

# Safeguarding & Prevent Policy

Family:	Human Resources
Manager Responsible:	Paul Wakeling
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## Contents

1.	Introduction.....
2.	Responsibilities.....
3.	Definitions of abuse and wider concerns.....
4.	The referral process.....
	a. Recognise
	b. Respond
	c. Record
	d. Report
	e. Refer
5.	Internal notification process.....
6.	Confidentiality.....
7.	Private fostering arrangements.....
8.	Managing allegations against staff.....
9.	Safer recruitment.....
10.	Equal opportunities statement.....
11.	Further guidance.....
12.	Useful contacts.....
13.	Appendices.....
	1. Safeguarding and Prevent Notification Form.....
	2. Safeguarding Communication Strategy.....
	3. Managing allegations against staff.....
	4. Safeguarding Young People in the use of Technology and Electronic Media Procedure.....
	5. Preventing and Tackling Bullying Procedures.....
	6. Prevent Procedures and Prevent Referral Flowchart .....
	7. The Regional HE/FE Prevent Coordinator Network.....
	8. Prevent Risk Register.....

## Introduction

All children, young people and adults at risk, regardless of age, disability, gender, racial heritage, religious belief, or sexual orientation or identity, have the right to protection from harassment, harm or abuse.

In line with mandatory and statutory requirements, The Skills Network is committed to ensuring that it:

- Identifies young people and adults at risk of harm who are suffering, or likely to suffer, significant harm
- Takes appropriate action to ensure that such young people and adults at risk of harm are kept safe.

This policy provides guidance to all staff (and relevant sub-contractor and employer staff) to ensure the safety and well-being of all our learners and staff.

This policy has been developed in accordance with the following guidance and legislation:

- The Children Act 1989
- The Children Act 2004
- Working Together to Safeguard Children 2018
- Keeping Children Safe in Education 2022
- What to do if you are worried a child is being abused 2015
- The Protection of Freedoms Act 2012
- The Care Act 2014
- The Children and Social Work Act 2017
- Keeping Learners Safe 2015
- Safeguarding Children: Working Together Under the Children Act 2004
- Prevent duty guidance
- The Modern Slavery Act 2015.

A child is defined as someone under the age of 18 years, unless they have defined special needs. An adult at risk is aged 18 or over, and:

- Has a need for care and support (whether or not those needs are being met)
- Is experiencing, or is at risk of, abuse or neglect
- Is unable to protect themselves against abuse or neglect, or the risk of it, as a result of those needs.

Our commitment to safeguarding our learners:

- The Senior Management Team (SMT) understands and fulfils its safeguarding responsibilities.
- The Skills Network (TSN) has a Designated Safeguarding Lead (DSL), who reports to, and provides strategic guidance to, the SMT. The DSL is responsible for the development, practice and management of safeguarding within the organisation.
- TSN has a Safeguarding Manager. The purpose of this role is to keep our learners safe and lead on Safeguarding/Prevent for TSN, attending external meetings, ensuring that all internal systems are robust, and ensuring that the Safeguarding Team are supported and trained.
- TSN has a Safeguarding Team, who pick up safeguarding cases where the Safeguarding Manager and DSL need extra support and capacity.
- The DSL, Safeguarding Manager and the safeguarding team are trained to Level 4, last renewed October 2021.
- All staff, including the Board, are required to undertake e-learning modules and will be provided with face-to-face safeguarding training within their probationary period. Safeguarding training for all staff is mandatory every two years, and refresher face-to-face intermediate training for all staff will be attended every two years. In-house face-to-face safeguarding training for all staff is provided by the DSL (or the Deputy DSL and/or Safeguarding Officers).
- All staff understand their roles and responsibilities relating to ensuring learners' safety and well-being. They know how to respond to someone who discloses abuse and understand the required procedures when dealing with a potential disclosure.
- Ensuring staff commitment to our Safeguarding and Prevent Policy will be achieved through a process of training and development. Senior staff are to lead by example and promote learner safety and welfare at every opportunity.
- It is a statutory requirement that all staff read and understand at least Part 1 of 'Keeping Children Safe in Education' 2021. The DSL should ensure that all staff are fully compliant, and that they have a secure understanding of their roles and responsibilities.
- All key stakeholders are made aware of TSN's safeguarding responsibilities. The current Safeguarding Policy is available on TSN's website, and any further required information is available on request.
- TSN's Selection and Recruitment Procedure adheres to the principles of safe recruitment outlined in Keeping Children Safe in Education 2022 and includes all appropriate checks on employees' suitability through the DBS process, as appropriate.

## Responsibilities

TSN understands that to fulfil its responsibility to safeguard children/young people and adults at risk, all staff are required to undertake mandatory training and appropriately share any concerns that are identified or disclosed.

- We will immediately refer a person if there are concerns about their welfare, possible abuse or neglect to the appropriate agency where they reside. A Safeguarding concern will be raised on TSN safeguarding system MyConcern immediately, and a written record of the referral will be forwarded to the relevant external agencies (where appropriate) within 48 hours of the disclosure.
- We also recognise the importance of early intervention and action in response to 'low-level concerns'. Given this, TSN have measures in place to support learners whereby the safeguarding/risk of harm threshold is not met, and all staff are trained and supported to offer pastoral support to our learners.

The DSL will also ensure that:

- Written records about a child/young person or adult at risk are retained securely on the Safeguarding Referrals Database (SRD).
- All such records will be stored confidentially on a secure network. This will be monitored and managed by the DSL.
- Ensure that all staff (including sub-contractors/employers) and Board members receive regular updates on child protection, adults at risk and safeguarding, and that they receive refresher training as required.
- Internal notification procedures for reporting safeguarding referrals to SMT are followed consistently.

## Apprenticeships

All employers will be expected to work collaboratively with TSN to ensure that all learners remain safe; this will include employer risk assessments of the workplace.

Further measures will include:

- Employers' commitment to safeguarding learners by endorsing and following an agreed statement of principles
- The requirements for DBS checks for appropriate employer staff and the relevant processes undertaken, where required
- Employers' staff undertaking appropriate safeguarding training, where appropriate.

## Adult Learners

The vast majority of our learners are adults. The emphasis when dealing with adults differs from Child Protection; adults should be empowered to take responsibility for their own safeguarding and well-being. This may well need the intervention of a Safeguarding Officer in cases where the learner is vulnerable and unable to access support, but, in many cases, an adult learner will need signposting to a relevant support area.

Adult learners will be helped to help themselves, and relevant, up-to-date support materials, including signposting to support organisations, will be used and available on our website: <https://theskillsnetwork.com/safeguarding>. These materials will provide learners with information of how to access help and support and will encourage adult learners to access the support independently when they feel it is appropriate to do so, as well as directing those aged 16-18 and vulnerable learners to a Safeguarding Officer who could support them through the process.

## Third-party providers

Where a sub-contracted provider is used to deliver any aspect of training, we will check that they have robust safeguarding procedures in place. All staff must be trained in safeguarding and all employer premises are risk assessed.

## Definition of abuse and wider abuse concerns

### Sexual abuse

#### Children

Forcing or enticing a child or young person, not necessarily involving a high level of violence, to take part in sexual activities, whether the child is aware of what is happening or not. 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

the clothing. They may 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 (including via the internet). Sexual abuse is not solely perpetrated by adult males – women can also commit acts of sexual abuse, as can other children.

#### Adults at risk

Sexual abuse is the direct or indirect involvement of an adult at risk in sexual activity or relationships which they:

- Do not want, or have not consented to
- Cannot understand and lack the mental capacity to be able to give consent to
- Have been coerced into because the other person is in a position of trust, power or authority (for example, a care worker).

## Sexual Harassment

Online sexual harassment and peer on peer online abuse can threaten a young person or vulnerable adult's self-esteem and mental health, and impact on their achievement and progression.

Upskirting is a form of sexual harassment which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. Under the Voyeurism Act, upskirting offenders can now be arrested, face up to two years in prison and have their name placed on the Sex Offenders Register if caught upskirting. This includes instances where culprits say the images were taken in jest, as what may seem like harmless fun can have deeper consequences for both the victim and perpetrator.

## Neglect

### Children

The persistent failure to meet a child's basic physical and/or psychological needs is likely to result in serious impairment of the child's health and 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) or ensure access to appropriate medical care or treatment.

It may also include the neglect of, or unresponsiveness to, a child's basic emotional needs.

### Adults at risk

Neglect and acts of omission, which may include ignoring medical or physical care needs, failure to provide access to appropriate health, care and support or educational services, and/or the withholding of the necessities of life, such as medication, adequate nutrition, and heating.

## Physical abuse

May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating, or otherwise causing physical harm to a child or adult at risk.

Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

## Emotional abuse

### Children

The persistent emotional maltreatment of a child, such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless, unloved or 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 and how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child from participating in normal social interaction.

It may involve seeing or hearing the ill treatment of others. It may involve serious bullying (including cyber bullying), causing children to frequently 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, though it may occur alone.

### Adults at risk

Psychological abuse, which may consist of emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation and/or unreasonable and unjustified withdrawal of services or supportive networks.

## Sexual exploitation

### Children

Child Sexual Exploitation (CSE) 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 (CSE) does not always involve physical contact; it can also occur through the use of technology.

