

Policy prepared by	Chris Baillie, Director
Date policy issued	July 2024
Date approved by Trustee Board	July 2024
Impact assessment completed	Yes
Policy review date	July 2025

Designated Safeguarding Lead	Chris Baillie, Director Christine.baillie@swarthmore.org.uk Tel: 0113 2437985
Deputy Safeguarding Lead	Malgorzata Ciesluk Malgorzata.ciesluk@swarthmore.org.uk Tel: 0113 2437986
Chair of Trustees (Safeguarding Trustee)	Julie Badon Julie.badon@swarthmore.org.uk

Equality Impact Assessment Form

The completion of the Equality Impact Assessment (EIA) will help us to ensure that our policies, procedures and practices do not discriminate or disadvantage people and also improve or promote equality.

In relation to: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.
Please explain if you identified any inequalities or possible discrimination in the policy, procedure or practice?
No negative impact on any of the equality strands identified in the procedure.
If identified, how have you changed the policy, procedure or practice to remove or mitigate the inequality or discrimination?
Not Applicable
Any follow up actions required?
Not Applicable

1. INTRODUCTION

Safeguarding is everyone's responsibility.

Safeguarding requirements in the FE and Training sector apply to children and young people (up to age 18) and adults at risk (see below).

Safeguarding children and adults at risk is everyone's responsibility and we are committed to:

- Protect children from maltreatment.
- Prevent impairment of children's mental and physical health or development.
- Ensure that children grow up in circumstances consistent with the provision of safe and effective care.
- Take action to enable all children to have the best outcomes.

Safeguarding adults at risk

The Care Act 2014 provides a legal framework for how local authorities and other parts of the health and care system should protect adults at risk of abuse or neglect. Most of the principles and procedures that apply are the same as those for safeguarding children and young people. Safeguarding adults at risk means:

- Protecting an adult's right to live in safety, free from abuse, neglect and exploitation.
- People and organisations working together to prevent and stop both the risk and experience of abuse, neglect and exploitation.

What is Safeguarding?

Safeguarding is:

- Protecting children, young people and adults at risk from abuse, neglect and exploitation.
- Protecting the physical and mental health of children, young people and adults at risk.
- Effective safeguarding means children, young people and adults at risk can get the best outcomes in life.

Swarthmore is committed to ensuring:

- Students are and feel safe.
- Students know how to complain and are confident in doing so.
- The organisation gives a strong, robust and proactive response to concerns.
- Staff know and understand safeguarding indicators and know how to report concerns.
- Staff complete regular CPD in relation to Safeguarding and Prevent.
- We provide a safe physical environment.
- There is a Confidential Reporting (Whistle Blowing) Policy and staff are made aware of it.

Swarthmore is committed to developing and promoting positive resilience amongst all our students by developing and encouraging:

- Good communication skills.
- Independence.
- Self-confidence.
- Self-reliance.
- Ability to make autonomous decisions.
- Physically active.
- Emotional self-regulation.
- Problem-solving skills.
- Good social and peer networks.
- Can moderate own behaviour and behave appropriately.
- Positive relationships with others.
- Actively engaging in learning.

- Access to positive role models.
- Reflection and perspective: seeing things from different points of view and learning from experiences.

Swarthmore aims to provide a ‘safe space’ in which children, young people and adults at risk can feel confident to speak out about their experiences and ask for help by:

- Creating a positive culture around safeguarding.
- Building a culture of listening and trust.
- Having clear policies and procedures and pathways to report, with good promotion of who the safeguarding staff are.
- Helping everyone understand what abuse and harm is and their roles and responsibilities in identifying and reporting it.
- Creating a culture of ‘What if I am right?’ rather than ‘What if I am wrong?’
- Promoting a culture of ‘early help’ and positive intervention.

Swarthmore is committed to the three Rs relating to our Safeguarding responsibilities - Recognise, Record, Report:

- **Recognise:** Staff understand the risk indicators and signs of abuse.
- **Record:** Staff are aware of the reporting process and take a detailed record.
- **Report:** Staff escalate the concern to the centre’s DSL.

2. AIMS:

Swarthmore aims to ensure that:

- Appropriate action is taken in a timely manner to safeguard and promote all students’ welfare.
- All staff are aware of their statutory duties with respect to safeguarding including Volunteers, Trustees, freelance and sessional staff.
- Staff are trained in recognising and reporting safeguarding issues, whether online or offline.
- Systems for reporting abuse are promoted, easily understood and accessible.

