



**BLACKBURN GOULD  
& ASSOCIATES**

# **SAFEGUARDING POLICIES AND PROCEDURES**

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## **PURPOSE**

The purpose of this policy is to offer guidance and instructions to all employees and contractors. It confirms Blackburn Gould and Associates' commitment to safeguarding and promoting the welfare of learners. If any form of abuse is suspected, or if a person is identified as being vulnerable or at risk of being recruited into terrorism-related activity, appropriate action will be taken.

Blackburn Gould requires all employees and those contracted to provide services to share this commitment.

## **SCOPE**

This policy deals with the protection of young people and adults at risk. For the purposes of clarity, any person under the age of 18 is deemed to be a young learner and an adult at risk is deemed to be a person who is or may need community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of themselves, or unable to protect themselves against harm or exploitation.

An adult is considered 'vulnerable' if they receive a health, personal or social care service from a professional. Personal services would include, for example, help with financial matters or self-care. Any person up to the age of 24 with a current Educational Health and Care Plan (EHCP) in place is treated as a learner under the relevant safeguarding & learner protection legislation.

All references to employees comprise teaching staff, other staff and volunteers working in the organisation, visitors and includes contractors to the organisation in direct contact with learners, regardless of position, role or responsibilities.

The term 'safeguarding children, young people and adults at risk' embraces both reactive learner protection and a preventative approach to keeping young people and adults safe. The statutory guidance Keeping Children Safe in Education 2019, Working Together to Safeguard Children 2018, The Protections of Freedom Act 2012, the Safeguarding Vulnerable Groups Act 2006 and the Prevent Duty Guidance are the key documents upon which this policy is based.

Safeguarding and promoting the welfare of young people is defined for the purposes of this policy as: protecting young adults from maltreatment; preventing impairment to their health or development; ensuring that they grow up in circumstances consistent with the provision of safe and effective care and taking action to enable all young adults to have the best outcomes.

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A vulnerable learner is therefore identified as a person who:

- Is a Looked After Learner (LAC)
- Is a care leaver
- Is a young carer
- Has learning difficulties or disabilities
- Has mental health difficulties (e.g. dementia, personality and eating disorders)
- Has general welfare concerns
- Has a physical or sensory disability
- Has been involved in substance or alcohol misuse
- Has suffered from domestic violence
- Has social or emotional problems
- Has a criminal conviction

A learner of any age may also be identified as vulnerable at any time during their programme of study based on behaviour. The vulnerability framework of indicators which may provide psychological hooks leading to engagement with a group, cause or ideology associated with terrorism may include:

- Feelings of grievance and injustice
- Feeling under threat
- A need for identity, meaning and belonging
- A desire for status
- A desire for excitement and adventure
- A need to dominate and control others
- Susceptibility to indoctrination
- A desire for political or moral change
- Opportunistic involvement
- Family or friends' involvement in extremism
- Being at a transitional time of life
- Being influenced or controlled by a group
- Relevant mental health issues

Abuse takes many forms including emotional, physical, sexual and mental. Whilst it is more common for there to be a perceived disproportionate power differential between abuser(s) and abusee (s), peer on peer abuse is a significant issue. It must never be tolerated or treated as 'banter' or just 'part of growing up.'

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Peer on peer abuse will be minimised through the vigilance and awareness of staff to recognise and identify where such abuse is occurring, and to act swiftly to ensure its curtailment. Up-skirting has also been recognised under the category of peer-on-peer abuse.

All disclosures will be recorded in the Safeguarding Case Files and reviewed on a weekly basis by the Designated Safeguarding Lead (DSL), and the Safeguarding Consultant to ensure appropriate support mechanisms are in place for both victims and alleged perpetrators.

The Organisation as part of its community support programmes recognises that so called 'initiation ceremonies and 'hazing' (defined as: any activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers them regardless of a person's willingness to participate) may be disproportionately represented amongst our learners based in Grays, Thurrock.

