

## Safeguarding Policy

### PURPOSE

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Safeguarding is the responsibility of all staff and contractors at T3 Training & Development (T3) each playing a part in preventing, identifying and reporting abuse and neglect to the learners.

All safeguarding concerns will be addressed, and we will ensure that learners who attend T3 are kept safe from harm whilst they are in our charge.

T3 will not limit its view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should be considered.

### SCOPE

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- to ensure that learners are effectively safeguarded from the potential risk of harm and that the safety and wellbeing of the learner is of the highest priority in all aspects of T3's work
- to help T3 maintain its ethos whereby staff, volunteers, contractors, sub-contractors, learners, parents, carers, guardians and visitors feel able to articulate any concerns comfortably, safe in the knowledge that effective action will be taken as appropriate
- to outline T3's commitment to safeguard and promote the welfare of learners

T3 will ensure all staff:

- Are appropriately trained
- Are aware of their responsibilities in relation to safeguarding learners
- Know the procedures that should be followed if they have a safeguarding cause for concern
- Know how to access additional information regarding safeguarding
- Are aware of the key indicators relating to child and adult abuse and/or neglect
- Support T3's commitment to safeguarding, child and adult protection

Safeguarding and promoting the welfare of children is defined for the purposes of this policy as:

- Protecting children from maltreatment;
- Preventing impairment of children's mental and physical health or development;
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- Taking action to enable all children to have the best outcomes.

Children includes everyone under the age of 18.

### RESPONSIBILITY

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The Training Manager has overall responsibility for this procedure. It is the role of the T3 Team to ensure this procedure is adhered to. This policy will be reviewed on an annual basis or as and when the Prevent duty or Safeguarding legislation are revised.

### **Significant changes to policy**

All references to Keeping Children Safe in Education (KCSiE) updated to 2021.

Guidance to staff should there be a partial or whole centre closure

Update to online safety

Update to early help identifying what to look out for

Remain vigilant for concerns that aren't a direct disclosure

Unsubstantiated, unfounded, false or malicious reports

Allegations that may meet the harms threshold and low level concerns

Update on Domestic Abuse

Operation Encompass

### **T3 Safeguarding Team**

The Designated Safeguarding Lead (DSL) for Safeguarding and Prevent in T3 is:

**Leanne Melling – 07939189710 - 01226 610201 – training@t3-training.com**

In their absence, these matters will be dealt with by the Deputy Designated Safeguarding Lead (DDSL) :

**Nicola Barton - 01226 610201 – training@t3-training.com**

Local Authority Designated Officer (LADO) - Barnsley Council

**01226 772341**

**earlyhelp@barnsley.gov.uk**

T3 has a statutory duty to safeguard its learners. T3 recognises its legal and moral duty to promote the well-being of learners and protect them from harm and respond to safeguarding concerns when they arise.

We agree that we have a primary responsibility for the care, welfare and safety of the learners in our care, and we will carry out this duty through our teaching and learning, day to day practices, extracurricular activities, pastoral care and extended T3 activities. In order to achieve this, all members of T3, in whatever capacity, will at all times act proactively in learner welfare matters especially where there is a possibility that a learner may be at risk of significant harm.

We will enable learners, through tutorial, workbooks and other support activities, to develop the skills they need to stay safe from harm, understand British values, raise awareness of equality and diversity, health and safety, prevent & radicalisation and E-Safety. We will also help them to develop the confidence they need to speak up for themselves and others. We will provide effective support, guidance and care if a learner shares a concern with us.

Learners should be able to:

- recognise and manage risks in different situations
- judge what kind of physical contact is acceptable and what is not acceptable
- recognise when their personal safety is threatened and when and where to get help

We will:

- prevent unsuitable people working with learners
- promote safe practice and challenge poor and unsafe practice
- ensure staff are alert to learners at risk and know how to report concerns

When dealing with safeguarding concerns, it is important that all staff should 'Think Family' and consider the family members within the household and wider networks who may be at risk of, or experiencing

abuse or neglect. T3 will make referrals to Children or Adults Social Care when this is necessary to safeguard children and adults in need of safeguarding, even if they are not in its care.

All staff should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years.

T3 seeks to adopt an open and accepting attitude towards learners as part of their responsibility for pastoral care. T3 hopes that parents/carers and learners feel free to talk about any concerns and will see T3 as a safe place if there are any difficulties at home.

Learners' worries and fears will be taken seriously if they seek help from a member of staff. However, staff must not promise secrecy if concerns are such that referral must be made to the appropriate agencies in order to safeguard the learner's welfare and/or protect them from abuse and/or neglect. Learners will be made aware of this legal obligation.

