

Safeguarding Children Policy

1. Introduction

Lynher Training Ltd recognises that safeguarding children is everyone's responsibility.

Lynher Training Ltd provide Apprenticeships for children and young people from 16 years upwards, and some technical awards and other land-based training to children and young people from the age of 13 years old.

We believe that the wellbeing and safety of all children and young people is paramount.

We believe that every child and young person regardless of race, age, religion, ethnicity, gender, sexual orientation disability, pregnancy or maternity has at all times and in all situations an equal right to feel safe and lead a life free from abuse, neglect or exploitation.

We recognise that some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues.

The purpose of this document is to explain briefly and clearly the basic principles of safeguarding children to all Lynher Training Ltd staff, sub contractors and candidates. It is intended to cover those issues which are likely to be the most relevant and assist them in their recognition and handling of safeguarding concerns about children or young people in touch with our services.

This policy and procedure is consistent with the Children's Acts (1989 and 2004) and *Working Together to Safeguard Children – a guide to inter-agency working to safeguard and promote the welfare of children (2015)*.

All staff and subcontractors must make themselves aware of the organisation's policy and procedures as laid down in this document. This is an issue of importance both for the children and young people who come in to contact with Lynher Training Ltd and for the reputation of the organisation and its workers and volunteers.

Lynher Training Ltd is committed to safeguarding children and young people by:

- protecting them from risks and experience of abuse and or neglect
- making sure their safety and wellbeing is promoted and their views, wishes, feelings and beliefs are respected
- responding promptly to any allegations of misconduct or abuse
- working in partnership with children, young people their parents, carers and other agencies as appropriate to promote their welfare and keep them safe from risks of abuse and or neglect
- recruiting staff and sub-contractors safely and ensuring all checks are made appropriate to the role
- requiring all staff and sub contractors to abide by this Safeguarding Children Policy and Procedures
- sharing information appropriately

- providing effective management for staff and sub contractors through supervision, support and training
- ensuring there is a designated person to promote safeguarding awareness and practice within Lynher Training Ltd.

2. Definitions:

2.1 Child

The Children Act 1989 defines a child as a person under 18 years for most purposes. Throughout this document 'Child/Children' therefore refers to 'child/children and young person/young people'; it also includes the unborn child.

2.2 Safeguarding and Child Protection

Safeguarding Children involves the whole community and is everybody's responsibility. It is about keeping children safe and actively promoting their well-being and welfare to enable them to have optimum life chances and enter adulthood successfully. Safeguarding is much wider than child protection.

Child Protection is specifically about protecting children and young people from suspected abuse and neglect. It is a statutory responsibility and refers to the process of protecting specific children identified as either suffering or at risk of suffering significant harm as a result of abuse or neglect and usually because someone has raised a concern about a child.

2.3 Main Categories of Abuse, Neglect and Exploitation and Possible Signs:

An abused child will often experience more than one type of abuse, as well as other difficulties in their lives. It often happens over a period of time, rather than being a one-off event. And it can increasingly happen online.

The signs of child abuse aren't always obvious, and a child might not tell anyone what's happening to them. Sometimes children don't understand that what's happening is abuse. The list below is not exhaustive, but seeks to illustrate the sort of behaviour that could give rise to a safeguarding concern:

Physical Abuse

- may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child.
- can happen in any family, but children may be more at risk if their parents have drug, alcohol and or mental health issues or if they live in a home where domestic abuse happens. Babies and disabled children are also at higher risk of suffering physical abuse.
- may also be caused when a parent or carer fabricates symptoms of, or induces illness in a child.

Emotional Abuse

is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development, including exposure to domestic abuse, conveying they are worthless or unloved, causing a child to feel scared or in danger. This may involve:

- not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.
- interactions that are beyond the child's developmental capability (including exposure to inappropriate online content or images), as well as overprotection and limitation of exploration/ learning, or preventing the child participating in normal social interaction.
- serious bullying (including online bullying), causing children frequently to feel frightened or in danger
- 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.

Neglect

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

This can include failure to provide adequate food or clothing, access to medical intervention, supervision by self or appropriate adults, ensuring educational needs are met.