### Adults at risk

Exploitation can be opportunistic or premeditated, and involves unfairly manipulating someone for profit or personal gain.

## Radicalisation and extremism

The Counter Terrorism and Security Act, which received Royal Assent on 12 February 2015, places a duty on specified authorities, including local authorities and childcare, education and other children's services providers, in the exercise of their functions, to have due regard for the need to prevent people from being drawn into terrorism ('the Prevent duty').

Extremism: The holding of extreme political or religious views e.g. animal welfare rights, environmentalists, EDL/white supremacy groups, anti-gay groups, Islamic/Christian ideology.

All staff are required to undertake mandatory e-learning and face-to-face training; this provides employees with information on how to refer a concern using the Channel process. All employees will follow the Prevent Procedures (Appendix 5).

Staff are also required to look out for issues relating to witchcraft and religion and their implications for safeguarding.

## Female Genital Mutilation (FGM)

Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having experienced FGM.

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. Individually, they may not indicate risk. However, if there are two or more indicators present, this could signal a risk to the child or young person.

Victims of FGM are likely to come from a community that is known to practise FGM. Professionals should note that girls at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject.

If a member of staff, in the course of their work, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, this must be reported to the police and to the DSL immediately.

## Forced marriage

A clear distinction must be made between a forced marriage and an arranged marriage. In arranged marriages, the families of both spouses take a leading role in choosing the marriage partner but the choice whether to accept the arrangement remains with the young people.

In forced marriage, one or both spouses do not consent to the marriage or consent is extracted under duress. Duress includes both physical and emotional pressure.

## Bullying

All incidents of bullying are taken seriously, and staff should refer to the Preventing and Tackling Bullying Procedures (Appendix 4) for further guidance.

## Child on child abuse

Child on child abuse is most likely to include, but may not be limited to, bullying (including cyber bullying), gender-based violence/sexual assaults, upskirting, initiations and hazing, and sexting.

Child on child abuse is harassment and aggression in which a young person intentionally threatens, harms or causes distress to another young person. This behaviour is intentional, repeated and designed to hurt or threaten. Child on child abusers seek to abuse and terrorise defenceless others who may not have the ability or resources to help themselves. Thus, child on child abuse requires a power imbalance. Child on child abuse can be direct, in physical or verbal forms, or indirect, in such forms as exclusion, gossiping, and rumours. Signs of child on child abuse include:

- Torn clothing
- Physical injury such as bruises, cuts, scratches without a natural explanation
- Loss of money or damaged property
- Unwillingness to go to college
- Change in eating habits
- Moody outbursts or withdrawn behaviour.

Child on child abuse has serious effects. Victims can suffer injury, depression and lowered self-esteem, and many contemplate suicide. Child on child abusers are also at risk of alcohol and drug abuse, delinquency, and criminal behaviour.

Child on child abuse affects many people, and victims and bystanders are often afraid to report abuse and feel unsafe or unsupported.

## Domestic abuse or violence

Includes an incident or a pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse, by someone who is, or has been, an intimate partner or family member, regardless of gender or sexual orientation. This includes psychological/emotional, physical, sexual and financial abuse, so-called 'honour'-based violence, forced marriage or Female Genital Mutilation (FGM). The government has recently consulted on a proposal to introduce a mandatory reporting duty on forced marriage. If implemented, this will mirror the duty already in place to report known cases of FGM.

Children can be victims of domestic abuse, either directly or indirectly. They may see, hear or experience the effects of domestic abuse at home, or suffer these effects in their own intimate relationships. Such effects can have detrimental and long-lasting impacts on health, wellbeing, development and ability to learn.

## Serious violence

All members of staff should be aware of the indicators which may signal that an individual is at risk from or involved with serious violent crime. Indicators may include increased absence from school/work, a change in friendships or relationships with older individuals or groups, a significant decline in educational or workplace performance, signs of self-harm, or significant changes in

well-being/signs of assault. Unexplained gifts or new possessions could also indicate that an individual has been approached by, or is involved with, criminal networks or gangs.

When an individual begins to show signs of exploitation or vulnerability to exploitation, we should be able to intervene as early as possible to help reduce the risk factors and increase protective factors.

### Modern slavery and Child Criminal Exploitation (CCE)

Encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

### Homelessness

Homelessness is lacking stable and appropriate housing. People can be categorised as homeless if they are:

- Living on the streets
- Moving between temporary shelters, including houses of friends, family and emergency accommodation
- Living in private boarding houses without a private bathroom or security of tenure.

### Missing from Education or Home

Children missing education are defined as those who are not on a school roll or receiving suitable education otherwise than at school. Anyone whose whereabouts cannot be established and where the circumstances are out of character, or the context suggests the person may be subject of crime or at risk of harm to themselves or another is missing from home.

### Stalking

Stalking can be defined as persistent and unwanted attention that makes someone feel pestered and harassed. It includes behaviour that happens two or more times, directed at or towards a person by another person, which causes them to feel alarmed or distressed or to fear that violence might be used against them.

### Substance abuse

Substance abuse refers to the abuse of illegal substances, such as marijuana, heroin, cocaine, or methamphetamine. Or it may be the abuse of legal substances, such as alcohol, nicotine, or prescription medicines. Alcohol is the most common legal drug of abuse.

### Discriminatory abuse – Adults at risk

Includes forms of harassment, bullying, slurs, isolation, neglect, denial of access to services or similar treatment; because of race, gender and gender identity, age, disability, religion or

because someone is lesbian, gay, bisexual or transgender. This includes racism, sexism, ageism, homophobia or any other form of hate incident or crime.

### Financial or material abuse – Adults at risk

Includes theft, fraud, internet scamming, exploitation, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

## Organisational (sometimes referred to as institutional) abuse

### Adults at risk

Includes neglect and poor care practice within an institution or specific care setting such as a hospital or care home, or in relation to care provided in a person's own home. This may range from one-off incidents to ongoing ill treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

## Self-neglect

### Adults at risk

Includes a person neglecting to care for their personal hygiene; health or surroundings; or an inability to provide essential food, clothing, shelter or medical care necessary to maintain their physical and mental health, emotional well-being and general safety. It includes behaviour such as hoarding.

## Children with Special Educational Needs and Disabilities (SEND)

Children and young people with Special Educational Needs and Disabilities (SEND) can face additional safeguarding challenges. TSN acknowledges that additional barriers can exist when recognising abuse and neglect in this group of children and young people.

These can include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
- The potential for children with SEND being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and communication barriers and difficulties in overcoming these barriers.

## The Referral process

The following '5R' process MUST be followed by all TSN staff:

- **Recognise** the signs of abuse
- **Respond** and react accordingly
- **Record** the facts of the disclosure
- **Report** the disclosure to the DSL (or Deputy/Safeguarding Officers) immediately. All safeguarding concerns must be raised on MyConcern within 24 hours, with the exception of Freelance Tutors who must report their safeguarding concern (using the form attached in Appendix 1) to [safeguarding@theskillsnetwork.com](mailto:safeguarding@theskillsnetwork.com) within 24 hours.
- **Refer** (to the emergency services or social services or through the Channel process) in situations where an individual may be at risk of immediate harm – and ensure that the information is reported to the DSL (or Deputy/Safeguarding Officers) immediately. All safeguarding concerns must be raised on MyConcern within 24 hours.

**a. Recognise**

Signs of abuse can be recognised as differences to the individual's usual behaviour or observed from a change in their physical appearance as mentioned below:

- *Physical* – this could include a lack of personal hygiene, self-harm, substance or drug abuse, noticeable signs of bruising or flinching when being touched, and/or the development of a speech disorder or learning difficulty that cannot be attributed to a physical or psychological cause.
- *Behavioural* – this could include sudden changes in a person's character, including lack of confidence, low self-esteem, becoming withdrawn, aggressive or angry for no reason, and/ or becoming anxious or tearful.

The information above is by no means exhaustive, and an individual may not wish to disclose something that they perceive as 'normal'.

**b. Respond**

People are often reluctant to talk about abuse. Many perpetrators may tell people to keep the abuse a secret and frighten them with unpleasant consequences. Listed below are some ways to respond to issues or concerns:

- Stay calm and listen carefully to what is being said
- Reassure the person that they have done the right thing by telling you, but not that everything will be okay; sometimes things get worse before they get better
- Find an appropriate early opportunity to explain that it is likely the information will need to be shared with others, but that this will be on a need-to-know basis
- Allow the person to continue at his/her own pace – asking questions for clarification only; try to use phrases such as 'Tell me', 'Explain to me', 'Describe to me', and avoid leading questions
- Explain what you will do next and with whom the information will be shared
- Do not delay in discussing your concerns with the appropriate staff.

If you feel that anyone is at immediate risk, please take any reasonable steps within your role to protect any person from immediate harm, for example:

- Call an ambulance or a GP if someone needs medical attention
- Call the emergency services/police if a crime is taking place or has taken place
- Inform the Safeguarding Manager or DSL immediately
- Separate the alleged perpetrator and victim – but only if it is safe to do so.

Any violence by a learner or member of staff (including employer staff) must be reported through TSN's Internal Notification Process.

