.

Point to note is that records should be retained until the accused – NOT convicted – has reached normal pensionable age or for a period of 10 years from the date of the initial allegation if that is longer.

## **2.4 Compliance to the Data Protection Act 2018**

The Data Protection Act 2018 and General Data Protection Regulations regulates the processing of information relating to individuals. This includes the obtaining, holding, using, or disclosing such information and covers computerised records as well as manual filing systems.

Staff and apprentices are able to request access to the information we hold on them, or at ask for it to be deleted.

We only hold information that is required for our business to trade and to comply with regulatory obligations. For example, we hold names, addresses, contact information however we also could hold sensitive personal information, such as Disclosure and Barring Service checks. Davies Talent Solutions will only hold the minimum information necessary to enable us to perform our functions effectively.

## **2.5 Information Sharing**

Davies Learning Solutions is committed to sharing information for the purposes of Safeguarding and promoting the welfare of apprentices, including children and young people, in line with Working together to safeguard children (2018) and with respect for The General Data Protection Act 2018.

Any decision to break confidentiality should always be preceded by informing the apprentice of what is about to happen and the reason for the decision. There will be no breach of confidence if the person to whom a duty of confidence is owed consents to the disclosure.

Staff should, in the first instance, seek the consent from the apprentice if considering sharing information with other agencies. It is therefore essential that members of staff understand what is meant by the above and for that reason do not promise absolute confidentiality to the apprentice.

## **2.6 Training**

As part of the Davies Learning Solutions staff induction, there is a minimum requirement that each member of staff will undertake Safeguarding training and online Prevent Awareness Training, and Equality, Diversity, and Inclusion, and Sexual health Training. Each member of Davies Learning Solutions staff will also complete regular mandatory refresher training in relation to Safeguarding and Wellbeing, the Prevent Duty and Fundamental British Values.

Teaching learning and assessment staff all receive specific training and coaching to practically apply the principles of Safeguarding and Prevent to their everyday life and working situations. Coaches are able to effectively provide apprentices with a wide range of safeguarding and prevent scenarios contextualised within the work setting and focusing on a variety of current topical incidents and cases. As new content is developed, it is included on Thrive as an update and also included in the weekly curriculum updates and communicated to all staff.

Staff development training also includes training on online safety, additionally Davies Learning Solutions will make assessments of the appropriate levels of focus for staff training and responsiveness to specific safeguarding concerns such as radicalisation, harmful sexual behaviour, child sexual exploitation, forced marriages, female genital mutilation, cyberbullying and mental health to ensure that staff have the training they need to keep apprentices safe. DSOs and the DSL will attend mandatory standardisation training and monthly meetings which will be deemed appropriate and commensurate in line with their roles and responsibilities. DSL will maintain records of all Safeguarding and Prevent training for staff centrally, including meeting minutes stored in a secure location.

## **2.7 Teaching apprentices and employers about safeguarding**

Davies Learning Solutions' staff teaches all apprentices about safeguarding through their learning journey with us, this includes bringing line managers and L&D leads into sessions where appropriate. Guidance is given on adjusting behaviour to reduce risks, particularly online, building resilience to protect themselves and their peers, fostering healthy and respectful relationships with others and providing information about who they should turn to for help.

All staff are directed to encourage all apprentices to respect other people with the protected characteristics set out in the Equality and Diversity Act 2010 and to challenge extremism and be aware of what preventative actions to take. Apprentices are reminded about harmful sexual behaviours, including sexual violence and sexual harassment, through apprentice interactions.

Apprentices are provided with the opportunity to talk about safeguarding issues within the learning environment and on a 121 basis. They are made aware of the processes by which any concerns they have can be raised, including the processes for reporting a concern as well as how any report will be handled.

New employers are made aware of the importance of safeguarding and are required (as stated in the supply of services contract) that they must have both a safeguarding and prevent policy.

## **2.8 Monitoring and Review**

The Davies Learning Solutions Operating Board are responsible for implementing and monitoring the Safeguarding Policy.

The number of Safeguarding cases will be reviewed annually by the DSL. Reports from monitoring and review activities will be presented to the Board on a monthly basis who will review, and action as needed.

This policy and the associated guidance and procedures document will be reviewed annually by the DSL and the Board within four weeks of a review of any serious Safeguarding/Prevent incident.

This policy and the associated guidance and procedures document is to be made available to all staff, apprentices and employers in various formats appropriate to Davies Learning Solutions audiences, e.g. in Apprentice Handbooks, on e- platforms, commitment statement and on Davies Learning Solutions' Training platforms.

## **3. Davies Learning Solutions Safeguarding Guidance**

### **3.1 Introduction**

Staff (in the context of this policy, 'staff' is taken to also apply to all Davies Learning Solutions' partners and associates) should conduct themselves in such a way as to avoid compromising situations and to protect themselves against allegations of abuse. The following guidelines have been developed to support staff working in all settings to establish safe & responsible environments which safeguard apprentices and manage the risk of adults being unjustly accused of improper or unprofessional conduct.

### **3.2 One-to-One Situations**

Guiding Principles

- Ensure that Davies Learning Solutions staff can work with apprentices without them feeling vulnerable, and to manage and reduce the likelihood of allegations being made against staff
- The following guidance is provided to ensure Davies Learning Solutions staff are aware of their responsibilities when conducting any one-to-one session

When using the internet for learning activities staff should:

- Restrict access to illegal, harmful, or inappropriate images and other content
- Educate apprentices in e-safety practice, e.g. not sharing personal information or inappropriate communication with strangers
- Ensure that apprentices know how and to whom e-safety incidents should be reported
- Undertake only professional related communication directly with apprentices

It is important the Davies Learning Solutions member of staff ensures that they:

- Define and record the reason for the meeting
- Identify the meeting location which should never be at the apprentice's home address - meetings should always occur in a public place / employee's workplace

- Conduct and agree a full risk assessment (employee's workplaces are regularly risk assessed and would not need to be completed prior to each visit)
- Avoid conducting one-to-one meetings in remote/secluded areas
- Always report situations which are or could be interpreted as safeguarding incidents

### 3.3 Identifying Changes in Behaviour

It is important that staff always remain vigilant to ensure stakeholders are safe and protected from harm or radicalisation. Below are some suggestions aligned to changes in behaviour to be aware of, staff are made aware of these during regular CPD training:

#### Safeguarding

- Unexplained changes in behaviour or personality
- Becoming withdrawn
- Seeming anxious
- Becoming uncharacteristically aggressive
- Lacks social skills and has few friends
- Poor bond or relationship with a parent or carer
- Running away or going missing
- Poor hygiene or a messy appearance
- Physical injuries such as bruises, scratches, marks, cuts, or burns
- Having knowledge of inappropriate topics
- Overtly sexual behaviour
- Insecurities and choosing to cover up the body or certain parts of the body

#### Radicalisation and Extremism

- Becoming increasingly argumentative
- Refusing to listen to different points of view
- Unwilling to engage with people who are different
- Becoming abusive to people who are different
- Embracing conspiracy theories
- Feeling persecuted
- Changing friends and appearance
- Distancing themselves from previous social groups
- No longer doing things they use to enjoy
- Converting to a new religion
- Been secretive and reluctant to discuss their whereabouts
- Sympathetic to extremist ideologies and groups
- Changing online identity
- Having more than one online identity
- Spending a lot of time online or on the phone
- Accessing extremist online content
- Joining or trying to join an extremist organisation

Should you come across any of the behavioural changes listed above or are unsure of any of the signs of symptoms you may have experienced, contact a member of the Safeguarding Team for support and advice.

Through email updates from our safeguarding and prevent lead, as well as banners on Thrive key topics for the month are highlighted to coaches and apprentices, including radicalisation & extremism. These updates spark natural conversations between staff and with their apprentices, ensuring appropriate guidance is given and highlighting how these topics can affect individuals. Staff are given support to be able to support their apprentices appropriately.

## 4. Social Contact

Staff should not work with apprentices, including young people, unofficially outside of Davies Learning Solutions. This means:

- Staff must not take apprentices to their own homes or transport apprentices in their own vehicle
- Not having social contact with the apprentices or their families, unless the reason has been firmly established and agreed with their line manager
- If an apprentice or parent seeks to establish social contact or if this occurs coincidentally, the staff member(s) must exercise their professional judgement in making a response but should always discuss the situation with their line manager
- Staff should be aware that social contact in certain situations can be misconstrued as grooming. As such they should advise their Quality Manager (line manager), or in their absence, the Head of Quality & Delivery or DSL of any coincidental social contact they have with an apprentice, young person, or parent with who they work which may give rise to concern
- Staff should be aware that the sending of personal communications such as birthday or faith cards should always be recorded and/or discussed with their line manager
- Staff should record & report any situation which may place a young person at risk or which may compromise Davies Talent Solutions or their own professional standing.

*(The above are provided as examples and are not intended to be exhaustive).*

### 4.1 Guidance for Engaging Apprentices through Digital Media

Communicating effectively with apprentices in a variety of ways is an integral aspect of Davies Learning Solutions work. Telephone contact, texting, e-mail, face to face work and detached work are all vital tools for supporting apprentices' personal and professional development. Apprentices use electronic methods of communication as a primary vehicle, with much of their social interaction and peer education occurring in these spaces.

Given the pace of change in this area, the principles outlined in these guidelines should be seen as applying to emerging technologies and/or applications:

- Staff should ensure young people are using electronic methods of communication
- electronic communication methods provide opportunities for promoting services; they encourage apprentices to participate in positive activities, and to become involved in developing the service



However, electronic communication methods are also utilised by individual's who intend on 'grooming' people. To protect apprentices, individual staff members and Davies Learning Solutions from the consequences of allegations relating to the use of digital media, staff should co-operate fully with any requests or processes instigated to address these risks and share best practice with their apprentices.

Davies Group do not provide apprentices with any hardware, however staff hardware is managed and monitored by Group IT.

Certain websites, technologies, downloads, emails and content are automatically blocked and suspicious behaviour is reported to HR and line managers for review.

The following procedures have been prepared with the above principles in mind.

## **4.2 Universal Digital Media Guidelines**

- Staff should apply the same rules and standards of best practice when communicating with apprentices via digital media as in face-to-face communication
- Extra diligence must be taken to ensure messages cannot be misinterpreted
- Staff should use messaging via new media as a method of communicating information and not as a primary communication tool to build relationships i.e. to inform of an event or a change of time
- If staff receive a message from an apprentice wishing to engage in a 'social conversation', they must send a message to explain that they cannot engage in social messaging and direct them to an appropriate email address, telephone contact or website they can access for further help if they should need it
- If staff receives a verbally abusive or threatening message, or if they worry about the safety of the sender or someone else, they must contact their line manager and a Davies Learning Solutions DSO/DSL
- Staff are encouraged to share this practice with their apprentices so they can use the same principals in their lives and during work.

## **4.3 SMS/Text Messaging**

- Mobile phones are allocated to staff as an operational necessity
- Under no circumstances should staff give their personal mobile or home number to an apprentice
- Mobile telephones are issued for business use; any misuse of the phone may be a disciplinary issue
- If necessary, staff work mobile numbers can be publicly displayed i.e. on posters, clearly stating the staff members name

## **4.4 Email**

- All staff will be given an email address on joining Davies Learning Solutions

- Under no circumstances should a staff member give their personal email address to an apprentice
- Emails should only be sent to apprentices during what could be perceived as 'reasonable hours' (e.g. 7am-8pm depending on apprentice workplace practices)
- Work email addresses can be given to apprentices who are engaging in personal and professional development activities with Davies Learning Solutions and have a need to receive information
- Materials sent will be unbiased and meet equal opportunities criteria in terms of ethnicity, sexual orientation, gender, disability, religion, and beliefs and age
- If necessary, staff email addresses can be publicly displayed i.e. on posters, clearly stating the staff member's name

## 4.5 Social Networking

- Prior consent/sign-off should be sought from Davies Learning Solutions SMT before first use of Social Networking Sites to communicate with apprentices. Any social networking sites that have not been signed off will not be accessible on company equipment. Staff should not seek to circumnavigate this security measure by using any personal equipment
- Staff intending to use Social Networking Sites in a work capacity should do so from a separate profile than their personal profile, should they have one
- In the event that a member of staff sets up a work profile, they must inform their line manager of the existence of this profile and the login details for it
- In order to protect themselves from risk of allegations, we recommend that staff using Social Networking Sites with a personal profile - in a private capacity - should set their privacy settings so only friends / contacts can view their profile
- Under no circumstances should a staff member with a personal profile add an apprentice they work with or have worked with within the last five years as a friend on a Social Networking Site
- Staff should not put photographs of work activities on their personal profiles
- Staff must familiarise themselves with the Davies Learning Solutions Social Media and Information Security Awareness Policy
- Messages sent via Social Networking Sites should only be sent to apprentices during 'reasonable' hours (as per email section above)
- Staff should encourage apprentices to engage with their workplace social media policies and to be aware of the types of topics above and why they are important

## 4.6 Instant Messaging

- Under no circumstances should staff communicate with an apprentice through an instant messaging site
- Under no circumstances should staff give their instant messaging address to an apprentice
- If a staff member receives an instant message from an apprentice, they must not engage and should inform their line manager and a Davies Learning Solutions DSO immediately

## 4.7 Recording for Marketing Purposes

- We are committed to capturing apprentice's views and involving them in planning for the future. In order to do this, it is from time to time beneficial to record apprentices either individually or as a group. We also seek to record activities so we can showcase what we do and why it works.
- However, in all cases where recording is undertaken, whether audio, video or photographic, prior permission must always be obtained. Staff must ensure that where an apprentice is under 18, or is deemed vulnerable, that permission to record images or voice is obtained from a parent, or other person holding parental responsibility.
- Any restrictions stipulated by parents or other carers i.e. voice recording only, must be respected regardless of if the young / vulnerable person requests no restrictions
- It is essential that all members of a group have valid permissions obtained before undertaking group recording
- Particular care must be taken to ensure that images and recordings are only used for legitimate purposes, and that they are not released to non-Davies Learning Solutions staff without specific agreement being obtained about how such images are to be used.

## 4.8 IT use during the apprenticeship

Information technology, including social media, apps, online learning, and e-communication is essential in today's workplace and therefore in the apprenticeship. However, as shown above there are many things that need to be considered to help keep apprentices safe.

- Staff will attend IT specific CPD sessions, to increase their awareness of technology, best use of platforms and how to use these safely with their apprentices. They will cascade this information to apprentices in order that they feel, and are, safe when using required technology for their apprenticeship and job.
- Apprentices are required to use DLS Thrive for e-learning which has a social interaction element allows apprentices to interact with the content and ask questions. Apprentices are coached and encouraged to use this platform responsibly and report any mis-use / bullying etc. Staff regularly review content and comments for anything inappropriate. Any apprentices this may have affected would be contacted and supported.
- The professional social media platform LinkedIn is used by DLS and its use encouraged for apprentices for a variety of reasons. Whilst DLS has no control over what is posted on an external site, they will work with apprentices, so they are aware of what is not acceptable and how to report concerns.
- Other social media platforms are discouraged however, support will be given to apprentices to ensure they know how to interact safely on other external sites.
- DLS do not issue equipment to any learners for use whilst on program so filtering and monitoring of the learners use of equipment is not relevant to DLS

## 5. Confidentiality

Davies Learning Solutions will operate on the premise that all information imparted to a member of staff will be treated in confidence. Confidentiality is a key issue in the lives of apprentices. They may trust a member of staff with issues of a personal nature and wherever possible their confidences should be respected. However, staff must not make promises on confidentiality which they may be unable to keep.

Furthermore, staff should always make an apprentice fully aware of any situation where a duty of care deems that confidentiality cannot and must not be maintained. This would be the case in child and vulnerable adult protection situations. Apprentices may disclose information that is difficult for the member of staff to deal with without further advice/support. In such cases, the apprentice should be told that the situation will be discussed with another colleague with a specialism in that area, but confidentiality will be maintained if possible.

Members of staff may have access to confidential information about apprentices in order to undertake their everyday responsibilities. In some circumstances staff may be given highly sensitive or private information. They should never use confidential or personal information about an apprentice for their own, or others' advantage (including that of partners, friends, relatives or other services).

Information must never be used to intimidate, humiliate, or embarrass the apprentice.

Confidential information about an apprentice should never be used casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where the apprentice's identity does not need to be disclosed the information should be used anonymously.

Personal information about apprentices is treated with respect and confidentiality. Consent will be sought to share personal information. However, information can be shared without consent when:

- Asking for consent will increase the risk of harm to the apprentice, child, or vulnerable adult or;
- A delay in sharing information may increase the risk of harm to an apprentice, child, or vulnerable adult

More information can be found at:

HM Government (2015) Information sharing: advice for practitioners providing safeguarding services to children, young people, parents and carers.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419628/Information\\_sharing\\_advice\\_safeguarding\\_practitioners.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419628/Information_sharing_advice_safeguarding_practitioners.pdf)

Davies Learning Solutions staff are expected to treat any information they receive about an apprentice in a discreet and sensitive manner.

If a member of staff is in any doubt about whether to share information or keep it confidential, they should seek guidance from Davies Learning Solutions DSO or the DSL. Any media or legal enquiries should be passed to their line manager and SMT.

A confidential record will be kept of all cases referred to the Designated Safeguarding Team, including details of cases referred to the Local Authority or the police. These written records will be kept securely for a period of six years via a restricted site on Davies Learning Solutions SharePoint with any paper information held securely, in a locked cabinet by the DSL.

The storing and processing of personal information about an apprentice is governed by GDPR. The Government booklet "What to Do If You're Worried a Child Is Being Abused" contains further guidance on sharing information to protect children.

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

More information regarding Davies Learning Solutions Training privacy notice can be found on our website.