Blackburn and Gould therefore has a duty and a responsibility in the prevention of youth crime and staff will be made aware of indicators, which may signal that learners are at risk from, or are involved with serious violent crime. This includes:

- Increased absence from training
- A change in friendships or relationships with older individuals or groups
- A significant decline in performance
- Signs of self-harm or a significant change in wellbeing
- Signs of assault or unexplained injuries
- Unexplained gifts or new possessions

All staff will be made aware of the associated risks and understand the measures in place to manage these. Blackburn Gould and Associates will incorporate learning from the Home Office's Preventing Youth Violence and Gang Involvement and its Criminal Exploitation of Children and Vulnerable Adults: County Lines Guidance. Further advice and guidance on the range of abuse and indicators of abuse can be found in Annex A of 'Keeping Children Safe in Education 2019'.

Blackburn Gould has clear objectives:

- To provide a safe environment for young people and adults in which to work and learn.
- To identify people who are experiencing, or likely to experience significant harm, providing support and taking appropriate action with the objective of producing positive outcomes for those people.

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- To foster, promote and maintain a genuine feeling of safety via the curriculum, pastoral support, and appropriate working practices.
- To act where appropriate to safeguard the person through working in partnership with other agencies.
- To educate all learners and staff in safeguarding and learner protection issues so that they become more aware and confident in dealing with these issues.

Blackburn Gould has processes which:

- Identify young people and adults at risk of significant harm, or where there are concerns for a person's welfare, provide procedures for reporting and addressing such concerns.
- Prevent unsuitable people from working with young people and adults.
- Maintain channels for reporting and dealing with all allegations of abuse.
- Work in partnership with local agencies including the sharing of information.
- Provide a safe environment for young people and adults within the Organisation by Appropriately filtering and monitoring learner internet usage.

Blackburn Gould will act to:

- Appoint and train a Designated Safeguarding Lead with responsibilities to lead on all matters pertaining to safeguarding and learner protection, and who will ensure that appropriate and robust systems are in place that will coordinate reporting, monitoring, referral, and support procedures. Name, role and contact details will be available to all staff, learners, and parents/carers.
- Train all staff to Recognise, Respond, Record and Report regarding Safeguarding procedures with training updates provided on an annual basis.
- Keep accurate and secure records of concerns about individuals, even when there is no need for immediate referral to outside agencies; provide a systematic means of monitoring young people and adults known, or thought to be, at risk of harm, and contribute to assessments/support plans with other agencies.
- Make sources of help and support accessible for anyone who may experience abuse.
- Develop effective working relationships with other agencies: Police, Social Services, Health Authority and the Local Safeguarding Children's Board (LSCB);
- Train staff in safe practices to protect young people and adults in the learning environment, and also to protect themselves from false allegations of abuse.
- All staff are required to access and read Part 1 of 'Keeping Children Safe in Education 2019' document and sign to confirm they have understood the content of the document.

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- Ensure safe recruitment practices by implementing enhanced checks on all new and existing staff in accordance with the Disclosure and Barring Service (DBS), taking of references, and training interviewers in accordance with Department of Education guidance to effectively establish suitability for role at the time of employment.
- Provide tutorial or other curriculum, learning or pastoral support. The curriculum (both formal and informal) will be used to help young people and adults to develop their self-esteem, assertiveness, and problem-solving skills, to promote their resilience, and help with behaviour problems such as anger.

### **Duty of Care**

Staff are accountable for the way in which they exercise authority, manage risk, use resources, and actively protect people from discrimination and avoidable harm. Staff should develop respectful, caring, and professional relationships between themselves and all other users of Blackburn Gould. Staff behaviour should demonstrate integrity, maturity and good judgement, e.g., management of risk in external visits/residential visits.

### **Breach of Trust**

Under the Sexual Offences Act 2003, it is an offence for a person over 18 to have a sexual relationship with a young person under 18 where that person is in a position of trust in respect of that young person, even if the relationship is consensual. This applies when the young person is in full time education and the person works in the same establishment as the young person, even if he/she does not teach the learner. Where a sexual relationship exists between a staff member and a learner aged 18 or over, it is required that the staff member discloses this to HR immediately.