**If you are suspicious** but no disclosure has taken place:

- Discuss your concerns with the Safeguarding Manager or DSL (or Deputy/Safeguarding Officers).

**If a person approaches you** to make allegations of inappropriate behaviour or misconduct against a member of staff:

- Contact your line manager and DSL (or Safeguarding Manager/Deputy/Safeguarding Officers)
- Follow the guidelines in the 'Managing Allegations Against Staff' policy
- Do not question the person making the allegation or investigate the matter yourself.

### Information sharing

There may be some circumstances where the welfare or safety of an individual may take precedence over confidentiality.

When sharing information, remember:

- The Data Protection Act (2018) is not a barrier to sharing information
- Be open and honest
- Seek advice
- Share with informed consent where appropriate (there may be some circumstances where seeking consent, including parental consent, is not required)
- Consider safety and well-being
- Ensure that information sharing is appropriate and secure
- Keep a record.

#### c. **Record**

You **MUST** submit the safeguarding concern on TSN's safeguarding system, MyConcern, or for Freelance Tutors via the safeguarding report form (see Appendix 1) emailed to [safeguarding@theskillsnetwork.com](mailto:safeguarding@theskillsnetwork.com). This must be submitted within 24 hours.

Where you are unable to submit the concern on MyConcern immediately, please ensure that the following information is noted:

- Your details
- Name of those involved
- Date of incident(s)/disclosure/suspicion
- Details of incident(s)/disclosure/suspicion
- Background information
- Actions taken.

Whilst you can record observations, do not interpret or give opinions, as this may bias the information provided and jeopardise any future investigation into the allegation.

Once the concern has been submitted and raised via MyConcern, this will be securely stored on the system ready for actioning by the Safeguarding Manager, DSL or Deputy/Safeguarding Officers.

#### **d. Report**

Any issues, concerns, allegations or suspicions relating to safeguarding must be taken seriously and reported to the Safeguarding Manager, DSL (or Deputy/Safeguarding Officers).

#### **e. Refer**

Where required, the Safeguarding Manager, DSL (or Deputy/Safeguarding Officers) will deal with the relevant referrals and liaise with the relevant external agency. This will include the following:

- Any referrals to social services or through the Channel process
- Where there is disagreement between members of staff about the need to make a referral
- Concerns about a young person subject to a Child Protection Order should be relayed to the keyworker immediately, in the absence of a key worker, the procedure below should be followed.
- Where appropriate, we will refer all safeguarding incidents to the relevant College Partner Safeguarding Lead.

#### **Learners aged 18 years or over**

There is no requirement to report abuse to any external agency unless there is a risk to others aged under 18 years, or it concerns an adult at risk, in which case TSN's safeguarding procedures should be followed.

The learner may wish to involve the police. The role of TSN staff is to support them through this process. Alternatively, if this is past abuse, then the learner may require directing towards a counselling agency, such as NSPCC, Victim Support, SupportLine or other abuse survivor support agencies.

## Internal Notification Process – Safeguarding

If a safeguarding incident requires a referral to social care or emergency services to be called, the DSL (or Deputy/Safeguarding Officers) must be notified on the day of referral.

## Confidentiality

The safety and well-being of the child or adult at risk is paramount. Staff may have access to confidential information about learners in order to undertake their everyday responsibilities. In some circumstances, staff may be provided with highly sensitive or private information. They should never use confidential or personal information about a learner or his/her family for their own or others' advantage. Information must never be used to intimidate, humiliate, or embarrass a learner.

- The DSL (or Safeguarding Manager/Deputy/Safeguarding Officers) will disclose personal information about a learner to other employees on a need-to-know basis only. The DSL (or Safeguarding Manager/Deputy/Safeguarding Officers) will make a judgement in each individual case about who needs and has a right to access particular information.
- All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children/young people and adults at risk, in consultation with the local DSL (or Safeguarding Manager/Deputy/Safeguarding Officers).
- All safeguarding records are subject to the Freedom of Information Act and the Data Protection Act. If there is any doubt as to the rights of any party to access information, TSN may seek legal advice prior to releasing any information.
- TSN complies with the requirements of the Data Protection Act 2018. The Data Protection Act 2018 does not prevent staff from sharing information where this is necessary to protect the safety and well-being of the child or adult at risk.
- All staff must be aware that they cannot promise a child/young person or adult at risk confidentiality, which might compromise the safety or well-being of the learner, or that of another.

## Private fostering arrangements

A private fostering arrangement occurs when someone other than a parent, or a close relative, cares for a child for a period of 28 days or more, with the agreement of the child's parents. It applies to children under the age of 16, or aged under 18 if the child is SEND. Children who are looked after by the local authority, or placed in a residential school, children's home or hospital, are not considered to be privately fostered.

Private fostering occurs in all cultures, including British culture, and children may be privately fostered at any age.

Most privately fostered children remain safe and well; however, it is important that all staff are alert to possible safeguarding issues, including the possibility that a child has been trafficked into the country.

By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify Children's Social Care as soon as possible. If TSN becomes aware of a private fostering arrangement for a learner that has not been notified to Children's Social Care, we will encourage parents and private foster carers to notify Children's Social Care and will share information, as appropriate.

## Managing allegations against staff

All employees should take care not to place themselves in a vulnerable position with a child/ young person or adult at risk and be aware of, and adhere to, all aspects of appropriate professional conduct.

All employees are advised to read Guidance for Safer Working Practice 2015. This is available on the Safeguarding Information pages (located on the staff 'shared area').

We may occasionally receive complaints or allegations against a member of staff. It is important that a fair and balanced approach is taken to ensure that both the complainant and the staff member are safeguarded.

- If such an allegation is made, the staff member should immediately inform their line manager, who will then immediately discuss the content of the allegation with the Safeguarding Manager/DSL (or Deputy/Safeguarding Officers) and the HR Manager.
- It is important that no further action is taken in respect of gathering statements from other staff/learners or interviewing until directed by the Safeguarding Manager/DSL (or Deputy/Safeguarding Officers), or HR Manager.
- The management of allegations is outlined in greater detail in the 'Managing Allegations Against Staff' procedure (Appendix 2).

Where it is subsequently found that an allegation was made with malice, the HR Manager will determine an appropriate course of action. This may include disciplinary action against the accuser, acceptance of a written apology (subject to agreement about future behaviour) or other such sanctions as are deemed appropriate.

## Safer recruitment

TSN will prevent people who pose a risk of harm from working with children, young people and adults at risk by adhering to statutory responsibilities and obligations in line with safe recruitment practices.

We have created a culture of safer recruitment and, as part of that, have adopted recruitment procedures that help deter, reject or identify people who might abuse children, young people and adults at risk. We will act reasonably in making decisions about the suitability of the prospective employee/volunteer based on checks and evidence, including criminal record checks (DBS checks), barred list checks and prohibition checks, together with references and interview information.

The level of DBS required, and whether a prohibition check is required, will depend on the role and duties of an applicant to work for TSN.

For most appointments, an enhanced DBS, which includes barred list information, will be required as the majority of employees will be engaging in regulated activity. A person will be considered to be engaging in regulated activity if as a result of their work they will:

- Be responsible, on a regular basis, for teaching, training, instructing, or supervising children, young people and/or adults at risk; or
- Carry out paid, or unsupervised unpaid, work regularly for TSN where that work provides an opportunity for contact with children, young people and/or adults at risk.

## Equal opportunities statement

This policy will be implemented in accordance with TSN's Equality Strategy.

## Further guidance

Staff can access further information and guidance related to safeguarding (including Prevent) on the 'shared area'.

## Useful contacts

Name	Title	Email	Tel
Paul Wakeling	Designated Safeguarding Lead	Paul.Wakeling@TheSkillsNetwork.com	01757 600706
Beth Edwards	Safeguarding Manager	Bethany.Edwards@theskillsnetwork.com	01757 600706
Katie Popplewell	Safeguarding Officer	Katie.Popplewell@theskillsnetwork.com	01757 600706
Sam Black	Deputy Safeguarding Lead	Sam.Black@theskillsnetwork.com	01757 600706
Peter McCann	Governor Safeguarding Lead	Peter.McCann@theskillsnetwork.com	01757 600706

## Appendix 1

### Safeguarding and Prevent Notification Form (Strictly Confidential)

All staff are to submit any Safeguarding and Prevent concerns via MyConcern with 24 hours.

For Freelance Tutors, this form is to be used to record any Prevent issues and safeguarding incidents, disclosures or suspicions of abuse or potential risk of harm relating to a child (under 18 years), young person or adult at risk.

Once completed and checked, the form should be sent to [safeguarding@theskillsnetwork.com](mailto:safeguarding@theskillsnetwork.com) within 24 hours. The DSL will notify the HR Manager, appropriate member of the SLT, and the Safeguarding Lead for Governors, as appropriate.