## 6. Staffing

### Staff Recruitment

(To include the recruitment of permanent and fixed-term staff; sessional, associate workers)

- All appointments are made following a face-to-face interview that explores attitudes, motivation, temperament, and personal qualities as well as skills and experience relevant to the role
- All offers of employment/work are made conditional to satisfactory references and a DBS check dependent on the nature and responsibilities of the post
- All appointments are subject to Davies Group Recruitment Policy
- Online searches shall be carried out on all staff recruited as part of due diligence and anything identified maybe discussed during interview including publicly recorded incidents involving the police and social services
- All staff/workers are subject to a DBS check at the relevant level. For all staff working directly with apprentices, this will be at the enhanced level.
- If it is necessary for someone to start work at short notice, before checks are completed, a risk assessment is carried out, documented, and kept confidentially. Until their DBS disclosure is received by Davies Learning Solutions, the individual is supervised by a DBS-checked member of staff and a risk assessment will be carried out.
- Where candidates are recruited from overseas, extra care is taken in pursuing references and carrying out the relevant checks. Where appropriate, advice from the DBS Overseas Information Service is obtained
- All staff/workers are made aware of Davies Learning Solutions Safeguarding Policy and procedures, and their obligations regarding child protection, as part of their induction. Staff/workers with face-to-face access to apprentices will receive additional on-going training as appropriate
- Staff have access to a counselling service and other wellbeing services on My choices at Davies and via the Employee Assistance Plan.

## 7. Processes and Procedures

This section covers the processes and procedures to follow in response to key Safeguarding and/or Prevent incidents, i.e.

- Concerns about apprentices
- Disclosure of abuse made by apprentices
- Flowchart of disclosure procedures
- Allegations of abuse against Davies Talent Solutions staff
- Handling information from third parties
- Flowchart of third-party procedures

### 7.1 Concerns about apprentices

If a staff member has any concern regarding an apprentice's safety and welfare, they must take the following action (please also see Appendix A: Disclosure):

1. The staff member must inform their DSO of the situation as soon as possible. If they are unavailable within office hours, staff should use the Safeguarding email or call the office. If no-one in the line-management chain is available, they should go directly to the DSL and Head of Delivery & Quality.
2. If the DSO agrees that there is a concern regarding an apprentice's safety and welfare, they should make a referral to the DSL. The DSL will make appropriate referrals without delay. In most situations, it will be appropriate to inform the apprentice that a referral is going to be made, to explain the reasons for this and to offer to support the apprentice through the resulting investigation. If the staff member remains concerned regarding their apprentice, they are entitled to make a referral to the relevant authorities regardless of whether the DSO, DSL and/or the line manager shares this concern.
3. The only exceptions to 2. is if that in the view of the DSO & DSL, informing the apprentice that a referral was going to be made would:
  - impede the investigation
  - place the apprentice at greater risk or place the member of staff concerned at risk
4. If such exceptions apply and the apprentice is under the age of 18, a referral should be made directly to the relevant Children's Services Department without informing the apprentice first.

Davies Learning Solutions staff should not investigate the matter. That is for Children's Services and perhaps the Police. Davies Learning Solutions staff must only gather sufficient information to establish and record that there is concern about risk of harm to a child or vulnerable adult.

If the apprentice has a named social worker, they should be contacted with the referral. If the named worker is not available, or if there is no named worker, the DSL should ask to speak to the Children's Services Duty Manager, explaining that they wish to make a child protection referral.

When making the referral, the Davies Learning Solutions staff member should note the name of the person in Children's Services who they have contacted and the date and time when the

referral was made. They will also need to clarify what action Children's Services are proposing to take and the timescale for this. Any referral made by telephone will need to be followed up with a written referral.

If the DSO and DSL have not already been informed of the situation, the staff member should do this as soon as possible. There will need to be a discussion as to how the young person or vulnerable adult and all the staff directly involved in the situation can best be supported for the duration of the investigation.

All incidents, concerns, and referrals in relation to apprentices and the action that results from these should be recorded and kept confidential.

## **8. Handling a Disclosure of Abuse made by an Apprentice**

Staff may observe signs that leads them to suspect that an apprentice may have been physically, emotionally, or sexually abused, or suffer severe neglect, or are becoming radicalised; or in addition, in the case of a vulnerable adult, they may be experiencing financial, discriminatory, or institutional abuse. Please read with Appendix A: Disclosure.

Lists of possible signs of abuse are included in Appendix B for further information.

In addition to these, a person may be being abused by virtue of their race, gender, age, disability, or sexual orientation which would indicate discriminatory abuse.

Similarly, any of the examples listed may be an indication of institutional abuse if the individual is in receipt of organised care.

If an apprentice, with whom Davies Learning Solutions is working, discloses abuse, or risk of abuse, to a member of staff or volunteer, he or she must take the following action. In the first instance it should be established whether the apprentice is legally a child (someone under 18 years old), an adult, or a vulnerable adult (someone who might not be able to protect themselves from harm or abuse).

It is not the staff member's responsibility to investigate what has happened or to establish whether or not abuse has taken place, however, the following approach should be adopted:

If the Person is legally a child, the staff member should:

- Listen carefully to what the apprentice is saying
- Explain that because this is a serious matter, it cannot remain confidential between the staff member and the apprentice. The staff member should inform the young person that she/he will need to inform their line manager and to talk to a DSO. They must do this before they can decide on what action may be necessary to ensure that the apprentice is safe in the future and ensure the safety of any other apprentice who may be in contact with the alleged abuser
- Undertake to keep the apprentice informed as to any action that is proposed and to support the apprentice through this

Staff can also email the Safeguarding inbox [safeguarding@davies-group.com](mailto:safeguarding@davies-group.com) If in the extreme case a serious Prevent incident occurs, all staff are aware of the **anti-terrorism hotline number: 0800 789321**.

The Davies Learning Solutions Safeguarding Board representative and the DSL will decide whether or not to make a referral to local Children's Services or the Police. All serious allegations of abuse should be referred to Children's Services, however if in any doubt, a consultation should take place with the relevant Children's Services duty team. This is not only to protect the young person themselves but also any other children or young people that the alleged abuser may be in contact with.

If the situation arises out of office hours, the Davies Talent Solutions staff member should contact the DSL and appropriate steps of escalation must be taken.

If the concern arises out of office hours and it is not possible to contact any of the Davies Learning Solutions Safeguarding team, and where an apprentice has disclosed serious abuse, then a referral should be made directly to local Children's Services or the Police. Rather than placing an apprentice at risk by unreasonable delay in the making of a referral, and it proves difficult to get hold of the contact details of the relevant Children's Services, then contact with the Police locally (ideally via a non-emergency number) should be made. Contact with the duty officer of the Child Protection Team should be requested.

When making the referral, the referee should note the name of the person in Children's Services who they have contacted, and the time and date when the referral was made. They will also need to clarify what action Children's Services are proposing to take and the timescale for this. They should also establish how the child/young person's immediate safety is to be ensured.

All telephone referrals should be followed up in writing within 2 working days. All incidents, concerns, and referrals in relation to children and young people and the action that results from these should be recorded.

If the person is a vulnerable adult, the staff member should:

- Listen carefully to what the apprentice is saying
- Explain that because this is a serious matter, it cannot remain confidential between the staff member and the apprentice. The staff member should inform the apprentice that she/he will need inform their line manager and to talk to a DSO. They must do this before they can decide on what action may be necessary to ensure that the apprentice is safe in the future; and ensure the safety of any other apprentice who may be in contact with the alleged abuser
- Undertake to keep the apprentice informed as to any action that is proposed and to support the apprentice through this

The staff member must inform a DSO as soon as possible. If a DSO is unavailable, then the DSL should be contacted as soon as possible. In the event the DSL is not available, the Board Safeguarding representative should be contacted.

At this stage any disclosure that may or does constitute a criminal offence should be referred by the DSO/DSL to the Police. If necessary, the DSO/DSL should inform and liaise with the relevant



LADO. If the apprentice is at immediate risk then the Staff Member, DSO, DSL or Davies Talent Solutions senior manager should contact the Police immediately

If the person is classed as an adult, the staff member should:

- Listen carefully to what the apprentice is saying
- Explain that because this is a serious matter, it cannot remain confidential between the staff member and the apprentice. The staff member should inform the apprentice that she/he will need inform their line manager and to talk to a DSO. They must do this before they can decide on what action may be necessary to ensure that the apprentice is safe in the future; and ensure the safety of any other apprentice who may be in contact with the alleged abuser
- Undertake to keep the apprentice informed as to any action that is proposed and to support the apprentice through this

The staff member must inform a DSO as soon as possible. If a DSO is unavailable, then the DSL should be contacted as soon as possible. In the event the DSL is not available, the Board Safeguarding representative should be contacted.

At this stage any disclosure that may or does constitute a criminal offence should be referred by the DSO/DSL to the Police. If necessary, the DSO/DSL should inform and liaise with the relevant LADO. If the apprentice is at immediate risk then the Staff Member, DSO, DSL or Davies Learning Solutions senior manager should contact the Police immediately

## **Low-Level Concerns**

The guidance now makes clear that schools and colleges can choose to whom low-level concerns about staff are reported to, so long as it is clear in their policies. All staff should be aware of how to handle low-level concerns, allegations against staff and whistleblowing, with KCSIE 2023 being clear that this information should be contained in the staff behaviour policy. At DLS any concern is to be recorded on the appropriate version of the Safeguarding Referral form. If it is a genuine safeguarding concern it will be added to the SG concerns register. If it is not judged to be a concern at that moment, the referrer is to monitor the situation accordingly and update their DSO to any changes of circumstances.

### **8.1 Handling concerns/ information from third parties**

Third party information is when anyone (other than those directly involved with Davies Learning Solutions) passes on information or expresses their concerns.

Information from a third-party regarding suspicions of child abuse cannot be ignored. If the person imparting the information has concerns, they should be encouraged to contact their local Children's Services themselves, to discuss their concerns with a qualified social worker. If they do not wish to do so, it should be explained to them that Davies Learning Solutions is obligated to. The concerns should be logged as confidential, and any action taken recorded fully.

- In the first instance, it should be established whether the young person is legally a child (someone under 18) or a vulnerable adult

If the Person is legally a Child or a Vulnerable Adult, the worker should clarify with the third party and record the following:

- The nature of their concerns
- How and why their concerns have arisen
- Whether they wish to remain anonymous
- What involvement they are having or have had with the apprentice

The Davies Learning Solutions staff member should ask to speak to the Children's Services Duty Manager within the Local Authority, explaining that they wish to make a child protection referral. If the situation arises out of office hours, the Davies Learning Solutions staff member should contact the local out of hours/emergency social worker. If for any reason the emergency social worker is not available, then the duty officer in the local police child protection team should be contacted.

When making the referral, the Davies Learning Solutions DSO/DSL should note the name of the person in Children's Services who they have contacted and the time and date when the referral was made. The line manager will also need to clarify what action Children's Services are proposing to take and the timescale for this, and how the child/young person's immediate safety is to be ensured.

All Telephone referrals should be followed up in writing within 48 hours (2 working days).

If the DSL has not already been informed of the situation, they should be contacted as soon as possible (in the absence of the DSL, any member of the Davies Learning Solutions Senior Management Team should be contacted). There will need to be a discussion as to how the child or young person and all the staff directly involved in the situation can best be supported for the duration of the investigation.

All incidents, concerns, and referrals in relation to young people and vulnerable adults and the action that results from these should be recorded and stored in a confidential location.

Davies Learning Solutions staff should not investigate the matter. That is for Children's Services and perhaps the Police. Davies Learning Solutions staff must only gather sufficient information to establish that there is concern about risk of harm to a child / vulnerable adult.

Appendix A provides the reporting process to be taken in the event that a third party discloses abuse or risk of abuse to a member of staff.

### **8.3 Handling allegations of abuse made against Davies Learning Solutions staff**

1. Any allegation of abuse against a Davies Learning Solutions member of staff must be taken seriously, both for the sake of the apprentice / child / young person involved and the member of staff themselves. Allegations of abuse by a member of staff include:

- Behaving in a way that has, or may have, harmed an apprentice, child, or young person
  - Committing a criminal offence against or related to an apprentice/child/young person
  - Behaving towards an apprentice/child/young person in a way that indicates she or he is unsuitable to work with vulnerable people
2. If it is an apprentice making the allegation, the member of staff receiving the allegation should remain calm and inform the apprentice that:
    - It is a serious matter and will need to be discussed with the appropriate manager in order to decide how the matter will be investigated
    - The apprentice will be kept informed about the progress of the investigation
  3. The member of staff receiving the allegation should immediately contact the manager of the worker against whom the allegation has been made and the DSL.

The worker who is the subject of the investigation must NOT be informed of the allegation at this point.

4. The manager of the worker against whom the allegation has been made and the DSL should refer the matter immediately to the Head of Quality & Delivery or in their absence the Chief Operating Officer. This 'responsible senior manager' will decide:
  - Whether there are sufficient grounds for taking further action
  - If there are sufficient grounds for taking further action, the decision as to whether the incident is serious enough to be considered as potential child abuse will be informed by a consultation with the relevant LADO
  - Whether or not to contact Social Services the police and/or Channel.

The LADO will be kept informed of all decisions taken by Davies Learning Solutions in relation to the allegation and the person/s subject to the allegation. If following this consultation with the LADO the allegation does not amount to child abuse, the 'responsible senior manager' in consultation with the DSL will consider whether the case should be dealt with under Davies Learning Solutions' disciplinary policy.

5. In cases where there is insufficient information to make this decision, the 'responsible senior manager' will need to decide, as a matter of urgency, what information is needed and how this should be obtained, so that a decision can then be taken as to whether or not this situation should be considered as a matter of potential child abuse.
6. If the 'responsible senior manager,' in consultation with the LADO, decides that the situation should be considered as potential child abuse, she or he should refer the matter to the relevant Children's Services department and request that an emergency planning/strategy meeting be convened to plan the process of the investigation including the interviewing of the member of staff who is the subject of the allegations.
7. The 'responsible senior manager' will also need to decide whether for the duration of the investigation the member of staff should continue in their work, be moved to other

duties, or be suspended in accordance with the Davies Learning Solutions disciplinary policy and procedures.

In making this decision the 'responsible senior manager' will need to take into account:

- The need to avoid further contact between the apprentice and the named member of staff
  - The feasibility of the named member of staff continuing to work in their post whilst a child abuse investigation is under way
  - The potential risk to other apprentices
  - The possibility of the member of staff seeking to interfere with the investigation
8. The suspension or moving of the member of staff does not indicate an assumption of guilt. The purpose is to facilitate an effective investigation. If the worker is subsequently cleared, there can then be no allegation of a 'cover up'. If a staff member requests to be suspended during the investigation, this should be considered.
  9. At this point the 'responsible senior manager' will need to inform the named member of staff that an allegation has been made against him/her and that this matter has been referred to Children's Services to be formally investigated, and that Children's Services (and possibly the police) will be interviewing the member of staff in the near future.
  10. To avoid prejudicing the investigation, the details of the allegation should not be discussed prior to the Children's Services interview and the member of staff should be instructed not to discuss this with other colleagues.
  11. There should be no contact between the alleged perpetrator and the apprentice making the allegation and, if appropriate, no contact with any apprentice linked to Davies Talent Solutions.
  12. A named manager from Davies Learning Solutions, who is not involved in the line management of the member of staff and who will not be involved in the investigation, should be appointed to offer general support over the period of the investigation.
  13. This information should always be given to the member of staff in writing, in addition to any verbal communication. In the event of a suspension from work, these discussions and the written communication, must also comply with the procedure for suspension set out in the disciplinary Policy and Procedures, and HR advice must be sought.
  14. The 'responsible senior manager will, in consultation with the member of staff's line manager, decide what should be said to:
    - The apprentice making the allegation
    - The other staff in Davies Learning Solutions and any other apprentices linked to Davies Talent Solutions
  15. Any details of the allegation should only be provided on a strict 'need to know' basis.

16. Once the Children's Services investigation has been completed, the 'responsible senior manager' should decide whether any further action is needed in relation to the information arising from the investigation. Depending on the outcome or the investigation, it may or may not be appropriate at this point to institute Davies Learning Solutions disciplinary procedures. This decision should be conveyed to the member of staff within seven days of the completion of the investigation.
17. Any contact from the media concerning any allegation of abuse should immediately be redirected to the Chief Operating Officer of Davies Learning Solutions.

## 9. Safeguarding from an Inspection perspective (taken from the Ofsted Education Inspection Framework September 2022)

Ofsted's strategy for 2017 to 2022 is underpinned by 3 core principles:

- children and students first
- independence
- accountability and transparency

This means that everything we do should be in the interests of children and young people. This includes ensuring that the providers we regulate and inspect have effective procedures for keeping children and vulnerable adults safe from abuse, neglect and exploitation.

### Definitions

Ofsted uses definitions of the term 'safeguarding' from statutory guidance.

Safeguarding children is defined in Working together to safeguard children as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes

Safeguarding vulnerable adults is defined in the Care and support statutory guidance issued under the Care Act 2014 as:

- protecting the rights of adults to live in safety, free from abuse and neglect
- people and organisations working together to prevent and stop both the risks and experience of abuse or neglect
- people and organisations making sure that the adult's wellbeing is promoted including, where appropriate, taking fully into account their views, wishes, feelings and beliefs in deciding on any action

- recognising that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances and therefore potential risks to their safety or well-being

## **Recruitment**

Ofsted dictates that we carry out safe recruitment checks on everyone who works for us. All roles require a Disclosure and Barring Service (DBS) or Disclosure Scotland check and references before the individual joins us. Many individuals, including all inspectors, will be subject to an enhanced DBS check and a check of social media because their role may bring them into regular contact with children and vulnerable adults.

Anyone interviewed for a post with Ofsted, either internally or from outside the organisation, will need to show an understanding of safeguarding that is relevant to the role that they are applying for.

## **Expectations of staff and inspectors**

Everyone working for Ofsted has a responsibility to familiarise themselves with this safeguarding policy and the procedures that go with it. They must maintain a proper focus on the safety and welfare of children and vulnerable adults in all aspects of their work.

Anyone who works for Ofsted must inform their manager if they or any adult living in their household become(s) the subject of an allegation involving a safeguarding concern or abuse against a child or vulnerable adult. If anyone is in doubt whether the situation or allegation is relevant they should:

- refer to the definitions of safeguarding and protection of vulnerable adults
- seek advice from the HR Case Work team or their manager
- Any allegations of misconduct towards children and/or vulnerable adults by those working for Ofsted will be managed using the procedure in 'Management of safeguarding complaints made against an Ofsted worker' (Ofsted internal guidance, 2017).

## **Safeguarding training**

Ofsted is committed to ensuring that everyone who works for us understands their safeguarding responsibilities and keeps their knowledge up to date. All staff and contracted inspectors must complete an online safeguarding training package within 3 months of taking up post, and after that at 3-yearly intervals. There will also be regular refresher training for inspectors on safeguarding children and vulnerable adults, including on specific areas of risk and safeguarding practice.

