

Safeguarding Learners Policy

Including Children, Young People and Adults

December 2023

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1. Introduction

1.1. Scope

This document sets out Vocational Training Charitable Trust's (VTCT's) responsibilities for staff and representatives with regard to safeguarding children, young people and adults, henceforth referred to as "Learners" for the purposes of this document. It is for both internal and external use. Specifically, this policy applies to all VTCT employees, including Apprenticeship Assessors (AAs) and External Quality Assurers (EQAs), contractors, casual workers, agency workers and Trustees.

It relates to all situations, both UK and International, where VTCT comes into contact with learners. VTCT has a primary responsibility for ensuring all assessments and the centres in which they are held are safe and exemplify good practice.

While primarily intended to safeguard learners, this safeguarding policy also serves to protect staff and representatives from unsubstantiated allegations of improper conduct.

This policy is divided into 6 sections:

1. Commitment;
2. Legal and regulatory framework;
3. Operational framework;
4. Code of practice;
5. Safe recruitment practice guidance; and
6. Document history.

Appendices:

1. Flowcharts;
2. Safeguarding Issues Reporting Form;
3. Code of Practice Form;
4. Types of Abuse and Harm; and
5. Named Officers.

1.2. Commitment

VTCT, as a specialist provider of vocational qualifications in the UK, is committed to safeguarding the interests of all learners including learners who may require particular safeguarding. It believes that anyone who participates in any learning activities should be able to take part in an environment that is both safe and enjoyable which is VTCT's definition of safeguarding.

Modern Slavery encompasses slavery, servitude, human trafficking and forced labour. VTCT has a zero tolerance approach to any form of modern slavery. VTCT is committed to acting ethically and with integrity and transparency in all business dealings and to putting effective systems and controls in place to safeguard against any form of modern slavery taking place within the business or our supply chain.

VTCT will endeavour to safeguard learners by:

- valuing them, listening to and respecting them;
- maintaining policy, procedures and a code of conduct (where applicable) for staff and representatives;

- recruiting representatives safely by ensuring all necessary checks are made in line with government guidance and legislation;
- updating staff and representatives on the policy and procedures and providing access to relevant information;
- ensuring that all assessments, communications, documentation, records, materials, personnel deployment, processes and procedures promote the interests of all learners;
- respecting confidentiality whilst sharing information about concerns with agencies who need to know and appropriately involving parents/guardians, children, young people and vulnerable adults;
- identifying those who are suffering, or are likely to suffer significant harm or who are at risk of radicalisation;
- working effectively with others as required by Working Together to Safeguard Children (2017);
- ensuring there is an effective Safeguarding Policy in place together with a Staff Code of Conduct; and
- providing effective support and management for staff and representatives.

2. Legal and Regulatory Framework

2.1. Legal Context

For the purposes of this Policy, the term “children and young people” refers to a child who has not yet reached their eighteenth birthday in England, Wales and Northern Ireland and their sixteenth birthday in Scotland.

“Vulnerable adult” refers to a person “Who is or may be in need of community care services by reason of disability, age or illness; and is or maybe unable to take care of themselves or protect themselves against significant harm or exploitation”. This definition of an Adult covers all people over 18 years of age.

This policy is particularly informed by the requirements of the Children Act (1989), which provides a framework for the care and protection of children and young people and the Children Act (2004) which underpins the ‘Every Child Matters: Change for Children’ programme.

2.2. Regulation

VTCT operates as an awarding organisation/body within the regulatory requirements of the Office of Qualifications and Examinations Regulator (Ofqual), Scottish Qualifications Authority (SQA), the Council for the Curriculum, Examinations & Assessment (CCEA - Northern Ireland) and Qualifications Wales.

3. Operational Framework

3.1. Structure

The Board of Trustees appoints a Trustee with responsibility for safeguarding who provides a strategic oversight of safeguarding and reports at every meeting on current safeguarding concerns and activities.