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 care-givers).
- ⇒ ensure access to appropriate medical care or treatment.

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

Sexual Abuse and Child Sexual Exploitation

- ⇒ sexual abuse involves forcing or enticing a child to take part in sexual activities, including prostitution, whether or not s/he is aware of what is happening. Sexual activities may also include non-contact activities, e.g. involving a child in looking at / production of abusive images, watching sexual activities or encouraging sexually inappropriate behaviours

- ⇒ involves forcing, intimidating or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening.
- ⇒ may include unwanted pressure from a young person's peers to have sex, sexual bullying (including cyberbullying), and grooming for sexual activity
- ⇒ may involve physical contact, including assault by penetration (e.g. rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing
- ⇒ includes non-contact activities, such as involving children in looking at sexual images and activities, encouraging children to behave in sexually inappropriate ways such as engaging in sexual conversations online or via mobile phone, asking children to display sexualised behaviours or perform sexual acts that are recorded/ shared live via webcam, or grooming a child in preparation for abuse (e.g. via the internet, mobile phones and social networking sites)
- ⇒ not solely perpetrated by adult males; women can also commit acts of sexual abuse, as can other children and adolescents

Child Sexual Exploitation can take many forms, from the seemingly 'consensual' relationship where sex is exchanged for attention, affection, or gifts, to serious organised crime and child trafficking, where children are moved around the country for purposes of sexual exploitation.

Other types and aspects of abuse suffered by children and young people include Child Trafficking and Modern Slavery, Radicalisation, Domestic Abuse, Female Genital Mutilation (FGM) and Forced Marriage

2.4 Actions to take about concerns if abuse, neglect or exploitation is suspected and/or disclosed

Concerns about a child or young person's safety may come to light in a variety of ways, for example:

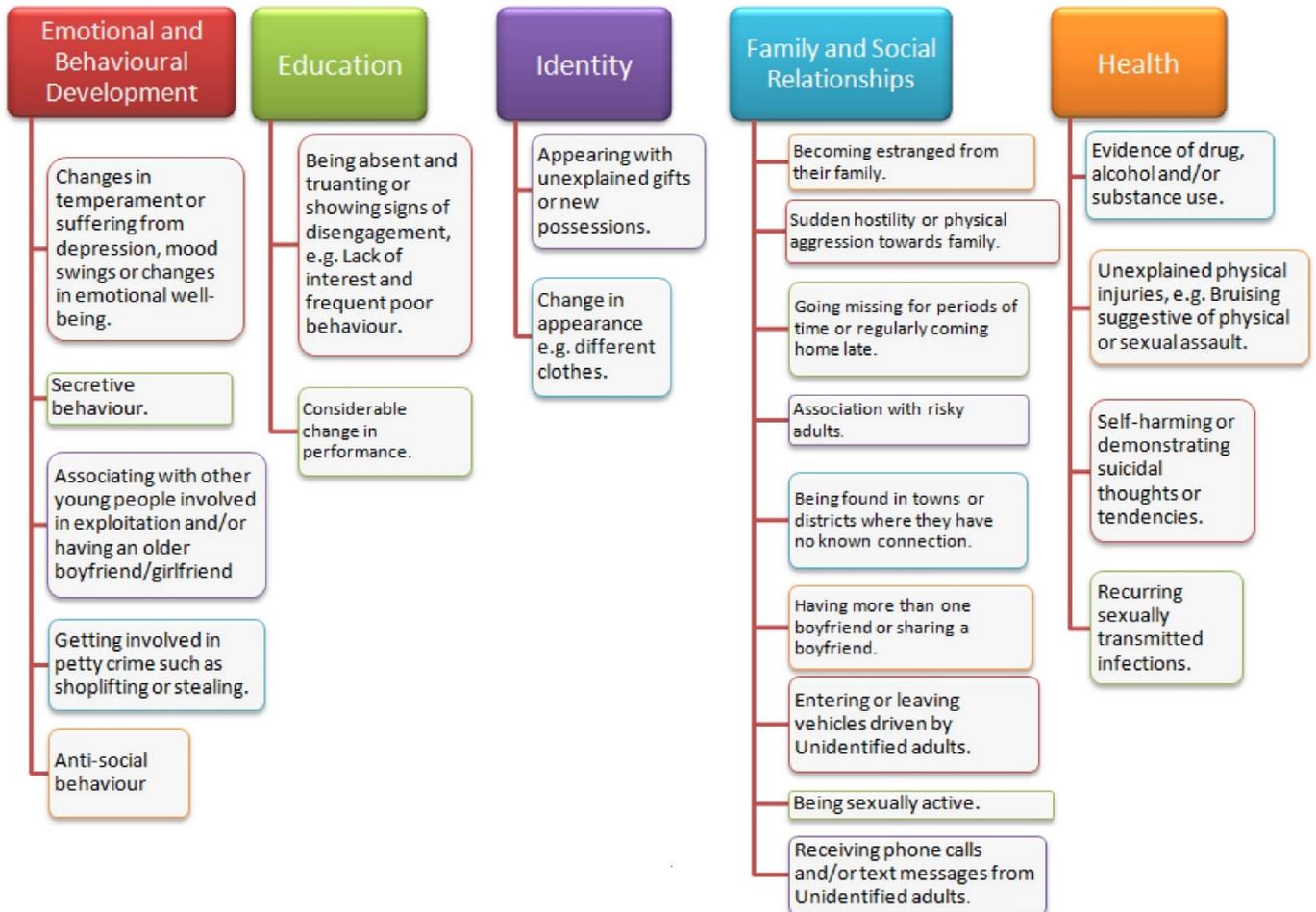
- a child may tell you about something that has upset or harmed them or that they feel unsafe, or that has happened to another child (this could also include as a result of online activities
- via another person (child or adult)
- through the child's behaviour
- through visual signs e.g. bruises for which there appear to be no satisfactory explanation
- the behaviour or attitude of a worker or volunteer towards a child worries you or makes you feel uncomfortable in some way