If there are suspicions that a learner's physical, sexual or emotional well-being is being, or is likely to be, harmed, or that they are being neglected or abused in any way, appropriate action will be taken. This action will be in accordance with the safeguarding procedures issued by the Safeguarding Children Board, if the learner is under 18 or Safeguarding Adult Board, if learner is over 18, of the Local Authority area where the learner resides.

The T3 Safeguarding Team holds the safeguarding records for learners on a secure system from the OneFile System. Due to the highly confidential nature of a child/adult protection or safeguarding concern, staff **must not** update the learner's OneFile with this information. The T3 Safeguarding Team are responsible for making appropriate records.

However, **all** staff are responsible for populating a learner's safeguarding file. All discussions, telephone calls and meetings in relation to the learner must be recorded in writing by all staff and emailed through to the T3 Safeguarding Team ([training@t3-training.com](mailto:training@t3-training.com)) so that the Team can maintain an up to date chronology of the safeguarding concerns regarding the learner and the action taken.

Staff **must not** use Microsoft Teams as a vehicle to communicate and/or share information with the T3 Safeguarding Team on safeguarding related matters.

Staff should be aware that records may be shared with others at some stage and in exceptional cases, the possibility that they may become evidence in court proceedings.

The DSL and other appropriate professionals will hold a monthly meeting to discuss and review all live and dormant records. The DSL will then be able to monitor that the agreed actions have been implemented, assess the impact of the actions and the progress being made, collate a report for the governing body outlining the level of child and adult protection concerns and work being undertaken and ensure that clear actions are followed up where there is a child or adult protection plan in place and the outcomes are monitored.

Key Indicators of abuse and/or neglect but not limited to:

- Abuse, Physical abuse, Emotional Abuse
- Domestic violence or abuse
- Sexual abuse
- Psychological or emotional abuse
- Financial or material abuse
- Modern slavery

- Discriminatory abuse
- Organisational or institutional abuse
- Neglect or acts of omission
- Self-neglect

## DEALING WITH CONCERNS

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It is not the responsibility of any member of T3 to investigate any suspicions or concerns that a learner is at risk of or is suffering significant harm.

A safeguarding cause for concern is an action, observation, disclosure or discussion that makes staff feel anxious about the safety or wellbeing of a learner.

All causes for concern **must** be recorded on T3's Safeguarding Cause for Concern form (Page 18) and **must** be passed to the Designated Safeguarding Lead immediately. Staff should provide as much detail as possible about the concern, clarifying the basic facts. If an alleged crime has been committed, it is necessary to gather the basic facts about the alleged perpetrator (including name, age, address, access to children and adults), but not take any action that might alert the alleged perpetrator.

The T3 Safeguarding Team will decide on the appropriate actions, completing the section 'To be completed by the T3 Safeguarding Team' on the form and notify the member of staff of the actions.

Whilst awaiting the advice and actions from the T3 Safeguarding Team, staff must continue to monitor the situation that has led to report in a cause for concern. If the situation changes in the interim, staff must report in immediately any further details. In addition, if the concern becomes one of immediate suffering or likely to suffer significant harm, follow the guidance detailed below.

The T3 Safeguarding Team will consider if the concern needs to be passed on to Children or Adult Social Care for further action, following the procedures of these agencies respectively for making a referral.

If, at any point, there is a risk of immediate serious harm to a learner or staff believe that a learner is suffering or likely to suffer significant harm, contact must be made with a member of the T3 Safeguarding Team immediately so that prompt, appropriate action and referrals can be made to safeguard the learner.

If staff are unable to make contact with a member of the T3 Safeguarding Team, a referral must immediately be made by that member of staff directly to Children or Adult Social Care (Contact details for LADO page 2) , depending on the age of the learner and it must be to the Social Care team in the Local Authority area where the learner resides. In addition, if appropriate, support from the relevant emergency services should be sought (Police/Ambulance/Fire Services).

If a learner has a Social Worker, staff must keep the Social Worker updated on any safeguarding concerns regarding the learner, as well as the T3 Safeguarding Team.

An electronic safeguarding file will be raised by the Safeguarding Team immediately and will include:

- learner Information Sheet
- details of other agencies the learner may be working with
- whether a child protection, child in need, early help assessment or adult safeguarding arrangements are in place
- chronological information including cause for concerns, emails, telephone calls, meeting notes
- concerns about and/or contact with the learner and actions taken
- information on any siblings

## UNSUBSTANTIATED, UNFOUNDED, FALSE OR MALICIOUS REPORTS

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If a safeguarding report is determined to be unsubstantiated, unfounded, false or malicious, T3 will first consider if the learner making the allegation has done so as a cry for help, needs other help or may have been abused or harmed in some other way by someone else. If appropriate, a referral to social care will be made.