The Trustee works closely with the CEO and HR Advisor to ensure all safeguarding systems are fully operational and implemented.

Chief Executive:

- ensures the policy is implemented, monitored and reviewed;
- receives regular reports from the HR Advisor on safeguarding issues; and
- reports to the Safeguarding Trustee and safeguarding concerns.

Corporate Leadership Team (CLT):

- ensures the contents of the policy is communicated to managers and other appropriate individuals;
- supports individuals who have received information regarding safeguarding issues;
- co-operates/liaises with the HR Advisor during the response and referral stages;
- maintains confidentiality of information; and
- supports any subsequent action required by third party or internal inquiry.

Executive Board:

- meets monthly and reviews any safeguarding issues that have arisen or may do so in the future.

HR Advisor:

- acts as the Designated Safeguarding Lead, commonly referred to as the Safeguarding Officer; if the HR Advisor is not available any safeguarding issues will be referred to the Chief Executive Officer;
- maintains, monitors and reviews this policy to ensure effectiveness;
- ensures staff recruitment, induction and People practices, policies and procedures reflect safeguarding best practice;
- ensures the Safeguarding Policy is available to all VTCT staff and representatives as listed in section 1.1;
- receives concerns about safeguarding;
- responds to the concerns by identifying the most appropriate course of action;
- acts as a link with any external agencies;
- keeps confidential records of concerns and actions;
- keeps informed and up to date of any developments and issues in safeguarding and inform the CLT and Board thereof; and
- submits high level report/s of any issues of safeguarding or poor professional practice to the CEO and the Board of Trustees as appropriate.

Directors and Managers:

- ensure teams are familiar with the contents of the policy and the appropriate responses required if a safeguarding concern arises.

Safeguarding panel:

- Should a safeguarding matter arise which could lead to the suspension of a staff member, the involvement of an outside agency or bring VTCT into disrepute, the Safeguarding Trustee, CEO, and HR Advisor will meet either virtually or face to face to discuss the issues and agree what actions should be taken. They will co-opt members as appropriate.

4. Code of Practice – Safe Practice Guidance

4.1. Code of Practice – Safe Practice Guidance

These are guidelines for employees, contractors, casual workers, agency workers and Trustees when in contact with all learners:

- Introduce yourself to the learner, show VTCT identification and credentials, and explain assessment/End-point assessment process;
- Do not have lone contact with learners. If this is unavoidable, ensure someone else is advised of what is taking place and why;
- Do not transport learners in your car or offer to accompany them on public transport;
- Conduct contact in an open environment avoiding private or unobserved situations;
- Maintain a safe and appropriate distance from each person and do not have physical contact;
- Ensure that language is appropriate, clear and cannot be misinterpreted;
- Do not take photographs or videos of learners or use social media to contact learners unless the learner is over 18 and has given their written consent, if the learner is under 18 parental consent should be obtained; and
- Ensure any concerns of the vulnerability or behaviour of the learner are reported to salon owner/college/training provider/VTCT.

4.2. Confidentiality and Information Sharing

- Ensure confidentiality protocols are adhered to and information is shared appropriately;
- If in doubt about confidentiality, seek advice from the HR Advisor or a CLT member;
- The HR Advisor or a CLT member will only disclose information about an individual to other members of staff on a need-to-know basis, taking account of the best interests of the individual;

- Colleagues must be aware that information any learner discloses regarding abuse of themselves or another person, must be shared as appropriate and cannot be kept secret. However, at all times consent should be sought and if it is to be overridden the person concerned must be told and reasons given;
- Any exchange or disclosure of information must be in accordance with the UK Data Protection Act 2018; Human Rights Act 1998 and the Freedom of Information Act 2000;
- Confidentiality is designed to safeguard the best interests of the individual and must not be confused with protecting the management interest of VTCT; and
- VTCT operates Whistleblowing (1POHR21) and Grievance policies (1POHR10) if staff have any concerns about the conduct of their colleagues.