### **Information Sharing**

The Organisation will ensure that it pursues robust and timely information sharing protocols with all of the agencies working with young people which include schools, statutory authorities, support services and social services in line with the 'Working Together to Safeguard Children 2019' document.

### **Safeguarding Reporting Protocols for staff:**

All staff are responsible for safeguarding one another and our learners. Where a learner makes a disclosure to a member of staff, they should do the following:

- **LISTEN** carefully, stay calm; do not express shock or embarrassment
- **DO NOT** guarantee confidentiality, but be clear that you will act sensitively and explain what will happen next
- **GIVE REASSURANCE** that you are taking the information seriously
- **DO NOT** ask leading questions

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- **DO NOT** examine any physical injuries
- **DO NOT** attempt to investigate the allegations yourself
- **NEVER JUDGE** – even if the allegation is against a colleague
- **RECORD** what was said, also time, date and place.
- **CONTACT** a member of the Safeguarding Team as soon as is reasonably possible

### **Blackburn Gould Safeguarding Recording & Case Management Procedure**

All safeguarding concerns are either identified by or referred through to the Executive Director by members of staff, external agencies, learners, or parents. The Organisation will also receive self-referrals by learners and other learners who bring concerns about peers or parent/carers.

The Executive Director will investigate all concerns and allegations, make a judgement on next steps, and then refer on to the appropriate agency, and/or compose an Early Help Record, taking advice from the Safeguarding Consultant.

The Executive Director will meet with the Safeguarding Consultant monthly to review all live cases and a watch-list of those cases where there are concerns that have not yet met an intervention threshold.

Cases are opened and closed by common agreement and the Executive Director always makes the final judgement. All cases are recorded in a secure folder on the Organisational network.

### **14 – 16s**

***Blackburn Gould and Associates will not work or provide services or training to 14–16-year-olds directly and where we have to provide a service to learners or clients below the age of 16 years, the organisation will only work as a contractor to organisations whose safeguarding process has been fully vetted by the Safeguarding Consultant and been through at least three EQA visits by the relevant Awarding Body. In this instance Blackburn Gould would adopt the full safeguarding policy, procedures and systems in place in the contracting organisation, and it will be recognised in dealing with the 14–16-year-olds.***

### **SEND Learners in Organisation**

- Learners with SEND are more likely to be abused and/or neglected. The organisation will monitor and support these learners through our staff and support structures to ensure these learners are appropriately identified and supported
- The Organisation will ensure that guidance is available so that all staff have an awareness that:

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- behaviour, mood and injury may relate to potential abuse and not just as a result of SEND
- SEND learners face a higher risk of peer group isolation
- That bullying/cyber bullying has a disproportionate impact on SEND learners
- That difficulties with communication may also adversely impact SEND learners

### **Early Help**

Early help means providing support as soon as a problem emerges at any point in a learner's life. Where a learner would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of 'Working Together to Safeguard Children 2019' provides detailed guidance on the Early Help process. The Safeguarding Team will be responsible for identifying and implementing any Early Help measures which are required.

Any learner may benefit from early help, but all Blackburn Gould and Associates staff should be particularly alert to the potential need for early help for a learner who:

- Is disabled and has specific additional needs.
- Has special educational needs (whether they have a statutory education, health and care plan).
- Is a young carer.
- Is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups.
- Is frequently missing/goes missing from care or from home.
- Is misusing drugs or alcohol themselves.
- Is at risk of modern slavery, trafficking, or exploitation.
- Is in a family circumstance presenting challenges for the learner, such as substance abuse, adult mental health problems or domestic abuse.
- Has returned home to their family from care.
- Is showing early signs of abuse and/or neglect.
- Is at risk of being radicalised or exploited.
- Is a privately fostered learner