Equality Statement:

Swarthmore is aware that some groups may have an increased risk of abuse, and additional barriers can exist in respect to recognising and disclosing. We are committed to anti discriminatory practice and recognise everyone’s diverse circumstances. We ensure that all students have the same protection regardless of any barriers they may face. This may include: those with additional educational needs or disabilities; young carers; discrimination based on race, ethnicity, disability, religion, gender reassignment, sex or sexual orientation; have English as an additional language; those known to be living in difficult situations such as temporary accommodation or where there are issues such as substance abuse or domestic violence; those at risk of FGM, sexual exploitation, forced marriage or radicalisation; asylum seekers; children in care.

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

- Adult Safeguarding Vulnerable Groups Act 2006 (SOVA) and the Protection of Vulnerable Adults Act 2012 (POVA) and informed and updated by all appropriate Acts including Equality Act
- Keeping Children Safe in Education 2024,
- Statutory Guidance for Schools and Colleges 2018
- Children Act 2004
- Care Act 2014
- Section 175 Education Act (2002)
- ‘No Secrets’ guidance on protecting vulnerable adults in care (2015)
- Working Together to Safeguard Children 2018
- Making Safeguarding Personal for Adults Guidance 2014/15
- Counter Terrorism and Security Act and Prevent Duty (2015 – updated April 2021)

Swarthmore Trustee Council takes seriously its responsibility under the Education Act 2002 and 2011 to safeguard and promote the welfare of vulnerable people. In line with the Information Sharing Guidance 2008 they will work together with other agencies to ensure there are adequate arrangements within the Centre to identify, assess, and support those children and vulnerable adults who are suffering harm.

It also acknowledges its responsibility under the Counter Terrorism and Security Act and Prevent Duty (F2015, updated 2021) to protect young people and vulnerable adults who could be drawn into violent extremist activity. The governing body understands its duty in regard to the reporting procedures concerning The Female Genital Mutilation (FGM) Act 2003 as amended by the Serious Crime Act 2015.

Safeguarding is about preventing and responding to concerns of abuse, harm, neglect or exploitation of vulnerable adults and children. We recognise that all staff and Trustees have a full and active part to play in protecting our students from harm and that their welfare is our paramount concern.

This policy covers all students, staff, volunteers and trustees at Swarthmore.

Swarthmore endeavours to provide a safe, caring, positive and stimulating learning environment for all students. We will empower students to create communities that are more resilient to extremism and protect the well-being of particular students or groups who may be vulnerable, promoting and reinforcing shared British values whilst creating space for open debate. Swarthmore will:

- Provide information and support in accessible ways to help adults and young people understand what abuse is and how it happens, how to stay safe and how to raise a concern about the safety or well-being of an adult or child.
- Provide an environment in which staff and students feel safe, secure, valued and respected, and feel confident and know how to access help if they are in difficulties.
- Raise the awareness of all staff of the need to safeguard children and students and of their responsibilities in identifying and reporting possible cases of abuse, radicalisation, and engagement in violent and/or coercive extremism.
- Participate in raising public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse including FGM, neglect, general intolerance, radicalisation, and engagement in violent and/or coercive extremism.
- Acknowledge the need for effective and appropriate communication between all members of staff in relation to safeguarding students and children.
- Develop a structured procedure within Swarthmore, which will be followed by all members of staff in cases of suspected abuse, radicalisation or engaging in violent and/or coercive extremism.
- Develop effective working relationships with all other agencies involved in safeguarding children, young people, adults with learning difficulties and others.
- Comply with safer recruitment guidelines.

3. PROCEDURES

Swarthmore procedures for safeguarding students, children and vulnerable people will be in line with the Local Authority arrangements. We will ensure that:

- The Trustee Board understands and fulfils its safeguarding responsibilities and will appoint a named Trustee Lead with Safeguarding responsibilities.
- A senior member of the leadership team will be the Designated Lead for Safeguarding.
- Individuals from the management team or Safeguarding team will substitute for the Designated Lead when required, and will have received training and been briefed in this role.
- All new members of staff, Volunteers and Trustees will complete essential Safeguarding training which includes Prevent as part of their induction programme. Refresher Safeguarding training will be completed by all staff and Trustees every three years.
- All members of staff, Volunteers and Trustees know how to respond to a student who discloses abuse or a safeguarding concern, and the procedure to be followed to appropriately share this information.