4.3. Recognition

The ability to recognise in the presentation and behaviour of someone, the indications that they may have experienced abuse or other safeguarding issues is not always apparent. Abuse and exploitation can occur in a range of situations in which the vulnerable adult or young person may find themselves and they may manifest themselves in a range of different forms and create widely differing symptoms. It is important to keep an open mind but not to worry if you are unsure. Always discuss your concerns with your line manager.

4.4. Response

Whenever you have a worry or a concern about potential or actual exploitation or abuse or any other safeguarding issues, always seek advice and report it. Remember that not reporting a matter may put a child or vulnerable adult at further risk. You do not have to fully understand the concern or its causes but in order to help us determine the most appropriate response, find out whether the allegation from a young person or vulnerable adult is against an employee, including AAs and EQAs, contractor, casual worker, agency worker, Trustee or another.

- Is the disclosure from the person concerned alleging abuse to themselves or to another?
- Is it the reporting of a concern or suspicion?
- What, precisely, is the alleged to have happened?

If you suspect or are told a child, adult or young person is being exploited or abused:

- stay calm;
- listen carefully to what is said;
- allow them to speak, but be very careful not to say anything that may suggest or prompt a particular answer;
- listen carefully to what you are told and make as accurate recording as you can taking care to note the time, place and those present at the disclosure;
- reassure them that they are being carefully listened to and do not promise to 'keep it confidential'. Make it clear that it may be necessary to tell someone else who can help to sort things out;
- reassure them they have done the right thing in speaking about the issue;

- tell the adult or young person what will happen next and with whom the information will be shared;
- IMMEDIATELY report all Safeguarding concerns to the Designated Safeguarding Lead (HR Advisor) or a member of the CLT;
- ensure your Line Manager is also made aware; and
- **ensure you record all safeguarding concerns using the Safeguarding Issue Reporting Form found at 7. [Appendix 2](#).**

4.5. Reporting

You do not need to worry about whether abuse or exploitation has actually occurred. That is the responsibility of the professional agencies, following a referral from the Designated Safeguarding Lead. You are responsible for reporting your concerns in the first instance to the Designated Safeguarding Lead or failing that, to any CLT member. Once you have completed a Safeguarding Issue Reporting Form, the record will be kept confidential and the information will only be viewable by the referrer, Designated Safeguarding Lead and CLT member.

4.6. Recording

An accurate record should be made of what has been alleged, using the exact words of the vulnerable adult or young person if at all possible. Add, if appropriate, factual observations about the physical or emotional state of the individual sharing their concerns. Information will be recorded and stored securely, in line with VTCT's data protection policy, and will only be accessible to those who need to access it as part of action to resolve a complaint or allegation.

4.7. Referral

Only the Designated Safeguarding Lead, or failing that the CEO, can make the decision to refer a complaint or allegation to an outside agency, having gathered and examined all relevant information.

4.8. Allegation Against a Staff Member

The above policy and procedures will operate in all circumstances. When the allegation is against a staff member, the HR Advisor will advise the person concerned that they will be immediately suspended or their contractual duties suspended while an investigation is undertaken.

5. Safe Recruitment Practice Guidance

5.1. Background Information

Two references will be obtained for new starters, including from the most recent employer where applicable. Evidence of identity will be required, such as a passport or a driving licence with photograph.

If it is deemed a role is classed as a regulated activity, satisfactory Disclosure and Barring Service (DBS; Recruitment of Offenders and DBS Checks Policy (1POHR18)) clearance will be obtained.

5.2. Contracting with VTCT

Under the Criminal Justice and Court Services Act 2000, it is an offence punishable by imprisonment to apply for work with children and/or vulnerable adults if an individual has been:

- convicted of a Schedule Four Offence 2; and/or
- put on the Protection of Children Act List (POCA3); and/or
- put on the Protection of Vulnerable Adults List (POVA4); and/or
- considered unsuitable or banned from working with children under section 142 of the Education Act of 2002.