**Note:** This form is to be completed electronically.

<b>Name(s) of Learner(s) and Learner Ref Number</b>	<i>(As they appear on Equal)</i>
<b>Course</b>	<i>(As they appear on Equal)</i>
<b>Concern Summary</b>	<i>e.g. Andrew has exhibited signs of substance misuse.</i>
<b>Concern Date/Time</b>	<i>DD/MM/YYYY HH:mm</i>
<b>Details of Concern</b>	<i>There is no need to repeat the Concern Summary. Please give clear details.</i>
<b>Location of Incident</b>	<i>(College/Funding stream the learner is associated with, as on Equal)</i>
<b>Action taken</b>	

**Name of staff member completing this form:**

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**Date Completed:**

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## Appendix 2

### Safeguarding Communications Strategy

The TSN Safeguarding and Prevent Policy is promoted to stakeholders in the following ways:

#### Apprentices

- Introduced during on-boarding process and induction, and paper handout given for reference
- All Apprentices must complete an additional CPD certified module in Safeguarding, e-Safety and Prevent to develop understanding
- Embedded in resources where possible
- Embedded in regular sector-specific e-news updates
- Highlighted in quarterly newsletters
- Reinforced in Teaching, Learning and Assessment (TLA) at every Trainer visit.

Impact of promotion is assessed in regular surveys and Apprentice Voice. As of August 2021, 92% of learners stated their Trainer discussed Safeguarding with them on a regular basis

#### Employers

- Regular email circulation of the safeguarding referral process and safeguarding webpage, which includes:
  - o TSN Safeguarding and Prevent Policy
  - o Promoting the use of MyConcern
  - o Detailing of different categories of abuse.
- In-depth check and discussion of the following employer policies during on-boarding and employer engagement processes: Health and Safety Policies, Employer Behaviour Codes, and Health and Safety Risk Assessments
- Insurances and reassurances are in place at all Apprenticeship workplaces
- Highlighted in quarterly newsletters
- 'Employer Guidance' handbook for safeguarding, including their responsibilities, TSN's responsibilities, and the referral process in detail
- Employer and partner 'webinar' series to update on TSN safeguarding, Prevent and e-safety procedures.

## Partners

- Regular email circulation of the safeguarding referral process and safeguarding webpage, which includes:
  - o TSN Safeguarding and Prevent Policy
  - o Promoting the use of MyConcern
  - o Detailing of different categories of abuse.
- Updates to Safeguarding and Prevent Policy included and discussed in due diligence (minimum annually)
- Highlighted in quarterly newsletters
- Monthly face-to-face meetings with Partnerships Director, with fixed agenda items for:
  - o Reviewing Counter-Terrorism Local Profile (CTLP) and Local Authority 'Channel' Coordinator
  - o Reviewing any Prevent risks identified.
- Employer and partner 'webinar' series to update on TSN safeguarding,

## Prevent and e-safety procedures.

Feedback on TSN Safeguarding and Prevent Policy and referral procedures is collected during monthly face-to-face meetings with our Partnerships Director, before being collated and brought to monthly Senior Management Team (SMT) meetings for discussion.

## Staff

- Mandatory completion of Safeguarding, Prevent and e-Safety training, with annual refresher training
- Line managers, Trainers and key delivery staff complete regular workshop-based training to contextualise referral process and different types of abuse
- All members of staff complete training on how to recognise signs of abuse and make a referral
- Regular internal email reminders of safeguarding referral procedure and contact details for the Safeguarding Team
- 100% of staff read 'Keeping Children Safe in Education 2020 – Part One' sign to confirm that they have understood this, and this understanding is checked by line manager
- Separate, additional face-to-face training for members of Apprenticeships Team, Senior Management Team (SMT) and Governors

- The following points are fixed agenda items for all team and one-to-one meeting agendas to be embedded across all departments:
  - o Safeguarding
  - o Prevent
  - o e-Safety
  - o Equality and Diversity
  - o Health and Safety.

Impact of TSN Safeguarding and Prevent Policy is assessed in:

- Monthly Safeguarding, Prevent and Inclusion Steering Group meeting – with all members of Operational Management
- Quarterly Strategic Safeguarding, Prevent and Inclusion Committee – with all members of Senior Management Team (SMT) and independent Chair
- TSN Annual Safeguarding Review Report, which forms part of annual overall Self-Assessment Report (SAR).

## Appendix 3

### Managing Allegations Against Staff

#### Contents

Introduction Context

Dealing with allegations

1. Referral
2. Initial considerations
3. Action following initial considerations
4. Suspension
5. Case subject to criminal investigation
6. Referral to DBS
7. Malicious or unsubstantiated allegations.

#### Introduction

The Skills Network (TSN) believes that all members of the organisation, as well as our learners, are entitled to receive care and protection from harm. We will ensure that any concerns or allegations of impropriety are dealt with appropriately, fairly and sensitively.

Everyone within TSN has a responsibility for safeguarding and promoting the welfare of children and young people, and for ensuring their safety and well-being.

We have a robust recruitment and selection procedure to ensure that all staff have been appropriately screened prior to appointment, in accordance with the organisation's safeguarding procedures.

Mandatory child protection and safeguarding training is undertaken by all staff through induction programmes and staff undertake regular and continuous professional development, in line with statutory requirements.

All staff have a duty to ensure that young people and learners are safe and protected. All staff must ensure that safeguarding procedures are appropriately followed if there are any concerns relating to the welfare or safety of a young person or learner.

In any conflict between the needs of a young person/learner and those of others, the needs of the young person/learner must come first. Staff must report any allegation which may indicate that a staff member has behaved in a way that has:

- Harmed or may have harmed a young person/learner
- Possibly committed a criminal offence against a young person/learner
- Behaved in a way which indicates that she/he is unsuitable to work with young people/learners.

These procedures should also be applied where there is evidence of any of the following:

- Abuse of trust – for example, a person over 18 involving a young person under that age in sexual activity, when she/he is in a specified position of trust in relation to the young person
- Grooming – for example, developing a relationship with a young person with a view to sexually abusing them
- Communication of a sexual nature to young people – for example, indecent or suggestive text messages, text images or emails
- Offences suggesting that a person may be a risk to young people/adults at risk of harm – for example, accessing, making or distributing indecent images of children, serious assault on an adult, serious drug offences, and perpetrating domestic violence.

*Note:* These procedures are also distinct from complaints of poor practice and disciplinary issues where there are no child protection or safeguarding issues.

The fact that a member of staff tenders their resignation, or ceases to provide services, must not prevent an allegation being investigated under these procedures.

## Context

Allegations may be made in various ways:

- Direct disclosure by young people/learners/adults at risk of harm
- Indirect disclosure, i.e. through written work or art
- Complaints to TSN from parents/carers
- Complaints to social care by parents/carers/young people
- Complaints to police by parents/carers
- Reports by other colleagues or agencies.

The context in which an incident occurs is crucial to understanding the incident and the definition attached to it. Allegations need to be considered with reference to the following:

- The seriousness of the allegation
- Date(s) when the alleged incidents occurred
- The degree and extent of harm
- The frequency of alleged abuse
- The circumstances in which it allegedly took place
- The age of the young person
- The environment and setting
- Expectations and standards applied to the member of staff/volunteer.

There are up to three strands in the consideration of an allegation:

- A police investigation into a possible criminal offence
- Enquiries and assessment by social care about whether a child is in need of protection
- Consideration by TSN of possible disciplinary action.

## Dealing with allegations

### 1. Referral

All allegations should be communicated immediately to the Designated Safeguarding Lead (DSL) and the HR Director. Or the CEO if the allegation involves the DSL or HR Director, or the Chair of the Board if the allegation involves the CEO. In the event of the requirement of a Safeguarding Report being submitted on MyConcern, the staff member should then consult with the DSL, or HR Manager, and submit the form accordingly. It is important that the staff member (or their Line Manager) does not conduct any investigations or take statements at this stage and awaits advice from the DSL or HR Director.

The seriousness of some incidents will require an immediate referral to social care, while others of a less serious nature will not warrant consideration by social care; however, it is important to ensure that all allegations are dealt with appropriately.

### 2. Initial consideration

The DSL will advise and consult with the Local Authority Designated Officer (LADO) and the HR Director.

The following outcomes may result from investigation:

- Substantiated: there is sufficient evidence to prove the allegation
- Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate attempt to deceive
- False: there is sufficient evidence to disprove the allegation
- Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

### 3. Action following initial consideration

Where initial consideration decides that the allegation does require a referral to police or social services, the referral will be followed by a strategy meeting to consider the information available and to make decisions about what action should be taken, both to safeguard the young person (and others), and to determine the appropriate course of action.

Where it is decided that the allegation does not warrant a possible criminal offence, then TSN will consider dealing with the issue under its disciplinary procedures, as appropriate.

#### **4. Suspension**

Suspension of the staff member(s) should not be automatic, or the default option. The possible risk of harm to young people posed by an accused person needs to be carefully evaluated and managed. Suspension will be considered where there is cause to suspect the following:

- A young person is, or young people are, or may be at risk of, significant harm
- The individual may impede any police or social care investigation
- The nature of the allegation is such that there are grounds for dismissal
- There is 'reasonable and just cause' to suspend.

#### **5. Case subject to criminal investigation**

If, following the police investigation, there is a decision to administer a caution or not to charge a person, the police should pass the information to TSN without delay, to enable possible disciplinary proceedings to begin.

Should a person be convicted, the police will notify TSN, so that appropriate action can be taken.