- All students are made aware of Swarthmore’s responsibilities regarding a vulnerable person’s protection procedures through publication of Swarthmore’s Safeguarding Policy and inclusion in the student induction programme.
- Pre-employment checks to determine staff suitability will be undertaken for all staff recruited to work for the Swarthmore Centre and the appointment will not be confirmed until satisfactory checks have been completed, as per our Safer Recruitment Policy. These checks will include references and eligibility checks; Barred List and Enhanced Disclosure & Barring Service Checks (formerly Criminal Records Bureau Checks). A Barred List check and an Enhanced Disclosure & Barring Service check will be undertaken for any person recruited to work in a regulated activity. Regulated activity at Swarthmore will include:
 - Tutors on Family Learning programmes.
 - Tutors on programmes with 16-18 year (19-25 vulnerable adults).
 - Tutors on any other programmes which fall within the definition of regulated activity.
 - Any other staff who may be in contact with the above in their day-to-day work.
- Our procedures will be reviewed and updated annually, or sooner, in response to new guidance.
- Induction for all staff, volunteers and Trustees will include the Safeguarding Policy and Procedures, the name and contact details of the Designated Lead and Deputy Safeguarding Lead, and they will be given a copy of the Staff Handbook to reinforce this.

4. RESPONSIBILITIES

Swarthmore recognises that it is an agent of referral and not of investigation. It is not the Centre’s responsibility to investigate abuse.

We have a Designated Lead who is responsible for:

- Referring a vulnerable student if there are concerns about their welfare, possible abuse, neglect or exploitation to the Local Adult or Children’s Safeguarding Board (whichever is relevant to the case) using the stipulated referral procedure as soon as possible within the working day. Any person identified as being at risk of becoming involved in violent and/or coercive extremism is referred to the Leeds Prevent Team (01132413386 / prevent@leeds.gov.uk).
- Ensuring that detailed and accurate written records of concerns about a vulnerable student are kept, even if there is no need to make an immediate referral.
- Ensuring that all such records are kept confidentially and securely.
- Acting as a focal point for staff concerns and liaising with other agencies and professionals.
- Keeping themselves up to date with knowledge to enable them to fulfil their role, including attending all required essential training provided by the appropriate body.

5. SUPPORTING CHILDREN AND VULNERABLE ADULTS

Swarthmore will support all children and vulnerable students by:

- Encouraging the development of self-esteem and resilience through the curriculum.
- Promoting a caring safe and positive environment within Swarthmore.
- Liaising and working together with all other support services and those agencies involved in the safeguarding of children and vulnerable students.
- Notifying Social Care, Safeguarding Team or Prevent Co-ordinators as soon as there is a significant concern.

6. CONFIDENTIALITY

We recognise that all matters relating to safeguarding and child and student’s protection are confidential.

The Designated Lead will disclose personal information about a child or student to other members of staff on a need-to-know basis only.

However, all staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children and vulnerable students.

All staff must be aware that they cannot promise a child, young person or student to keep secrets which might compromise safety or well-being or that of another.

We will always undertake to share our intention to refer a child or young person to Social Services with their parents/carers unless to do so could put the child or young person at greater risk of harm or impede a criminal investigation. If in doubt, we will consult with the Education Welfare Service or Social Services on this point.

7. SUPPORTING STAFF

We recognise that staff working at Swarthmore who have become involved with a child or student who has suffered harm, or appears to be likely to suffer harm, may find the situation stressful and upsetting.

We will support such staff by providing an opportunity to talk through their anxieties with the Designated Lead and to seek further support. This could be provided for all staff by, for example, Occupational Health and/or a tutor as appropriate.

We understand that staff should have access to advice on the boundaries of appropriate behaviour. The document "Guidance on Safer Working Practice for Adults who work with Children and Young People in Education (revised July 2015)" gives advice on this, and the circumstances which should be avoided in order to limit complaints against staff of abuse of trust and/or allegations of physical or sexual abuse.

We recognise that designated staff should have access to support and appropriate workshops, courses or meetings as organised by Swarthmore and/or the Local Authority.