If such information is received as a result of a criminal records check from the Disclosure & Barring Service (England & Wales) or Disclosure Scotland or Access NI, the individual must be immediately reported to the police. VTCT will take the necessary appropriate action.

It is also an offence for anyone knowingly to employ such a person in such a capacity, either on a voluntary or a paid basis.

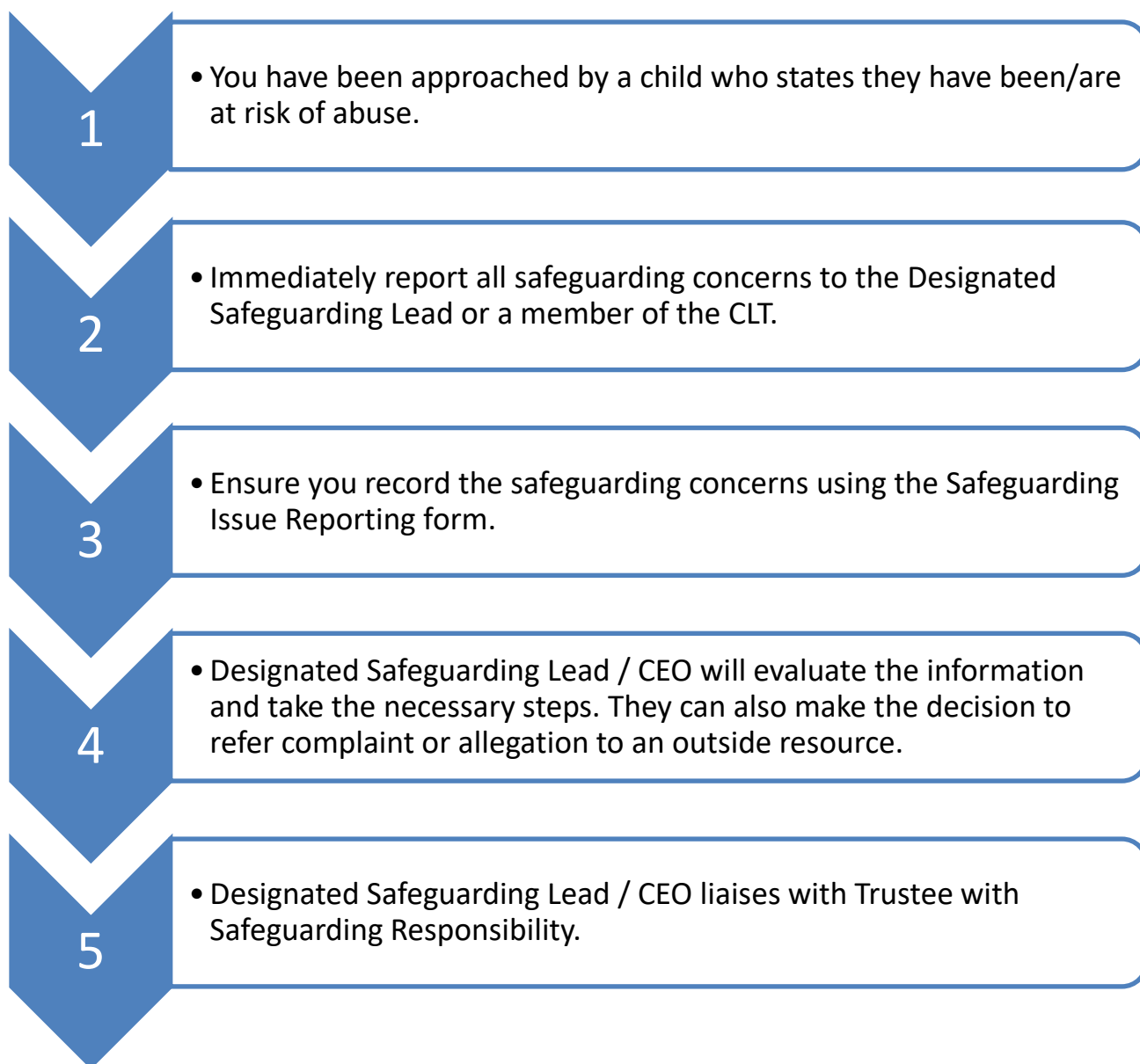
All employees, contractors and newly appointed applicants must read, sign and study the Code of Practice agreement which applies at all times.