If a report is determined to be deliberately malicious or invented, T3 may decide to follow its own behaviour support policy as a mechanism to respond to such a report.

## ADDITIONAL SUPPORT

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Our business is committed to being at the forefront of the safeguarding and prevent agenda, therefore further support and guidance is accessible via the regional prevent coordinator at DfE. The Designated Safeguarding Lead has a duty to share and promote the additional guidance throughout the provision.

Our T3 Safeguarding Team is on hand to provide one to one ongoing additional support where required.

## PREVENT

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It is important that all learners are protected from the risk of radicalisation. It is the responsibility of T3 in its capacity as a training provider, to have regard to these duties from 1 July 2015. The duty also requires T3 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. (See [T3 Prevent Policy Q1017](#) for full details of our prevent duty).

## RECRUITMENT

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In order to ensure that learners are protected from the start of their learning journey and ongoing at T3, we will ensure that our staff are carefully selected, screened, trained and supervised.

We accept our responsibility to follow the guidance set out in the most up to date version of the statutory guidance 'Keeping Children Safe in Education' and "work based learners and the prevent duty". In particular, we will ensure that the following checks are satisfactorily completed before a person takes up a position with T3:

- identity checks to establish that applicants are who they claim to be including having sight of an applicant's birth certificate, passport and/or driving licence (see staff recruitment policy Q1026)
- verify the persons right to work in the UK
- checking academic qualifications, to ensure that qualifications are genuine
- previous employment history will be examined
- appropriate Disclosure and Barring Service (DBS) checks are completed
- a reference will be obtained for each new start

## INDUCTION AND TRAINING

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All new members of staff will receive induction training, which will give them an overview of the organisation and ensure they know its purpose, values, services and structure, as well as how to identify and report abuse and safeguarding concerns within the appropriate levels of confidentiality.

All staff will be given a copy of the company Safeguarding Policy Q1004 and issued revised versions as and when updated. A signed declaration of commitment will be made by all staff.

All new staff (and volunteers) will complete an online safeguarding training, British Values, Prevent, Channel Awareness, Equality & Diversity Awareness during their induction. This will enable them to effectively fulfil their responsibilities in respect of safeguarding learners.

All staff will attend refresher training every year, which includes updates via newsletters, emails, and staff meetings that staff are expected to participate in.

The Safeguarding Team are required to complete the Level 3 Designated Safeguarding Officer Training every 3 years.

Staff are expected to read Part 1 of the most recent version of 'Keeping Children Safe in Education' guidance (See page 14)

## CONDUCT OF STAFF

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T3 has a duty to ensure that high standards of professional behaviour exist among all staff who come into contact with learners and that all members of staff are clear about what constitutes appropriate behaviour and professional boundaries.

At all times, members of staff are required to work in a professional way with learners. All staff should be aware of the dangers inherent in:

- working alone with a learner
- physical interventions
- cultural and gender stereotyping
- dealing with sensitive information
- giving to and receiving gifts from learners and parents
- contacting learners through private telephones (including texting), e-mail, msn, WhatsApp, social networking websites or any other social messaging platform
- disclosing personal details inappropriately
- meeting learners and families outside T3 hours or T3 duties

If any member of staff has reasonable suspicion that a learner is suffering harm and fails to act in accordance with this policy and the relevant Safeguarding Children and Adults Board procedures, T3 will view this as misconduct, and take appropriate action.

Staff should continue to adhere to this policy during periods of partial or whole centre closure the main difference being that contact with learners and key staff will transfer to telephone, email and/or online contact as appropriate.

The safety, welfare and best interests of all our learners always comes first. Our safeguarding responsibilities continue to encompass children, young people and adults at risk and in need of safeguarding.

A Whistleblowing policy is in place in order to support the college ethos where learners and staff can talk freely about concerns, poor or unsafe practice potential failings knowing they will be listened to and appropriate action taken. If staff feel they are unable to raise their issue internally or feel that their genuine concerns are not being addressed other whistleblowing channels are available including through the NSPCC by contacting [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

## CONFIDENTIALITY AND SHARING INFORMATION

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T3 will ensure that all data about learners is handled in accordance with the requirements of the law and any national and local guidance.

Staff must recognise the need to comply with relevant legislation and guidance in relation to GDPR (General Data Protection Regulation) ([T3 Policy Q1001](#)), confidentiality and information sharing.

Regardless of the duty of confidentiality, working within the remit of our safeguarding duties, if any member of staff has reason to believe that a learner may be suffering harm, or be at risk of harm, their duty is to forward this information without delay to the T3 Safeguarding Team.