8. ALLEGATIONS AGAINST STAFF

All staff should take care not to place themselves in a vulnerable position with a child or student. It is always strongly recommended that interviews or work with individual children, young people, students or parents be conducted in view of other adults.

We understand that a child or student may make an allegation against a member of staff. If such an allegation is made, the member of staff receiving the allegation will immediately inform the Director or the most senior member of staff if the Director is not present.

The Director, on all such occasions, will discuss the content of the allegation with the Safeguarding Lead or Trustee.

If the allegation made to a member of staff concerns the Director, the person receiving the allegation will immediately inform the Chair of Trustees who will take appropriate and immediate action without notifying the Director first.

Swarthmore will follow the appropriate procedures for managing allegations against staff.

Suspension of the member of staff against whom an allegation has been made needs careful consideration and we will consult in making this decision.

9. WHISTLEBLOWING

All staff should be aware of their duty to raise concerns about the attitude or actions of colleagues. If necessary, they should speak to the Chair of Trustees or the Designated Safeguarding Lead.

10. PHYSICAL INTERVENTION / POSITIVE HANDLING

DfE guidance on positive handling strategies (2001) and circular 10/98 "the use of force to control or restrain pupils". This guidance states that staff must only ever use physical intervention as a last resort e.g. when a child

or student is endangering him/herself or others and that, at all times, it must be the minimal force necessary to prevent injury to another person.

Such events should be recorded and signed by a witness.

We understand that physical intervention of a nature which causes injury or distress to a child or young person may be considered under child protection or disciplinary procedures.

11. ANTI-BULLYING

Swarthmore takes all forms of bullying seriously and acknowledges that to allow or condone bullying may lead to consideration under child and young person's protection procedures, or disciplinary procedures as appropriate.

12. RACIST INCIDENTS

Our policy on racist incidents is embedded in other policies and acknowledges that racist incidents may lead to consideration under equality protection procedures, and result in suspension and permanent exclusion/ dismissal

13. PREVENTION

We recognise that Swarthmore plays a significant part in the prevention of harm to our students by providing them with effective lines of communication with trusted adults and a culture of safety and protection.

Swarthmore will therefore:

- Establish and maintain a culture which is understood by all staff, which enables students to feel secure and encourages them to talk, knowing that they will be listened to.
- Ensure users of the Centre know who they can approach if they are worried or in difficulty.
- Provide curriculum opportunities which equip students with the skills they need to stay safe from harm and to know who they should turn for help.
- Ensure there are opportunities in the curriculum to promote British Values to students. British Values are defined as "democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs." (Prevent duty guidance).

14. HEALTH & SAFETY

Our Health & Safety Policy and IT Users Policy set out in separate documents the consideration we give to the protection of our students both physically and, for example, in relation to internet use and trips and visits.

15. CHILDREN ON SITE

Swarthmore is an adult education service and children should only be on site if attending family learning classes, attending specific courses or using public areas eg the café.

Protocols for children on site:

- Children are the responsibility of the accompanying adult at all times.
- If the child is too sick for school they must not be brought into the Centre.
- Children must not be left alone at any time while in the Centre.
- Parents / guardians must accompany their children to the toilet.
- Teaching staff may not take their own children into classrooms when they are teaching.

Unattended children on site:

It is the responsibility of all staff to report an unattended child to a manager. The manager should find out the name of the child and parent / guardian and then contact the parent / guardian and ask them to remove the child from the premises. At no time should a member of staff remain alone with the child. Unless it is in a public space, such as the café, another member of staff should be asked to be present. No physical contact should be made with the child. The matter must be reported as a safeguarding incident.

16. PREVENT – Radicalisation and Terrorism

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism. Terrorism is an action that endangers or causes serious violence to a person / people; causes serious damage to property; or seriously interferes or disrupts an electronic system.

The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious, or ideological cause.

If staff are concerned about a change in behaviour of an individual, or see something that concerns them (including that of a colleague), they must seek advice from our DSL. This will be escalated to the appropriate agency as required.

Staff at Swarthmore remain vigilant and aware of the nature of risk to students and the support available. All staff undertake Prevent Awareness training and refresher training every 3 years.

17. Peer on Peer Abuse

Swarthmore has a zero-tolerance approach to all forms of peer-on-peer abuse including bullying; cyberbullying; criminal and sexual exploitation; sexual harassment and violence; sharing nude images etc. All concerns raised are taken seriously and will be investigated as part of our safeguarding commitment.

