

Safeguarding and Disclosure and Barring Service (DBS) Policy

Purpose

OAL is committed to safeguarding and promoting the welfare of all its learners, staff, stakeholders, visitors, contractors and partners.

OAL has developed this procedure in line with guidance issued by the Department for Education, Ofsted and other relevant bodies, and operates in line with the requirements of the Multi Agency Policy, Procedures and Practice Guidelines for The Safeguarding of Vulnerable Adults in York, as well as The Prevent Strategy.

The multi-agency document outlines the policy and principles that underpin the protection of vulnerable adults. It defines the roles and responsibilities of professionals, staff and volunteers, who may detect or suspect abuse of a vulnerable person. The document is available via <https://www.safeguardingadultsyork.org.uk/>

OAL is committed to safeguarding all children, young people and vulnerable adults within its operations. All OAL personnel and contractors will be subject to the general DBS arrangements as detailed in this policy.

Introduction - Safeguarding

OAL recognises its statutory and moral duty towards safeguarding the welfare of all children, young people and adults in its care. OAL believes that all children, young people and vulnerable adults have an equal right to protection from abuse or exploitation whatever their race, religion, first language or ethnicity, gender or sexuality, age, health or disability, political or immigration status. It considers the welfare of its learners to be paramount.

Background

Definitions

Any reference in the policy to a child, young person or student applies to all those aged under 18.

Any reference in the policy to a vulnerable adult, or an adult at risk, applies to anyone over the age of 18 who may, for a variety of reasons, be in need of community services and/or unable to protect him or herself from significant harm or exploitation.

Types of Abuse

“Abuse” relates to the mistreatment of an individual’s human and civil rights by any other person or persons, and may consist of single or repeated acts. Incidents of abuse can be either to one person or more than one person at a time. Abuse and/or harmful behaviours can be either deliberate or the result of negligence, ignorance, lack of training, knowledge or understanding. Somebody may abuse or neglect an individual by inflicting harm or by failing to prevent harm.

Within the context of this policy, abuse and harmful behaviours are defined through the following main categories:

- Physical: this may involve hitting, slapping, pushing, kicking, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, misuse of medication, inflicting inappropriate physical sanctions, or otherwise causing physical harm, including fabricating the symptoms of, or deliberately causing the individual ill health (DfE 2014, DoH 2000)
- Emotional/Psychological: this is the persistent emotional ill-treatment of a child, young person or vulnerable adult such as to cause severe and persistent adverse effects on their emotional development. Threats of harm or abandonment; humiliation; blaming; intimidation; coercion; harassment; verbal abuse, bullying (including cyberbullying) and being prevented from receiving services or support are all forms of emotional abuse (DoH 2000).
- Sexual: such as rape, sexual assault or sexual acts occurring through force or enticement and which a child, young person or vulnerable adult could not have consented to, or to which they were pressurised into consenting.
- Neglect or Acts of Omission: this includes the persistent failure to meet a child, young person or vulnerable adult’s basic physical and/or psycho-social needs, and which are likely to result in a serious impairment of the individual’s health or development. This may include failing to provide adequate food, shelter and clothing, or educational services and/or neglect of, or unresponsiveness to, a child, young person or vulnerable adult’s basic emotional needs (DoH 2000).
- Financial or Material: this may include theft, fraud, and exploitation, pressure in

- connection with money or material possessions. (DoH 2000).
- Discriminatory: this may include abuse, bullying and harassment based on the individual's age, sex, disability, religion, race or sexual orientation (DoH 2000).
 - Abuse of Trust: under the Sexual Offenders 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 includes teaching and a range of support staff within educational establishments.
 - Radicalisation: The process by which a person comes to support terrorism and forms of extremism leading to terrorism (Prevent Strategy.Gov.uk) See Radicalisation and Acts of Terrorism
 - Online Abuse: any type of abuse that happens on the web, whether through social networks, playing games online or using mobile Phones(NSPCC 2015)
 - Harmful sexual behaviour: Children or young people develop sexual behaviours that harm themselves or other. (NSPCC 2015)
 - Institutional abuse: this takes place in settings where there are a number of vulnerable people and can range from neglect to outright physical assault.