We will raise awareness of the safeguarding responsibilities with parents and carers. We will also, if appropriate, share concerns about the welfare of a learner with a parent or carer. T3 is committed to working with parents positively, openly and honestly. We will share with parents any concerns we have about their child, in line with our safeguarding duties, unless doing so may place the child at risk of harm.

## EARLY HELP

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Early help means providing support as soon as a problem emerges. T3 works within local multi-agency safeguarding arrangements where there are processes in place around the assessment of children who may benefit from early help. An early help assessment is undertaken by a lead professional who provides support to the child and family, act as an advocate on their behalf and coordinate the delivery of support services. T3 staff can act as lead professional and undertake an early help assessment and/or be asked to participate in such an assessment. Whatever the case, T3 staff need to work closely with other practitioners to decide whether the child and family would benefit from coordinated support from more than one agency.

Staff should be particularly alert to the potential need for early help for a learner who;

- is disabled or has certain health conditions, has specific additional needs and/or special educational needs regardless of whether they have a statutory Education, Health and Care Plan;
- is a young carer;
- has a mental health need;
- is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups or county lines;
- is frequently going missing/goes missing from care or from home;
- is at risk of modern slavery, trafficking sexual or criminal exploitation;

- is at risk of being radicalised or exploited;
- is in a family circumstance presenting challenges for the learner, such as substance misuse, adult mental health and domestic abuse;
- has a family member in prison, or is affected by parental/carer offending;
- is misusing substances themselves;
- has returned home to their family from care;
- is a privately fostered child;
- is at risk of honour-based abuse such as Female Genital Mutilation or Forced marriage;
- is persistently absent from education, including persistent absences for part of the day.

The Safeguarding Officer is the single point of contact for coordinating support for these learners both internally and externally. The safeguarding team will hold a record of these learners including contact details of the learners next of kin and any other agencies working with the learner.

#### PHOTOGRAPHING LEARNERS UNDER THE AGE OF 18

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We will not allow visitors to T3 i.e. workshop providers – to photograph or film learners during a T3 activity without permission. We will not allow images of learners to be used on T3 websites, publicity, or press releases, without express permission from the learner and, if under 18, the parent. The full name of learners on social media will not be used without permission also.

#### SUBCONTRACTING

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T3 is committed to ensuring that all learners/apprentices in our subcontracted provision are safeguarded.

Through due diligence, quality audits and unannounced visits we gather evidence to provide assurance and intervene if necessary.

#### WHAT HAPPENS IF THE SAFEGUARDING POLICY IS NOT ADHERED TO?

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We will not tolerate behaviour which breaches the Safeguarding Policy and will initiate disciplinary or other action, if circumstances warrant, against those who contravene the guidance contained in it.

## ROLES AND RESPONSIBILITIES OF STAFF

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### **The Senior Management Team is responsible for:**

- giving a consistent and high-profile lead on all safeguarding issues
- promoting T3's approach to safeguarding inside and outside the institution
- making sure the safeguarding policy and all supporting c and procedures are followed
- allocating sufficient resources and time to enable designated staff to discharge their responsibilities, including taking part in strategy discussions and other interagency meetings, and contributing to the assessment of children
- ensuring all staff feel able to raise concerns about poor or unsafe practice
- updating human resources policies and procedures that relate to safeguarding in particular with regard to Safer Recruitment guidelines
- Retention of Child protection and safeguarding records will be kept until the child is 25 and Adult protection and safeguarding records will be kept for 6 years plus current, otherwise known as 6 years + 1.

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

- putting the safeguarding policy and supporting policies and procedures into practice
- making sure all staff know their responsibilities and receive support and training to carry these out
- following the relevant procedures to manage safeguarding issues raised by staff or learner/apprentice

### **All staff are responsible for:**

- acting in accordance with this policy at all times
- identifying learners who may be in need of extra help, who are suffering or likely to suffer significant harm. All staff have a responsibility to take appropriate action as described in this policy, working with other services as needed
- Ensuring that the same duty of care is applied to online learning, as is to face to face learning
- Ensuring safeguarding, prevent and welfare issues are identified during induction or through questionnaires where face to face recruitment hasn't taken place
- dealing with safeguarding issues and being able to recognise potential harm, ensuring they are alert to the signs/indicators of abuse and neglect
- keeping the T3 Safeguarding Team up to date with ongoing concerns regarding a learner in need of safeguarding and/or who is working with statutory services such as Social Care. This may include, for example, a dip in attendance, concerning behaviour, a change in presentation
- in the absence of the Safeguarding Team, taking action to safeguard the learner including making referrals to external agencies if appropriate
- raising awareness of this policy with learners and what might happen if they have a concern about a learner
- referring concerns immediately to the Safeguarding Team
- remain vigilant to safeguarding concerns that don't arise from a direct disclosure, information may come from overhearing conversations or observing behaviour changes
- promoting T3's approach to safeguarding and protecting learners
- Follow up contact with learners throughout the programme to include reminders of the welfare opportunities available