#### **6. Referral to DBS**

If, upon conclusion of the case, TSN dismisses the person, or the person ceases to provide his/ her services, TSN has a legal requirement to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child or adult at risk, or if a person otherwise poses a risk of harm to a child or adult at risk.

#### **7. Malicious and unsubstantiated allegations**

- Malicious allegations must be removed from personnel records. Allegations found to have been malicious, unsubstantiated and unfounded should not be referred to in employer references.
- Any young people/learners/staff found to have made demonstrably false allegations should be subject to disciplinary action.

## Appendix 4

# Safeguarding Young People in the Use of Technology and Electronic Media Procedure

### Contents

1. Introduction
2. Roles and responsibilities
3. E-safety skills development for staffing e-safety messages
4. E-safety in the curriculum
5. Password security
6. Data security
7. Safer use of the internet infrastructure and monitoring Social networking
8. Maintaining professional boundaries
9. Using organisation logos and images
10. Mobile technologies
11. Email
12. Safe use of images
13. Misuse and infringements

## Introduction

Information Technology (IT) is now an essential resource to support learning and teaching, as well as playing an important role in the everyday lives of children, young people and adults.

Information and Communications Technology (ICT) covers a wide range of resources, including web-based and distance learning. It is also important to recognise the ever-changing evolution of technology within our society. Currently, the technologies that children and young people are using, both inside and outside of the learning environment include:

- Websites
- Learning platforms and Virtual Learning Environments (VLE)
- Email and instant messaging
- Chat rooms
- Social networking websites
- Blogs and Wikis

- Podcasting
- Video broadcasting
- Music downloading
- Gaming
- Gambling
- Mobile/smartphones with text, video and/or web functionality
- Other mobile devices with web functionality.

Whilst exciting and beneficial both in and out of the context of education, a lot of Information Technology (IT), particularly web-based resources, is not consistently policed. All users need to be aware of the range of risks that are associated with the use of these technologies.

All TSN staff understand the responsibility to educate our learners on e-safety issues to enable them to remain both safe and legal when using the internet.

This guidance relates to both fixed and mobile technologies, such as PCs, laptops, tablets, webcams, whiteboards and digital video equipment etc.

This policy applies to all staff, learners and visitors to all TSN premises.

### Roles and responsibilities

E-safety is an important aspect of strategic leadership, and all staff have a responsibility to ensure that the policy and practices are embedded and monitored effectively by all staff. This includes being aware of current issues and guidance through organisations such as the Home Office, Child Exploitation and Online Protection (CEOP) and Childnet.

The IT and Safeguarding Teams will also provide support and guidance to staff, in order to ensure understanding, awareness and compliance.

### E-safety skills development for staff

- New staff will receive information on TSN's IT-related policies as part of their induction
- All staff will be made aware of their individual responsibilities relating to the safeguarding of children within the context of e-safety and know what to do in the event of the misuse of technology by any learner or member of the staff
- All staff are encouraged to incorporate e-safety activities and awareness across all areas of their practice
- All staff will sign the Code of Conduct relating to e-technologies during induction.

### Managing e-safety messages

- We endeavour to embed e-safety messages across the curriculum, whenever the internet and/or related technologies are used
- All learners will be required to sign a Code of Conduct relating to e-technologies as part of their induction and their Learner Agreement.

### E-safety in the curriculum

- All learners will receive specific training relating to safe working practices regarding the use of e-technologies
- TSN will provide ongoing opportunities within a range of curriculum areas to teach about e-safety
- Educating learners on the dangers of technologies that may be encountered outside in everyday life is done informally when opportunities arise, and as part of the e-safety curriculum
- Learners are aware of the impact of online bullying and know how to seek help if they are affected by these issues. They are also aware of where to seek advice or help if they experience problems when using the internet and related technologies, i.e. parent/carer, Tutor/trusted staff member, or an organisation such as Childline/CEOP report abuse button
- Learners are aware of the dangers of radicalisation and extremist behaviours they may encounter via the internet and who to report any concerns to.

### Password security

- All users read and sign a Code of Conduct/Acceptable Use Agreement to demonstrate that they have understood TSN's Information Technology policies.
- If you think your password may have been compromised or someone else has become aware of your password, report this to a staff member.
- Staff are to be aware of their individual responsibilities to protect the security and confidentiality of TSN's networks, including ensuring that passwords are not shared and are changed periodically. Individual staff users must also make sure that workstations are not left unattended and are locked when not in use.
- Staff must ensure that any accounts set up on social media platforms should be kept secure and confidential, and that staff profiles are not left logged in.

### Data security

The accessing, and potential breaching, of the organisation's databases is a serious offence. Therefore, it is vitally important that all staff are fully aware of their responsibilities when accessing the organisation's data.

They must not:

- Allow third parties' staff to view the organisation's data (unless authorised by a senior manager)
- Edit any data (unless specifically authorised to do so by senior managers).

## Safer use of the internet

The internet is an open communication medium that is available to everyone. Anyone can view information, send messages, discuss ideas and publish material, which makes it both an

invaluable resource for education, business and social interaction, as well as a potential risk to young and vulnerable people.

All internet use is recorded appropriately, and the logs are randomly, but regularly, monitored

in line with TSN's IT Acceptable Use policy. Monitoring of identified key words and websites connected to terrorist activity is in place and search reports are generated and inappropriate use monitored and scrutinised. However, to ensure that learners are protected against unnecessary risks, all staff must:

- Supervise learners' access to internet resources
- Preview any recommended sites before use
- Discourage raw image searches when working with young people
- Observe copyright laws at all times. It is illegal to copy or distribute software or illegal software and other materials.
- Ensure that learners are not accessing inappropriate material.

## Infrastructure and monitoring

To aid effective safeguarding of learners whilst using TSN internet services, the company employs the following technologies and processes:

- Internet and email monitoring solution activity is monitored and recorded in line with TSN policies and under the relevant UK law
- Internet access is controlled through an appropriate web filtering service
- Staff and learners are made aware that email and internet activity can be monitored and explored further if required
- TSN uses management control tools for controlling and monitoring workstations
- If staff or learners discover an unsuitable site, the incident should be reported immediately to the IT department, or a member of staff
- Learners and staff are not permitted to download programs or files on centre-based IT facilities
- If there are any issues that are related to viruses or anti-virus software, then the IT Team should be informed immediately.

## Social networking

Social networking sites, if used responsibly both outside and within an educational context, can provide easy-to-use, creative and free facilities. However, it is important to recognise that there are issues regarding the appropriateness of some content, contact, culture and commercialism. To this end, we encourage our learners to think carefully about the way that information can be added and removed by all users, including themselves, from these sites.

- Access to social public networking sites for purposes of learning, engagement and communication is under continual development within the organisation
- Any young people engaging in such activities are required to have received specific training in social media usage and safety
- Learners must also sign and adhere to the Code of Conduct during induction
- Learners are advised to be cautious about the information given by others on sites
- Learners are taught to avoid placing images of themselves (or details within images that could give background details) on such sites and to consider the appropriateness of any images they post, due to the difficulty of removing an image once it is online
- Learners are always reminded to avoid giving out personal details on such sites which may identify them or their location (full name, address, mobile/home phone numbers, email address)
- Learners are advised that if they have profiles on social networking sites that they set and maintain these on maximum privacy and deny access to unknown individuals
- Learners are encouraged to be wary about publishing specific and detailed private thoughts online
- Learners are required to report any incidents of bullying, cyber bullying or sexting to members of staff, who will consider action under anti-bullying and safeguarding procedures.

### Maintaining professional boundaries

TSN encourages the positive use of social media. Learners may wish to form effective working relationships with staff; however, to ensure professional boundaries are maintained, staff must not accept and/or invite individuals to be friends on personal social media accounts, or other online services.

Any breach of professional conduct may lead to disciplinary action and possibly dismissal.

There may be times where a staff member may know a learner on a personal level (in whatever capacity) prior to them commencing on any programme with TSN. Staff should advise their line manager if this is the case, and an individual assessment of the situation will take place.

### Using organisation logos and imagery

Do not use the organisation's logos or any other images or iconography on personal or social media sites unless explicit permission has been sought from the relevant staff.

### Mobile technologies

Emerging technologies will be examined for educational benefit and risk-assessed before use by learners is allowed. TSN chooses to manage the use of these devices in the following ways so that users exploit them appropriately:

### Personal mobile devices (including phones)

- Educating learners on the dangers of technologies that may be encountered outside in everyday life is done informally when opportunities arise, and as part of the e-safety curriculum.
- We allow staff to bring in personal mobile phones and devices only for their own use. Under no circumstances do we allow a member of staff to contact a learner or parent/ carer using their personal device without managerial approval.
- Learners are allowed to bring personal mobile devices/phones to TSN premises (or workplaces for Apprentices), but they must not be used during learning hours.
- TSN is not responsible for the loss, damage or theft of any personal mobile device.
- The sending of inappropriate text messages between any person within the organisation may invoke disciplinary procedures in line with TSN's guidelines on the use of IT.
- Permission must be sought before any image or sound recordings are made by devices of any learner or member of staff.

### Email

The use of email is an essential means of communication for both staff and learners. In the context of using staff emails, this should not be considered private.