Radicalisation and Acts of Terrorism - The Counter Terrorism & Security Act (2015) and the Prevent Duty

Prevent is 1 of the 4 elements of CONTEST, the government's counter-terrorism strategy. It aims to stop people becoming terrorists or supporting terrorism.

The Prevent Strategy:

- Responds to the ideological challenge we face from terrorism and aspects of extremism, and the threat we face from those who promote these views.
- Provides practical help to prevent people from being drawn into terrorism and ensure they are given appropriate advice and support.
- Works with a wide range of sectors (including education, criminal justice, faith, charities, online and health) where there are risks of radicalisation that we need to deal with.

The strategy covers all forms of terrorism, including far right extremism and some aspects of non-violent extremism.

The Home Office works with local authorities, a wide range of government departments, and community organisations to deliver the Prevent strategy. The police also play a significant role in Prevent, in much the same way as they do when taking a preventative approach to other crimes. The Home Offices uses a range of measures to challenge extremism in the UK, including:

- Where necessary, preventing apologists for terrorism and extremism from travelling to this country.
- Giving guidance to local authorities and institutions to understand the threat from extremism and the statutory powers available to them to challenge extremist speakers.
- Funding a specialist police unit which works to remove online content that breaches terrorist legislation.
- Supporting community based campaigns and activity which can effectively rebut terrorist and extremist propaganda and offer alternative views to our most vulnerable target audiences - in this context they work with a range of civil society organisations.
- Supporting people who are at risk of being drawn into terrorist activity through the Channel process, which involves several agencies working together to give individuals access to services such as health and education, specialist mentoring and diversionary activities.

This Act places a duty on specified authorities including Further and Higher Education, to have due regard to the need to prevent people from being drawn into terrorism (the Prevent Duty).

OAL is committed to supporting vulnerable students through its safeguarding policies and procedures and recognises that this can support the organisation's contribution to the Prevent Duty.

General arrangements

OAL's employees have a 'Duty of Care' to recognise abusive situations and report concerns to the relevant manager. Staff should:

- Know and recognise all types of abuse (see types of abuse).
- Be alert to and aware of signs of abuse at all times.
- Inform their line manager as soon as possible if they suspect abuse has or is taking place.
- Inform another senior manager immediately if they suspect that the abuser is their line manager.
- Use the 'Whistleblowing' procedure.

In addition, OAL will:

- Ensure that all new applicants for posts which involve contact with learners are checked in compliance with the statutory requirements.
- Specify the role and responsibilities of those responsible for Safeguarding within the organisation and ensure that they are trained and developed to carry out the role.
- Ensure that all staff are aware of this policy and provide them with procedures for responding to situations in which they believe a learner has been abused or is at risk of abuse. This will include procedures to be followed if a member of staff is accused of abuse.
- Ensure that all members of staff undergo appropriate training and development in relation to their work with learners. Minimum levels of training will be established for different types of staff.
- Ensure that accurate records of all incidents are kept and maintained in a secure place and review this policy and any associated procedures annually.
- Contribute to a coordinated approach to safeguarding by developing effective liaison with other agencies and support services.
- Inform learners about relevant sources of information, advice and support and play a part in the prevention of abuse through personal and social education.
- Ensure that all assessors undertake a Health and Safety Assessment (WE2) of the workplace to assess whether appropriate safety measures are in place.

How to Act on Behalf of a Child or a Vulnerable Adult

Action that should be taken if you have concerns, suspicions, witness abuse or someone discloses abuse:

STEP 1

- Take whatever action is required to ensure the immediate safety or medical welfare of the individual
- Remain calm and non-judgmental
- Do not discourage from disclosure
- Use active listening skills and remain sympathetic and attentive
- Give reassurance but do not press for more detail or make promises

STEP 2

- Explain that you cannot keep information about alleged or suspected abuse confidential
- Clarify main facts, summarise what has been said to you
- Remain sensitive
- Explain that your line manager must be informed
- Seek the person's consent to share this information
- Consider issues of capacity, consent, best interest and public protection
- Offer future support from yourself or others (keyworker or advocate)

STEP 3

- Take all reasonable steps to ensure that the individual is in no immediate danger of further harm
- Preserve evidence
- Make a complete and accurate record of events as soon as possible
- Discuss any concerns you have with the Safeguarding Teams (Hull /ERYC) who will, within the appropriate timeframe, either make enquiries without raising the question of abuse and evaluate the matter and/or make a referral to the appropriate external authority
- Inform your Line Manager or other appropriate manager as soon as possible