VTCT complies fully with its obligations under the UK Data Protection Act 2018 and will ensure that any information contained in the Disclosure Declaration form is available only to those who need to have access in the course of their duties. VTCT reserves the right to reject any applicant who refuses to comply with any of the above.

5.3. Further Support

Involvement in safeguarding processes can cause distress and talking about the experience can relieve individuals of feelings and anxieties. Any individual requiring further support or advice can contact the NSPCC Child Protection Helpline on 0808 800 5000 which is open 24 hours per day 7 days per week. You can also report concerns and seek advice online at help@nspcc.org.uk.

6. Appendix 1: Flowchart of action to take in the event of an allegation or concern of abuse or neglect



NB: If you have immediate concerns that a child or vulnerable adult is at risk of significant harm contact Children’s Services or Adult Services.

If you think a criminal offence has been committed contact the police.

7. Appendix 2: Safeguarding Issue Reporting Form

To be used to record Safeguarding Concerns/Allegations. All allegations of abuse or concerns about children and vulnerable adults must be recorded without delay. This is to ensure that accurate information is passed on to the relevant person and that there is a written record of the key information.

Item		Details	
Name and role of person completing report			
Source of information			
Name of vulnerable adult(s) or child(ren)			
Name and role of employee, including AA or EQA, contractor, casual worker, agency worker, Trustee whose behaviour is causing concern.			
Date and location of incident(s)			
Nature of concern/allegation (attach additional sheet if required)			
Concern/allegation discussed with: (name and job role of member of staff)			
Outcomes of discussion			
Actions Agreed			
Signed:		Date:	
Actions resolved or details of any further actions as issue is addressed			
Signed:		Date:	

8. Appendix 3: Safeguarding Code of Practice Form

All VTCT employees/representatives are required to acquaint themselves with the VTCT Group's policies and procedures on Safeguarding learners.

Code of Practice: All VTCT employees/representatives when coming in contact with learners MUST:

- listen, value and respect everyone as an individual;
- appropriately involve learners in decision making;
- encourage and praise achievement;
- actively contribute to an organisational culture where inappropriate behaviour is not tolerated;
- provide an example of the good conduct you wish others to follow;
- ensure that whenever possible there is more than one adult present during activities with children, young people and vulnerable adults, or at least that you are within sight or hearing of others;
- not give out personal information, or share email addresses, mobile phone numbers etc. with any child, young person or vulnerable adult;
- report all allegations/suspicions of abuse by seeking further support and guidance, including any allegation made against yourself or other staff;
- ensure that any concerns about inappropriate behaviour are quickly and appropriately reported on to the Designated Safeguarding Lead within VTCT;
- be aware that some learners may behave inappropriately. Any sanctions and approaches to discipline used must be appropriate to age and understanding; and
- Employees/representatives who come into contact with children, young people and vulnerable adults should always avoid:
 - being alone or out of sight of others. Where privacy is required, the door should be left ajar having ensured that others have been informed and are within earshot;
 - transporting learners by car;
 - having unnecessary physical contact;
 - engaging in or allowing sexually provocative games or activities;
 - making or permitting suggestive or discriminating remarks to/or about the learners;
 - meeting children, young people or vulnerable adults outside of organised/formal interaction;
 - entering a room where learners (or their clients) may be changing their clothes, or are not fully dressed;
 - participating in, or tolerating any bullying;
 - sexual relationships between staff/ consultants and learners where the former holds a position of trust over the learner are strictly forbidden and may constitute a criminal offence; and



- taking photographs or videos which include any participant unless authorised by the appropriate member of staff and the learner/parental (for children) consent has been given. This includes the use of camera phones.