The organisation provides all staff with their own email account to use for company business, and this must be used in line with the IT Acceptable Use Policy.

Staff should never disclose their email password to learners under any circumstances.

### Safe use of images

#### Taking of images and film

Digital images are easy to capture, reproduce and publish and, therefore, can be subject to misuse. It is not always appropriate to take or store images of any individual without first seeking consent.

- With the written consent of parents (on behalf of young people) and staff, TSN permits the appropriate taking of images by staff and learners with company equipment
- Should any such images be intended for media or publicity purposes, the relevant approval must be sought
- Staff and learners are not permitted to use personal digital equipment, such as mobile phones and cameras, to record images of learners without the appropriate permission.

#### Publishing learners' images and work

All parents/carers (where appropriate) will be asked to give their consent to use their child's work/ photos in the following ways:

- On TSN's internal and external websites
- In printed publications that TSN may produce for promotional purposes
- To be recorded/transmitted on a video or webcam
- On display material that may be used in external areas, i.e. promotional and advertising material
- For general media appearances, including local/national press releases sent to the press highlighting an activity (sent using traditional methods, or electronically).

Before posting learners' work on the internet, permission and agreement should be sought.

Parents or carers may withdraw their permission, in writing, at any time. Learners' full names will not be published alongside their image and vice versa. Email and postal addresses of learners will not be published, but a town or locality may be indicated.

### **Storage of images**

Images will be held securely by TSN, for the sole use of legitimate purposes, normally within a four-year period of its production.

### **Webcams**

Webcams within centres are only ever used for specific learning purposes. Misuse of a webcam by any person will result in the appropriate sanctions.

### **Misuse and infringements**

#### **Complaints**

Complaints relating to e-safety should be made to the IT Department and the DSL so that incidents can be recorded and actioned appropriately.

Under no circumstances is a user of the organisation's systems and services authorised to engage in any activity that is illegal under local, UK or international law while utilising the organisation's owned resources.

#### **Inappropriate materials**

- All users are aware of the procedures for reporting accidental access to inappropriate materials. The breach must be immediately reported to a staff member and the IT department.
- Deliberate access to inappropriate materials by any user will lead to the incident being formally recorded. Depending on the seriousness of the offence, this could warrant an investigation, a local authority referral, immediate suspension (possibly leading to dismissal) and involvement of the police.
- Users are made aware of sanctions relating to the misuse of learning technology. Any misuse of technology in relation to violent extremism will be dealt with in line with our Prevent procedures.

## Appendix 5

### Preventing and Tackling Bullying Procedures

#### Contents

1. Introduction Legal framework Safeguarding Criminal law
2. Definitions of types of abuse/harassment
3. Prevention
4. Procedures and consequences.

#### Introduction

TSN has a duty to promote a secure and safe environment in which all learners are free from threats, bullying and associated behaviours and actions.

Bullying is deemed as 'behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms, including cyber bullying via text messages or the internet, and is often motivated by prejudice against particular groups, for example, on grounds of race, religion, gender, sexual orientation, or because a young person is adopted or has caring responsibilities.

It might be motivated by actual or perceived differences between young people (Preventing and Tackling Bullying, DfE 2017).

Stopping violence and ensuring learners' physical safety is the priority for all staff if they encounter any instances of physical bullying. However, emotional bullying can be more damaging than physical bullying, and it is the responsibility of all staff to prevent occurrences of bullying.

It is important that all learners feel confident that any incidents will be dealt with promptly and effectively.

These procedures apply to all learners enrolled on TSN learning programmes. The organisation is not directly responsible for bullying or harassment that takes place outside the learning environment and off the premises, but it will take appropriate action if activities have an impact on a learner's safety and well-being.

#### Legal framework

##### Education and Inspections Act 2006

Section 89 of the Education and Inspections Act provides that TSN must have measures in place to encourage good behaviour and prevent all forms of bullying. These measures should be part of TSN's Behaviour Policy, which must be communicated to young people, learners, parents and colleagues.

## The Equality Act 2010

The Equality Act replaces previous anti-discrimination laws with a single Act. A key provision is an Equality Duty which has three aims:

- Eliminate unlawful discrimination, victimisation or any other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and people who do not.

The Act also makes it unlawful to discriminate against, harass or victimise a young person or learner in relation to admissions or the way it provides education, the provision of access to any benefit, provision or service, or subjecting them to any other detriment.

## Safeguarding

Under the Children Act 2004 a bullying incident should be addressed as a child protection concern when there is 'reasonable cause to suspect that a young person is suffering or is likely to suffer significant harm'. Where this is the case, staff should follow the organisation's referral process in line with TSN's safeguarding procedures.

Similarly, the same procedures will apply to any adults deemed at risk.

Even where safeguarding is not considered to be an issue, staff may need to draw on a range of external services to support a learner who is experiencing bullying, or to tackle any underlying issue which has contributed to a learner engaging in bullying.

## Criminal law

Although bullying in itself is not a specific criminal offence, it is important to bear in mind that some types of harassment, threatening behaviour or communications, could be a criminal offence, for example, Protection from Harassment Act 1997, Malicious Communications Act 1988, the Communications Act 2003 and the Public Order Act 1986.

If staff feel that an offence may have been committed, they should consider contacting the police.

For example, under the Malicious Communications Act 1988, it is an offence for a person to send an electronic communication or text with the intent to cause distress or anxiety; or to send an electronic communication which conveys a message which is indecent or grossly offensive, a threat, or information which is false and known to be false by the sender.

## Definitions of types of abuse/harassment.

This is not an exhaustive list.

### Physical abuse

- Any use of violence e.g. hitting, pushing, pulling, kicking, spitting, biting, shoving, tripping up and 'accidentally' banging into someone

- Damaging, stealing, taking, hiding belongings and/or throwing them around e.g. money (taxing), belongings or coursework
- Forcing someone to take drugs.

#### **Verbal abuse**

- Name calling, teasing, threats and intimidation, taunting, mimicking, sarcasm, being generally 'unfriendly', making someone look silly and making things up to get someone in trouble
- Ridiculing particular customs, music, accents or the dress of anyone from a different culture
- Offensive or racist graffiti, making silent or abusive phone calls and unkind practical jokes.

#### **Emotional abuse**

- Ignoring, excluding, tormenting, insensitive jokes or pranks, damaging property belonging to another person and demanding money or property.

#### **Silent bullying**

- Ignoring someone/leaving them out, preventing someone from joining in, spreading rumours, making threatening gestures and following someone around.

#### **Cyber bullying**

- All areas of the internet, such as email, social media and internet chat room misuse e.g. posting insulting notices about someone
- Sending abusive text messages or emails
- Misuse of associated technology e.g. camera and video facilities
- Happy slapping – the practice whereby a group of people assault a stranger at random while filming the incident on a mobile device to circulate the images or post them online.

#### **Racist bullying**

- Racial taunts, graffiti and gestures
- Refusal to work with others because they are from a different culture.

#### **Sexual bullying**

- Unwanted physical contact or sexually abusive comments including online and in person

### Homophobic bullying

- Bullying usually aimed at gay, lesbian or bisexual individuals or those with gay, lesbian or bisexual relatives/friends
- The use of generic insults relating to homophobic terms.

### Hate crime

- Hate crime is any offence against a person or property, which is motivated by the offender's hatred of people because they are seen as being different
- People do not have to be a member of a minority community to be a victim of hate crime
- Any incident where an individual or group of people are targeted because they are believed to be of a different race, religion/belief, sexual orientation, gender identity or have a disability can be reported as a hate crime.

### Mate crime

- Mate crime is defined as the exploitation, abuse or theft from any vulnerable person by those they consider to be their friends
- Those that commit such abuse or theft are often referred to as 'fake friends'.

### Stalking

- Continued unwanted attention through personal contact (directly with you through your friends and family) telephone calls, letters, emails, text messages and internet chat rooms.

### Prevention

Responding to bullying should not start at the point at which a young person has been bullied. Staff should be proactive in gathering intelligence about issues which may provoke conflict and try to prevent bullying happening in the first place. A variety of strategies should be considered, some of which are listed below.

- a) Staff and managerial strategies:
- Ensuring that young people/learners are supervised at appropriate times, especially during break and lunch periods
  - Ensuring that all colleagues adhere to Safeguarding/Behaviour Policies and Procedures
  - Developing proactive approaches to safeguard learners being bullied, or those deemed as at risk of bullying
  - Being alert to early signs of distress
  - Listening and acting upon what young people are saying

- Making it easy for young people/learners to report bullying incidents
- Ensuring that appreciation and respect for culture, religion and sexuality are promoted
- Improving self-esteem
- Helping young people/learners to develop strategies in the management of their own behaviour to encourage positive attitudes towards others
- Encouraging young people/learners to reflect on their own attitudes in dealing with bullying
- Regularly evaluating and updating approaches to anti-bullying
- Providing regular staff training
- Celebrating success and diversity.

b) Young people/learner strategies:

- Empowering young people/learners to take positive action against bullying behaviour
- Devising systems to minimise the risks involved in young people informing staff about instances of bullying
- Making confidential sources of advice and support widely available – for example, Childline
- Providing specific sessions covering e-technology, including appropriate behaviour, online safety and conduct
- Involving young people/learners in developing local behaviour policies.