- understanding their role in relation to the requirement to safeguard and promote the welfare of learners and protect them from harm
- knowing how to support and respond to a learner who discloses abuse or neglect or a wider safeguarding concern
- staff proactively seek the voice of the learner in particular for learners with special educational needs and disabilities, and not becoming over-reliant of the voice and views of the parent/carer
- working with DSL, Barnsley College's Safeguarding Team ([safeguarding@barnsley.ac.uk](mailto:safeguarding@barnsley.ac.uk)) and may be asked to support Social Workers to make decisions about learners
- always acting in interest of the learner.
- All staff will integrate and embed British Values, Safeguarding and Prevent into all teaching, learning and assessment materials and delivery.
- Ensure the employer recruiting an apprentice has a 'single point of contact' (SPOC)
- Advise employer SPOC to complete safeguarding and prevent training that is accepted by T3
- All staff will have access to the DSL or deputy on a daily basis and can contact them via phone, email or Microsoft teams.

**Employers are responsible for:**

- Providing a Single Point of Contact (SPOC) for the learner whilst on an apprenticeship with T3 to take responsibility to safeguard the learners in their employment as set out in the learning agreement
- The SPOC to complete safeguarding/prevent training as advised by T3
- Guaranteeing that the SPOC will be available for reviews with the learners and assessor.

## APPENDIX A – SPECIFIC FORM OF ABUSE AND SAFEGUARDING ISSUES

### CHILDREN MISSING FROM EDUCATION

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A child going missing from education can be a potential indicator of abuse or neglect. Staff members should follow T3's procedures for reporting concerns of children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or exploitation and to help prevent further incidences.

### ONLINE SAFETY

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As schools, colleges and training providers increasingly work online, it is essential that children are safeguarded from potentially harmful and inappropriate online material. Staff must recognise that learners can be both victims and perpetrators of online abuse.

Learners need to be safeguarded from the following areas of risks online;

- Content - inappropriate and harmful content.
- Contact - harmful online interactions.
- Conduct - online behaviour that causes or increases the likelihood of being subjected to harm.
- Commerce - including online gambling, phishing, financial scams.

Some online risks may lead to the learner being harmed and/or becoming involved in illegal activity including, but not limited to, radicalisation, cyberbullying, hate crime, non/consensual sharing of semi-nude and nude images and/or videos, revenge pornography, harassment, cybercrime, selling and distributing illegal drugs.

As such, leaders and managers should ensure that appropriate measures are in place to protect learners from potential online safeguarding issues and ensure that their own online behaviour is not abusive in any way.

Measures include:

- Induction and tutorial learning which trains learners to understand the potential dangers online; including regular and timely updates.
- Tutorial/learning activity which ensures that learners understand how to report online safeguarding issues.
- Training for staff.
- Appropriate filters and monitoring of internet access, including the identification of trends and potential issues.

Online safety during partial or whole centre closure will remain a priority and all staff will continue to look out for any signs that indicate a learner may be at risk online and will report and respond to concerns in line with this policy. In particular staff should be vigilant to online bullying, sexting, radicalisation, peer on peer abuse, criminal and sexual exploitation. Learners are encouraged to report concerns to a member of staff or a trusted adult at home.

### FEMALE GENITAL MUTILATION

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

Section 5B of the FGM Act 2003 introduces a mandatory reporting duty which requires regulated health and social care professionals and teachers in England and Wales to report 'known' cases of FGM in under 18s which they identify in the course of their work to the police, where they either:

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

Complying with the duty does not breach any confidentiality requirement or other restriction on disclosure which might otherwise apply.

The T3 Safeguarding Team must make an appropriate referral to Children's Social Care if FGM is suspected. In these cases, parents will not be informed before seeking advice. This duty does not apply in 'at risk' or suspected cases. For all T3 staff, normal safeguarding procedures apply in the reporting of FGM cases.

#### FORCED MARRIAGE

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Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

#### CHILD SEXUAL EXPLOITATION (CSE), CHILD CRIMINAL EXPLOITATION (CCE), COUNTY LINES AND SERIOUS VIOLENCE

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CSE and CCE are both forms of abuse which occur in person or online and involves a group or individual taking advantage of an imbalance of power to coerce, manipulative or deceive a child into sexual or criminal activity even when the activity appears consensual.

The abuse can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence.

Exploitation is also an integral part of county lines activity which involves gangs and organised criminal networks in exporting illegal drugs into other areas within the UK.

Staff should be aware of indicators that may highlight that a student is at risk from or involved with CSE, CCE, county lines or serious and/or gang related violent crime.