## **Acting on safeguarding concerns**

No one working for Davies should investigate concerns about individual children or vulnerable adults who are or may be being abused or who are at risk. However, this does not mean that we should do nothing when we learn of a concern. We all have a responsibility to make sure that concerns about children and vulnerable adults are passed to the agency that can help them without delay.

If anyone is concerned that a child or vulnerable adult is at risk of being abused or neglected, they should not ignore their suspicions and should not assume that someone else will take action to protect that person.

Concerns about children should be referred to the children's social care department of the local authority where the child lives. Similarly, concerns about vulnerable adults should be referred to local authority adult services. Our processes for referrals are set out in Ofsted's internal guidance 'Handling safeguarding concerns about children and vulnerable adults'.

If anyone working for Ofsted is in any doubt about what to do, they should consult their line manager or duty team. Anyone working for Ofsted who has concerns about the behaviour of a colleague must always raise this with their line manager or the Head of HR as quickly as possible.

### **Learning and improving**

We are determined to keep improving our knowledge and understanding of how best to protect children and vulnerable adults. We will review our own practice regularly to check that we are placing the right emphasis on safeguarding in our work.

We will carry out in-depth reviews of our actions in cases where children suffer serious harm while under the care of providers that we regulate or inspect, and where these cases raise questions about Ofsted's practice that need to be examined. The main purpose of the reviews is to learn lessons about when our systems need to improve to protect children better in future. We will also promote a culture in which we are able to highlight and review near misses to learn and improve our practice.

Inspectors will always assess how well providers help and protect young people and learners so that they are kept safe.<sup>1</sup> Although inspectors will not provide a separate numerical grade for this, they will always make a written judgement in the leadership and management section of the inspection report about whether the arrangements for safeguarding young people and learners are effective.

If safeguarding is ineffective, this is likely to lead to a judgement of inadequate leadership and management. The following are examples of what ineffective safeguarding might include:

- learners' behaviour towards each other is unsafe, putting learners at risk of harm
- incidents of bullying or prejudiced and discriminatory behaviour, either direct or indirect, are common
- learners have little confidence that the provider will address concerns about their safety, including concerns about the risk of abuse
- learners or groups of learners do not feel safe in the provider, the workplace or in a subcontractor's premises
- leaders and managers do not handle safeguarding allegations about staff members and learners appropriately
- leaders and managers do not have suitable arrangements for learners to raise concerns, for identifying vulnerable adults or for managing safe recruitment
- Leaders fail to protect learners from the dangers of radicalisation and extremism

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<sup>1</sup> Inspectors should also take into account the provider's safeguarding of any young people below the age of 16 who may be on the premises of a provider, even when the quality of their education is not within the scope of inspection.

in accordance with the 'Prevent' duty guidance.<sup>2</sup>

However, there may be circumstances when it is appropriate to judge a provider as requires improvement, rather than inadequate, when there are minor weaknesses in safeguarding arrangements that are easy to put right.

'Inspecting safeguarding in early years, education and skills settings'<sup>3</sup> sets out the approach inspectors should take to inspecting safeguarding in providers covered by the EIF. This should be read alongside the framework and this handbook.

In addition, inspectors should be familiar with relevant, including statutory, guidance on safeguarding:

- 'Keeping children safe in education: statutory guidance for schools and colleges'<sup>4</sup>
- 'Working together to safeguard children'.<sup>5</sup>
- 'Positive environments where children can flourish'.<sup>6</sup>

## 10. Appendix A

### 1.1 Disclosure and Reporting Process

Someone has confided in you...

If someone informs you directly that they are concerned about an individual's behaviour towards them; this is known as a disclosure.

The person receiving the disclosure should:

- React calmly so as not to frighten the apprentice
- Tell the apprentice that he or she is not to blame and that he or she was right to tell
- Take what the apprentice says seriously
- If the apprentice is in immediate risk of significant harm, telephone for ambulance and police, inform them of concerns and ensure that they are aware that this is a safeguarding issue
- Ensure the immediate safety of the apprentice

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<sup>2</sup> [www.gov.uk/government/publications/Prevent-duty-guidance](http://www.gov.uk/government/publications/Prevent-duty-guidance).

<sup>3</sup> 'Inspecting safeguarding in early years, education and skills settings', Ofsted, 2015; [www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015](http://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015).

<sup>4</sup> 'Keeping children safe in education', Department for Education, 2018; [www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2).

<sup>5</sup> 'Working together to safeguard children', Department for Education, July 2018; [www.gov.uk/government/publications/working-together-to-safeguard-children--2](http://www.gov.uk/government/publications/working-together-to-safeguard-children--2).

<sup>6</sup> 'Positive environments where children can flourish: a guide for inspectors about physical intervention and restrictions of liberty', Ofsted, March 2018; [www.gov.uk/government/publications/positive-environments-where-children-can-flourish](http://www.gov.uk/government/publications/positive-environments-where-children-can-flourish).



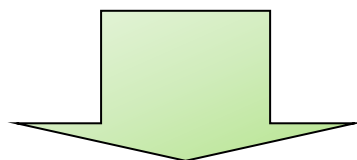
- Avoid leading the apprentice and keep any questions to the absolute minimum. Ask only what is necessary to ensure a clear understanding of what has been said, seen or heard
- Re-assure the apprentice but do not make promises of confidentiality or outcome, which might not be feasible in the light of subsequent developments. You must tell the apprentice you will have to inform the local DSO
- Contact your local DSO
- If there is a Safeguarding, welfare or Prevent concern, refer all concerns/allegations/disclosures that may or do constitute a criminal offence to the police
- If applicable, parents/carers will need to be informed as soon as possible but this must be from an appropriate source (Children’s Social Care/police)
- DSO will advise on the most appropriate next steps
- DSO will report to the DSL before any decisions are taken regarding referring to the police, Social Services or any other external agency
- Inform the apprentice’s line manager (employer)

If you receive a disclosure, or need to record a concern, remember to always include the following:

- Names of all involved, date, time, and venue/location – record the conversation/observations as accurately as possible using the Apprentice Incident Report Form
- DSO to scan and email ensuring that this the document is password protected completed Apprentice Incident Report to DSO. DSO to update with action taken then scan and email to DSL on the same day as the incident/concern
- DSL to record summary of incident/concern
- It is not your responsibility to investigate what has happened or to establish whether or not abuse has taken place
- All Disclosures should be noted in confidence and Guidance on record keeping is set out in Retention of Records and Documents Policy, which can be found on SharePoint.

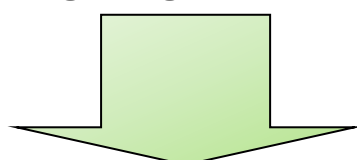
## 1.2 Reporting Process

Safeguarding/Wellbeing or Prevent query/incident received

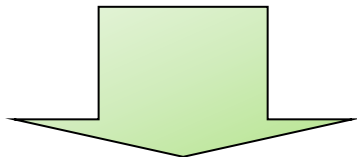


Recipient completes a Safeguarding Incident Form and/or emails securely to the appropriate Designated Safeguarding Officer (DSO) cc’ing in the DSL.

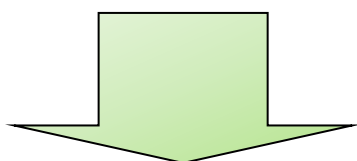
If related to Prevent, or considered urgent, to be immediately followed up with a phone call to the DSO to confirm receipt of form and action required. If DSO cannot be contacted, escalate to DSL or another member of the safeguarding team



DSO to establish what action is required according to the Safeguarding processes and completes their section of the Safeguarding Form



DSO sends completed form to the DSL within 24 hours regardless of the outcome



DSL logs the incident, arranges follow up if required and updates the Safeguarding, Prevent and Welfare Log on SharePoint. This area of SharePoint is locked down to only the Safeguarding team.

## **11. Appendix B**

### **Types of Abuse and Possible Signs of Abuse/Other**

#### **1.1 A child or young person- the legislation specifically refers to any person who is under the age of 18 years.**

Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to Prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. They may be abused by an adult or adults or another child or children.

Part one of KCSIE 2023 defines the following types of abuse, Davies Learning Solutions staff should be aware that abuse, neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label and in most cases, multiple issues will overlap with one another.

#### **1.2 Vulnerable adults aged 18 or over.**

A vulnerable adult is defined by the Safeguarding Vulnerable Groups Act 2006 as a person who is aged 18 years or over:

- Who is or may be in need of community care services by reason of mental or other disability, age or illness
- Who is or may be unable to take care of him or herself or unable to protect him or herself against significant harm or serious exploitation

### 1.3 Abuse

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

It is important to note that abuse can:

- Consist of a single act or repeated acts
- Be intentional or unintentional or result from a lack of knowledge
- Be an act of neglect, an omission or a failure to act
- Cause harm temporarily or over a period of time
- Occur in any relationship
- Be perpetrated by anyone, individually or as part of a group or organisation
- Often constitute a crime, i.e. physical, sexual abuse, e.g. downloading or using pornographic
- Images of children and/or storing them on company computers or equipment

### 1.4 Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development.

Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing, and shelter (including exclusion from home or abandonment)
- Protect a child from physical and emotional harm or danger
- Ensure adequate supervision (including the use of inadequate caregivers)
- Ensure access to appropriate medical care or treatment

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs. Neglect and acts of omission includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition, and heating.

Possible signs of neglect include:

- Constant hunger
- Poor personal hygiene
- Inappropriate clothing
- Frequent lateness or non-attendance

- Low self-esteem
- Poor social relationships
- Untreated medical problems
- Compulsive stealing or scrounging

## 1.5 Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning, or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child.

Includes hitting, slapping, and pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.

Possible signs of physical abuse include:

- Unexplained injuries or burns – particularly if they are recurrent
- Refusal to discuss injuries
- Improbable explanations for injuries
- Aggression/bullying
- Fear of medical help
- Over compliant behaviour or a ‘watchful’ attitude
- Untreated injuries or lingering illness not attended to
- Admission of punishment which appears excessive
- Shrinking from physical contact
- Fear from returning home or of parents being contacted

## Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child’s emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child’s developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Possible signs of emotional abuse include:

- Continual self-deprecation
- Fear of new situations
- Inappropriate emotional response to painful situations
- Compulsive stealing/scrounging
- Drug/solvent abuse
- Neurotic’ behaviour – obsessive rocking, thumb-sucking, and so on

- Air of detachment – ‘don’t care’ attitude
- Social isolation – does not join in and has new friends
- Desperate attention-seeking behaviour
- Eating problems, including overeating
- lack of appetite

### **1.7 Sexual abuse and sexual Harassment**

Sexual Abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. The sexual abuse of children by other children is a specific safeguarding issue in education.

Possible signs of sexual abuse include:

- Bruises, scratches, burns or bite marks on the body
- Scratches, abrasions or persistent
- Infections in the anal or genital regions
- Sexual awareness inappropriate to the person's age, shown for example in a drawing, games and vocabulary games and so on
- Frequent public masturbation
- Attempts to teach others about sexual activity
- Refusing to stay with certain people or to go to places or with aggressive, anger, anxiety or tearfulness, withdrawal from friends
- Promiscuity, prostitution, provocative sexual behaviour
- Self-injury, self-destructive behaviour, suicide attempts
- Pregnancy – particularly in the case of young adolescents who are evasive
- Tiredness, lethargy, listlessness
- Genital discharge/irritation
- Sleep disturbance

## **What is Sexual Harassment?**

Harassment is any unwanted behaviour of a sexual nature that makes you feel distressed, intimidated or humiliated. It can take lots of different forms. It can include or be called sexualised bullying.

You don't have to have objected to a certain kind of behaviour in the past for it to be unwanted and constitute harassment.

Sexual harassment can include:

- someone making sexually degrading comments or gestures
- your body being stared or leered at
- being subjected to sexual jokes or propositions
- e-mails or text messages with sexual content
- physical behaviour, including unwelcome sexual advances and touching
- someone displaying sexually explicit pictures in your space or a shared space, like at work
- offers of rewards in return for sexual favours

Although sexual harassment happens everywhere, it is common at work and more recently in schools and universities. It can cause stress and hostility in the workplace, and over time, it can lead to physical and emotional problems, like headaches, nausea, cystitis, depression, anxiety, problems sleeping and eating, and loss of self-confidence. Many women end up leaving their job rather than have to carry on enduring sexual harassment.

## **1.8 Financial Abuse**

The misappropriation of an individual's funds, and/or any other actions that are against their best interests. For example:

- Theft of money, possessions, property or other material goods
- Misuse of money
- Fraud or extortion of material assets

## 1.9 Discriminatory Abuse

This includes discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation, and political views, along with racist, sexist, homophobic or ageist comments or jokes, or comments and jokes based on a person's disability or any other form of harassment, slur or similar treatment. Hate crime can be viewed as a form of discriminatory abuse, although will often involve other types of abuse as well. It also includes not responding to dietary needs and not providing appropriate spiritual support. Excluding a person from activities on the basis they are 'not liked' is also discriminatory abuse.

## 1.10 Child Sexual Exploitation

The nature of child sexual exploitation is that it is a course of conduct rather than an isolated incident leading to a series of serious sexual and other offences.

It is best described as a process of involving children in sexual activities through means such as deceit, manipulation, coercion, use of violence and threats of force with cumulative effect on children, families, social systems, and the community as a whole. The sexual exploitation of children and young people is a form of child abuse and must be reported.

The National Working Group (NWG) for Sexually Exploited Children and Young People define child sexual exploitation as follows: (<http://www.nwgnetwork.org>) "Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology."

### **What to do if you are concerned that a young person is being sexually exploited.**

Given that child sexual exploitation is a form of child abuse, any staff member with concerns that a young person is being exploited should follow the Safeguarding reporting procedures.

## 1.11 Grooming

Grooming is a phased, gradual process used by perpetrators to sexually exploit children and young people. It can take place over varying periods of time - from a few days to several years. It can also take different forms and be more or less violent. Although it is talked about as having stages, this doesn't necessarily mean that it will always develop in the same way. Typically, grooming involves a number of stages:

1. Initial contact
2. Befriending: this can include non-coercive behaviour such as buying gifts, and coercive behaviour such as threats, intimidation, and the use of violence
3. Exchange of favours
4. Control

## 5. Exploitation

The process of grooming affects children and young people in different ways. It is not easy to recognise the signs because many could be regarded as 'normal' teenage behaviour.

The following list of warning signs is not exhaustive but if you spot them it could indicate that a young person is at risk of sexual exploitation.

- Low level indicators include: overtly sexualised dress; going missing unaccounted-for monies or goods; associated with unknown adults; experimenting with drugs and alcohol; reduced contact with family & friends; poor self-image
- Medium level indicators include: getting into cars with unknown adults; disclosure of sexual assault which is then withdrawn; having a much older boyfriend/girlfriend; staying out overnight without reasonable explanation; self-harming
- High level indicators include: serious self-harming; being taken to clubs and hotels by adults; chronic alcohol or drug use; removed from a known 'red light' district; abduction; disclosure of serious sexual assault which is then withdrawn

### 1.12 Radicalisation

Radicalisation is the process by which individuals come to support terrorism or violent extremism. Young people may express extremist ideas, be in possession of extremist literature or express extremist views. They may associate with known extremists or seek to recruit others to an extremist ideology. Concerns that a apprentice's behaviour indicates involvement with extremist ideas should be considered a safeguarding issue and reported as such.

Possible signs of radicalisation include:

- The individual's views become increasingly extreme regarding another section of society or government policy
- The individual becomes increasingly intolerant of more moderate views
- The individual expresses a desire/intent to take part in or support extremist activity
- They are observed downloading, viewing, or sharing extremist propaganda from the web
- They become withdrawn and focused on one ideology

The individual may change their appearance, their health may suffer (including mental health) they may become isolated from family, friends, peers, or social group

**1.13 There are several possible factors that make individuals more likely to be vulnerable to exploitation by extremist, sexual exploitation or other forms of exploitation. Factors that may contribute to vulnerability include:**



- Being rejected by peer(s), faith or a social group/family
- Pressure from persons linked to extremism
- Victim or witness to race or religious hate crime
- Conflict with family over religious beliefs/lifestyle/politics
- Identity confusion
- Recent religious conversion
- Under-achievement
- May possess literature related to extreme views
- Experience poverty, disadvantage or social exclusion
- Extremist influences
- A series of traumatic events - global, national or personal

## **1.14 Sexual Violence and Harassment**

Sexual violence and sexual harassment can occur between two or more children/adult of any age or sex. They can occur through a group of children/adults sexually assaulting or sexually harassing a single child/adults or group of children/adults.

Anyone who is the victims of sexual violence and sexual harassment are likely to find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. Davies Learning Solutions Training will respond to allegations seriously and all victims will be offered appropriate support.

Davies Learning Solutions Training is aware of the importance of:

- (a) making it clear to apprentices that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- (b) not tolerating or dismissing sexual violence or sexual harassment as "banter", "part of growing up", "just having a laugh" or "boys being boys"; and
- (c) challenging behaviours (which are potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

References to sexual violence are references to sexual offences under the Sexual Offences Act 2003, specifically rape, assault by penetration and sexual assault.

References to sexual harassment mean "unwanted conduct of a sexual nature" that can occur online and offline.

In the context of child-on-child sexual harassment, it is likely to: violate a child's dignity; and / or make them feel intimidated, degraded or humiliated; and / or create a hostile, offensive or sexualised environment.

## **1.15 Child on child Abuse**

Harmful sexual behaviour is an umbrella term that includes sexual violence and sexual harassment. Davies Learning Solutions Training recognises that problematic, abusive and violent

sexual behaviours are inappropriate and may cause developmental damage. Harmful sexual behaviour can occur online and offline (both physical and verbal)

Allegations against apprentices should be reported as per Appendix A (Disclosure and Reporting) If harmful sexual behaviour is alleged to have occurred, the DSO/DSL will have regard to Part 5 KCSIE and take into account the local response of the police and children's social care to these issues. The views of the alleged victim will be taken into account but will not be determinative.

All those involved in such allegations will be treated as being at risk and in need to support and the safeguarding procedures in accordance with this Policy will be followed.

### **1.16 Children/Young person missing education**

Apprentices going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. It is important that staff carefully monitored and liaise with apprentices' line manager to identify any trends of attendance that perhaps could lead to a concern about their welfare. Staff should speak to the DSO/DSL if they have any concerns.