### **Learner on learner sexual violence and sexual harassment:**

Where any report is made of learner-on-learner sexual violence or sexual harassment these must be dealt with robustly. The normal disclosure protocols apply. Where such an allegation is made, the Safeguarding Consultant will conduct a thorough risk assessment that considers:

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- The victim, especially their protection and support.
- The alleged perpetrator; and
- All the other learners (and, if appropriate, adult learners and staff) at Blackburn Gould and Associates, especially any actions that are appropriate to protect them;

This will be recorded and communicated to all staff that are required to know. Both victim and (alleged) perpetrator will receive appropriate support mechanisms from Blackburn Gould and Associates on a case-by-case basis.

### Prevent Strategy

To ensure that Blackburn Gould and Associates effectively safeguards learners and staff, manages risks and is able to deal appropriately with issues around radicalisation and extremism, Blackburn Gould and Associates will.

- Understand the nature of the threat from extremism and how this may impact directly or indirectly on Blackburn Gould and Associates
- Encourage staff and learners to respect and adhere to fundamental British values
- Ensure staff receive awareness training in recognising and preventing extremism and radicalisation
- Understand and manage potential risks within Blackburn Gould and Associates and from external influences including the display of extremist materials and the hiring of Blackburn Gould and Associates premises
- Respond rapidly and appropriately to events in local, national or international news that may impact on Blackburn Gould and Associates community
- Ensure measures are in place to minimise the potential for acts of extremism within Blackburn Gould and Associates
- Ensure plans are in place to respond appropriately to a threat or incident within Blackburn Gould and Associates
- Work with sub-contractors, employers and work placement providers to ensure they are compliant with the Prevent Duty and Blackburn Gould and Associates' safeguarding procedures
- Adopt effective ICT security and responsible user policies and promote these to all staff and learners

### On-line safety and E-safety

Blackburn Gould and Associates will endeavour to both filter and monitor all internet usage within Blackburn Gould and Associates in a responsible and transparent way to ensure and maintain the safety of all.

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## Wearing of Identity Badges

To ensure that anyone accessing Blackburn Gould and Associates premises is provided with a safe environment, it is a requirement that all staff, learners and visitors visibly wear ID badges, this includes both inside and outside the classroom environment. Anyone not wearing a lanyard will be challenged and no Blackburn Gould and Associates services will be provided to any person not wearing their ID badge.

## Roles and Responsibilities

### All staff

All members of staff, and contractors have a responsibility to be aware of the procedures to be followed in cases of suspected abuse or people at risk of being drawn into terrorism-related activity. Staff that are in regular contact with learners are well-placed to notice signs of abuse, behavioural change or failure to develop as expected.

If a member of staff suspects a learner may be at risk or hears a disclosure from a learner, the Safeguarding Consultant should be informed as soon as possible. Staff are responsible for identifying learners at risk and will work with the Safeguarding Consultant to develop a support plan.

Staff will liaise with the Safeguarding Consultant so that detailed disclosures can be captured by liaising with multi-agencies, such as the Youth Offending Team. The Safeguarding Consultant will carry out necessary risk assessments and drafting a support agreement, where appropriate.

- Concerns are any worries about a particular learner or colleague that need to be referred onto the Safeguarding Consultant, wherever there is a lack of surety or clarity about someone's safety.
- Risk of immediate danger or harm means a situation where action must be taken without delay in order to ensure adequate protection is put in place for the person at the centre of the issue. Staff are able to refer direct to Social Services or the Police in these circumstances should the need arise. The Safeguarding Consultant should be advised of any such action as soon as possible.

### **Use of Reasonable Force by staff on learners:**

Keeping Children Safe in Education 2019 states that there are circumstances when it is appropriate for staff to use reasonable force to safeguard learners. The term 'reasonable force' covers the broad range of actions used by staff that involves a degree of physical contact to control or restrain. This can range from guiding a learner to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to

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prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve either passive physical contact, such as standing between learners or blocking a learner's path, however active physical contact such as leading a learner by the arm out of the classroom is prohibited by this policy.