Reporting a concern about abuse, or suspected abuse involves the following key stages:

- Recognising signs and signals of child abuse, neglect and or exploitation
- Responding appropriately and sensitively to disclosures

- Taking immediate action, when necessary, to protect a child and preserve evidence
- Recording a concern, disclosure, or allegation of abuse
- Reporting a concern, disclosure, or allegation.

Indicators of Child Sexual Exploitation



Early sharing of information is the key to providing effective early help where there are emerging problems.

3. Guidance for workers - if you suspect abuse or neglect has occurred

3.1 All staff and sub contractors have a responsibility to share their concerns with the Designated Safeguarding Person (DSP) immediately or as soon as possible depending on the urgency/ seriousness of the concerns.

3.2 If the child is in immediate danger, call the Police on 999. If the child is injured, call 999 for an ambulance.

3.3 If the situation is clearly an urgent case, the child is too frightened to go home, or you have very serious doubts about the child's safety, you must contact the DSP immediately. The DSP will then refer to the Local Safeguarding Children's Team (see Appendix 1) and keep you informed of their decision.

3.4 If your concerns are more general about a child's/ young person's welfare, then you must discuss these with the DSP as soon as possible. The DSP would then consider a referral to the Local Safeguarding Children's Team and keep you informed of their decision; or what other action needs to be taken.

3.5 It is important that all staff and sub contractors communicate concerns accurately. To this end, workers will follow the procedures below:

- Should you witness an incident that concerns you, you must record factually what you saw as soon as possible. Accuracy is essential.
- Upon the receipt of any information from a child or a concerned adult, you must record factually what you have seen, heard or know accurately at the time the event occurs or as soon as possible afterwards
- You must share your concerns with the DSP immediately, provide any information that you have, and agree actions to be taken which should be recorded clearly and SMART.
- Always REFER never INVESTIGATE any suspicions or allegations about abuse.
- Do not assume that someone else will help the child at risk or pass on information which they think may be critical to keeping a child safe: you may be the only person in a position to prevent future abuse

3.6 If your information has come from the child themselves then you must do the following:

1. Stay calm, listen with care and consideration and show that you take them seriously. Do not interrupt the child.
2. Reassure them they have done the right thing by telling you and that they are not to blame.
3. Explain that it will be necessary for you to share the information with the DSP who may refer concerns to the local Safeguarding Children Team and that this is in their best interests.
4. Wherever possible tell the child what you are doing and when, and keep them up to date with what is happening.