#### PEER ON PEER ABUSE

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Staff should be aware that learners are capable of abusing their peers. This is generally referred to as peer on peer abuse and can include, though not limited to, bullying, cyberbullying; sexual violence and sexual harassment; physical abuse; sexting; initiation/hazing type violence and rituals; and upskirting. Whilst staff need to be aware of the gendered nature of peer on peer abuse, all peer on peer abuse is unacceptable and will be taken seriously.

T3 will not tolerate peer on peer abuse. Every report of peer on peer abuse will be taken seriously and considered on a case by case basis, supported by other agencies, such as children’s social care and the Police as appropriate. It is not appropriate to consider peer-on-peer abuse to be excusable as “banter”. Staff must report such allegations to the T3 Safeguarding Team who will record the allegations and the outcome on the central safeguarding database and relevant learner files.

T3 will make an immediate risk and needs assessment following the report of peer on peer abuse, including consideration of how to support and protect the victim and alleged perpetrator.

The risk and needs assessment will consider the victim, especially their protection and support; the alleged perpetrator; and, all other learners (and if appropriate adult learners and staff) at T3 and any actions appropriate and proportionate to keep them all safe.

#### LEARNER ON LEARNER SEXUAL VIOLENCE AND SEXUAL HARASSMENT

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Sexual violence and sexual harassment is not acceptable and will not be tolerated by T3. Sexual violence and sexual harassment can include, though not limited to sexual assault, sexual comments, physical behaviour, online sexual harassment and upskirting which is now a criminal offence.

Every report of sexual violence or sexual harassment will be taken seriously and considered on a case by case basis, supported by other agencies, such as children’s social care and the Police as required. Staff must report such allegations to the T3 Safeguarding Team who will record such allegations and the outcome on the central safeguarding database and relevant learner files.

T3 will make an immediate risk and needs assessment following the report of sexual violence. The risk assessment will consider the risk posed to all learners and staff and adequate measures will be put in place to protect them and keep them safe. T3 will consider the need for a risk assessment on a case by case basis for reports of sexual harassment.

The risk and needs assessment will consider the victim, especially their protection and support; the alleged perpetrator; and, all other learners (and if appropriate adult learners and staff) at T3 and any actions appropriate and proportionate to keep them all safe.

#### *Response*

The response to manage the report of sexual violence or sexual harassment and peer on peer abuse will be proportionate to the case and will include one or a combination of the following options;

- Manage internally;
- Early help;
- Refer to social care;
- Report the police.

The support for the victim and alleged perpetrator will also be tailored on a case-by-case basis. Support may be provided by T3, external agencies or a combination of both.

A proactive approach is adopted to preventing peer on peer abuse, sexual violence and/or sexual harassment and peer on peer abuse and includes;

- staff training;
- student awareness through tutorials;
- T3 stance on zero tolerance to peer on peer abuse, sexual violence and/or sexual harassment articulated through policy statement, tutorials and training.

## HONOUR BASED ABUSE

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Honour based abuse is a collection of practices used to control behaviour within families in order to protect perceived cultural and religious beliefs and/or honour. Violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code.

## COUNTY LINES

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County lines is a form of criminal exploitation in which criminals groom and manipulate children into drug dealing. The 'lines' refer to mobile phones that are used to control a young person who is delivering drugs, often to towns outside their home county.

## UPSKIRTING

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The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and/or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any gender, can be a victim.

## MENTAL HEALTH

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Staff are well placed to observe students and identify those who may be experiencing a mental health problem or at risk of developing one. In particular, staff should be aware that a mental health problem may in certain cases indicate that a student has or is still suffering from some form of abuse or neglect. Any mental health concern is also a safeguarding concern and should be reported to the T3 Safeguarding Team as such so that an appropriate response can be made, on a case by case basis, in support of the student. This may include referrals to services.

## DOMESTIC ABUSE

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The Domestic Abuse Act 2021 now creates a statutory definition of domestic abuse as;

"Behaviour of a person ("A") towards another person ("B") is "domestic abuse" if (a) A and B are each aged 16 or over and are personally connected to each other, and (b) the behaviour is abusive".

In summary, the Act emphasises that domestic abuse is not just physical violence or threatening behaviour, but can also be coercive or controlling, emotional, sexual and/or economic abuse. As part of this definition, children are explicitly recognised as victims if they see, hear or otherwise experience the effects of abuse.

As a result, staff should now be aware that the definition of child abuse has been updated to include harm experienced by the impact of domestic abuse. This includes ill treatment that is not physical as well as the impact of witnessing ill treatment of others. It can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse.