### **Designated Safeguarding Lead (Head of Centre)**

- Takes lead responsibility in all safeguarding matters
- Refers cases of suspected abuse or allegations to the relevant investigating agencies.
- Acts as a source of support, advice and expertise within Blackburn Gould when deciding whether to make a referral by liaising with relevant agencies
- Liaises with the Executive Director and Safeguarding Consultant to inform of any issues/ongoing investigations, and ensures there is always cover for the role
- Delivers training on how to recognise signs of abuse, and when it is appropriate to make a referral. Training should be updated on an annual basis
- Ensures all team members have access to appropriate supervision as required
- Working knowledge in how the Local Safeguarding Children's Board works (until such time as new arrangements are put in place as specified in Working Together to Safeguard Children 2019 comes into effect and then to work collaboratively within those new arrangements), the conduct of case conferences, and be able to attend and contribute to these when necessary.
- Ensures all staff have access to and understand Blackburn Gould Safeguarding Policy (including Prevent)
- Ensures all staff have child protection/Safeguarding induction training and can recognise and report any concerns as they arise
- Keeps detailed, accurate and secure written records of referrals/concerns.
- Has access to resources and attend relevant or refresher training courses and to update training annually
- Ensures Safeguarding policy is updated and reviewed annually, and following ratification is returned by the governing body to the Local Authority
- Ensures learners/parents/carers have access to copies of Blackburn Gould Safeguarding Guidance, which alerts them to the fact that referrals may be made, contact details for the Safeguarding Team, and the role of the establishment
- Where a young person leaves an establishment, ensures the file/information is transferred to a new establishment
- Provides regular safeguarding reports to the Executive Board

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- The Designated Safeguarding Lead is the Head of Centre

### **Role of the Executive Board**

Joseph Ebe-Arthur is the nominated Executive Director with special responsibility for Safeguarding and Prevent Related Issues. He will liaise closely with the Head of Centre to ensure appropriate systems and procedures are in place, and that they meet the statutory requirements for this area of activity.

The Executive Board must:

- Make arrangements for ensuring that their functions relating to the conduct of Blackburn Gould are exercised with a view to safeguarding and promoting the welfare of children receiving training and in considering those arrangements, have regard to any guidance given from time to time by the Secretary of State
- Ensure Blackburn Gould has a safeguarding policy and procedures that satisfy and evidence statutory requirements and consider safeguarding needs as set out in the Department of Education, Keeping Children Safe in Education 2019 statutory guidance, 'Working Together to Safeguard Children 2015 (updated September 2018),' and the Prevent Duty Guidance 2015;
- Have procedures for dealing with allegations against staff/volunteers that comply and balance the need to protect children whilst protecting staff/volunteers from false/unfounded accusations
- Have a senior staff member to lead on Safeguarding, advise/support staff/ liaise with local authority and other agencies who is a member of the Executive Team who has status/authority to carry out the role e.g. commit resources to Safeguarding and direct staff as appropriate;
- Ensure all new staff who work with young people receive written guidance about the institution's Safeguarding policy/procedures and name/contact of DSL
- All staff receive refresher training annually;
- All learners receive appropriate safeguarding and Prevent education
- Remedy any deficiencies or weaknesses in Safeguarding arrangements without delay
- Annually review policies/procedures and how duties are discharged
- Ensure a senior manager is designated as the senior lead for Prevent;
- Scrutinise the work of the Safeguarding Consultant;
- In addition, the Executive Director is nominated to be responsible for liaising with partner agencies, as appropriate in the event of the allegation of abuse being made against the Head of Centre.