5. Do not make promises that you cannot keep or tell them everything will be all right
6. Keep questions to a minimum and ensure that you only ask OPEN questions – for example ‘how did that happen?’ when pointing to a bruise on their arm.
7. Never ask questions that could be argued to be LEADING questions. Make a note of the exact open questions that you asked.
8. It may be appropriate to ask questions for clarification of information given – for example what particular words mean; however, again make sure that any questions asked are open and not leading questions.
9. Never ask the child to repeat the disclosure over and over.
10. Don't attempt to contact an alleged abuser
11. Make a formal written record of everything that has happened/been discussed as soon as possible. All recording should be factual - using all the child's own words and actions. Do not include your opinion(s).
12. In the report you must include: the date and time of disclosure, suspicion or allegation and the exact time and date when you wrote the report. Sign your report and print your name and position.
13. Your report should include the following details:
 - date and time of what has occurred
 - details of the alleged victim such as name, date of birth, address
 - who disclosed the information (if not the alleged victim)?
 - any information you may think relevant
 - details of the alleged abuser, such as name, date of birth, address, current whereabouts and his/her relationship to the victim.
 - details of other parties involved
 - the wishes and desired outcomes of the child at risk
 - details of what action you or anyone else have taken
 - details of reporting including who to, who by and when
14. Give the DSP your report, they have a duty to keep this report in a safe and in a secure place. They will also keep in contact with you, and support you through this process.
15. Parents or carers of children involved should be supported and guided as appropriate.
16. In all instances where the DSP decides not to proceed with a referral (e.g. further observation is required) after fully reviewing the report of an

allegation or suspicion of abuse, the reasons for this decision must be recorded and any details of any intervention provided or offered.

Key points to remember about disclosure

- Creating a safe space for children to talk is crucial in breaking down barriers to disclosure. Children from BME backgrounds and or with learning disabilities can face particular communication barriers
- Children want to be and should be listened to and treated with respect. Children need to feel they will be believed when they share concerns and that adults will neither minimise them or overreact to them.
- Sometimes children need time to consider options before providing details that may lead to this loss of control (e.g. in case it results in a child protection referral).
- Therefore it is important to respond to any disclosure sensitively, and fully inform the child of what will happen after they make a disclosure of abuse.
- Many victims of child abuse say that having the first person they told be supportive was the first step in recovery of their experience
- Research shows that children find it easier to talk to peers and people they know well and can trust.

4.0 Information sharing

- Be open and honest with the child (and/or their family/carer where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
- Seek advice if you are in any doubt, without disclosing the identity of the person where possible.
- Share with consent where possible and where appropriate
- However where there are concerns that a child is, or may be, at risk of harm, priority must be given to safeguarding the child and information must be shared
- Ensure information is necessary, proportionate, relevant, accurate, up to date, shared with the appropriate people, in a timely fashion and shared/stored securely

- Record the reasons for sharing confidential information or not
- In the event of a referral to the Local Safeguarding Children’s Team all relevant information must be shared, including copies of any reports, log of previous concerns and notes of dialogue. The Data Protection Act is not a barrier to information sharing where doing so is necessary to safeguard children.
- Often it is only when information from a number of sources is shared that it becomes clear that a child/young person is at risk or of suffering from harm.

5. Allegations against workers

5.1 Any allegation made against Lynher Training Ltd staff or sub contractors who works with a child/ young person or has contact with them must be taken seriously.

An allegation or suspicion of abuse should be reported immediately to the DSP. It is important that a detailed record is kept, dated and signed.

On receipt of the report the DSP should review the allegation in the light of the three criteria below and take appropriate action.

Where a staff member or sub contractor has:

- Behaved inappropriately in a way that has harmed or may have harmed a child or
- Possibly committed a criminal offence against or related to a child or
- Behaved towards a child or children in a way that indicates s/he is unsuitable to work with children

The DSP should immediately report the allegation or suspicion of abuse to the Local Authority Designated Officer (LADO) (see Appendix 1)

The DSP will also consider that if it is an extremely serious allegation (i.e. current injury, risk of losing forensic evidence, imminent danger to child/public/staff, crime ongoing etc...) they should first contact the Police or the Safeguarding Hub or Team / Out of Hours Team and then the LADO.