This expands the list of potential threats to young people's safety to include domestic abuse, including controlling or coercive behaviour and the impact this has on children. Reference is made to the fact that the harm may be indirect and non-physical in cases of controlling/coercive behaviour and economic abuse.

## OPERATION ENCOMPASS

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Operation Encompass is the notification to the training provider that a child (under 18) may have been affected by a domestic incident. This will be done by the start of the next training day.

Operation Encompass ensures that a specifically trained member of centre staff, known as a Designated Safeguarding Lead (DSL), is informed. The DSL can then use the information, in confidence, to ensure the wellbeing of the learner. T3 will look to make provisions or adjustments to assist the learner.

T3 is keen to offer the best support possible to all of our learners and we believe this will be extremely beneficial for all those involved.

## STAFF ALLEGATIONS

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If staff have safeguarding concerns, or an allegation is made about another member of staff (including supply staff and volunteers) posing a risk of harm to children, then:

- this should be referred to the Training Manager or Director;
- where there are concerns/allegations about the Training Manager or Director, this should be referred to the chair of governors, quality manager or proprietor of an independent school; and
- in the event of concerns/allegations about the Director, where the Director is also the sole proprietor of an independent school, this should be reported directly to the designated officer(s) at the local authority.

There are two levels of allegation/concern that may arise against those working in or on behalf of T3 in a paid or unpaid capacity;

- Allegations that may meet the harms threshold
- Allegations/concerns that do not meet the harms threshold - referred to as 'low level concerns'.

### **Allegations that may meet the harms threshold**

This relates to allegation that might indicate a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children with T3.

A 'low level concern' does not mean that it is insignificant, it just means that it does not meet the harms threshold. A low level concern is any concern, that an individual working in or on behalf of T3 may have acted in a way that;

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work
- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to LADO.

It can be any concern, no matter how small, including a nagging doubt or sense of unease.

Examples include but are not limited to:

- Being over friendly with learners and/or having favourites
- Taking photographs of learners on personal mobile phones
- Engaging with a learners on a one-to-one basis in a secluded area behind a closed door
- Using inappropriate sexualised, intimidating or offensive language

All concerns, regardless of whether they meet the harms threshold or not, should be reported into the Director or Training Manager, who will then decide on the next steps. Concerns may arise as a result of face to face and/or online behaviour.

## APPENDIX B

### SUMMARY OF LEGAL AND GOVERNMENT REQUIREMENTS

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#### **Female Genital Mutilation ‘Recognising and Preventing FGM’**

This guidance describes some of the signs that FGM has taken place or could take place in the near future. It also explains what practitioners need to do in such circumstances.

The Home Office guide ‘Mandatory Reporting of Female Genital Mutilation-Procedural information’ provides further information

#### ***‘Working Together to Safeguard Children’ (2018)***

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

#### ***‘Keeping Children Safe in Education’ (2021)***

Provides further guidance as to how T3 should fulfil their duties in respect of safeguarding and promoting the welfare of children in their care.

#### ***‘Education Inspection Framework for Further Education and Skills’ (2019)***

Ofsted is required to inspect the extent to which T3 discharge their duties under ‘section 175’ of the ‘Education Act’ (2002) and report on these safeguarding outcomes for children and young people with specific reference to:

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

#### ***‘Criminal exploitation of children and vulnerable adults: county lines’ Sept 2018***

This guidance explains the government’s approach to ending gang violence and exploitation. It is intended to explain the nature of this harm to enable practitioners to recognise its signs and respond appropriately so that potential victims get the support and help they need

#### ***‘Teaching online safety in school’ June 2019***

Guidance supporting schools to teach their pupils how to stay safe online, within new and existing school subjects

#### ***‘Safer Practice, Safer Learning’ (NIACE 2007)***

This guidance sets out the safeguarding responsibilities for T3 and recommends creating a “safer” learning environment that promotes well-being and security.

#### ***‘What to do if you are worried a child is being abused 2015 – Advice for Practitioners’***

#### ***‘The Care Act 2014’***

## **The Human Rights Act 1998**

## **The Mental Capacity Act (including DoLs) 2005**

### ***'Protection of Freedoms Act' (2012)***

The Protection of Freedoms Act, 2012 established the Disclosure and Barring Service (DBS) that carries out functions previously undertaken by the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA). This includes setting out the type of activity in relation to children and vulnerable adults that is classed as 'regulated activity' and subject to appropriate vetting and monitoring.

### ***'The Children Act' (2004)***

The Children Act, 2004 defines statutory leadership roles for the safeguarding of children, the joint planning of children's services and how organisations should safeguard children and promote their welfare.

The Act defines safeguarding as the protection of children and young people from maltreatment including preventing the impairment of their health or development and ensuring that children and young people are growing up in circumstances consistent with the provision of safe and effective care.