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### **The Executive Director should ensure that:**

- Policies and procedures are fully implemented and followed by all staff
- Sufficient resources and time are allocated so that the DSL and staff can attend strategy discussions, interagency meetings, contribute to assessments etc.
- Personally make referrals to the Local Authority Designated Officer where allegations of abuse by staff are brought forward, or delegate that responsibility to the DSL where required
- Staff feel able to raise concerns about poor/unsafe practices by addressing these sensitively and effectively in a timely manner in accordance with public interest disclosure policies;
- The operation of safer recruitment and checks on new staff and volunteers
- The reporting of cases to the Secretary of State. It is essential that cases are reported if a person ceases to work in an education setting and there are grounds for believing he/she may be unsuitable to work with children, or may have committed misconduct. The Secretary of State will consider whether to prohibit the person from working with children in the future or place restrictions on their employment in educational establishments.

### **Public Interest disclosure**

Staff should acknowledge their individual responsibility to bring matters of concern to the attention of senior management and/or relevant external agencies (Public Interest Disclosure Act 1998). This should be a mechanism by which staff can voice concerns, made in good faith, without fear of repercussion. Staff can also use the NSPCC helpline number 0800 028 0285, if required.

### **Confidentiality**

Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety of the learner is the overriding concern. The degree of confidentiality will be governed by the need to protect the learner. The learner must be informed at the earliest possible stage of the disclosure that the information will be passed on. Discussions of the case must only be with the appropriate staff and any discussion must be private and shared on a need-to-know basis.

Blackburn Gould is committed to protecting the rights and privacy of individuals, including learners, staff and others, in accordance with the General Data Protection Regulation (GDPR) May 2018 and complies with the requirements of the Data Protection Act 1998 that allows for disclosure of personal data where this is necessary to protect the vital interests of the learners.

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## **Staff Training**

All staff will receive adequate training to familiarise themselves with Safeguarding issues and responsibilities at induction and on at least an annual basis, and all staff with a role in directly working with under 18s will be required to read and understand Part One and Annex A of KCSiE 2018.

## **Review**

This policy statement will be reviewed annually or sooner, in response to changes in legislation or the organisation. This will be initiated by the Head of Centre.

## **Access to Policy**

This Procedure is available on Blackburn Gould Intranet.

## **Mechanisms for Feedback**

Constructive comments on the continued improvement of these procedures is welcomed and should be forwarded to the Executive Director.

## **Allegations of Abuse against Members of Staff or Volunteers**

These procedures should be used in all cases in which it is alleged that a member of has:

- Behaved in a way that has harmed, or may have harmed, a young person or vulnerable adult;
- Possibly committed a criminal offence against, or related to a young person or vulnerable adult; or
- Behaved towards a young person or vulnerable adult in a way that indicates he/she would pose a risk of harm.

Blackburn Gould and Associates also has a duty of care to its employees and will act to manage and minimise the stress inherent in the allegations process. Support will be made available to anyone facing an allegation; such support may include access to counselling/medical advice, or a workplace colleague.

It is essential that any allegation of abuse made against a member of staff is dealt with very quickly, in a fair and consistent way that provides effective protection for the young person/vulnerable adult, and at the same time supports the person who is the subject of the allegation.

## **Receiving an Allegation from a Young Person or Vulnerable Adult**

If a member of staff receives an allegation against a member of staff, this should be reported immediately to the Designated Safeguarding Lead (DSL), unless this manager is the person against whom the allegation is made. In these circumstances, the report should be made to

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the Executive Director. The Executive Director should be notified of the allegation at the earliest opportunity. In the case of allegations against the Executive Director, the report should be made to the Executive Board.

Due regard must be given to the statutory guidance Keeping Children Safe in Education 2018, when dealing with any allegations against staff. The following procedures take account of that guidance accordingly.