### Procedures and consequences

The emphasis should be a zero-tolerance attitude to bullying and harassment. It is imperative that a whole-organisational approach is taken to ensure that consistency is maintained.

- All learners should have confidence in TSN's procedures to report all bullying incidents
- All complaints of bullying and harassment should be investigated thoroughly
- Staff should confront and take appropriate action relating to any bullying they observe or are informed of
- All incidents should be fully recorded and communicated with the DSL
- Parents/carers should be informed, where appropriate
- Cases of persistent and serious bullying can lead to exclusion.

## Appendix 6

### Prevent procedures

#### Contents

1. Introduction
2. Safeguarding and the Prevent duty
3. Definition of radicalisation
4. People responsible for safeguarding and Prevent
5. Reporting concerns
6. Allegations about a member of staff
7. Prevent Referral Flowchart

#### 1. Introduction

Section 26(1) of the Counter-Terrorism and Security Act 2015 ('the Act') imposes a duty on 'specified authorities', when exercising their functions, to have due regard to the need to prevent people from being drawn into terrorism. Further Education providers are 'specified authorities'.

It is a condition of funding that all Further Education and independent training providers must comply with relevant legislation and any statutory responsibilities associated with the delivery of education and safeguarding of learners.

The aim of the Prevent duty is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. Terrorist groups often draw on extremist ideology, developed by extremist organisations. The government has defined extremism in the Prevent strategy as: vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces'.

#### 2. Safeguarding and the Prevent duty

The document 'Keeping Children Safe in Education 2021' identifies radicalisation as one of the additional safeguarding concerns. It is important that, as part of safeguarding, all learners are protected from radicalisation.

TSN recognises that all staff and learners have a role to play in preventing radicalisation and keeping up to date with key themes within Prevent. These include, but are not limited to, County Lines, Animal Rights, Environmental, Knife Crime, Forced Marriage, FGM, Lone Actors, INCEL, Extreme Right-Wing, Political, and Islamic Extremists.

All complaints, allegations or suspicions relating to radicalisation must be taken seriously and communicated with the DSL.

### 3. Definition of radicalisation

Radicalisation is the process where someone has their vulnerabilities or susceptibilities exploited towards crime or terrorism – most often by a third party who have their own agenda.

#### Concerns related to radicalisation

Where there are concerns that a student is being radicalised or where there are concerns that a student is expressing extremist views, then, in line with the government Prevent duty guidance, these concerns must be raised in the same way that any other safeguarding concern would be raised.

### 4. People responsible for safeguarding and Prevent

TSN recognises that safeguarding is everyone's responsibility. However, there are specific staff with responsibility for safeguarding within the organisation and they are referred to in this document as Designated Safeguarding Lead, Safeguarding Manager, Deputy Safeguarding Lead, Safeguarding Officers, HR Manager. A list of names, titles and contact details for these staff can be found in TSN's Safeguarding Policy.

### 5. Reporting concerns

Staff who have a concern should discuss their concerns with an appropriate manager, and then communicate the incident with the DSL or relevant safeguarding staff (using TSN's Safeguarding Reporting Form).

The DSL will then take the appropriate course of action. If the DSL considers that the learner may be at risk of radicalisation, they will make a referral in line with the Prevent duty guidelines.

**Note:** At no point should TSN staff undertake any investigatory interviews.

If none of the above are available, contact the HR Manager or the police for further guidance.

If a student is in immediate danger or at risk of serious harm, for example, in a life-threatening situation, call the emergency services by dialling 999. You must then communicate the information to the DSL.

#### Responding to allegations out of office hours

If a concern or an allegation requiring immediate attention is received outside normal office hours,

the member of staff with the concern must consult immediately with the local Prevent Team. See The Skills Network's referral to Channel process.

### 6. Allegations about a member of staff

The following procedures must be applied where allegations relating to the radicalisation of an employee are received.

There are a number of sources from which a concern or an allegation might arise, including from:

- A learner
- A parent
- A member of the public
- A disciplinary investigation
- Another staff member.

The person to whom an allegation or concern is reported must not question or investigate the matter further; they must:

- Treat the matter seriously
- Avoid asking leading questions, and keep an open mind
- Discuss their concerns with an appropriate manager, and then communicate the incident with the DSL, or relevant safeguarding staff (using TSN's Safeguarding Reporting Form).

If the DSL (or relevant safeguarding staff) are not available, contact the HR Manager or the police for further guidance.

If a staff member is in immediate danger or at risk of serious harm, for example, in a life-threatening situation, call the emergency services by dialling 999. You must then communicate the information to the DSL.

### Responding to allegations out of office hours

If a concern or an allegation requiring immediate attention is received outside normal office hours, the member of staff with the concern must consult immediately with the local Prevent Team.

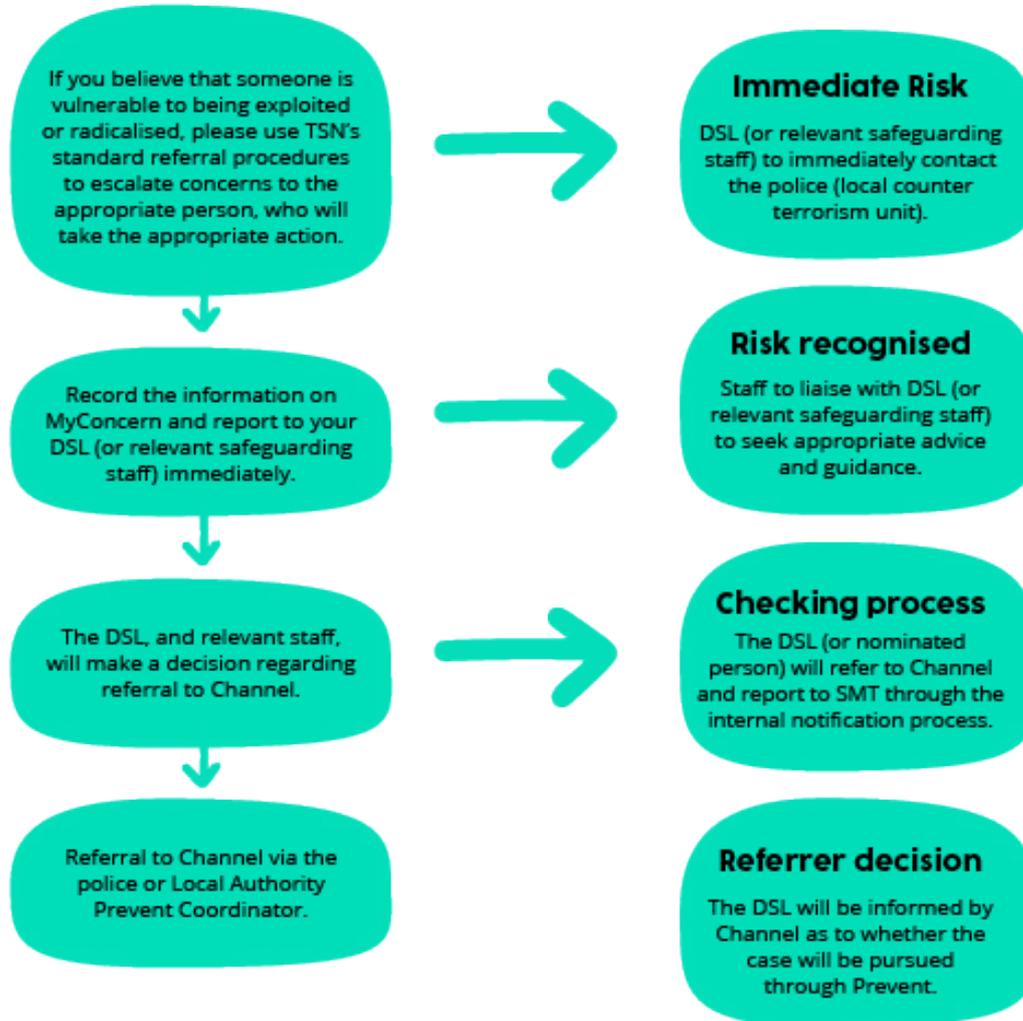
### Malicious allegations

Where it is subsequently found that an allegation was made with malice and forethought, the HR Manager will determine an appropriate course of action. This may include disciplinary

action against the accuser, acceptance of a written apology (subject to agreement about future behaviour) or other such sanctions as are deemed appropriate.

A flowchart describing TSN's referral process can be found on the next page.

## Prevent Referral Flowchart



**ANYONE** can make a referral to Channel.

Channel is an early intervention process which will gather information as to determine whether there is a specific risk of radicalisation and whether the threat is malicious.

The local authority Prevent Coordinator and the police Channel Coordinator will identify the type of support required and refer to a Multi-Agency Channel Panel.

A Multi-Agency Channel Panel is made up of external agencies who will arrange for tailored support, which is approved through the Channel intervention.

The Department for Education (DfE) has launched a helpline for anyone concerned about a child who may be at risk of extremism, or about extremism within an organisation working with children and young people.

Email: [counter.extremism@education.gsi.gov.uk](mailto:counter.extremism@education.gsi.gov.uk). Telephone: 020 7340 7264.