It is not the responsibility of education staff to investigate reports of any kind of abuse. All reports must be recorded and reported immediately to the appropriate person – DSL (Deputy Safeguarding lead, or Safeguarding Trustee lead in the absence of the DSL).

18. Online safety

Swarthmore ensures that students and staff are taught to keep themselves safe, including online, ensuring that appropriate filters and monitoring systems for online usage are in place in the Centre. Swarthmore holds Cyber Essentials Plus accreditation.

Environment – Swarthmore is a safe and secure site with CCTV, sufficient security procedures and online filters.

Filtering and monitoring

Swarthmore uses 'Classroom Cloud' as a monitoring and filtering tool for all IT use as part of our commitment to safeguarding. The DSL has overall responsibility for the filtering and monitoring system, alongside the Finance and Services Manager, and the Deputy safeguarding lead. Classroom Cloud will highlight concerns and risks relating to: adult content, illegal content, bullying, cybersecurity, drugs, gambling, grooming, discrimination, radicalisation, extremism, hate speech, self-harm, violence, suicide, wellbeing etc, which is contained in any IT context (emails, google searches, teams messages, typed documents etc). Alerts are 'live' and are reviewed and interpreted daily. All alerts relating to a high-risk category, will be investigated and prioritised for intervention, as necessary. This policy relates to staff, students, and all other users of the centre, and appropriate action will be taken should safeguarding be breached, or a concern raised.

19. POLICY REVIEW

Swarthmore Trustee Council is responsible for ensuring the annual review of the Safeguarding and Prevent Policy.

Summary of key legal requirements:

Keeping Children safe in Education (Part 1 and annex B)

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

The Care Act

<https://www.legislation.gov.uk/ukpga/2014/23/contents>

Health and Safety at Work Act

<https://www.hse.gov.uk/legislation/hswa.htm>

Safeguarding Vulnerable Adults Act

<https://www.legislation.gov.uk/ukpga/2006/47/contents>

The Counter Terrorism and Security Act

<https://www.legislation.gov.uk/ukpga/2006/47/contents>

Equality Act

<https://www.gov.uk/guidance/equality-act-2010-guidance>

Children Act

https://www.legislation.gov.uk/ukpga/2004/31/pdfs/ukpga_20040031_en.pdf

Female Genital Mutilation Act 2003

Provides legislation and laws around FGM – Act amended by Serious Crime Act 2015, to include mandatory reporting for regulated professionals.

Working Together to Safeguard Children (2018)

The guidance outlines how we should all work together to safeguard and promote the welfare of children

Keeping Children Safe in Education (2021)

Further guidance re duties towards safeguarding and promoting the welfare of children.

The Children Act 2004

How organisations should safeguard children and promote their welfare.

The Education Act 2002

‘The governing body of an institution within the further education sector shall make arrangements for ensuring that their functions relating to the conduct of the institution are exercised with a view to safeguarding and promoting the welfare of children receiving education and training at the institution.’

The Care Act 2014

A legal framework for how institutions, including education, should protect adults at risk of abuse and neglect.

The Human Rights Act 1998

Legal protection of human rights, including the right to life and education.

The Sexual Offences Act 2003

Defining a range of criminal offences involving the abuse of a position of trust.

Education Inspection Framework for Further Education and Skills

Ofsted is required to inspect colleges under section 175 of the Education Act (2002) and report safeguarding outcomes for children and young people:

- The effectiveness to which institutions take reasonable steps to ensure that children and young people are safe.
- The effectiveness of institutions in helping ensure that children and young people feel safe.

Counter-Terrorism and Security Act 2015

FE establishments must have 'due regard to the need to prevent people from being drawn into terrorism' and to 'actively promote the fundamental British values of Democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.

Reporting process

Swarthmore has an 'If in Doubt, Shout' policy in place. You can report concerns using the QR code on the posters available throughout the Centre.

If you do not have access to the online form complete the Complete the Cause for Concern form and pass this to the Designated Safeguarding Lead, Chris Baillie. If DSL is unavailable please pass this to the Deputy Safeguarding lead, or a member of the management team.

Staff must not deal with any concerns themselves. All reports must be recorded and responded to in keeping with the policies and procedures and responsibilities within the organisation.

Students will be made aware of the reporting process at induction and the member of staff will follow the process above.