### **Receiving an allegation from a member of staff**

- Where a member of staff has a concern about other another member of staff, the concern should be referred to the DSL. Where the concern relates to the Principal, the Chair of Governors should be informed.
- In the first instance, the DSL (case manager) will immediately discuss the allegation with the Local Authority's Designated Officer for safeguarding. The purpose of the initial discussion will be for the Designated Officer and the case manager to consider the nature, content and context of the allegation, and agree a course of action. The Designated Officer may also ask the case manager to provide or obtain relevant additional information, such as previous history, whether the young person/vulnerable adult or their family have made similar allegations previously, and the individual's current contact with young people/vulnerable adults.
- There may be situations when the case manager will want to involve the police immediately, for example, if the person is deemed to be an immediate risk to young people/vulnerable adults, or there is evidence of a possible criminal offence. Where there is no such evidence, the case manager will discuss the allegations with the Designated Officer to help determine whether police involvement is necessary to support the investigation process.
- The initial sharing of information and evaluation may lead to a decision that no further action is to be taken regarding the individual facing the allegation or concern. In such circumstances this decision and a justification for it will be recorded by both the case manager and the Designated Officer, and an agreement reached on what information should be put in writing to the individual concerned and by whom. The case manager will then consider with the Designated Officer what action should follow both in respect of the individual and the person who made the initial allegation.
- The case manager will inform the member of staff about the allegation as soon as possible after consulting the Designated Officer. Wherever possible, the case manager will provide him/her with as much information as possible at that time; however, where

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a strategy discussion is needed, or the police or Social Care needs to be involved, this will not be possible until those agencies have been consulted and have agreed on what information can be disclosed to the accused.

- The case manager will provide the employee with a named contact who will keep the employee informed of progress of the case and consider what other support may be available to the individual.
- If there is cause to suspect a young person/vulnerable adult is suffering, or is likely to suffer significant harm, a strategy discussion will be convened in accordance with the statutory guidance contained within the 'Working Together to Safeguard Children' and 'Keeping Children Safe in Education 2018' document. Where the strategy discussion or initial evaluation decides that it is clear that an investigation by the police or Social Care is unnecessary, the Designated Officer will discuss the next steps with the case manager. In those circumstances, the options open to Blackburn Gould will depend on the nature and circumstances of the allegation and the evidence and information available. This will range from taking no further action, dismissal after proceeding to the College's disciplinary procedure, the provision of relevant training, or, where the individual concerned is not an employee of Blackburn Gould, taking the decision not to use the person's services in the future.
- If further enquiries are needed to enable a decision to be made about how to proceed, the Designated Officer will discuss with the case manager, how and by whom, any investigation will be undertaken. It is likely that in straightforward cases, any investigation would normally be undertaken in line with Blackburn Gould's own Disciplinary Policy.

## **Suspension**

- The case manager must give careful consideration to whether the circumstances of the case warrants the member of staff being suspended from contact with young people/vulnerable adults, or whether alternative arrangements can be put in place until the allegation or concern is resolved. Suspension will not be an automatic response when an allegation is reported; all options to avoid suspension will be considered prior to taking that step. Suspension should be considered only in cases where there is cause to suspect a young person/vulnerable adult, or other young people/vulnerable adults, is/are at risk of harm, or the case is so serious that it might be grounds for dismissal.

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- If immediate suspension is considered necessary, the rationale and justification for such a course of action will be agreed and recorded by the case manager. This will also include what alternatives to suspension were considered, and why they were rejected.
- Where it has been deemed appropriate to suspend the individual, written confirmation of this decision will be issued within one working day and will give as much detail as appropriate for the reasons for the suspension. The individual will also be informed who their named contact is within the organisation and be provided with their contact details.

### **Confidentiality**

- It is extremely important that when an allegation is made, every effort is made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The case manager will take advice from the Designated Officer, police and Social Care services (if applicable), to agree the most appropriate way in which to manage the situation.
- Parents/carers of the young person/vulnerable adult (without mental capacity) involved in the safeguarding issue will be told about the allegation as soon as possible, if they do not already know of it. However, where a strategy discussion is required, or police or Social Care services need to be involved, the case manager should not do so until those agencies have been consulted and have agreed on what information can be disclosed to the parents/carers.
- Parents/carers will also be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. Although the deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, the parents/carers will be told the outcome in confidence.
- Parents/carers should also be made aware of the requirement to maintain confidentiality about any allegations made against individuals while investigations are on-going.