If the DSP is implicated, the allegation should be reported straight to the Local Authority Designated Officer (LADO) (see Appendix 1)

5.2 Informing ESFA about serious safeguarding incidents

- The ESFA includes safeguarding clauses in the funding agreements and contract. Whilst the local authority and the institution have primary duties in respect of safeguarding, the Secretary of State (SoS) has a general duty to promote the wellbeing of children in England under section 7 of the Children and Young Persons Act 2008.

- The ESFA's role is to provide assurance to the SoS, in meeting this general duty, that the right organisations are taking action to keep all learners safe. For this reason, Lynher Training Ltd directors must inform the ESFA when Lynher Training Ltd is the subject of an investigation by the local authority or the police.
- In such circumstances, the directors must email Enquiries.EFA@education.gov.uk. ESFA will need to know the name of the institution, the nature of the incident and confirmation that it is, or is scheduled to be investigated by the local authority and/or the police.
- The ESFA will not ask for, or require any information that could be used to identify individuals or any information that will impact on our data protection duties.

The circumstances in which ESFA funded providers should inform ESFA of safeguarding referrals/concerns:

- The main issues/referrals ESFA want to be notified about, where any funded learners are concerned, are those that result in police investigations. ESFA needs to be sighted on these cases and satisfied the right action is in hand by responsible bodies.
- Once ESFA has been alerted that a serious safeguarding incident has taken place at an ESFA funded institution, ESFA will ensure the SoS is made aware. ESFA will then liaise with the organisations that have the primary duty. ESFA will take the action they deem necessary in accordance with the funding agreement.

5.3 Lynher Training Ltd. is fully supportive of 'whistle blowing' for the sake of the child, and will provide support and protect those who 'whistle blow'. While it is difficult to express concerns about colleagues, it is important that these concerns are communicated to the DSP. All workers and volunteers are encouraged to talk to the DSP if they become aware of anything that makes them feel uncomfortable.

5.4 If an allegation of abuse is made against you, then you must follow the guidelines below and remember:

- The welfare of the child at risk is paramount
- You must remove yourself from the situation immediately.
- You must refer the matter to the DSP immediately and provide any information that you have, and agree action to take.
- Provide the DSP with a report immediately (the earliest possible opportunity).
- The DSP will decide on the next course of action

5.5 If an allegation of abuse is made against another staff member or sub contractor in a session where you are also present then you must follow the guidelines below and remember:

- The welfare of the child is paramount
- You must ensure that the staff member or sub contractor who has been accused of abuse is removed from the situation immediately

- You must ensure that the child at risk concerned is free from any possible risk of harm
- You must contact the DSP immediately and provide any information that you have and agree action to take.
- Provide the DSP with a report immediately (the earliest possible opportunity).
- You must follow these guidelines if a child tells you about another staff member or sub contractor from any organisation outside of the session.

5.6 Where the seriousness of an allegation requires the immediate removal of the staff member or sub contractor from their duties or where this is required to facilitate a thorough and neutral investigation, the worker or volunteer will be suspended in accordance with the Disciplinary Policy. Suspension is a neutral act which does not imply guilt or the forming of any opinion as to guilt.

5.7 Lynher Training Ltd takes seriously its legal duty to refer any concerns to the Disclosure and Barring Service about any worker or volunteer if they have harmed or pose a risk of harm to a child or young person. When a staff member or sub contractor is dismissed or removed and Lynher Training Ltd thinks they have harmed or may harm a child or young person a referral will be made to the Disclosure and Barring Service. Lynher Training Ltd will also pass this information to the police.

6. Recruitment, Training and Supervision

6.1 All staff members and sub contractors who undertake regulated activities with children and young people and their supervisors are required to undertake an enhanced Disclosure and Barring Service (DBS) checks, including the provision of proof no record to debar from employment.