### **1.17 Honour Based Violence**

All forms of so-called honour-based violence are abuse (regardless of motivation) and should be handled and escalated as such. Abuse committed in the context of preserving "honour" often involves additional risk factors such as a wider network of family or community pressure and the possibility of multiple perpetrators which should be taken into account when deciding what safeguarding action to take. Staff should speak to the DSO/DSL if they have any doubts.

### **1.18 County Line, Cross Borders, Gangs, Trafficking and Cuckooing**

These are police terms for urban gangs supplying drugs to suburban areas and market/or coastal towns using dedicated mobile or 'deal lines'.

Gangs use children and vulnerable people to move drugs and money. Often, they take over the homes of vulnerable adults and children by force or coercion in a practice referred to cuckooing Getting involved in gang culture can have serious and potentially devastating consequences, with dealers/offenders/members not afraid to use violence.

There are people themselves vulnerable and at risk of exploitation by gang members from outside the county. Any activity that seems to be suspicious or involve drug dealing/crime/exploitation should be passed to the police on 101. Should young people thought to be involved the early help assessment is a useful tool. A request for involvement to CSC/police is needed if the child is at immediate risk of harm.

Davies Learning Solutions has compiled a list of resources and contact numbers located on the Thrive learning platform for learners to access by county with useful links to the police, social services and hospitals in each county.

### **1.19 Female Genital Mutilation (FGM)**

Although most cases of FGM are thought to take place between the ages of 5 and 8 years, it should be recognised that FGM can occur at any time, for example on reaching adulthood or before marriage.

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

There is a range of potential indicators that a child or young person may be at risk of FGM. Guidance on the warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 38-41 of the Multi-agency statutory guidance on FGM (pages 59-61 focus on the role of how to report this). All reports of FGM should be reported directly to local authorities. All reports of FGM should be reported directly to DSO who may in turn speak to the local authorities via [fmufco.gov.uk](mailto:fmufco.gov.uk) for advice and information.

## **1.20 Forced Marriage**

Forced marriage is a marriage in which one or both partners do not consent to the marriage and are coerced into it. Coercion can be physical, emotional or financial. It also applies to vulnerable adults who may not have the capacity to consent to the marriage. People who are forced to marry or fear they might be forced to marry can go missing from education.

In addition to definitions provided above, in the context of vulnerable adults the following outlines the main forms of abuse:

Guidance on the warning signs that forced marriage may be about to take place, or may have already taken place, can be found on pages 13-14 of the Multi-agency guidelines: Handling case of forced marriage.

## **1.21 Cyber Bullying**

Cyber bullying is when one person or a group of people try to threaten, tease or embarrass someone else by using a mobile phone or the internet. Cyber bullying is just as harmful as bullying in the real world. Click on [No Bullying](#) and [NSPCC Bullying](#).

Cyber bullying can be perpetrated through the use of modern communication technologies (e.g. internet, text or video messaging, email, chatrooms, social media networking sites) to embarrass, humiliate, threaten, intimidate or bully an individual in an attempt to gain power and control over them.

## **1.22 Significant Harm**

Significant harm is the threshold that provides for intervention by other agencies.

## 12. Appendix C

### Knife Crime

#### 1.1 Context with references from Ofsted 2019 knife crime report

Knife crime is a term used commonly in the media to refer, primarily, to street-based knife assaults and knife-carrying. However, there are many different criminal offences relating to knives. For example:

- it is an offence to threaten or cause harm to a person with a bladed weapon
- some bladed weapons are prohibited from being sold or purchased, including to anyone under the age of 18
- offences such as robbery or assault can be aggravated if a knife is involved
- it is also an offence to carry a knife in a public place without good reason
- Knife crime refers both to the use of knives against children, young people and adults either to threaten or to wound with intent
- In the 12 months to September 2018, knife crime had increased by 68.4% across England and Wales (excluding the Greater Manchester Police area) compared with 12 months up to September 2014 and by 55.5% across the Metropolitan Police Service area of London over the same period. Public perception of knife crime being a problem in London has increased and 26% of respondents to the London Public Attitude Survey 2018 felt that knife crime was a problem compared with 20% a year earlier. The number of sharp instruments found on school property has increased. Data from 21 police forces in England and Wales obtained through a freedom of information request showed that 363 sharp instruments were found on school property in 2017–18.

#### 1.2 Knife crime with young people under the age of 28 and vulnerable adults

- It is clear that knife crime is an increasing safeguarding risk to local communities. While we have not sought to answer the question of the causes of knife crime, leaders told us that, in their experience, there are in three categories of risk of knife-carrying:
- The highest level of risk is for those children young people who have been groomed into gangs, for the purposes of criminal exploitation.
- Underneath this lies a group of children, young people and vulnerable adults who have witnessed other children and young people carrying knives, have been the victim of knife crime or know someone who has carried a knife for protection or status-acquisition or who are encouraged to believe knife-carrying is normal through the glamorisation of gangs and knives on social media.
- Then there are children, young people and vulnerable adults who carry knives to school as an isolated incident. For example, they may carry a penknife that a grandparent has gifted them.

- Knife crime is just one issue among many faced by children, young people and vulnerable adults that leaders have to understand and manage on a daily basis. As one designated safeguarding leader put it:
- It is important to remember that knife crime does not exist in a vacuum and victims or perpetrators may also be experiencing multiple vulnerabilities.

The common denominator of who are found carrying bladed objects into educational institutions and independent training providers is vulnerability. Leaders were clear that, almost invariably, a significant number of children and young people who have experienced poverty, abuse or neglect or are living within troubled families resort to knife crime, either willingly or are coerced into committing a crime. They may also experience social exclusion due to factors such as their race or socio-economic background. Any concerns with regard to an apprentice who might be somehow engaged in knife crime must immediately be reported to the Davies Learning Solutions DSL.

### **1.3 Reports and legislation to refer to:**

- Prevention of Crime Act 1953; [www.legislation.gov.uk/ukpga/Eliz2/1-2/14/contents](http://www.legislation.gov.uk/ukpga/Eliz2/1-2/14/contents).
- Restriction of Offensive Weapons Act 1959; [www.legislation.gov.uk/ukpga/Eliz2/7-8/37/contents](http://www.legislation.gov.uk/ukpga/Eliz2/7-8/37/contents). Criminal Justice Act 1988; [www.legislation.gov.uk/ukpga/1988/33/contents](http://www.legislation.gov.uk/ukpga/1988/33/contents).
- Offensive Weapons Act 1996; [www.legislation.gov.uk/ukpga/1996/26/contents](http://www.legislation.gov.uk/ukpga/1996/26/contents). Knives Act 1997; [www.legislation.gov.uk/ukpga/1997/21/contents](http://www.legislation.gov.uk/ukpga/1997/21/contents).
- Police recorded crime and outcomes open data tables to September 2018 – Knife crime open data; [www.gov.uk/government/statistics/police-recorded-crime-open-data-tables](http://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables).
- MOPAC weapon enabled crime dashboard; [www.london.gov.uk/what-we-do/mayors-office-policing-](http://www.london.gov.uk/what-we-do/mayors-office-policing-)

## 13. Appendix D

### 1.1 Guidance and Advice Sources

This Policy has regard to the following guidance and advice:

- Keeping children safe in education (2023) (KCSIE);
- Working Together to Safeguard Children (2018);
- Disqualification under the Childcare Act 2006 (2018);
- Prevent Duty Guidance for England and Wales (2015);
- Channel Duty Guidance: Protecting vulnerable people from being drawn into terrorism (2015);
- Multi-agency statutory guidance on FGM (2016);
- What to do if you're worried a child is being abused: advice for practitioners (2015);
- Information sharing: advice for practitioners providing safeguarding services (2018);
- Care Act 2014
- Children missing education (2016);
- Child sexual exploitation: definition and a guide for practitioners local leaders and decision makers working to protect children from child sexual exploitation (2017)
- Sexual violence and sexual harassment between children in schools and colleges (2018)

The most important relevant guidance arising from the legislation is:

- Working Together to Safeguard Children (HM Government 2018)
- What to do if you're worried a child is being abused (HM Government 2015)

An additional important convention is:

The United Nations Convention on the Rights of the Child

In relation to safe recruitment of staff the following report is important:  
Choosing with Care (HM Government 1992)

In relation to Fraser guidelines relating to contraception etc., NSPCC have further information which can be found by following the link to [NSPCC](#)

The Ofsted Education Inspection Framework

Safeguarding continues to be an integral part of the Education Inspection Framework (EIF). The role of management in safeguarding all apprentices is clearly articulated. To make this judgement, inspectors will evaluate the extent to which:

- Safeguarding arrangements are in place and regularly reviewed to keep all apprentices aged 14 – 18 safe
- There is a clear approach to implementing the Prevent duty and keeping children and apprentices safe from the dangers of radicalisation and extremism
- Staff, leaders, and managers understand the risks posed by adults or young people who use the internet to bully, groom or abuse children, young people and vulnerable adults; there are well-developed strategies in place to keep apprentices safe and to support them in learning how to keep themselves safe
- Staff, leaders, and managers oversee the safe use of electronic and social media by staff and apprentices and take action immediately if they are concerned about bullying or risky behaviours
- Appropriate arrangements are made with regards to health and safety to protect staff and apprentices from harm
- Staff, leaders, governors, and supervisory bodies (where appropriate) and volunteers receive appropriate training on safeguarding, which is updated regularly
- Leaders, governors, and supervisory bodies (where appropriate) fulfil legislative requirements, such as those for disability, Safeguarding, and health and safety
- Appropriate arrangements are in place for health and safety and protect staff and apprentices from harm to those in need, or at risk of significant harm, and appropriate action is taken

Counter Terrorism Act 2015 <https://www.gov.uk/government/collections/counter-terrorism-and-security-bill> (Working in line with Channel Awareness\_ Government Prevent Strategy)

## 14. Appendix E

### 1.1 Equality, Diversity, and Inclusion Policy

#### 1. Introduction

DLS does not tolerate any form of prejudice or discrimination, including sexism and misogyny/misandry. Davies Learning Solutions (DLS) wishes to secure genuine equality of opportunity, whether required by legislation or not, in all aspects of its activities as an employer, training provider and a funding partner to our Subcontractor. To this end, DLS will take all reasonably practicable steps to ensure that there is no discrimination against any individual or individuals, including colleagues, directors, beneficiaries, apprentices, sub-contractors and customers, on account of their disability, age, sex, sexual orientation, race,

religion or belief, gender reassignment, marital status and civil partnership, pregnancy and maternity.

This policy is approved by the Board and required actions are embedded into the Equality and Diversity Development Plan and Quality Improvement Plans. The policy will be monitored, reviewed at least biannually, and updated accordingly in line with any legislative changes and approved by The Board.

The policy can be made available in alternative formats on request.

## **2. Reason for policy**

The overall purpose of this policy is to abide by the Equality Act 2010 and to ensure that Davies Learning Solutions is a place where learning and work exists in an environment that promotes equality of opportunity, celebrates diversity, and allows everyone to achieve their potential.

Our commitment is that every:

- Employee is entitled to a working environment which promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.
- Individual is entitled to receive a service from Davies Learning Solutions and its Subcontracting Partner that is free from bias and all unreasonable barriers.
- Employee, customer, and supplier is entitled to expect equality of opportunity in all aspects of their employment, training, and engagement with us, including its terms and conditions.
- Potential employee and learner is entitled to expect the recruitment process to be free from all unreasonable barriers.
- Apprentices will be supported in their learning to allow them to succeed in line with peers and progression to new opportunities.
- Employee will be provided training and development opportunities to support their understanding and commitment to the policy.
- Manager will be committed to monitoring progress towards targets set for representation and performance of different groups

## **3. Policy**

The Company Values will embed equality and diversity in their implementation, namely:

- Do the right thing – we endeavor to be open, honest, and fair in our dealings with apprentices, employers, partners, and stakeholders.
- Apprentices are at the center of everything we do, and we are driven by the desire to provide life- changing opportunities for each and every one of them.
- Continuous improvement – we are committed to continually exploring ways to improve the services we offer for the benefit of our apprentices, partners, and employers.



- Develop and empower our staff – we are passionate about supporting staff at all levels so that they can realise their full potential and progress.

The Company actively promotes British Values throughout delivery, using the following key themes:

- Democracy
- The rule of law
- Individual liberty
- Respect and tolerance

As well as actively promoting British Values we would also actively challenge apprentices, employers, staff, or parents expressing opinions contrary to fundamental British Values, including 'extremist' views of any variety.

Objective of the policy are to:

- Regularly report to the Board and Senior team on equality and diversity matters and the performance and participation of different groups of apprentices
- Regularly review the policy and procedures that promote and protect equality and diversity
- Make Subcontractor Partners aware of their personal obligations to avoid discrimination, in accordance to the policy
- Organise or access opportunities that foster a culture of equality for all
- Monitor procedures and activities to ensure the effectiveness of Davies Learning Solutions 's approach
- Take into account the needs of all, particularly those with protected characteristics
- Take positive action to redress unjustified disparities in training and / or employment

## **5. Statutory Acts**

There are a number of statutory and other provisions relating to Equality & Diversity and these are enveloped in one Single Equality Bill (October 2010). These include:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Religion Act 1976
- Disability Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Equality Act 2006, Part 2
- Equality Act (Sexual Orientation) Regulations 2007

## 6. Equal Opportunities Statement

Davies Learning Solutions is committed to being an equal opportunities employer and training provider, promoting and developing equality and diversity for staff, customers, and suppliers across all of our services.

It will seek to do this by:

- communicating our commitment to equality and diversity to all
- creating an environment where there is mutual respect and equality of opportunity providing relevant training for all staff and Subcontract Partners
- implementing mechanisms for implementation, monitoring, evaluation, and review
- treating acts of discrimination as a disciplinary offence dealing with harassment and bullying timely and effectively
- engaging staff and stakeholders in the development, implementation, and execution of our policies
- ensuring our Subcontract partners promote equality and diversity in line with legal requirements
- Embed, inform, and follow of the five main principles of social justice - access to resources, equity, participation, diversity, and human rights.

All employees, suppliers and customers will receive equal treatment regardless of sex, marital or civil partnership status, race, disability, age, sexual orientation, gender realignment, pregnancy, maternity, religion or belief.

The Directors and Management Team recognise that they have responsibility for ensuring that the company operates within the legal framework for equality and for implementing the policy throughout the business. All employees and apprentices of DLS are responsible for trying to prevent discrimination that is within their control to prevent or challenge.

### 6. Definitions

#### **Direct Discrimination**

Direct discrimination occurs when someone is treated less favorably in relation to any of the protected characteristics.

#### **Indirect Discrimination**

Indirect discrimination is a discrete type of discrimination that involves a policy, rule or procedure that is applied to everyone in a certain area but, ultimately, puts some individuals or groups at a disadvantage. Just like direct discrimination, indirect discrimination can be posed as a formal or informal rule, practice or policy that may control behavior or set standards in the workplace.

## Discrimination by Association

Discrimination by association is direct discrimination against someone because they associate with another person who possesses a protected characteristic. Perceptive discrimination is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

## Harassment

Harassment is recognised as a course of conduct directed at an individual or group of persons and means that employees will be able to report such conduct with regards to behavior that they find offensive, even if it is not directed at them, and the complainant need not possess the relevant characteristics themselves.

## Bullying

Bullying is not a natural behavior and should not be seen as such. It typically can be when someone uses superior strength, intelligence or influence to intimidate another.

## Victimisation

Victimisation is the action of singling someone out for cruel or unjust treatment. All matters of discrimination, bullying and harassment will be dealt with effectively and efficiently, using the following processes where applicable:

- Complaints Procedure
- Grievance Procedure
- Staff Discipline Policy
- Apprentice Learner Journey
- Safeguarding and Prevent Handbook

## 7. Implementation

All colleagues have the responsibility to uphold the policy, comply the law and support the company in fulfilling its duties and commitments.

## 8. Related Policies and Links

Equality Act 2010: [www.legislation.gov.uk/ukpga/2010/15/contents](http://www.legislation.gov.uk/ukpga/2010/15/contents)

- Complaints Procedure
- Grievance Procedure
- Disciplinary Policy
- Apprentice Learner Journey
- Safeguarding and Prevent Handbook
- DLS 21/22 Business Plan
- 21/22 Curriculum Strategy

- Performance, Quality & Standards Handbook

## 9. Undertaking Equality Impact Assessments

We have developed a toolkit to carry out equality impact assessments. The toolkit involves a two-stage process:

1. An initial screening to assess whether the proposed policy, procedure, plan or practice has potential equality implications for different groups; if necessary
2. A full assessment with detailed evidence analysis, stakeholder engagement and consideration of alternative approaches.

All our policies and procedures are scheduled for review; generally, on a three-year cycle. At each review or change the impact assessment process is repeated. Any underlining issues that are identified are addressed in a timely manner. The Equality and Diversity Steering Group is a subsection of the Safeguarding Team which monitors the use of impact assessments in terms of accurate completion. All Equality Impact Assessments outcomes are available on request.

## 15. Appendix F Lone Working Policy and Procedure

### 1.1 Background

The Davies Group, known as ‘the Group’, hereafter, recognises that some staff are required to work by themselves without close or direct supervision, sometimes in isolated work areas or out of office hours. Working alone is not in itself against the law and will often be safe to do so.

The Group has a duty of care to advise and assess risk for workers when they work by themselves in these circumstances. However, employees have responsibilities to take reasonable care of themselves and other people affected by their work.

### 1.2 Definition

A ‘lone worker’ is defined as someone who is isolated from other human contact in the immediate vicinity.

### 1.3 Purpose, Scope and Users

This policy serves to:

- Increase employee awareness of safety issues relating to lone working
- Ensure that the risk of lone working is assessed in a systematic and ongoing way, and that safe systems and methods of work are put in place to reduce the risk so far is reasonably practicable

- Ensure that appropriate support and training is available to all employees that equips them to recognise risk and provides practical advice on safety when working alone
- Encourage full reporting and recording of all adverse incidents relating to lone working
- Reduce the number of incidents and injuries to staff related to lone working

#### **1.4 'Lone Workers' include:**

Those working at Davies Group Offices:

- Only one person is working in the entire premises
- People work separately from each other, e.g. in different geographical locations
- People working outside normal office hours, e.g. cleaners

#### **1.5 Those working away from Davie Group Offices, on site or within client premises etc:**

- Employees working within commercial locations on their own
- Employees undertaking visits to commercial locations or sites

This policy applies to all situations involving lone working arising in connection with the duties and activities of Davies Group employees.  
Users of this policy are Davies Group employees.

### **Responsibilities**

#### **1.1 Head of Division are responsible for:**

- Ensuring that there are arrangements for identifying, evaluating, and managing risk associated with lone working
- Providing resources for putting the policy into practice
- Ensuring that there are arrangements for monitoring incidents linked to lone working and that the effectiveness of this policy is regularly reviewed.

#### **1.2 Managers are responsible for:**

- Ensuring that all staff are aware of the policy
- Taking all possible steps to ensure that lone workers are at no greater risk than other employees
- Identifying situations where people work alone and decide whether systems can be adopted to avoid workers carrying out tasks on their own
- Ensuring that risk assessments are carried out and reviewed regularly
- Putting procedures and safe systems of work into practice which are designed to

eliminate or reduce the risks associated with working alone

- Ensuring that employees identified as being at risk are given appropriate information, instruction and training, including training at induction, updating and refreshing this training as necessary
- Managing the effectiveness of Preventative measures through an effective system of reporting, investigating and recording incidents
- Ensuring that appropriate support is given to staff involved in any incident
- Providing a mobile phone and other personal safety equipment, where this is felt to be desirable.

### **1.3 Employees are responsible for:**

- Taking reasonable care of themselves and others affected by their actions
- Following guidance and procedures designed for safe working
- Reporting all incidents that may affect the health and safety of themselves or others and asking for guidance as appropriate
- Taking part in training designed to meet the requirements of the policy
- Reporting any dangers or potential dangers they identify or any concerns they might have in respect of working alone

## **Guidance**

### **1.1 Risk Assessments for Lone Working**

- Is the person medically fit and suitable to work alone?
- Are there adequate channels of communication in an emergency?
- Does the workplace or task present a special risk to the lone worker?
- Is there a risk of violence?
- Is any known risk attached to a client(s)?
- Has an alternative to visit the location been considered?
- Has safe travelling between appointments been arranged?
- Have reporting and recording arrangements been made where appropriate?
- Can the whereabouts of the lone worker be traced?

### **1.2 Good Practice for Lone Workers**

- During their working hours, all employees leaving their office location or directly from home should provide details of their intended destination to their Line Manager if this information is not held in a diary or other scheduling software. An expected time of arrival back at the Office or home should also be identified.
- At all times, employees should observe absence reporting protocols as set out in the Group's HR Policies and Procedures.
- If, in the course of a trip away from the office that would be known about plans

change significantly, this should be communicated back to the office. Difficulties encountered en-route that may present a risk to the employees, should be telephoned through to their Manager without delay – observing the Driver Policy and Use of Handheld Communications at all times.

- Arrangements should be made with a manager or colleague to check that a lone worker has returned to the Office or home on completion of a task on time. This could be a call, voice message, email, text or other electronic notification by way of a report submission etc.
- Telephone contact between the lone worker and a colleague, may also be advisable. In some circumstances where there is a possible risk to that employee.
- Lone working should not be undertaken when working at height which presents a significant risk, working with or near dangerous pieces of plant or equipment, working near electrical or gas systems. A buddy should be identified for attendance at such jobs.
- Lone working should not be undertaken within premises or on site where the building structure is unstable, there are open edges/excavations, potential falls from height, etc. The advice of the Fire Service or other trained professional must always be taken where building structures are or could be unsafe.
- Lone workers should have access to adequate first-aid facilities and mobile workers should carry a first-aid kit suitable for treating minor injuries.
- Lone workers may need to be provided with a mobile phone and other personal safety equipment where this is necessary following a Risk Assessment
- Lone workers will be issued with a full first aid kit and it is their responsibility to notify HR if replenishment of stock is required
- Employees should not enter within clients' premises if they consider there is a safety or health risk. Their concerns must be reported to their Line Manager who should take advice from the HR Team.

## **Monitoring Safety Issues**

### **1.1 Lone Workers**

- Must report incidents such as accidents and near misses to their Line Manager, including all incidents where they feel threatened. This includes incidents of verbal abuse.
- Are encouraged to seek help and advice if any safety concerns arise. During performance development reviews, managers will ask people working on their own whether there are any safety concerns that aren't being addressed.

## **16. Appendix G**

### **Safer Recruitment and Selection Policy and Procedures**

#### **1.1 Purpose and Scope**

Davies Learning Solutions (“the company”) is committed to be an employer of choice, attracting candidates within the local community and across the country. Prior to recruiting to any vacancies the company carefully identifies the roles it requires to meet the challenges associated with delivering both a high quality learner experience and a high performing service to enable our learners to succeed.

The company is committed to equal opportunities and positively encourages applications from candidates of all ages, genders, sexualities, religions, nationalities and cultures and to support its commitment, routinely monitors equality and diversity as part of its standard recruitment and selection activities.

The company seeks to ensure that the recruitment and selection process is conducted in compliance with current immigration and safeguarding legislation.

This policy has been prepared taking account of prevailing legislation and new legislative requirements and follows best practice by enabling the company to demonstrate recruitment and select process, which is fair, equitable and transparent.

This Procedure applies to all appointments to the company’s staffing establishment, including fixed term, hourly paid appointments, and agency engagements.

#### **1.2 Recruitment and Selection Procedure**

There are a number of key stages in recruiting and selecting for a post. This procedure outlines the key stages.

The following selection processes would typically be used as part of the recruitment process.

#### **1.3 Identification of a Vacancy**

The occurrence of a vacancy is an opportunity to review the necessity for the post and its duties, responsibilities and grade. If the responsibilities or the status of the post has changed, a revised Job Description and Person Specification will need to be drafted/modified and agreed, along with confirmation of any changes to the Pay Spine point / range.

Consideration should also be given to staff seeking redeployment within the company to determine whether they have the necessary skill set and experience to meet the minimum



criteria of the vacancy.

Where a potential vacancy occurs e.g. someone within the department is leaving/retiring, it is necessary to consider the following in respect of the short to long term requirements of the role:

- Is the post essential e.g. can the work be redistributed amongst colleagues or could cover be facilitated through other adjustments within the team e.g. changing work patterns?
- Is the current job description and person specification a true reflection of the role responsibilities and duties?
- Is there sufficient funding within the department budget to cover any additional costs?

## **1.4 Recruitment Campaign Plan**

The interview and selection process is organised by the directors and any other appropriate managers. To facilitate this, a Job Description (which should include generic duties applicable to all posts e.g. Health and Safety) and a Person Specification (which must contain specific skills, experience and qualifications essential to fulfil the role and should contain clarification of how these criteria will be assessed) must be provided.

## **1.5 Advertising**

All vacancies, including temporary posts, are normally advertised internally and externally, using appropriate media.

The company's vacancies, which are advertised externally, are also sent to all staff for consideration.

## **1.6 Shortlisting**

Shortlisting is the stage in the selection process during which applicants are considered against the requirements of the post which are detailed in the Person Specification.

Candidates for interview should be shortlisted against the criteria set out in the Person Specification for the vacancy.

The company is part of the "positive about disability two-ticks accreditation scheme", which means that the company will guarantee an interview to applicants with a disability; provided they meet the minimum criteria for the role, as contained in the Person Specification.

Shortlisting should be carried out by at least two members of staff who will form part, or in some cases all of the interview panel, in accordance with agreed shortlisting criteria together with weightings (if applicable). Decisions about shortlisting should be recorded and signed off by a Director.

Once the shortlisting has been completed, selection arrangements will be made by the directors.

## **1.7 Selection Arrangements**

Candidates will be contacted as soon as possible, so as to provide them with sufficient notice to enable the candidates to fully prepare for the selection process.

The selection process may encompass one or more of the following:

- A panel Interview which takes place for all roles.
- Presentation which takes place for management and senior management roles.
- Written assessments and in tray tests which may be required for any roles.

All candidates selected for interview will be required to bring evidence of their right to live and work in the UK e.g. an identification document together with evidence of qualifications as contained in the Person Specification, including professional qualifications (originals), so that certified copies can be made at an early stage in the recruitment process.

## **1.8 Selection Process**

The interview process is intended to give an opportunity for the panel to assess the shortlisted candidates against the Job Description and Person Specification and explore their skills, experience etc. to establish which candidate is most suitable for the job.

Once the interviews and various selection processes have concluded, the Panel members should complete their scoring sheets and all tests should be marked. The candidate securing the highest combined scores is identified as the company's preferred candidate.

The panel's decision to appoint should be confirmed on the Interview Sheet, which should be fully completed and returned, together with all other interview paperwork.

## **1.9 Offer of employment**

The director/office manager should contact the preferred candidate to confirm that they are the preferred candidate and will outline the provisional and conditional offer the job to them subject to the preferred candidate successfully meeting the requirements of the pre-employment checks:

- Satisfactory medical clearance
- Evidence of the right to work in the UK
- References satisfactory to the company
- Evidence of qualifications (including professional qualifications)
- DBS clearance (Disclosure and Barring Service)

### **1.10 Record Keeping**

The panel should each keep a record of the interviews to assist in reaching a decision and to be clear about the reasons for selecting the successful candidate.

For unsuccessful candidates the recruitment documents will be retained for 6 months and then confidentially destroyed.

### **1.11 Procedure for the Engagement of Temporary Workers (Agency)**

The company recognises the need to engage temporary staff, (often on an immediate basis), who possess the required skills, knowledge and experience essential to ensure the continued and seamless delivery of the service.

The recruitment agencies used by the company are reviewed on a regular basis to determine that they continue to offer a quality service to the company.

An Agency Staff Form should be completed for each temporary assignment. This is to ensure that all the necessary information regarding the temporary role and the individual is accurately recorded onto the HR database.

### **1.12 Start of Assignment**

The agency will be required to provide evidence to the company relating to the individual's right to reside and work in the UK together with evidence of police clearance, following a recent DBS check, which should not be more than 3 years old.

### **1.13 Agency Timesheets**

It is expected that the line manager and their temporary member of staff will take responsibility for the administration involved with the agency timesheet. This is to include the completion, authorisation and return of the timesheet to the Agency. This may include electronic timesheets.

The directors have responsibility to electronically authorise the invoices received by the company from the agency and payment will only be authorised upon evidence of hours worked e.g. timesheets signed off by the line manager

### **1.14 Extension of Assignment**

Should there be a need to extend the assignment, the Line Manager will need to gain authorisation from a director prior to the extension being confirmed to both the agency worker and the respective agency.

Further to authorisation, the HR database should be updated with the revised assignment end date.

### **1.15 End of temporary assignment**

At the stated end of a temporary assignment, it is the responsibility of the Line Manager to inform the directors that the temporary worker is no longer with the company.

The directors should also ensure that the company ID badge is returned, together with any car parking permit, keys and any other company property.

The HR database should be updated to reflect that the assignment has ended.

### **1.16 Pre-employment checks**

The company is required to carry out pre-employment checks on all new staff prior to them commencing employment with the company. The level of pre-employment vetting will differ depending on whether the individual is contracted to work directly for the company or is a temporary/agency worker/consultant etc.

The guidance now states that:

*“education settings should consider conducting online searches as part of their due diligence during the recruitment process. The stated aim of this is that it “may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at the interview.”*

A potential candidate must be informed that online due diligence checks may be carried out prior to commencement of interview or employment.

### **1.17 References**

References are used as part of the recruitment process. The purpose of a reference is to obtain information from a third party to provide a factual check on a potential member of staff's suitability for a new role as well as obtaining confirmation of their employment history, experience, general work performance and sickness absence data which should be used to confirm the employer's assessment.

There is no legal obligation on the part of an employer to provide a reference, unless such a requirement is contained in the individual's contract of employment and unless there is a particular statutory requirement, for example if an individual has previously worked within the Financial Services, or where it has been agreed as part of a Settlement Agreement.

Refusal to provide a reference can be interpreted as negative by a prospective employer and may be perceived as victimisation by the individual. There may be a risk of a personal claim if an employer refuses to provide a reference.

It is standard practice for the company to both provide and request employment references, which must be factual and provide the following information:

- Job Title
- Dates employed
- Key Responsibilities/Duties
- Any significant achievements
- Additional information may also be requested e.g. sickness absence records, safeguarding concerns, disciplinary records etc.

References are recommended as an appropriate pre-employment vetting check for safeguarding purposes. Therefore, the company requires receipt of two references which are satisfactory to the company before an offer of employment can be confirmed. One of the references must be from either an existing or their most recent employer. The company reserves the right to contact any other organisation identified by the individual as a former employer, where the company deems this necessary.

The company follows the recommendations of the Equality and Human Rights Commission (EHRC) and will not request references until after a preferred candidate has been identified.

When directors provide references for any former company employee, they should exercise reasonable care as the company could be held liable for any loss which the employee occurs as a direct result of any inaccurate statements, negative opinions, or impressions which cannot be substantiated through appropriate documentation e.g. disciplinary outcome letters. All requests received for references should be directed to the directors in the first instance who will determine whether any agreed reference is on file and if not, will work to ensure that the reference is both factual and accurate particularly in respect of service dates and that it contains the company's legal disclaimer in all cases.

A standard reference will be completed on an employee's termination (as part of the exit process) and the directors will provide a template and guidance on what areas to make reference to in order to ensure the reference is objective and not based on assumption of future performance.

## **17. Appendix H**

### **1.1 Disclosure Barring Checks (DBS)**

As the company supports a number of children and vulnerable adults, all staff are exempt from Section 4(2) of the Rehabilitation of Offenders Act 1974. Accordingly, all staff will be subject to an 'Enhanced' DBS check.

In carrying out its safeguarding responsibilities, the company complies fully with the relevant regulations and Code of Practice regarding the correct handling, use, storage, retention and disposal of disclosure information. It also complies fully with its obligations under Data Protection legislation.

## **1.2 Right to reside and work in the UK**

In order to confirm eligibility to reside and work in the UK, newly appointed staff are required to provide either a UK/EU.EEA passport or other evidence which confirms this right.

The company will retain a copy of this document for a period of at least 7 years post termination of the individual's employment with the company. This is in line with legislation under the Data Protection Act (1998).

## **1.3 Verification of Qualifications**

All preferred candidates as part of their conditional offer of employment, are required to evidence their qualifications and/or professional membership(s) by bringing in original certificates and/or evidence of professional membership(s) which will be photocopied and retained on their personal file. This includes all professional, teaching, academic qualifications and professional memberships which have been identified as being an Essential requirement within the Person Specification for the role.

## **1.4 Pending Risk Assessment**

As per our Safeguarding Policy, all employees should not continue to work until the new or renewal of the DBS has been returned.

This Pending Risk Assessment is to be completed if Davies Talent Solutions Training is considering allowing an existing/newly appointed employee to continue working. Davies Talent Solutions Training policy is a renewal date of 3 years after their initial DBS check their Disclosure and Barring Service (previously CRB). If the DBS is in process, this form will still need to be completed.

If the results have highlighted a conviction, caution, reprimand or warning – Davies Learning Solutions Training DBS Risk Assessment Form will need to be completed.

This should only be considered in exceptional circumstances subject to ALL other pre-employment checks being satisfactorily completed (such as Davies Learning Solutions Training Vetting and Screening results, references, medical form, qualification checks, etc.)

A Risk Assessment must be completed, in order to ensure that the decision-making process is clear and consistent.

Once the DBS confirmation is completed, if the appointment is confirmed, the form should be kept in the employee's personal file.

## **18. Appendix I**

### **1.1 External Speakers Policy**

Davies Learning Solutions occasionally invite speakers from our wider community to give talks to enrich our apprentice's experience of the working environment, providing them with information that helps them make decisions at different phases of their development, widening their understanding of world and global issues and providing motivational inspiration through the sharing of a speaker's experience.

Our responsibility to our apprentices is to ensure that they can critically assess the information they receive as to its value to themselves, and that the information is aligned to the ethos and values of Davies Learning Solutions and British Values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.

The purpose of this policy is to set out Davies Learning Solutions legal obligations when using Visiting Speakers and to set out the standards of behaviour expected from Visiting Speakers. This policy was therefore drawn up having had regard to the Government's Prevent Duty guidance and the organisations wider safeguarding obligations. The "Prevent" statutory guidance (The Prevent Duty: Departmental advice for schools and childcare providers", DfE, June 2015) (<https://www.gov.uk/government/publications/Prevent-duty-guidance>) requires training providers to have clear protocols for ensuring that any visiting speakers whether invited by staff, learners or employers, are suitable and appropriately supervised.

The protocols are:

- All visiting speakers to have a nominated point of contact at Davies Learning Solutions (the Organiser)
- The organiser at Davies Learning Solutions must gain written permission from SMT well in advance of the visit.
- The Organiser must send a copy of the Guidelines for Visiting Speakers to the speaker in advance of their visit.
- The Organiser must conduct research on the person/organisation to establish whether they have demonstrated extreme views/actions – a biographical internet search will usually be suitable, this to be submitted to the Compliance Manager

- Staff must refuse to allow people/organisations to use organisations premises if they have links to extreme groups or movements. Justification of the Boards decision will be provided to the person/organisation in writing
- The Compliance Manager will keep a formal register of all visiting speakers. Any information gathered will be kept in accordance with Davies Group GDPR/Data Protection Policy.
- Visitors to provide photo ID upon arrival at the event and the organiser should check this and verify the Speaker's identity.
- Visiting speakers are to be accompanied at all times and are not to be left unsupervised.

## **19. Appendix J**

### **Anti-harassment and anti-bullying policy and procedure**

#### **1.1 Policy Statement**

We are committed to the principles of equal opportunities and respect for individuals in creating and maintaining an inclusive environment. We value and celebrate diversity, seeing this as critical to achieving our strategic aims and long-term success. We work to recruit and develop staff and students from a wide range of backgrounds and promote an inclusive culture where:

- We provide a supportive and inclusive learning, working and social environment in which everyone feels that they are valued and can work to achieve their potential.
- We treat all staff and students fairly and equally, and with dignity and respect; and
- The opportunities we provide are open to everyone, and decisions are based on merit and not on people's personal circumstances.

We will not tolerate bullying or harassment of one member of the Davies Talent Solutions community by another, and aim to provide an environment where people know that we take such allegations seriously and we all have the confidence to report harassment or bullying without fear of victimisation.

This policy applies to employees, students and anyone else directly working on our behalf.



## 1.2 Guiding Principles

If you believe that you, or someone else, are being harassed or bullied by another employee, student, visitor or contractor, we will provide support to investigate the allegations and deal with any behavior we find to be unacceptable.

We use the following guiding principles to help us provide an appropriate solution as soon as possible.

We will provide access to support to try to allow early action and an informal solution to the problem wherever possible. Where this is not effective or appropriate, it may be necessary to take formal action.

- Witnesses, as well as people who are the victims of harassment or bullying, can raise a concern under this policy.
- Our procedures have been developed to try to avoid people feeling that they have no course of action other than to make a formal complaint, and to make sure people are not asked to repeat information unnecessarily.
- As well as the internal Davies Learning Solutions procedures and remedies for dealing with any harassment and bullying, people responsible for such behaviour may be breaking the law and may be prosecuted in the courts.
- We will consider the severity of cases of harassment and bullying and decide whether to refer the matter to the police in line with the [Protection from Harassment Act 1997](#).
- If a case is being investigated by the police, we will suspend any internal proceedings until after the outcome of their investigations.
- When dealing with cases of alleged harassment or bullying, we will keep to the [Data Protection Act 2018](#). We will handle information sensitively and discreetly, and only reveal it to those who need it for the purposes of considering the case. If we decide to take formal action, we will reveal it to the person (or people) responsible for the behaviour the complaint is about.

We can take disciplinary action against people who are found to have made complaints based on information they knew to be false, or with malicious intent. This action could include dismissing employees or expelling students. We will not take this action against anyone who makes a complaint in good faith, even if that complaint is not upheld.

## 1.3 Applying this Policy

This policy applies to Davies Learning Solutions employees and apprentices and affects the working, learning and social environment of our organization. It can include the way employees and students behave towards each other outside Davies Learning Solutions.

It can also include behavior towards people who are not members of the Davies Learning Solutions, such as applicants, contractors, and members of the public who visit our sites or use our services.

As part of our procurement processes, we will draw this policy to the attention of consultants and contractors and make it clear that we will not tolerate harassment of our staff or students. We expect organisations providing work and study placements for our students to make sure that they are aware of our policies, and that they make students aware of any specific policy of their own that they expect students to keep to while working or studying with them.

## **1.4 Responsibilities**

All members of the Davies Learning Solutions , employees, students and anyone working on our behalf have a duty to make sure that people do not suffer any form of harassment or bullying and that, if they do, they are supported in trying to stop it through informal or formal resolution procedures.

On a day-to-day basis, people who hold positions of authority over others are expected to:

- Make sure that the people they are responsible for, including students and visitors, are aware of this policy and the procedures to follow and to take immediate action if they suspect or identify harassment or bullying, whether or not a formal complaint has been made;
- Work to promote a positive and inclusive work and study environment through setting a good example to others and doing their best to treat everyone with dignity and respect; and
- Complete any specific extra training they need to help them to follow this policy effectively.

All employees and students are expected to:

- Encourage a person who says they have been bullied or harassed to contact a safeguarding officer or other suggested point of contact;
- Be sensitive to the feelings of that person; and
- Not take part in, and actively discourage other people from taking part in, gossip about cases of alleged or actual harassment or bullying.

## Definitions of harassment and bullying and victimisation

### 1.1 Harassment

The Equality Act 2010 defines harassment as being ‘unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual’.

The Equality Act 2010 bans three types of harassment. These are:

- a) Harassment related to the ‘protected characteristics’ (as defined by the Equality Act 2010);
- b) Sexual harassment; and
- c) Treating an employee or student less favorably because he or she rejects sexual harassment related to sex or gender reassignment or submits to it (tolerates it or allows it to happen)

For such behavior to be considered Harassment, it must follow a course of conduct, meaning it needs to occur more than once. Single cases may not amount to harassment but may still amount to inappropriate behavior.

### 1.2 Victimisation

Victimisation is when a person is mistreated because they have made, or intend to make, a complaint of discrimination (including harassment or bullying) or have helped another person to make a complaint under the Equality Act 2010 by providing evidence or information. Victimisation can count as unlawful discrimination and result in disciplinary action, regardless of the outcome of the original complaint.

### 1.3 Hate-crime incidents and reporting

We will not tolerate homophobic, biphobic, transphobic, racist or disablist hate incidents. This includes racial hatred, encouraging racial hatred, and any form of violence or encouraging violence. We have separate procedures for reporting and responding to any alleged hate incidents or hate crime related to racism, biphobia, transphobia and homophobia (this is not an exhaustive list) whether this takes place.

If you are the victim or a witness of hate crime, we encourage you to report the incident using the online form which is available for employees and students on our website.

You do not have to give your name. Printed copies of the form are also available from our Head Offices. You may also want to contact the Senior Management Team, or any designated Safeguarding Officer.

## **1.4 Reporting and Monitoring**

Senior Management monitor informal complaints and their outcomes confidentially and anonymously. They never record any information on the monitoring forms which would allow any individual to be identified. The DSL will analyse the monitoring forms to monitor the success of the informal complaints procedure and identify any areas of particular concern. This means that, even if a complaint of harassment or bullying is not taken further, the complaint will still have been recorded in a way which makes sure your details are kept confidential. In circumstances where bullying and harassment claims are dealt with through other procedures and methods, we will record the details in line with the relevant procedure. We will work with other organisations, such as the police, to support people to report hate crime.

## **1.5 Further information and contact details**

If you need more information or advice about this policy, please contact the Designated Safeguarding Lead on:

Phone: 0208 304 3666 or mobile on 07921 463849

Email: [safeguarding@davies-group.com](mailto:safeguarding@davies-group.com)

### **Sexual harassment.**

*Treating an employee or apprentices less favourably because he or she rejects sexual harassment related to sex or gender reassignment or submits to it (tolerates it or allows it to happen).*

Behaviour that is acceptable to one person may be unwanted by another. When assessing whether behaviour is harassment, we must look at if the behaviour, whether unintentional or deliberate, is unacceptable to the person on the receiving end and would be judged as harassment by any reasonable person. The word 'unwanted' means the same as 'unwelcome' or 'uninvited'. The person the behaviour is directed toward does not have to expressly object to the behaviour before it is considered to be unwanted.

If the person responsible for the behaviour did not intend to create a negative environment, the behaviour will still be harassment if it has the effect of creating such an environment. When deciding whether behaviour has had a negative effect, we will take account of each of the following.

- The view of the person who made the complaint. For example, whether they feel the behaviour has created an intimidating environment. (This part of the test is a subjective question and depends on how the person who made the complaint regards the treatment.)
- The other circumstances of the case.
- Whether it is reasonable for the behaviour to have the stated effect. This is an objective test.

Whether you are an employee or student, you can make a complaint of harassment if you find behaviour offensive and it relates to a protected characteristic. This applies even if the behaviour is not directed at you. You do not need to have the relevant characteristic yourself to make a complaint.

The Equality Act also protects people from harassment because of perception and association. This means it is still harassment even if the person does not have the characteristic but is wrongly considered to have the characteristic or is harassed because of their association with someone who has the characteristic, such as a family member, friend or partner.

Harassment may take many forms and includes behaviour related to a protected characteristic. However, harassment is not always related to any of the above.

Examples of behaviour which is likely to be considered harassment are given below. This is not a full list, and we will view other forms of harassment equally seriously.

- Behaviour of a racist, sexist, homophobic, biphobic, transphobic, ageist or disablist nature.
- Any behaviour or abuse which may cause distress, such as name-calling, ridicule, insults, jokes, graffiti, physical abuse.
- Abuse through email, texts, websites or social media.
- Invading someone's personal space.
- Displaying offensive material. This can be on paper or electronically (for example, on social media).
- Spreading malicious rumours or insulting someone (particularly because of that person's age, race, sex, disability, sexuality, religion or belief, or because they are transgender).
- Preventing other people from progressing by deliberately blocking their educational progress or training and development opportunities or promotion.
- Intentionally isolating or excluding someone.
- Persistent, unwelcome contact, which may include text messages, emails, phone calls, gifts, letters, and calling at a person's home or place of work or study.

- Stalking.
- Offensive sexual behaviour such as suggestive looks, leering and remarks (including on social media and electronic communication devices), offensive flirting, unwanted physical contact, unwanted sexual advances or demands for sex and compromising invitations.
- Offers of favourable treatment in return for sex (or threats of disadvantage if the person refuses).
- Making it public that someone is gay, lesbian, bisexual or transgender when they would prefer to keep this information private (known as 'outing').
- Drawing unwelcome attention to, or abusing someone's, religious beliefs.

## **1.1 Bullying**

Bullying can be described as threatening, abusive, intimidating, undermining or insulting behaviour that may be an abuse of power, position or knowledge.

What one person may consider as bullying behaviour may be viewed as no more than firm management or strong personality by another and so may sometimes be difficult to define. However, inappropriate behaviour that leads to other people becoming stressed, demotivated or frightened is unacceptable.

Bullying can take many forms, and we consider all types to be equally serious. We have given a number of examples below.

- Overbearing supervision, shouting, or verbal, written, online or other published abuse.
- Abuse of power or behaviour that causes fear or distress for others.
- Academic bullying, for example, asserting a position of intellectual superiority in an aggressive, abusive or offensive way, including by electronic media (for example, by email or on social media).
- Deliberately undermining someone by not allocating work fairly or constantly criticising them.
- Inconsistent management style where some people are favoured more than others.
- Public ridicule, sarcasm or humiliation.

## 1.2 Procedures for employees' informal action

If possible, you should make it clear to the person causing the offence that the behaviour is unacceptable and ask them to stop. It may be helpful to talk to the safeguarding officer before approaching the person. A colleague or the safeguarding officer may accompany you to a meeting with the person causing the offence. In some cases this will be enough to deal with the situation.

If you are not able to speak to the person concerned, or if the behaviour continues after you have spoken to them, you should keep a note of details, dates, times, circumstances and witnesses, including a note of any ways in which the incidents have caused a change to patterns of work. A safeguarding officer could help with this.

If you do not want to approach the person concerned, we will not interpret this to mean that the behaviour is acceptable, and it will not affect the outcome of your complaint. If you are not able to approach the person, or if you have tried but this has not been enough to deal with the issue, you should talk informally to any one of the following.

- A trained Designated Safeguarding Officer
- Safeguarding Lead
- Your manager
- A Director
- An employee relations specialist
- HR

Sometimes it may not be appropriate for your manager to act as an advisor. If this is the case we will support you to find someone else to advise you.

Any discussion with a person listed above will be confidential and we will not take any further action without your permission, unless your safety or the safety of others is at risk, in which case you will be fully involved in the process. If we do take further action, the person you initially asked for advice will normally continue to offer support throughout the process.

If this informal discussion does not help to deal with the issue, you (and the person who is supporting you if this is what you want) should consult your manager or an employee relations specialist, if they are not already involved, for more guidance on options for dealing with problems through the grievance procedure. You can do this in person or in writing.

If the person responsible for the unacceptable behaviour is a student, the manager or the director will involve that student's head of school in the discussions. The matter may then be dealt with informally or the next step may be to start formal action, which we would normally only do with your permission.

If the person responsible for the alleged behaviour is a contractor or third party, we will work with our safeguarding team to deal with the concerns informally or formally.

### **1.3 Formal action**

In situations where informal action has not been successful or where informal action is not appropriate, we may take formal action. For an employee, this would be through the Grievance procedure. We will tell the Director what steps we have already taken as part of the informal action to reduce the need for victims and witnesses of harassment and bullying to repeat information unnecessarily.

## **20. Appendix K Suicidal Disclosure Statement and Policy**

Davies Learning Solutions are committed to ensuring that support for apprentice's mental health is comprehensive and includes information on how to support apprentices who are at risk of self-harm. A report released in 2020 identified that construction workers are over three times the national average more likely to commit suicide. The organisation Papyrus – Prevention of Young Suicide also reports that suicide is the single most significant factor of death rate for the under 35's in the UK and who are campaigning for a change in the law to provide more support for young people. Along with our other learners who may be susceptible to mental health issues and the ongoing impact of COVID-19, we therefore have created a robust suicidal disclosure process in place and is included as part of our full safeguarding and prevent handbook 2021.

### **Staff CPD**

All employees of Davies Learning Solutions will be required to complete the non-regulated Mental Health Awareness training within two weeks of their employment commencement date. By completing the training, a member of our team will have a robust understanding of suicide, early intervention, and suicide prevention. In addition to our Designated Safeguarding Lead, deputy and safeguarding team, we also have 2 qualified Mental Health First Aiders at any given time to support our team in dealing with mental health concerns and learner suicidal disclosures. Our safeguarding team Mental health first aiders are:

Carol Billingham – [carol.billinghurst@davies-group.com](mailto:carol.billinghurst@davies-group.com) 07780914713

Paul Titley - [Paul.titley@davies-group.com](mailto:Paul.titley@davies-group.com) 07780913739

All staff will undertake relevant updates and refresher opportunities after their first-course suicidal disclosure attendance on an annual basis. Comprehensive training will contain information on health and wellness, including emotional, behavioural and social skills development. Our teams are all trained not to make promises of confidence when they are



concerned about and individual's personal safety or risks of self-harm. Staff, employers and apprentices who have been identified as requiring specific targeted support and interventions will be referred to one of our qualified Mental Health First Aiders or Group HR as appropriate.

## **Responsibilities and Reporting Processes**

All staff are responsible and take responsibility for safeguarding the health and safety of each apprentice and fellow colleagues this includes our obligations to the Prevent Duty. All staff are expected to exercise sound professional judgment, carefully consider being cautionary and demonstrate extreme sensitivity and diplomacy throughout any crisis or intensely worrying and potentially harmful situation/incident/concern.

Any staff member who is made initially aware of any threat or witnesses any attempt towards suicide or self-harm that is written, drawn, spoken or threatened, will immediately notify the person responsible for Safeguarding DLS or deputy. Any concern or potential threat of any form must be treated as imminent, real and dealt with immediately. No person demonstrating suicidal tendencies should be left alone, nor confidences promised in relation to the situation. Take very careful action if needed and consider the impact of how you behave. In cases of a life-threatening situation, a person's confidentiality will have to be immediately waived.

## **Suicide Crisis Response Procedures**

**Threat Definition** – A suicide threat is a verbal or non-verbal communication that the individual intends to harm them self with the intention to die but has not acted on the threat.

The staff member who learns of a threat will accompany in whatever capacity they can remote or face to face and arrange for or provide constant supervision until professional help is available. If the staff member has received their training and is a Mental Health First Aider, they may use these skills to support the person and keep them 'safe for now'.

If the person at risk is an employee, learner or visitor, the Designated Safeguarding Officer will contact Group HR in the first instance who will provide support and guidance and contact the person at risk's emergency contact, e.g. partner, parent, carer or other.

## **Suicidal Act or Attempt Definition**

Suicidal act (also referred to as suicide attempt) – a potentially self-injurious behaviour for which there is evidence that the person probably intended to kill themselves; a suicidal act may result in death, injuries, or no injuries.

The first staff member on the scene must call for help from another staff member, locate the individual where possible (if over the telephone), and contact emergency services 999. The crisis must then be reported to the DSL or in case of a member of staff their Line Manager. Staff members should move (verbally, not physically) all other persons out of the

immediate area and arrange appropriate supervision if needed. Others should not be allowed to observe the scene.

## **Postvention**

The DSL will promptly follow up with any staff who may have witnessed the attempted suicide or threat, with appropriate support from Group HR; Professional help will be sought and implemented as necessary. Should the staff member choose to decline immediate support, they will be monitored for signs of post-trauma and re-offered support as and when needed. Support may include but is not exclusive to: HR welfare checks, referral to counselling via the Employee Assist Programme, MHFA, therapy, increased supervision from the line manager or other appropriate and reasonable intervention.

Media representatives should be referred to the COO of Learning Solutions for a public statement should this be needed.

## **Reporting and Review Channels**

Monthly safeguarding reports will include suicidal disclosure concerns and cases with full underpinning tracking, recording and monitoring for managing each case, interventions and support, where relevant.

These will go to governance and SLT for oversight and review of support and impact on the person concerned. The reports will be held in a confidential section of our Safeguarding folder on SharePoint and only accessed by relevant personnel in the safeguarding team or on request from the board or SLT.

**\*\*A review of this policy must also be undertaken following any suicide attempt or completion.\*\***

**All correct reporting channels and processes must be followed with no exception.**

### **Support, advice and guidance:**

[Samaritans](#) – for everyone

Call 116 123

Email [jo@samaritans.org](mailto:jo@samaritans.org)

[Campaign Against Living Miserably \(CALM\)](#)

Call 0800 58 58 58 – 5pm to midnight every day

Visit the [webchat page](#)

[Papyrus](#) – for people under 35

Call 0800 068 41 41 – 9am to midnight every day

Text 07860 039967

Email [pat@papyrus-uk.org](mailto:pat@papyrus-uk.org)

[Childline](#) – for children and young people under 19

Call 0800 1111 – the number will not show up on your phone bill

[SOS Silence of Suicide](#) – for everyone

Call 0300 1020 505 – 4pm to midnight every day

Email [support@sossilenceofsuicide.org](mailto:support@sossilenceofsuicide.org)

### **Message a text line**

[Shout Crisis Text Line](#) – for everyone

Text "SHOUT" to 85258

[YoungMinds Crisis Messenger](#) – for people under 19

Text "YM" to 85258

### **Government advice**

<https://www.gov.uk/government/collections/suicide-prevention-resources-and-guidance>

## **Appendix L Social Justice Statement**

Justice is the concept of fairness. *Social justice* is fairness as it manifests in society. That includes fairness in healthcare, employment, housing, and more. Discrimination and social justice are not compatible. Now, social justice applies to all aspects of society, including race and gender, and it is closely tied to human rights. **Social justice** is the view that everyone deserves equal economic, political and **social** rights and opportunities.

Davies Learning Solutions are committed through our delivery, operational and client relationship management teams to ensure that staff are aware of the **five main principles of social justice** include access to resources, **equity**, participation, diversity, and human rights and that apprentices treated fairly.

## **Appendix M Gender Reassignment Statement**

### **Gender reassignment**

The Equality Act 2010 says that you must not be discriminated against because you are transsexual, when your gender identity is different from the sex assigned to you when you were born. For example:

- a person who was born female decides to spend the rest of his life as a man

In the Equality Act it is known as gender reassignment. All transsexual people share the common characteristic of gender reassignment.

To be protected from gender reassignment discrimination, you do not need to have undergone any specific treatment or surgery to change from your birth sex to your preferred gender. This is because changing your physiological or other gender attributes is a personal process rather than a medical one.

You can be at any stage in the transition process – from proposing to reassign your gender, to undergoing a process to reassign your gender, or having completed it.

The Equality Act says that you must not be discriminated against because:

- of your gender reassignment as a transsexual. You may prefer the description transgender person or trans male or female. A wide range of people are included in the terms 'trans' or 'transgender' but you are not protected as transgender unless you propose to change your gender or have done so. For example, a group of men on a stag do who put on fancy dress as women are turned away from a restaurant. They are not transsexual so not protected from discrimination
- someone thinks you are transsexual, for example because you occasionally cross-dress or are gender variant (this is known as discrimination by perception)
- you are connected to a transsexual person, or someone wrongly thought to be transsexual (this is known as discrimination by association)

Intersex people (the term used to describe a variety of conditions in which a person is born with a reproductive or sexual anatomy that doesn't fit the typical definitions of female or male) are not explicitly protected from discrimination by the Equality Act, but you must not be discriminated against because of your gender or perceived gender. For example:

- if a woman with an intersex condition is refused entry to a women-only swimming pool because the attendants think her to be a man, this could be [sex discrimination](#) or [disability discrimination](#)

Different types of gender reassignment discrimination

There are four types of gender reassignment discrimination.

#### [Direct discrimination](#)

This happens when someone treats you worse than another person in a similar situation because you are transsexual. For example:

- you inform employer that you intend to spend the rest of your life living as a different gender. Your employer transfers you off your role against your wishes because they don't want you to have client contact

Absences from work

If you are absent from work because of gender reassignment, your employer cannot treat you worse than you would be treated if you were off:

- due to an illness or injury. For example your employer cannot pay you less than you would have received if you were off sick
- due to some other reason. However in this case it is only discrimination if your employer is acting unreasonably. For example, if your employer would agree to a request for time off for someone to attend their child's graduation ceremony, then it may be unreasonable to refuse you time off for part of a gender reassignment process. This would include, for example, time off for counselling.

### Indirect discrimination

Indirect discrimination happens when an organisation has a particular policy or way of working that puts transsexual people at a disadvantage.

Sometimes indirect gender assignment discrimination can be permitted if the organisation or employer is able to show that there is a good reason for the discrimination. This is known as objective justification. For example:

- a local health authority decides that it will not fund breast implants. As a result the health authority refuses to provide this treatment for a woman undergoing gender reassignment even though she considers it essential to make her look more feminine. The same policy is applied to all women but puts transsexuals at a greater disadvantage. The health authority may be able to justify its policy if it can prove that it has legitimate reasons

### Harassment

Harassment is when someone makes you feel humiliated, offended or degraded because you are transsexual. For example:

- a transsexual woman is having a drink in a pub with friends, the landlord keeps calling her 'Sir' and 'he' when serving drinks, despite her complaining about it

Harassment can never be justified. However, if an organisation or employer can show it did everything it could to prevent people who work for it from behaving like that, you will not be able to make a claim for harassment against it, although you could make a claim against the harasser.

### Victimisation

This is when you are treated badly because you have made a complaint of gender reassignment related discrimination under the Equality Act. It can also occur if you are supporting someone who has made a complaint of gender reassignment related discrimination. For example:

- a transsexual is being harassed by a colleague at work, he makes a complaint about the way his colleague is treating him and is sacked

Circumstances when being treated differently due to gender reassignment is lawful

A difference in treatment may be lawful if:

- an organisation is taking [positive action](#) to encourage or develop transsexuals to participate in a role or activity in which they are under-represented or disadvantaged
- the circumstances fall under one of the exceptions to the Equality Act that allow organisations to provide different treatment or services
- competitive sports: a sports organisation restricts participation because of gender reassignment. For example, the organisers of a women's triathlon event decide to exclude a trans woman. They think her strength gives her an unfair advantage. However, the organisers would need to be able to show this was the only way it could make the event fair for everyone
- a service provider provides single-sex services. If you are accessing a service provided for men-only or women-only, the organisation providing it should treat you according to your gender identity. In very restricted circumstances it is lawful for an organisation to provide a different service or to refuse the service to someone who is undergoing, intends to undergo or has undergone gender reassignment

## Appendix N

### Healthy Sexual Relationships

#### **Advice and guidance and how to support young people and venerable adults if you are worried they are in an unhealthy sexual relationship**

Realising that a young person or vulnerable adult may be involved in an unhealthy relationship can be upsetting and worrying. It can also be difficult to know if something's wrong or how to help them. This may help you to spot the signs of an unhealthy relationship and know what to do if you're worried.

Signs that a young person or vulnerable adult might be in an unhealthy relationship could be:

- Becoming isolated and spending little time with family or friends.
- Controlling behaviour, such as being told what to wear, always needing to let the person know where they are or what they're doing or having their social media accounts monitored.
- Feeling pressured or like they have to do things they're uncomfortable with. This could include being pressured into sex or to send nudes or sexual images.
- Having their money, access to food or day-to-day items controlled.
- Being prevented from working or going to school or college or feeling reluctant to go to school.

- Persistent changes to their mood or behaviour can also be a sign that something's wrong.
- Being bullied or experiencing sexual bullying, either online, in private or in front of others at home or in school.

If you are worried or concerned that a young person or vulnerable adult maybe in unhealthy relationship please refer your concern to a member of the Safeguarding team. Support link:

<https://www.childline.org.uk/info-advice/friends-relationships-sex/sex-relationships/healthy-unhealthy-relationships/>

### **Appendix O - Sexual Health and cyber safety**

Personal Development - This judgement focuses on the dimensions of the personal development of learners that our education system has agreed, either by consensus or statute, are the most significant. This includes:

Enabling learners to recognise online and offline risks to their well-being – for example, risks from:

- criminal and sexual exploitation
- domestic abuse
- female genital mutilation
- forced marriage
- substance misuse
- gang activity
- radicalisation and extremism

And recognising the importance of making them aware of the support available to them.

This also encompasses enabling learners to recognise the dangers of inappropriate use of mobile technology and social media and embedding this as part of the wider curriculum into delivery models.

Signs that someone is a victim on online Cyber bullying or exploitation could be:

- Spending extreme amount of times online
- Withdrawing and self isolation
- Becoming argumentative or aggressive when time online is mentioned or restricted
- Concealment of devices or rapidly turning off devices when questioned
- Reluctance to use computers or devices
- Nervousness when receiving messages or emails
- Unwilling to participate in group activities

The signs that someone is a cyber bully could be:

- Use multiple accounts for the same platforms or use other peoples' accounts

- Avoid discussions about their online activities
- Close or click off devices when other people are near
- Spend a lot of time online, often at unsociable hours
- Experience stress and become angry or upset if online access is denied.

As you can see, there are similarities between Cyber bullies and their victims but any indicator from either list should be a cause for concern and worthy of further discussion or investigation.

## **Appendix P - Domestic abuse and its impact on children**

In families where domestic abuse is occurring, it is not uncommon for family members to try to protect the abused person, however in many families where there is domestic abuse happening, the children are often aware of it, even if they do not show it or talk about it. For children witnessing or hearing one of their parents being abusive or violent towards the other, it can be a very distressing, painful and damaging experience which can have long lasting effects. Some recent statistics:

- An estimated 130,000 children in the UK live in households with high-risk domestic abuse; that is, where there is a significant risk of harm or death.
- 64% of high and medium risk victims have children, on average 2 each.
- A quarter (25%) of children in high risk domestic abuse households are under 3 years old. On average, high risk abuse has been going on for 2.6 years, meaning these children are living with abuse for most of their life.
- 62% of children living in domestic abuse households are directly harmed by the perpetrator of the abuse, in addition to the harm caused by witnessing the abuse of others.
- 30% of domestic abuse starts or can intensify during pregnancy or new birth.

Living in an abusive home will affect children and vulnerable adults differently, dependent on age, race, sexuality, culture, stage of development, and their individual personality. The child may feel that they are to blame, or they may feel angry, insecure, alone, frightened, confused. They may be unsure how to feel towards the abuser and the non abusing parent, whom they may feel isn't shielding them from the abuse they are experiencing.

The longer children live with domestic abuse, the more severe the effects can be. Children who witness domestic abuse may:

- feel frightened and anxious
- become aggressive
- display antisocial behaviour
- suffer from depression, stress and anxiety
- In turn abuse other younger or more vulnerable children



- not do as well at school due to difficulties at home or disruption of moving to and from homes and refuges

### How domestic abuse affects adults

The impact of domestic abuse can be devastating to both children, but also equally to adults experiencing it. It can lead to, or make worse:

- fear for life and fear for their children's lives
- emotional harm including loss of confidence and low self esteem, shame, embarrassment
- isolation from family, friends and community, decreasing or no social contacts
- long term social difficulties
- negative effect on work and possible loss of independent income, frequent absences from work, poor concentration, inability to fulfil work role
- distorted sense of reality
- lowered ability to relate to their children, increasingly punitive parenting and perceived neglect of children
- substance misuse, often as an attempt to cope with circumstances. Abused women are 15 times more likely to abuse alcohol and 9 times more likely to use drugs
- poor mental health such as anxiety, panic attacks, depression, post natal depression, post traumatic stress disorder
- self-harm, suicide
- abused women are 3 times more likely to be diagnosed as depressed or psychotic and 5 times more likely to commit suicide.
- repeated short term impacts on health including bruises, burns, cuts, broken bones, sexually transmitted diseases, and lost teeth and hair.
- long term and chronic health problems including asthma, epilepsy, digestive problems, migraine, hypertension and skin disorders
- physical and sensory impairments, such as walking difficulties or deafness
- gynaecological effects such as pelvic pain, pelvic inflammatory disease, recurrent infections
- miscarriage, still birth and other complications during pregnancy
- physical or emotional harm to a child or dependent adult in the household
- preventing an adult from being able to care for others and themselves
- threat or actual loss of a carer or home (being a carer, for example for a partner with dementia or an adult child with mental health issues, or having been abused by their carer)
- preventing children and dependent adults from achieving their full potential
- for some, domestic abuse will result in serious injury or death
- This list is indicative rather than fully comprehensive and many other presenting conditions may be as the result of this form of abuse.

This list is not exhaustive.

### What you can do

Seek support and help as soon as possible, whether you are a victim or perpetrator. The longer the abuse goes on, the more damaging it is on all of those involved and typically it can escalate over time.

If you are worried that your child might be affected, do not be afraid to talk to them about what is happening. Children need time to discuss the feelings they have about what is going on. Children need to know it is not their fault and that this is not the way relationships should be. Encourage dialogue and ensure they understand talking about their feelings shouldn't mean they need to be embarrassed about it.

## **Appendix Q - LGBTQ+ Children and Young People**

### **Best practice for protecting LGBTQ+ children and young people**

All children and young people have the right to be protected and kept safe from abuse and neglect. LGBTQ+ children and young people face the same risks as all children and young people, but they are at greater risk of some types of abuse. For example, they might experience homophobic, biphobic or transphobic bullying or hate crime. They might also be more vulnerable to or at greater risk of sexual abuse, online abuse or sexual exploitation.

### **What does LGBTQ+ stand for?**

LGBTQ+ stands for lesbian, gay, bisexual, transgender, queer or questioning and more. This term covers a broad range of people who have different lived experiences and may be at different stages in exploring their identity. It includes people who are asexual or have differences in sex development (sometimes known as being intersex).

There are a wide variety of terms people might use to describe their sexuality (who they feel attracted to) or their gender identity (their personal, internal perception of their own gender). For example, someone who has a different gender identity from the gender that was registered at their birth might identify as trans or transgender. Other people whose gender identity doesn't sit comfortably with 'boy' or 'girl' might identify as non-binary, agender, gender fluid or genderqueer.

Children and young people might identify as LGBTQ+ in more than one way, for example they could be gay and transgender. Children who are LGBTQ+ might also have other characteristics that mean they face additional challenges or need extra support, for example being in care, being disabled or being from a Black, Asian or minoritised ethnic group.

Adults who work with LGBTQ+ children and young people need to understand the challenges they might experience and know what action to take to support and help keep them safe.

### Adversities faced by LGBTQ+ children and young people

People's perceptions of, or ideas about, LGBTQ+ young people's identity can make children more vulnerable to negative experiences or interactions. These might include:

- experiencing homophobia, biphobia and transphobia
- feeling the pressure of sexual and gender
- having to manage their sexual and gender identity across different life areas (for example, coming out at school but not at home)
- feeling isolated or 'different' from their family and friends
- feeling like they can't express their identity because they're worried about people's responses
- having complicated or negative feelings about their gender identity or sexuality
- experiencing gender dysphoria .
- Childline counselling session with a child, age unknown.
- These negative experiences and interactions can impact on all areas of a young person's life.

### Family relationships

Some young people who talk to Childline about gender and sexuality also talk about their family relationships. Topics discussed include:

- experiencing negative reactions from family members after coming out
- being afraid of not being accepted by their family
- worrying about not being able to be themselves at home.
- Childline counselling session with a 13-year-old child.

### Homelessness

LGBTQ+ young people are more likely to become homeless than their non-LGBTQ+ peers. This might be because of:

- parental rejection
- being subject to physical, emotional or sexual abuse from family members
- family violence

If they are homeless, LGBTQ+ young people are more likely to experience targeted violence and be exposed to sexual exploitation. For example, perpetrators might offer a child a safe space to stay in order to sexually exploit or abuse them

### Mental health

Puberty can be a distressing and sometimes traumatic time for LGBTQ+ children and young people as their body and hormones start to change. They might start to have new or

confusing feelings about their gender or sexuality. This can be particularly distressing if young people don't have anyone to talk about things with or don't feel supported.

Research suggests that LGBTQ+ children and young people might be at higher risk than their non-LGBTQ+ peers of:

- self-harm
- experiencing suicidal thoughts and feelings
- anxiety
- depression
- Isolation or barriers to speaking out

There are some factors that might mean LGBTQ+ children and young people feel less able to speak out about any worries or negative experiences they're having. Barriers include:

- worrying that telling someone will 'out' them before they're ready
- fearing that it will make the bullying or abuse worse
- thinking no one will believe them
- feeling they are to blame for what they're experiencing
- worrying that adults will think their gender identity or sexuality is to blame for their experience of abuse

### Risks of harm

Evidence suggests that LGBTQ+ children and young people might be at increased risk of some forms of harm.

#### Child sexual exploitation

LGBTQ+ relationships are underrepresented in educational resources and the media (Barnardo's and Fox, 2016). This means there are fewer examples of relevant, healthy relationships available to LGBTQ+ young people. If LGBTQ+ young people are not taught about healthy and unhealthy relationships, it might be easier for an abuser to groom them into believing an abusive relationship is normal.

If LGBTQ+ young people are unable to get information about sex and relationships from school or family, they might seek advice and support from people in adult spaces, such as gay clubs. This is particularly true of young people who live in rural areas or in communities where their gender identity or sexuality is not accepted. Adult spaces don't have the same safeguarding and child protection measures in place as spaces specifically for children. Children might be pressured or coerced into doing something they don't want to do, particularly if they are already isolated and don't have anywhere else to turn for support

The adults around a child can sometimes assume that it's normal for LGBTQ+ young people to have sex at a younger age as part of exploring their identity. This means the adults might not consider being involved in underage sexual activity as a possible sign of abuse, and do

not take appropriate action to protect the child. Similarly, professionals might not always consider the possibility that an adult woman is sexually exploiting a girl.

### Online abuse

The internet can be a great place of advice, support and community for young LGBTQ+ people. However, there are also risks associated with using the internet.

LGBTQ+ children might use adult dating apps to meet other LGBTQ+ people, especially if they can't find inclusive offline spaces or communities nearby. These apps are designed for adults and are not moderated in the same way as platforms designed specifically for children. This means the young people using them might encounter sexual content which could be harmful, and are likely to come into contact with adults who are looking for a sexual relationship.

There is some evidence to suggest that LGBTQ+ children and young people are more likely to meet a partner or ask someone out online. The research suggests this could be because young people find it hard to meet other openly LGBTQ+ people in their community, or because they don't want to come out to people in their offline lives. This research also showed that gay and lesbian young people were significantly more likely to meet up with someone offline who they had first met online and who was not who they said they were.

Online grooming could happen to any child or young person. But if an LGBTQ+ child or young person hasn't come out, or feels that their gender identity or sexuality needs to be kept secret, perpetrators can take advantage of this to prevent the child from telling anyone about the relationship or to coerce them into meeting offline without telling anyone else.

Any young person might become involved in sending or receiving sexual photos or messages online. They might do this consensually, or they could feel pressured by their peers or adults. Once an image is shared online, young people have no control over how other people might use it. Some adults online might target LGBTQ+ young people to groom or blackmail them into sending explicit images or videos of themselves.

Children and young people might also encounter non-sexual harmful content on the internet.

They might seek information about a range of LGBTQ+ issues online, particularly if they don't have any other sources of information. While doing so, they might come across inaccurate material, hate comments or content that isn't age appropriate. All of these can cause children distress.

Children might see anti-LGBTQ+ posts or homophobic, biphobic and transphobic comments even if they aren't specifically looking for information about LGBTQ+ issues. These can be distressing whether or not the child or young person is directly being targeted.

## Bullying

Homophobic, biphobic and transphobic (HBT) bullying is based on prejudice or negative attitudes about gay, lesbian bisexual or transgender people. This can include name calling, using offensive language and negative stereotyping. Bullying can happen anywhere, including at home, at school or online (cyberbullying). HBT bullying can affect children who have come out as LGBTQ+, who are questioning their gender identity or sexuality or who don't conform to gender stereotypes and are seen as 'different'. It might also affect children and young people who have LGBTQ+ family members.

Some children have reported experiencing HBT bullying, verbal assault and physical assault in school because of their gender identity or sexuality. This can leave them feeling unsafe in school environments. Children and young people who experience HBT bullying can be more likely to have suicidal thoughts and feelings, or self-harm.

## **ANNEX U Making a PREVENT REFERRAL**

### Preparing a Prevent referral

When making a referral, try to provide as much detail as possible to support the assessment process. When you make a Prevent referral about a child, young person or adult learner, you should describe:

- how or why your organisation came to be concerned
- what happened if there was a specific event
- the indicators that something is wrong
- any sympathetic interest in hate crimes, extremism or terrorism - including any extremist ideology, group or cause, support for 'school shooters' or public massacres, or murders of public figures
- any worrying use of mobile phone, internet or social media and how you found this out
- any contact with groups or individuals that cause you concern, including who and how often, and why you're concerned
- any expression of wanting to cause physical harm, or threats of violence, including who to, when and what was said or expressed
- any additional need, disability or special educational need, including what they are and if they're known or suspected
- any other safeguarding concerns about the family, peer group or environment
- any discussions you've had with the child, young person or adult learner, parent or carer (if under 18)
- the parental or carer support (if known and under 18)
- what you're worried about, what may happen if the child, young person or adult learner's needs are not met and how will this affect them

### Informing the child, young person, parents or carers

The designated safeguarding lead (DSL) should tell the child or young person that they're going to speak with their parents or carers (if under 18) and refer this to the local authority.

The reason for a referral is to:

- make a multi-agency safeguarding assessment
- support vulnerable people to move away from harmful activity

The DSL should tell the parents or carers that making a referral to the local authority does not mean they're accusing the child or young person of a crime.

### Sharing information

Before sharing information, you should try to get consent from the parents or carers (if under 18). Do not do this if it would place the child or young person at more risk of harm. You can share information without consent if you have a good reason and if it will help to safeguard the child or young person sooner.

If necessary, you may share information without the family's participation under the Crime and Disorder Act 1998. You must not let fears about sharing information stand in the way of promoting the welfare and protecting the safety of children, young people and adult learners.

When deciding to share or withhold information, you should record who has been given the information and why. Do not assume that a colleague or another professional will share the information that might be critical in keeping the child, young person or adult learner safe. Keeping children safe in education says early information sharing is vital to identify, assess and allocate appropriate service provision. Information sharing advice for safeguarding practitioners includes the 7 golden rules for sharing information and considerations with regard to the Data Protection Act 2018 and General Data Protection Regulation.

### Worries about making a Prevent referral

Safeguarding children, young people and adult learners from extremism or radicalisation is no different to other types of safeguarding harms, many of which are interconnected. A Prevent referral is not an accusation of criminality and will not affect a person's education or career prospects. Instead, it allows for their circumstances to be assessed and any relevant safeguarding support to be provided.

DSLs should exercise their professional judgment about whether a referral is appropriate, as they do for all other safeguarding risks. At times, you may experience resistance or distress from parents and carers when referring their child to children's services. It is good practice to listen to parents and carers in a safe space. Follow your existing procedures in these instances.

Counter Terrorism Police's ACT Early partnership with netmums includes articles, videos and an interactive forum where parents or carers can ask questions of expert practitioners on the risks of radicalisation. These are on the netmums Act Early page.

**If you have any concerns about a child, young person or adult learner's welfare, you must act on them immediately.**

### How a referral is assessed

If you have not received an acknowledgement of your referral within one working day, contact Children's Social Care or whichever agency you made the referral to. For more information, read working together to safeguard children.

Counter Terrorism Policing may assess the referral. They are trained and experienced in assessing vulnerability and delivering supportive interventions to safeguard individuals and protect the public. Counter Terrorism Policing will check if the child, young person or adult learner is part of any open investigations. This should take 5 working days.

During the assessment period, other agencies can also conduct their own assessments. You should think about what you can do to support the child, young person or adult learner. For help with this, read managing the risk of radicalisation in your education setting.

Police assess case for genuine vulnerability. If it's being investigated, it does not go to Prevent. If vulnerabilities are not counter-terrorism related, it goes to mainstream services. If they are, Channel panel decides if support is needed.

### Prevent referral process

#### The Channel panel

The Channel panel is a multi-agency panel, which includes the police. Channel works in a similar way to existing multi-agency partnerships for vulnerable people. If the case is passed to a Channel panel, the members will assess the risk to the child, young person or adult learner and decide whether to adopt the case. Statutory interventions could take place alongside the Channel process.

Channel panels work with local partners to develop an individualised support package to reduce:

- broader risks to the child, young person or adult learner
- the risk of extremism or radicalisation

Channel is a voluntary process. Parents, carers and adult learners can turn down the support offered. If this happens, the child, young person or adult learner will be signposted to other services, if appropriate.



For more information, see:

- Channel and Prevent Multi-Agency Panel (PMAP) guidance
- Let's Talk About It
- Act Early
- Channel decisions

### **No support**

If the Channel panel decides the referral is not appropriate for Channel support or other safeguarding services, it will signpost it back to the education setting.

The Channel panel will list the areas of concern and the child, young person or adult learner's vulnerabilities. It may suggest how you might deal with them but it will be up to you to choose how you support the child, young person or adult learner.

You can ask your local authority or Prevent policing teams for advice.

### **Support from other safeguarding services**

If the Channel panel decides the referral is not appropriate for Channel support but thinks the child, young person or adult learner can best be supported through other services, it will signpost it to other safeguarding services.

### **Support from Channel**

If the Channel panel decides the referral is appropriate for support through Channel, it will design a support package for the child, young person or adult learner based on the risks and vulnerabilities identified.

### **Channel support**

Channel support is tailored to the child, young person or adult learner based on their identified needs. The DSL (and the referrer, if different) can attend the Channel panel to be part of this process. The DSL can pass on any relevant information from the setting's point of view and liaise with parents or carers (if under 18) and panel members to understand the decisions and discuss how the education setting could support them.

Participation in the Channel programme is confidential and parents and carers need to give their consent (if under 18) before Channel support is provided. Many types of support are available, addressing educational, vocational, mental health and other vulnerabilities. Ideological mentoring is common.

The Channel panel will decide what is appropriate and proportionate for the case, then either:

- coordinate new activity through statutory partners and intervention providers that it has commissioned
- oversee existing activity

#### **Channel support could include:**

- family support programmes
- family therapy or child and adolescent mental health services (CAMHS) programmes
- targeted youth support
- crime prevention programmes
- focused theological or educational programmes
- parenting programmes
- one-to-one or group counselling
- behaviour support or anger management programmes

One-to-one ideological support or mentoring is often delivered by a Home Office approved intervention provider. They can build a rapport with the child, young person or adult learner to discuss their views and understanding.

The Channel panel will review the progress of the child, young person or adult learner each month. When the panel decides there is no more risk of radicalisation, the child, young person or adult learner will leave the programme. In some cases, the child, young person or adult learner could still be supported to address concerns not related to radicalisation. This would be managed outside of the Channel programme.

Children, young people and adult learners who drop out of Channel support may be offered alternatives by the local authority or other providers. In these cases, the police will continue to manage any risk of terrorism that they might present.

After a child, young person or adult learner has left the Channel programme, their progress will be reviewed after 6 and 12 months and they may re-enter the programme. If they show further concerns relating to radicalisation, they can re-enter the Channel programme and receive further support at any point.

#### **Parents or carers turn down Channel support**

Parents and carers can turn down the voluntary Channel support. If this happens, the members of the Channel panel should suggest alternative services to provide support, such as early help or another agency. In some, the child or young person may meet the threshold for a child in need service (section 17) from children's social care.

If the parents or carers refuse Channel support but there is still a terrorism risk, the police may progress the referral outside of the Channel framework.

### Support without Channel

If the local authority or police decide that the concern does not meet the threshold for early help or child protection services, you may need to think about what general services the child or young person has access to and assess what additional support can be put in place.

Education settings may put in place protective interventions to support a vulnerable child, young person or adult learner. This might be when no further action is taken by the police or local authority, or it could be wider work delivered by the education provider when a learner is in receipt of Channel support.

Whole school and individual interventions can support a child, young person or adult learner while they are in the Channel programme or after they have left. Interventions are projects intended to divert children, young people and adult learners who are being drawn into terrorist activity.

Interventions can include:

- mentoring
- counselling
- theological support
- encouraging civic engagement
- developing support networks (family and peer structures)
- providing mainstream services (education, employment, health, finance or housing)
- Whole school interventions

Whole school interventions can help to address concerns that other learners may also experience without singling out an individual.

Whole school interventions can include:

- reviewing the curriculum for relationships, sex and health education, spiritual, moral, social and cultural development and British values
- embedding online safety and digital literacy within the curriculum (see teaching online safety in schools)
- providing opportunities for safe place debates to discuss controversial issues (see NSPCC's how to have difficult conversations with children)
- building lessons on resilience to exploitation, grooming and radicalisation
- supporting parents with parental controls and online safety advice
- promoting emotional wellbeing and mental health initiatives (see teaching about mental wellbeing and promoting and supporting mental health and wellbeing in schools and colleges)
- having an effective safeguarding policy and staff training policy for Prevent

- educating staff about vulnerability to radicalisation and current extremist risks, individuals and narratives
- reducing risk, especially for the most vulnerable - thinking about how to reduce vulnerability among at risk students

### Individual interventions

Individual interventions could include:

- discussions and support to family - parental programmes
- mentoring or buddy up systems
- preventing bullying at school, which can reduce victimisation
- diversionary activities such as extracurricular clubs or sports
- improving social skills - communication, leadership, conflict solving, social problem solving
- cognitive behavioural training - managing anxiety or anger, problem solving and coping strategies
- establishing a positive and supportive relationship with the child, young person or adult learner
- using emotional wellbeing and mental health initiatives, counselling or toolkits
- careers guidance
- behavioural or attendance support (see school suspensions and permanent exclusions)
- engagement with community groups or organisations

## Appendix V – Requirements for learners and employees under 18

### Greatest risks to young people

For many young people the workplace will be a new environment and they will be unfamiliar with 'obvious' risks and the behaviour expected of them. Due to their age they may lack experience or maturity. It is vital that at Davies we make sure they understand what is expected of them, check they understand and are able to remember and follow obligations and instructions relating to the apprenticeship .

They may not have reached physical maturity and be more at risk if their muscle strength is not fully developed which could have an impact on their performance in the workplace if doing a more physical role. They may be less skilled in handling techniques or in pacing work according to their ability or attitude.

Unless they are trained in processes, young people may be unaware of how to raise concerns, so make sure this is part of their onboarding to the apprenticeship and further included in quarterly reviews and sequenced training built into onboarding pre-program learning and learning plans as part of the on program learning phase of the apprenticeship.

They may be eager to impress their peers or please people they work with, so prior to and during on boarding sessions and surgeries you should ensure adequate line manager supervision is present to make sure they understand any training and instructions and follow the apprenticeship learning plan.

### Levels of risk

#### Low risk environments

For jobs or work placements in low-risk environments, such as smaller offices with everyday risks that may be mostly be familiar to the young person or student, your existing arrangements for other workers should be enough however it is vital their responsibilities towards Health and Safety at work, COSHH and RIDDOR are covered at induction alongside PREVENT and Safeguarding as a priority.

#### Less familiar risks

For environments with risks less familiar to them (for example in light assembly or packing facilities), you should make arrangements to manage the risks. This should include induction, supervision, site familiarisation, and any protective equipment needed.

#### High-risk environments

For work in a higher-risk environment such as construction, agriculture and manufacturing:

- consider the work they will be doing or observing, the risks involved and how they are managed
- satisfy yourself that the instruction, training and supervisory arrangements have been properly thought through and work in practice

Employers must consider specific factors that must be managed for young people, including exposure to:

- radiation
- noise and vibration
- toxic substances
- extreme temperatures

Where these exist, control measures should already be in place however deploying someone U18 should be risked assessed before the work is allocated. Harmful exposure means exposure that has long-term health effects on a still-developing young body. You should be aware of the substances they might come into contact with, consider exposure levels and ensure legal limits are met.

Also consider legally required age limits on the use of some equipment and machinery (for example forklift trucks, Pallet trucks and person operated machinery or tools if in a manufacturing or retail setting).

### Written risk assessment

If we have fewer than 5 employees we do not need to do a written risk assessment. If a work experience student increases our staff to 5 we do not need to do a written risk assessment for this temporary period or if permanently increased then a permanent risk assessment needs to be devised. At Davies we are already way beyond this number so will risk assess the employment of everyone U18 based on the role applied for prior to deployment.

### Training and supervision

Many young people are likely to be new to the workplace and facing unfamiliar risks from the job and their surroundings. You should give them clear and sufficient instruction, training and supervision so they can work without putting themselves and other people at risk.

### Training

It is vital we consider how much training they need – it should be proportionate to the risk. We should tailor induction and training to the tasks they are going to do for instance computers and display screen equipment.

Check they have understood the instruction and training, including, for example the:

- hazards and risks in the workplace
- Safe use of equipment
- health and safety precautions in place
- Supervision

Young people are likely to need more supervision than adults. Good supervision will help us get a clear idea of their capabilities and their progress in the job. It will also help us monitor the effectiveness of their training. They may need additional support to allow them to carry out their work without putting themselves and others at risk, such as tailored training or closer supervision.

Regularly checking a young person's progress will help identify where any additional adjustments may be needed. It's often appropriate to put age limits on the use of technical equipment and machinery, such as tools for example.

## Work experience

As an employer taking on a young person for work experience, we have the main responsibility for their health and safety. It is vital we always check they know how to raise health and safety concerns. Under health and safety law, work experience students are your employees, like any other young person we employ. There are very few work activities a student cannot do because of health and safety law.

## Risk assessment

What we cover in our risk assessment depends on the level of risk. Review our risk assessment before they start if you:

- do not currently employ a young person
- have not employed a young person in the last few years
- are taking on a work experience student for the first time
- are taking on a work experience student with particular needs

If we have employed a young person on work experience in the last few years, we don't need to repeat our risk assessment if the new student has a similar level of maturity and understanding, with no particular or additional needs. (The organiser or parent should tell you if they have.)

Talk about the placement in advance with organisers and take account of what they and the parents or carers tell us about:

- the student's physical and psychological capacity
- any particular needs - for example due to any health conditions or learning difficulties
- Explain to parents/carers of children what the significant risks are and what has been done to control them.

We can do this in whatever way is simplest and suitable, including verbally, and is very often done via the school or college. When we induct students, explain the risks and how they are controlled, checking that they understand what they have been told.

## Insurance

Existing employers' liability insurance policy will cover work placements provided our insurer is a member of the Association of British Insurers (ABI), or Lloyds, so there is no need for us to get any additional employer's liability insurance if we take on work experience students. The ABI website confirms this.

For many insurers, a definition of who is to be treated as an 'employee' would include:

- any person employed under a contract of service or apprenticeship
- people on work experience schemes, for example students

If in doubt, check with our insurer.

If we don't currently require employers' liability insurance and are going to take on a work placement, discuss the situation with your insurer to check you have adequate insurance cover.

## Work experience organisers

### Apprentices

As an employer, in most cases, we have the same health and safety responsibilities for apprentices of all ages. For apprentices who are under 18, we have the same responsibilities as for other young workers. The responsibilities of a training provider, unless it is an Apprenticeship Training Agency, are the same as those of a work placement organiser.

### England and Wales Apprenticeship training agency

Where apprenticeship training agency (ATA) services are used to source, arrange and find a host for an apprenticeship, the agency is the apprentice's employer. The ATA and the host organisation should work together to ensure risks are effectively controlled. There is advice on how organisations should cooperate to ensure the same level of health and safety protection as for other workers in our guidance on gig economy, agency and temporary workers.

### Training providers

Training providers such as Davies include all those who arrange or fill apprentice vacancies. This includes third-party sub-contractors and those who are only involved in organising the off-the-job training element of the apprenticeship.

Employers have the primary responsibility for the health and safety of the apprentice and should be managing any significant risks. Training providers should take reasonable steps to satisfy themselves that the employer is doing this. This doesn't mean second guessing an employer's risk assessment or risk control measures. We are not required to carry out our own workplace assessment.

Providers can rely on past experience, for example, if the employer is familiar to them and they have a good track record on health and safety. Keep checks in proportion to the environment.

The employer is primarily responsible for the health and safety of the student.



## The law

Under health and safety law, as an employer, you must ensure, so far as reasonably practicable, the health and safety of all your employees, of any age. As part of this, there are certain considerations that should be made for young people. #

## The law applying to the age of a young person or child

A young person is anyone under 18 and a child is anyone who has not yet reached the official minimum school leaving age (MSLA). Pupils will reach the MSLA during the school year in which they turn 16.

Children below the MSLA must not be employed in industrial workplaces such as factories, construction sites, except on work experience.

Children under 13 are generally prohibited from any form of employment. Local authorities have powers to make bye-laws on the types of work, and hours of work, children aged between 13 and the MSLA can do.

## Working hours and young workers

Young people and children have different employment rights from adult workers and are protected in relation to the hours they can work.

## Management of Health and Safety at Work Regulations

You have specific duties for young people under the Management of Health and Safety at Work Regulations. You must ensure that any young people you employ are not exposed to risk because of:

- lack of experience
- being unaware of existing or potential risks
- lack of maturity

## Attitudes and soft skills

Young people may not have acquired the necessary soft skills and core competencies to operate in a work environment so it is vital that in induction such policies are covered such as politeness, punctuality, dress code, hygiene standards, behavioural standards and all tasks should be allocated using the SMART system:

**Specific** – Be clear and specific when allocating tasks for example “when inputting this data, please ensure you only add in the information into the empty column C or you will overwrite and potentially delete other data.

**Measurable** – Ensure that the young person is aware that completion of the task will need to be reviewed against a standard for example “when you have done that and column C is done, let me know and I will have a look at it for you and give you some feedback”

**Achievable** – Ensure enough training is given around the task so the person is able to complete it.

**Realistic** – Ensure you take into account their immaturity as it may take them longer to process the information and being allocated a task may be daunting to them and they might be afraid to ask for help. Don't allocate complicated tasks to anyone without giving prior coaching and guidance around how it should be done and to what standard.

**Timely** – ensure you give clear guidance on how long the task should take but add in incremental check ins so if the young person is unsure and makes a mistake, this can be intercepted early on and remedial advice given on how to correct any errors or misunderstandings. Use of a coach or mentor is useful also.

Also it is worth noting that a young person may not understand or have developed the following skills and how important they are:

- Arriving on time/early for work
- Phone usage at work
- Use of social media and its impact on the business
- Personal attitudes
- Attending in suitable attire
- If working from home suitable standards of clothing and backdrop
- Taking breaks and their duration
- Respecting others
- Respecting diversity
- The code of conduct
- Absence policy

This list is not exhaustive.