### **Disciplinary Action**

- Blackburn Gould shall hold in abeyance its own internal enquiries while any formal police or Social Care investigations proceed; to do otherwise may prejudice the investigation.

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- At the point at which criminal/Social Care proceedings have been completed, or where, after consideration of the allegation such proceedings are not deemed necessary, Blackburn Gould will instigate disciplinary proceedings where appropriate. If there are on-going safeguarding concerns whilst managing the allegation through Blackburn Gould's internal processes, the case manager will discuss these with the Designated Officer.
- Where Blackburn Gould does proceed to disciplinary action as a result of a safeguarding concern, the statutory guidance 'Working Together to Safeguard Children 2018' and 'Keeping Children Safe in Education 2018' will be followed in respect of timescales and inter-agency sharing of information where appropriate, and will take precedence over Blackburn Gould's internal disciplinary processes.
- Where the police have been involved, wherever possible the case manager will ask the police to obtain consent from the individuals involved to share their statements or and evidence for use in Blackburn Gould's disciplinary process. This will be done as the police investigation proceeds and will enable the police to share relevant information without delay at the conclusion of their investigation or any court case.
- If the accused member of staff resigns, or ceases to provide their services, this will not prevent an allegation being followed up in accordance with the statutory guidance. Blackburn Gould will make every effort to reach a conclusion in all cases of allegations relating to the safety or welfare of young people or vulnerable adults, including any in which the person concerned refuses to co-operate with the process. Wherever possible the accused will be given a full opportunity to answer the allegation and make representations about it.
- However, the process of recording the allegation and any supporting evidence and reaching a judgement about whether it can be substantiated on the basis of all the information available, will continue even if that cannot be done, or the accused does not co-operate. Whilst it may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, it is nevertheless important to reach and record a conclusion.

## Timescales

- It is in everyone's interest to resolve cases as quickly as possible, consistent with a fair and thorough investigation. The statutory guidance Keeping Children Safe in Education 2018 outlines clear expectations in relation to timescales for the resolution

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of cases of allegations against staff, which will take precedence over any timescales outlined in Blackburn Gould's internal disciplinary procedure.

### **Specific Actions**

- Following a criminal investigation or a prosecution, the police will inform the case manager and Designated Officer immediately when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to continue to prosecute the case after the person has been charged.
- In those circumstances, the Designated Officer will discuss with the case manager whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or Social Care services should inform that decision. The options will depend on the circumstances of the case and consideration will need to take into account the result of the police investigation or the trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

### **On conclusion of a case**

- If the allegation is substantiated and the individual is dismissed following a disciplinary hearing, or Blackburn Gould ceases to use the individual's services, or the individual resigns or otherwise ceases to provide his/her services, the Designated Officer will discuss with the case manager whether Blackburn Gould needs to make a referral to the Disclosure and Barring Service (DBS), for consideration of whether inclusion on the barred lists is required.
- If an allegation is shown to be deliberately invented or malicious, the case manager should consider whether any disciplinary action is appropriate against the individual who made it, or whether the police should be asked to consider if action might be appropriate against the person responsible.

### **Effectiveness and Monitoring**

- At the conclusion of a case in which an allegation is substantiated, the Designated Officer will review the circumstances of the case with the case manager and other colleagues as appropriate to determine whether there are any improvements to be made to Blackburn Gould's procedures or practice to help prevent similar events in the future, including staff training. This should include issues arising from the decision to

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suspend the member of staff if applicable, the duration of the suspension and whether suspension was justified.

- The Designated Officer and case manager should also consider how future investigations of a similar nature could be carried out without suspending the individual.

## **Record Keeping**

- Details of allegations that are found to have been malicious will not be kept on an individual's personnel file. However, for all other allegations, a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, will be kept on the personnel file of the staff member concerned, and a copy provided to the person concerned.
- The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will also provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and will help to prevent unnecessary re-investigation if an allegation re-surfaces after a period.
- The record should be retained at least until the member of staff concerned has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

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