Given the sphere of Lynher Training Ltd.'s work, the relevant regulated activity a Lynher Training Ltd staff member or subcontractor could undertake is defined as: "unsupervised activities: teaching, training, instructing, caring for or supervising children or providing advice/guidance on wellbeing, or driving a vehicle only for children" as set out in The Protection of Freedoms Act 2012. The frequency criteria are also of relevance: i.e. if the unsupervised activities take place on four or more days in a 30-day period, this meets the frequency criteria.

Lynher Training Ltd recognises that DBS checks alone do not ensure prospective staff and sub contractors are safe to work with children and we operate safer recruitment procedures for any regulated activities. This includes:

- A statement in our recruitment material/pack about our commitment to safeguarding children;
- A role description that clarifies safeguarding responsibilities;
- Completion of an application form;
- Checks on identity and work history;
- Checking of two references;
- An interview;
- An enhanced DBS check (as outlined above)
- No prospective staff member or sub contractor can be in one-to-one contact with a child / young person or without the presence of another adult who has a

current enhanced Disclosure and Barring Service check until identity, references and Enhanced DBS Checks have been completed.

Lynher Training Ltd will operate a rolling programme of re-checking DBS checks for holders of all identified roles and posts. Existing staff (paid or unpaid) who transfer from a role which does not require a DBS check to one which involves contact with children are subject to a DBS check

6.2 Every Lynher Training Ltd staff member and sub contractor will undertake Safeguarding training as part of their induction to gain a basic awareness of categories and signs of abuse and how to report a concern of abuse, neglect and or exploitation. Further Safeguarding Children training will be provided to workers and volunteers who work directly with children in regulated activities as appropriate. The DSP will have access to further safeguarding training as required for their role. Safeguarding Children training will be refreshed every 3 years.

6.3 For staff members and sub contractors directly involved with children in regulated activities safeguarding children must be a standing supervision item; similarly for their supervisors and the DSP. They will be supported in dealing with safeguarding cases in supervision and where appropriate with referral to additional expert help. For other Lynher Training Ltd staff members and sub contractors safeguarding children will be discussed in supervision as the need arises. In addition all staff members and sub contractors will be supported by the DSP as required.

6.4 Lynher Training Ltd will emphasise to all staff members and sub contractors that they have a duty to report any concerns they have regarding the possible abuse of a child in touch with our services immediately to the DSP. Each staff member and sub contractor is required to read this policy and to sign to that effect.

NOTE: if you are worried at any time please discuss your concerns or worries with the DSP.

Created 8th May 2019

To be reviewed by May 2020

Reviewed 7th January 2020

Designated Person (DSP): Karen Howell

I confirm that I have been made fully aware of, and understand the contents of the Safeguarding Children Policy for Lynher Training Ltd

Name of Staff Member

Signed:

Dated:

Karen Howell

Allen Howell

Jane French

Sonia Hicks

Rebekah Mason

Amy Holding

Neil Holding

David Berryman

Julian Moles

Ian Tagima

Simon Phillips

Andrew Mead

Raymond Piper

Simon Scotting

Christopher Willett

Anthony Mackarel

Michael Crutchley

Laura Bushell-Hawke

Stephen Bate

Scott Deslandes

Gerald Prout

Christopher Spiller

Colin Manning

James Rusbridge

John Watson

Appendix 1

Contact Details of Local Safeguarding Children Teams

As Lynher Training Ltd works across a number of Local Authorities the Designated Safeguarding Person may need to raise a safeguarding concern with other teams outside of Cornwall

Plymouth

Children's Services -Tel : 01752 308600

Out of Hours: 01752 346984

Local Authority Designated Officer (LADO): 01752 307144

Cornwall

Cornwall Children's Services – Tel: 0300 1231 116

Out of hours: 01208 251300

Local Authority Designated Officer (LADO): 01872 254549

Devon

Devon Multi-Agency Safeguarding Hub (MASH): 0345 155 1071

Out of hours: Tel: 0845 6000 388

Local Authority Designated Officer (LADO): 01392 384964

Torbay

Torbay Children's Social Care – Tel: 01803 208100

Out of hours: 0300 456 4876

Local Authority Designated Officer (LADO): 01803 208563