## Appendix 7

### The Regional HE/FE Prevent Coordinator Network

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<https://www.safecampuscommunities.ac.uk/prevent/regional-coordinators>

## **Appendix 8**

### **Prevent Risk Register: The Skills Network – August 2021**

Risk title	Summary	Existing controls	Further action needed	Who	When	RAG rating	Monitoring January 2022
1. Online safety	<p>a. Extremist organisations are able to radicalise students online and encourage them to commit acts of violence or incite others to commit acts of violence as 'lone actors'.</p> <p>b. Learners (and staff) are able to access unlawful radicalising material which promotes proscribed terrorist groups.</p>	<ul style="list-style-type: none"> <li>• TSN Acceptable Use Policy, which has been updated to include Prevent duty.</li> <li>• Online safety is covered in all staff inductions, and in learner inductions for apps and AEB</li> <li>• We also have the online safety PDF resource on our website, and this is shared via the monthly learner newsletter</li> <li>• IT filter reports are distributed to DSL monthly and reviewed by DSL.</li> <li>• Home Office-advised</li> </ul> <p>'Terrorism' and 'Extremism' categories created and blocked on the web filter for all divisions. These are regularly updated as new information is received, along with proscribed groups and websites.</p> <p>TSN have covered e-safety in staff training.</p> <p>Learner Induction Programme includes e-safety.</p>				Green	

Risk title	Summary	Existing controls	Further action needed	Who	When	RAG rating	Monitoring January 2022
2. Work-based learners (including apprentices)	<p>a. The organisation does not have robust processes in place to protect Apprentices from the risks of radicalisation or views and practices contrary to British Values.</p> <p>b. Employers within work-based settings are unaware of Prevent and how to report concerns.</p>	<ul style="list-style-type: none"> <li>Prevent and safeguarding checks form part of the routine assessment by Assessors when they meet with learners.</li> <li>Statement of safeguarding and Prevent principles provided to all employers, outlining responsibilities and reporting processes.</li> <li>Links to e-learning resources provided.</li> <li>Prevent updates received from DfE get included in monthly learner newsletters</li> </ul>				GREEN	

Risk title	Summary	Existing controls	Further action needed	Who	When	RAG rating	Monitoring January 2022
3. Speakers and events	<p>a. Extremist organisations are given a platform through which to radicalise young people because the organisation has ineffective processes in place for vetting speakers and events.</p> <p>b. Inappropriate or extremist materials are shared with learners (face to face or via web links) because insufficient checks are made regarding external speakers and materials that they promote or share.</p> <p>c. Policy is not well communicated to staff/students and not complied with.</p>	<ul style="list-style-type: none"> <li>• TSN guidance for approving external speakers and organisations procedures in place.</li> <li>• A central electronic folder holds details of all external speaker visits.</li> <li>• Lanyard and ID procedure for all visitors, both at Selby HQ, London office and external visits to partner localities.</li> </ul>				GREEN	

Risk title	Summary	Existing controls	Further action needed	Who	When	RAG rating	Monitoring January 2022
4. Leadership	<p>a. Leaders within the organisation do not understand the requirements of the Prevent statutory duty, or the risks faced by the organisation if the duty is not managed or suitably enabled at a sufficiently senior level.</p> <p>b. The result is the organisation does not attach sufficient priority to Prevent action plans (or does not have one), and therefore actions to mitigate risks and meet the requirements of the duty are not effective.</p>	<ul style="list-style-type: none"> <li>• TSN Lead Governor in place.</li> <li>• SLT have a clear understanding of the Prevent duty and members have previously attended a WRAP session.</li> <li>• All SLT have completed Prevent e-learning module.</li> <li>• All staff complete the Prevent e-learning module. and WRAP sessions are delivered on a rolling programme.</li> <li>• Prevent Risk Register is updated regularly and discussed at quarterly Safeguarding Steering Group meeting and any other relevant meetings.</li> <li>• Prevent and British Values are embedded within the curriculum and also addressed via bespoke sessions.</li> </ul>				GREEN	

Risk title	Summary	Existing controls	Further action needed	Who	When	RAG rating	Monitoring January 2022
5. Partnership working	<p>a. The organisation does not establish effective partnership working with organisations such as the Local Authority, Police Prevent Team, DfE Regional Coordinator and others.</p> <p>b. The result is that the organisation is not fully equipped for handling national and local risks and does not have access to developing good practice advice or supportive peer networks.</p>	<ul style="list-style-type: none"> <li>• Communicate effectively with all partner colleges to ensure safeguarding and Prevent policy and procedures are fully understood, implemented, and in line with partner expectations.</li> <li>• I would say we are effective in partner working. We receive monthly/quarterly updates from three different DfE Prevent Coordinators, Safeguarding Manager liaises with external services such as local authorities, police, etc where needed &amp; is in regular contact with partners around safeguarding including some regular meetings</li> </ul>				GREEN	

Risk title	Summary	Existing controls	Further action needed	Who	When	RAG rating	Monitoring January 2022
6. Promoting British Values (BV)	<p>a. Insufficient staff knowledge and confidence to exemplify British Values (BV) in their management and teaching, and through general behaviours in the institution.</p> <p>b. TSN does not have a culture and ethos where British Values are celebrated, which leads to a culture of disrespect and intolerance and where tensions are allowed to flourish.</p> <p>c. Staff and learners do not understand (or feel confident about) BV, and extremist views and narratives are allowed to flourish unchallenged.</p>	<ul style="list-style-type: none"> <li>• British Values and Prevent Topic of the Month.</li> <li>• British Values posters available for all centres.</li> <li>• Development of training around fundamental British Values, including how to embed this with learners.</li> <li>• Adapted resources to be delivered in training sessions to all staff – ‘How to embed British Values within the Curriculum’.</li> <li>• Teaching and Learning Prevent Implementation Plan.</li> <li>• British Values are embedded within TSN working culture and all curriculum activities.</li> </ul>			May 2022	GREEN	

Risk title	Summary	Existing controls	Further action needed	Who	When	RAG rating	Monitoring January 2022
7. Staff training and awareness Pg. 1/2	<p>a. Insufficient staff knowledge and confidence to exemplify British Values (BV) in their management and teaching, and through general behaviours in the institution.</p> <p>b. Staff receive insufficient training to be able to recognise this vulnerability and be aware of what action to take in response.</p> <p>c. Leaders and staff feel unable or unwilling to challenge extremist narratives or exemplify British Values throughout the organisation.</p>	<ul style="list-style-type: none"> <li>• WRAP training delivered on a rolling programme.</li> <li>• Prevent duty is included in all safeguarding training.</li> <li>• Tiered staff training – suggested by BIS Coordinator:               <ul style="list-style-type: none"> <li>o SLT – Leadership-focused WRAP training</li> <li>o DSL to attend ‘Train the Trainer’ and external training from Home Office</li> <li>o Communication sent to all staff to complete online training.</li> </ul> </li> <li>• All policies and procedures updated to include Prevent.</li> <li>• Prevent resource section on Safeguarding intranet page – legislation, guidance, risk assessment etc.</li> <li>• Prevent awareness and e-learning module forms part of new staff induction.</li> <li>• Sub-contractors to complete e-learning – relevant managers to maintain log of this.</li> <li>• E-learning training links shared with employers.</li> </ul>				GREEN	

Risk title	Summary	Existing controls	Further action needed	Who	When	RAG rating	Monitoring January 2022
7. Staff training and awareness Pg. 2/2	<p>a. Staff do not understand the factors that make people vulnerable to being drawn into terrorism, or know how to challenge extremist ideas which are used by terrorist groups and can purport to legitimise terrorism.</p> <p>b. Staff receive insufficient training to be able to recognise this vulnerability and be aware of what action to take in response.</p> <p>c. Leaders and staff feel unable or unwilling to challenge extremist narratives or exemplify British Values throughout the organisation.</p>	<ul style="list-style-type: none"> <li>• Prevent duty and how to report concerns is embedded in all safeguarding training.</li> <li>• Prevent and safeguarding posters printed and circulated</li> <li>• Staff are aware that all Prevent concerns must be reported using MyConcern.</li> <li>• Process flow chart forms part of safeguarding policy.</li> <li>• All reports are logged and reported by DSL and Board, and appropriate action taken.</li> <li>• Has been covered in the Safeguarding Short Course all staff had to complete in December.</li> <li>• We also have a Prevent PDF on the website &amp; sent out in learner newsletters. This includes a link to the gov.uk training material which gives staff &amp; learners the option to complete this if they wish to do so.</li> </ul>				GREEN	

Risk title	Summary	Existing controls	Further action needed	Who	When	RAG rating	Monitoring January 2022
8. Welfare and pastoral care	a.The organisation does not provide effective welfare and pastoral support, which results in learners (and staff) being unsupported and more risk of vulnerabilities being exploited.	<ul style="list-style-type: none"> <li>All welfare and pastoral support is provided by Learner Support Advisors (LSAs) and Tutors, with referral to support agencies as required.</li> <li>We have the contacts, and these have been shared with all safeguarding staff.</li> <li>Pastoral support continues to be delivered by staff and staff have received training around this, along with the new safeguarding support guide document to help</li> </ul>				GREEN	