### ***'The Sexual Offences Act' (2003)***

The Sexual Offences Act 2003 defined a range of criminal offences involving the abuse of a position of trust.

The Act's provisions mean that, subject to a number of limited defences (as set out in sections 23 and 24 of the Act), it would be a criminal offence for a person in a position of trust to engage in any sexual activity with a person aged under 18 with whom they have a relationship of trust, irrespective of the age of consent, even if the basis for their relationship is consensual. A relationship of trust exists where a member of staff or volunteer is in a position of power or influence over a learner/apprentice by virtue of the work or nature of the activity being undertaken.

### ***The Education Act (2002) - Section 175 of the 'Education Act' (2002) provides that:***

"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 Children Act 1989***

Part III of The Children Act 1989 outlines the requirement for local authorities to provide services for children and their families:

- Section 17 of the Act determines that it is the duty of every local authority to safeguard and promote the welfare of children within their area. It is under this section of the legislation that concerns about the welfare of a child will be referred to social care
- Section 47 of the Act determines the duty of every local authority to investigate where there is reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm. It is under this section of the legislation that concerns about the abuse or neglect of a child will be referred to social care

### ***Sexual Violence & Sexual Harassment between children in schools and colleges***

Departmental advice and guidance which reinforces the emphasis on sexual violence and sexual harassment and helps us understand how to identify it and what to do about it.

The status of the document is advice, however this is set out in the context of the legal obligations on schools under the Human Rights Act 1998, Equality Act 2010 and the Public Sector Equality Duty. It is therefore clear that whilst the status of the document is advice, there is a need to ensure that you are following the advice to meet your legal obligations.

***NPCC - When to call the Police***

This guidance should help designated safeguarding leads understand when they should consider calling the police and what to expect when they do.

This policy has been reviewed by

Nicola Barton

Training Manager

*NBARTON*

*01/11/2021*

*Next review date: 01/11/2022*

### **Designated Safeguarding Leads (DSL's) at T3**

The optimal scenario for T3 providing care for the apprentices is to have a trained DSL or deputy available on site. It is recognised this may not be possible in these difficult times, and where this is the case there are 2 options to consider:

- A trained DSL or deputy from T3 can be available to be contacted via phone or online video - for example working from home
- Sharing trained DSLs or deputies with other professional authorities (who should be available to be contacted via phone or online video)

Where a trained DSL or deputy is not able to access apprentices files, in addition to one of the above options, the department recommend a senior leader takes responsibility for co-ordinating safeguarding This might include updating and managing access to child protection files, liaising with the offsite DSL (or deputy) and as required liaising with apprentices social workers where they require access to children in need and/or to carry out statutory assessments with T3 learners.

Whatever the scenario, it is important that all T3 staff and volunteers have access to a trained DSL or deputy and know on any given day who that person is and how to speak to them.

It is acknowledged that DSL training is very unlikely to take place during this period (although the option of online training can be explored). For the period COVID-19 measures are in place, a DSL (or deputy) who has been trained will continue to be classed as a trained DSL (or deputy) even if they miss their refresher training.

T3 will face unique challenges at this time. Where reasonably possible, the DSL (or deputy) should consider these in a child protection context and reflect them with all staff to monitor the situation for consistent safety of the apprentices.

T3 will continue to follow the tight measures to protect the apprentices during these remote learning sessions and be available to discuss concerns or any issues arising through the regular channels and contact numbers.

Further information can be found in the government link attached.

<https://www.gov.uk/government/publications/covid-19-safeguarding-in-schools-colleges-and-other-providers/coronavirus-covid-19-safeguarding-in-schools-colleges-and-other-providers>

All learners and employers have been reminded of the contact details of the DSL and deputy while they are working off site.

**Safeguarding Report Form**

Reported By:	Date:
Contact Details:	
Learner Name:	Employer Name:
Gender:	D/O/B:
Are you reporting your own concerns or responding to those raised by someone else?	
Details of the Safeguarding Incident:	
Does the learner know you are reporting this? Y/N	
Learners account (if necessary):	
Action taken so far:	
<p>Please note: concerns should be discussed with the family unless:</p> <ul style="list-style-type: none"> <li>• The view is that a family member might be involved</li> <li>• Someone may be put in danger by the parents being informed</li> <li>• Informing the family might interfere with a criminal investigation</li> </ul> <p>If any of these circumstances apply, consult with the local authority children’s social care department to decide whether or not discussions with the family should take place.</p>	
<p>Have you informed the:</p> <p>T3 Safeguarding Team            Y/N</p> <p>Police                                    Y/N</p> <p>Local Authorities                    Y/N</p> <p>Provide date/time and contact name of who you spoke to</p>	
Signed:	Date: