

References:

- A. ESFA Apprenticeship funding rules for main providers Aug 21-Jul 22
- B. Ofsted Further education and skills handbook 1 Sep 21
- C. CCG Guidance for Subcontractors on Safeguarding Learners and Adults at Risk Aug 2021

Background

1. Notwithstanding the legislative requirements as detailed in references A & B and our contractual requirements, detailed in reference C, Lewtay Training Ltd (Lewtay) is committed to ensuring that all its staff and learners work and learn in a safe environment. Lewtay fully recognises its responsibility for the safeguarding and welfare of our learners, whatever their age and where applicable our staff.

2. Ofsted uses definitions of the term 'safeguarding' from statutory guidance. Safeguarding children is defined in [Working together to safeguard children](#) as:

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

3. Safeguarding vulnerable adults is defined in the [Care and support statutory](#) guidance issued under the Care Act 2014 as:

- Protecting the rights of adults to live in safety, free from abuse and neglect.
- People and organisations working together to prevent and stop both the risks and experience of abuse or neglect.
- People and organisations making sure that the adult's wellbeing is promoted including, where appropriate, taking fully into account their views, wishes, feelings and beliefs in deciding on any action.
- Recognising that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances and therefore potential risks to their safety or well-being.

4. For the purposes of this policy, this is defined as:

- Protecting people from maltreatment.
- Preventing impairment of an individual's health or development.
- Promoting a safe environment free from violence and danger.
- Carrying out the requirements of the Prevent Duty.

- A young person, child is anyone under the age of eighteen.
- A vulnerable adult is: anyone aged 18 years and over who is dependent on family members, their social network, professionals or volunteers, as a result of a special need arising from the ageing process, physical or mental ill-health, learning disability or physical or sensory impairment. It is the level of dependency in respect of the meeting of basic needs that

renders these adults particularly vulnerable. Vulnerable adults may be victims and/or abusers and they may themselves be in a caring role.

Policy Review and Updates

5. This policy will be reviewed annually.
6. Any revision to the policy will be carried out as soon as is practical. The version number and revision date shown in the footer, amended to reflect the updated version. All previous versions are to be replaced.

Application

7. This policy should be read and implemented in conjunction with Lewtay's Prevent Duty policy. It is the responsibility of all members of staff to record and report concerns under this policy following the procedure detail at Annex A and using the form in Annex B.
8. **Scope.** This policy is primarily but not exclusively applicable to all Lewtay staff, including any sub-contracted and our learners. Should Lewtay find other individuals at risk, e.g., children at the work locations we visit, then Lewtay will extend its safeguarding provision to ensure their welfare is protected. Para 4 refers.
9. Lewtay will endeavour to prevent all abusive situations occurring within its remit. Abuse can take many forms, these as described in Annex C. This policy is designed to provide guidance for members of staff in dealing with suspicions of and incidents of abuse.
10. **Responsibilities.** Whilst everyone has a responsibility for safeguarding, in delivering our service provision, the following have specific responsibilities as detailed below.
 - a. **Managing Director/Centre Manager.** It is the Managing Director/Centre Manager responsibility to ensure that:
 - The Safeguarding¹ Policy remains current, is promoted and adhered to at all levels of the organisation, such that that every member of staff knows their safeguarding role and who, how they report a concern and to whom.
 - At Board level, Lewtay's safeguarding provision is monitored and all issues regarding safeguarding are evaluated, with timely and appropriate action taken to address any shortcomings.
 - Safer recruitment practice is undertaken for all positions, preventing unsuitable people from working with vulnerable learners.
 - The level of DBS disclosure for each of post is identified.
 - Enhanced DBS and reference checks are undertaken during the recruitment process and prior to employment and that an acceptable check is a condition of employment.
 - Lewtay has at least one designated member of staff, a Designated Safeguarding Lead (DSL) appointed, who has undertaken approved Safeguarding training before taking on the role.

¹ Where the term Safeguarding is used, this should also include the Prevent Duty.

- Recognise the importance of the DSL role and provide suitable support and guidance for the DSL.
- Work to develop and maintain effective links with relevant agencies and co-operate as required with their enquiries regarding safeguarding protection matters including attendance and written reports at any safeguarding meetings.
- Training is provided for all staff from the point of their induction and updated annually, so that they know:
 - I. Their personal responsibility
 - II. The locally agreed multi-agency procedural framework
 - III. The need to be vigilant in identifying cases of abuse or neglect
 - IV. How to support and to respond to a learner who tells of abuse or neglect.
- An organisational ethos is established and maintained which promotes a positive, supportive and secure environment, where learners feel secure and are encouraged to talk and are listened to regarding any safeguarding issues and that gives learners a sense of being valued.
- The safeguarding of all learners and staff is monitored and that any concerns are reported in accordance with Annexes A & B.
- All staff recognise their duty and raise concerns about poor or unsafe practice regarding their learners, and that such concerns are addressed sensitively and effectively in a timely. In all cases the Health and Safety and welfare of the learner is paramount.
- That parents/guardians/carers have an understanding of the responsibility placed on Lewtay and its staff, for learner safeguarding, by providing appropriate advice and guidance, e.g., on the Lewtay website.
- Undertake appropriate discussion with parents, guardians or carers prior to involvement of another agency unless the circumstances preclude this.
- Through Team Meetings, all staff have an awareness of any Safeguarding concerns raised, ensuring confidentiality is maintained.
- Where a disclosure is made, that Lewtay staff will be required to cooperate with any subsequent enquiry or investigation.
- All staff are aware that any sexual relationships with learners are improper and could result in legal proceedings taken against them, because of the 'Abuse of position of trust'.
- Any disciplinary proceedings against staff relating to safeguarding matters are concluded in full, even when that individual is no longer employed by Lewtay and that notification of any concerns is made to the relevant authorities and professional bodies and included in references where applicable.
- All Lewtay staff are made aware of the need for maintaining appropriate and professional boundaries in their relationships with learners and their parents/guardians/carers.
- Monitoring of equipment (laptops, mobile phones) issued to staff and their internet usage, to ensure inappropriate content is not being accessed or held.
- Notify the local Children and Young People's Directorate team are notified if:

- i. Lewtay intends to exclude a young person who is subject to a child protection plan.
 - ii. When a young person on the child protection register, leaves Lewtay before the age of 18, Lewtay will inform the key worker.
- b. **Designated Safeguarding Lead (DSL).** It is the responsibility of the DSL to:
- Carry out their DSL duty in accordance with regulatory requirements and the safeguarding training they have undertaken.
 - Follow the locally agreed multi-agency procedures set out in the Local Safeguarding Children Board Procedural Framework
 - Respond to a safeguarding concern as soon as possible following Annex B and where required report that concern to the relevant.
 - Keep clear detailed written records of concerns about learners (noting the date, event and action taken), even where there is no referral. The records are to be made as soon as practicable, ideally in electronic format, password protected and kept in a secure location. Any paper-based documents are to be kept under lock and key. Documents in whatever format are to have access restricted to the Centre Manager and DSL.
 - Where deemed appropriate refer incidents within 24 hours requiring investigation to the relevant local safeguarding authority.
- c. **Lewtay Staff.** It is the responsibility of all staff to:
- Adhere to the Safeguarding Policy and promote safeguarding in their service delivery, ensuring that their learners know that there are staff at Lewtay who they can approach if they are worried or in difficulty.
 - Recognise that their learners may live in a home environment where there is domestic violence, drug or alcohol abuse and that they may be in need of support and protection.
 - Understand their individual responsibility for safeguarding, raising concerns using the proper channels and within the timescales set out in the locally agreed multi-agency procedures.
 - Ensure and/or provide a safe, secure and comfortable environment for learners to undertake their learning and development activities.
 - Vigilantly monitor their learners' welfare and report any safeguarding concerns, e.g., abuse, forced marriage, sexual exploitation to the DSL as soon as is practical following the procedure at Annexes A & B. Clear detailed written records of concerns about learners (noting the date, event and action taken) are to be made as soon as practicable and passed to the DSL. Ideally each document in electronic format should be password protected, with access restricted to the Managing Director/Centre Manager and DSL.
 - Include support activities and opportunities for learners to develop the skills they need to stay safe from abuse and to know whom to turn to for help.
 - Where relevant, develop productive and supportive relationships with parents/guardians/carers whenever it is in a learner's best interest to do so.

- Raise concerns about poor or unsafe practice regarding learners, and that such concerns are addressed sensitively and effectively in a timely. In all cases the Health and Safety and welfare of the learner is paramount.

d. **Learners.** It is the responsibility of all learners to:

- Report any safeguarding concerns in accordance with their employer's Safeguarding Policy or, if they personally have a safeguarding concern or issue, to their assessor/tutor/coach or to Lewtay's DSL.

11. **Designated Safeguarding Lead (DSL).** Lewtay's DSL are:

Trish Allen-Janes trish@lewtay.co.uk 07739 584 645
Laura Carthy laura@lewtay.co.uk 07493 304 101

Or contactable through: safeguarding.prevent@lewtay.co.uk or 01733 552 475

12. **Promotion of Safeguarding.** Lewtay staff will actively promote safeguarding through:

- Providing information and guidance on the Lewtay website, each learner's portfolio.
- The assessor/tutor's monthly meetings with learners, monitoring their wellbeing.
- Learner's quarterly reviews.
- A monthly Safeguarding and Prevent newsletter.

Lewtay will also provide support to learners by:

- Providing access to welfare support through the BHSF, www.myrisehub.co.uk
- Conducting Welfare calls

13. If you have any queries about the contents of this policy, please contact the Centre Manager directly on 01733 552 475 or email trish@lewtay.co.uk

Trish Allen Janes

Trish Allen-Janes
Managing Director/Centre Manager

Date:	29 th March 2022	Review Date:	29 th March 2023
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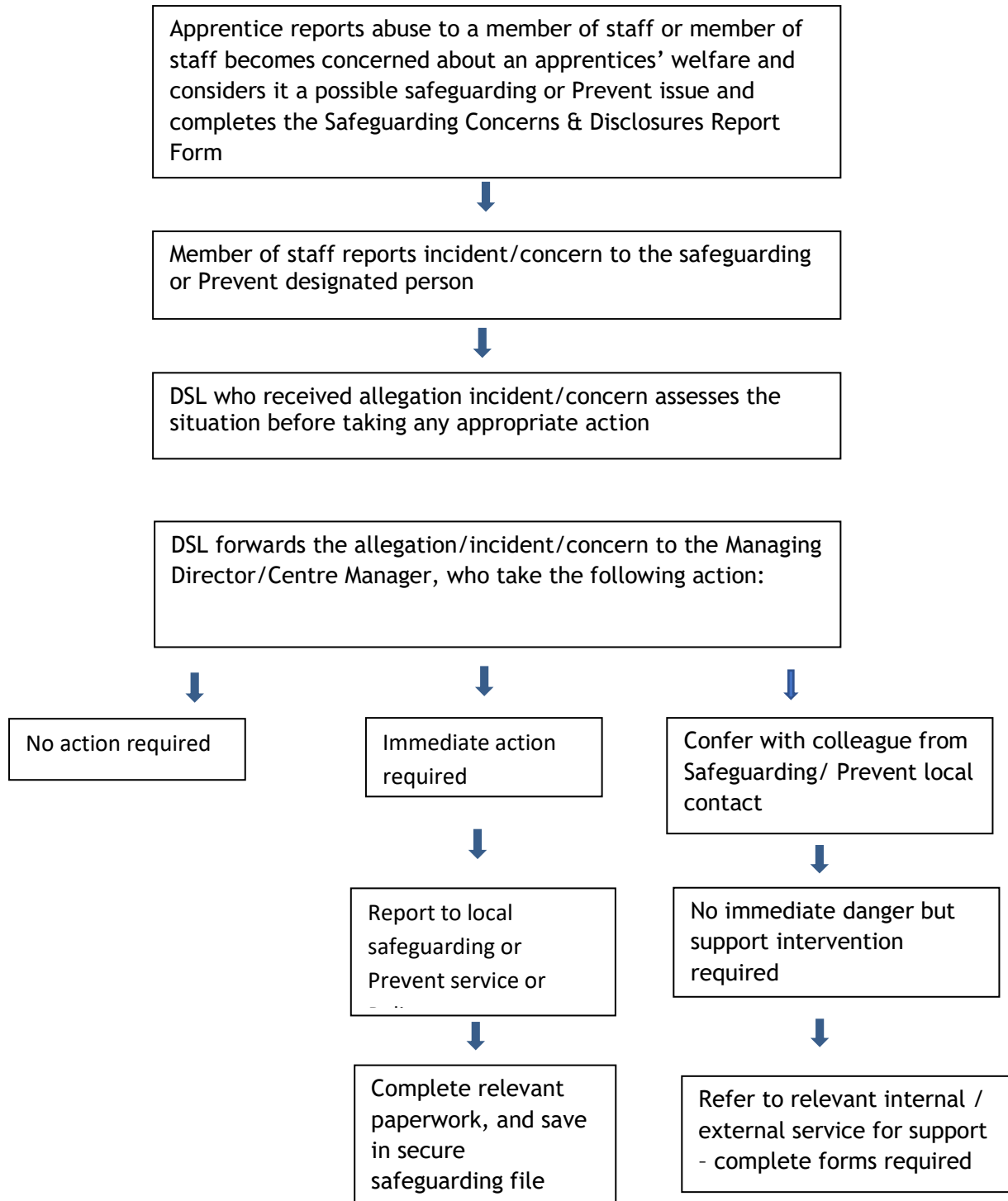
Annexes

- A. Reporting Safeguarding Prevent Concerns Flowchart
- B. Reporting Safeguarding Prevent Concerns Disclosures Form
- C. Definitions/Descriptions, other relevant legislation

Annex A - Reporting Safeguarding Concerns Flowchart

Procedure Flowchart for Lewtay Staff

The following flowchart details the procedures for reporting a safeguarding/Prevent incident.



Annex B - Reporting Safeguarding Prevent Concerns Disclosure Form



CONFIDENTIAL

Reporting a Safeguarding/Prevent Concern or Disclosure

Staff Member Reporting Concern		Contact Number	
Date			
Learner's Name		Date of Birth	
Contact Number(s)		Address	
Record/Report	Please provide details of concerns identified or disclosure that have been made.		
Details of Actions	Please provide details of all the actions that you have taken, i.e. what information/advice have you given to the learner?		
Additional Information	Please provide any other information you may think is relevant e.g. Is the learner working with any agencies?		

Once completed as soon as is practical email this form to: safeguarding.prevent@lewtay.co.uk

Annex B - Reporting Safeguarding Prevent Concerns Disclosure Form



This form is common to both Lewtay's Safeguarding Policy and this Prevent Policy.

Annex C – Definitions/Descriptions, other relevant legislation



Definitions/Descriptions

1. The following definitions/descriptions of Abuse are:

Physical Abuse. This can include hitting, slapping, pushing, kicking, inappropriate restraint or sanction, misuse of medication or any other physical harm to vulnerable people.

Neglect. Neglect is a persistent or severe failure to meet the vulnerable person's basic needs and may include ignoring medical and or physical care needs, failure to provide access to appropriate health, social care, and or educational services. Neglect will also include withholding medication adequate nutrition and heating.

Sexual Abuse. This includes rape, and sexual assault or the vulnerable person participating in or being coerced into participating in or watching sexual activity. It is not necessary for the vulnerable person to be aware that the activity is sexual, and the apparent consent of the vulnerable person is irrelevant.

Emotional Abuse. Emotional abuse will include emotional abuse, threats of harm or abandonment, deprivation of contact, harassment, isolation and or withdrawal of services of supportive networks.

Discriminatory Abuse. Discriminatory abuse includes racist and sexual abuse that is based upon the individual's disability.

Financial Abuse. Financial abuse relates to the unauthorised and improper use of funds, money or resources belonging to the individual.

Institutional Abuse. Institutional abuse includes the practice of an abusive regime or culture which destroys the dignity and respect to which every person is entitled. It is the mistreatment of people brought about by poor or inadequate care or support, and poor practice that affects the whole setting. It occurs when the individual's wishes and needs are sacrificed for the smooth running of a group, service or organisation.

Other relevant legislation

2. Via this Safeguarding Policy, Lewtay affirms its commitment to the current, and any subsequently enacted, legislation governing the safeguarding of children and adults, such as:

Equality Act 2010

Apprenticeships, Skills, Children and Learning Act 2009

Human Rights Act 1998

Protection of Children Act 1999

Disability Discrimination Act 1995, 2005

Race Relations Act 1976

Race Relations (Amendment) Act 2000

Sex Discrimination Act 1975

Sex Discrimination (Gender Reassignment) Regulations 1999

Special Educational Needs & Disability Discrimination Act 2001

Annex C – Definitions/Descriptions, other relevant legislation



Employment Equality (Sexual Orientation) Regulations 2003
Employment Equality (Religion & Belief) Regulations 2003
Sexual Offences Act 2003
Care Standards Act 2000
Health and Social Care Act 2008
Mental Capacity Act 2005
Domestic Violence Crime and Victims Act 2004

Document Information

Document

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Signers

Name	Authentication
Trish Allen-Janes <trish@lewtay.co.uk>	Email

History

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Signature applied (page 5)	trish@lewtay.co.uk	90.250.54.182	Wed, 30 Mar 2022 11:12:09 +0000
Ticked checkbox for statement: I confirm that I am authorised to accept the terms of this document.	trish@lewtay.co.uk	90.250.54.182	Wed, 30 Mar 2022 11:12:14 +0000
Ticked checkbox for statement: I understand that accepting the terms of this document creates a legally binding obligation.	trish@lewtay.co.uk	90.250.54.182	Wed, 30 Mar 2022 11:12:14 +0000
Signer offered option to accept or reject document	trish@lewtay.co.uk	90.250.54.182	Wed, 30 Mar 2022 11:12:14 +0000
Clicked button with text: By clicking this button I hereby ACCEPT the terms of this document	trish@lewtay.co.uk	90.250.54.182	Wed, 30 Mar 2022 11:12:14 +0000
Safeguarding Policy v2 29 Mar 22 completed by Trish Allen-Janes <trish@lewtay.co.uk>	trish@lewtay.co.uk	90.250.54.182	Wed, 30 Mar 2022 11:12:14 +0000