I agree to comply with all the requirements of this Code of Practice.

Please retain a copy.

Name (Block Capitals):			
Signature:		Date:	
Address (inc. Postcode):			

9. Appendix 4: Types of Abuse and Harm

Abuse may be a single incident or something that occurs over a long period of time. It can take many forms including, but not limited to:

Domestic Abuse - is any type of controlling, bullying, threatening or violent behaviour between people in a relationship. But it isn't just physical violence – domestic abuse includes emotional, physical, sexual, financial or psychological abuse.

Sexual Abuse - There are 2 different types of child sexual abuse. These are called contact abuse and non-contact abuse.

- **Contact abuse** involves touching activities where an abuser makes physical contact with a child, including penetration.
- **Non-contact abuse** involves non-touching activities, such as grooming, exploitation, persuading children to perform sexual acts over the internet and flashing.

Neglect - is the ongoing failure to meet a child's basic needs and is the most common form of child abuse. A child may be left hungry or dirty, without adequate clothing, shelter, supervision, medical or health care. A child may be put in danger or not protected from physical or emotional harm. They may not get the love, care and attention they need from their parents.

Online Abuse - is any type of abuse that happens on the web, whether through social networks, playing online games or using mobile phones. Children and young people may experience cyberbullying, grooming, sexual abuse, sexual exploitation or emotional abuse.

Physical Abuse - Physical abuse is deliberately hurting a child causing injuries such as bruises, broken bones, burns or cuts. It isn't accidental - those who are physically abused suffer violence such as being hit, kicked, poisoned, burned, slapped or having objects thrown at them.

Emotional Abuse - is the ongoing emotional maltreatment. It's sometimes called psychological abuse and can seriously damage a child's emotional health and development. Emotional abuse can involve deliberately trying to scare or humiliate a child or isolating or ignoring them.

Child Sexual Exploitation - is a type of sexual abuse. Children in exploitative situations and relationships receive something such as gifts, money or affection as a result of performing sexual activities or others performing sexual activities on them.

Female genital mutilation (FGM) - is the partial or total removal of external female genitalia for non-medical reasons. It's also known as female circumcision or cutting. Religious, social or cultural reasons are sometimes given for FGM. However, FGM is child abuse. It's dangerous and a criminal offence.

Bullying and Cyberbullying - Bullying is behaviour that hurts someone else – such as name calling, hitting, pushing, spreading rumours, threatening or undermining someone.

Bullying that happens online, using social networks, games and mobile phones, is often called cyberbullying. A child can feel like there's no escape because it can happen wherever they are, at any time of day or night.

Child trafficking and modern slavery - are child abuse. Children are recruited, moved or transported and then exploited, forced to work or sold.

Grooming - is when someone builds an emotional connection with a child/young person to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking. Children and young people can be groomed online or face-to-face, by a stranger or by someone they know - for example a family member, friend or professional.

10. Appendix 5: VTCT Trustees and Staff Responsible for the Policy

Position	Name	Contact Details
Designated Safeguarding Lead	Kelly Burgess	Tel: 02380 684527 Email: kellyburgess@vtct.org.uk
CEO	Alan Woods	Tel: 07779 614227 Email: alanwoods@vtct.org.uk
Trustee with Safeguarding Responsibility	Isabel Sutcliffe	Email: safeguarding@vtct.org.uk
Corporate Leadership Team	Alan Woods	Email: alanwoods@vtct.org.uk
	Ashley Barnes	Email: ashleybarnes@vtct.org.uk
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9	HR Advisor	April 2023	Updated template	HR Advisor
10	HR Advisor	December 2023	Updated Safeguarding Lead	HR Advisor

Document Review

Role	Review Status
HR Advisor	Update complete

Document Owner

Document Owner	Document shared with
HR Advisor	Chief Executive Officer

Document Sign-off

Role	Sign-off Date
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