Responsibilities

Occupational Awards Limited

Senior Manager with responsibility for Safeguarding: Lisa Williamson – 07827 945053
Lisa.williamson@oawards.co.uk

Based at: The Catalyst, Baird Lane, Heslington, York, YO10 5GA

City of York - Safeguarding Adults Board

Adult social care, 01904 555111 (Tel) (office hours)
01609 780780 (Tel) (out of hours)
Email: adult.socialsupport@york.gov.uk

Based at: West Offices, Station Rise, York, YO1 6GA

North Yorkshire Police 01904 618691 (Tel)

City of York Council

Emergency Duty Team 01609 534527 (Tel)
(Social Services Out of Hours Team)
Call Centre 01904 555111 (Tel)

Based at: West Offices, Station Rise, York, YO1 6GA

Care Quality Commission 03000 616161 (Tel)

For more detailed information, see the Multi-agency Policy, Procedures and Practice Guidelines for Safeguarding Adults (revised Oct 2009).

<https://www.safeguardingadultsyork.org.uk/the-board/policy-and-procedures/>

Active promotion

This policy, Safeguarding and The Prevent Agenda will be promoted through annually programmed staff development events, the website, Staff Inductions, and all associated literature.

Background DBS

The Disclosure and Barring Service (DBS) is designed to protect children and vulnerable groups by preventing those who pose a known risk from gaining access to them through their work. The DBS makes independent barring decisions and maintains two constantly updated lists, one for those barred from working with children, the other for those bared from working with vulnerable groups.

The DBS service allows individuals to keep their criminal record certificate up to date, so that they can take it from role to role. OAL requires that all personnel hold a current and valid DBS certificate regardless of their role. This will be required at the recruitment and updated as necessary.

OAL considers the general arrangements within this policy alongside their, Data Protection policy, Whistleblowing policy, Employee and contractor terms and conditions and Employee procedures.

General arrangements

All personnel and associate of OAL are required to produce a current and valid DBS Certificate at time of employment.

Copies of DBS Certificates are stored securely within the business in personnel files.

The Operations & Quality – Senior Manager will update DBS certificates as they expire.

All personnel are required to annually declare a criminal record including cautions and convictions as described in the Employee Handbook. Failure to provide this declaration will result in disciplinary proceedings as set out in the Employee Handbook.

Any disclosed offences, including those listed on a DBS certificate, on the annual declaration or as the offence occurs, will be reviewed by the Operations & Quality – Senior Manager and Chief Executive. This will ascertain whether this would bar the individual from carrying out their role, having consideration of the Rehabilitation of Offenders Act 1974. OAL's main consideration will always be the protection of vulnerable adults and its reputation.

OAL fully complies with the code of practice, where it applies regarding the correct handling, use, storage, retention and disposal of DBS certificate information.

Responsibilities

The business designates the Operations & Quality – Senior Manager as having overall responsibility for maintain current and valid DBS certificates for all personnel.

Lisa Williamson
Operations & Quality – Senior Manager
lisa.williamson@oawards.co.uk
07827 945053

Should anyone be concerned about an employee's suitability to carry out their role in relation to this policy they should contact:

Amanda Clark
Chief Executive
a.clark@oawards.co.uk
07711 781 577

Active promotion

OAL will:

- ensure that any personnel and associates employed by our organisation are aware of our arrangements for Disclosure and Barring
- to publish this policy

Monitoring and Improvement

The policy will be reviewed annually, or in response to major changes in legislation or significant events. It will be the responsibility of the Chief Executive, to review and monitor these procedures and to consult with other agencies as appropriate. Policy review will include consultation with local Safeguarding Adults Agencies whose support and advice is recognised as crucial to the effective implementation of the policy.

An annual report to the board will be produced. Records of reported incidents and staff training will inform the monitoring of policy effectiveness. Appropriate steps shall be taken to ensure that vulnerable adults and children are enabled to access relevant support services, appropriate to their need.

The effectiveness of policy promotion will be assessed as part of OAL's internal quality assurance process. Feedback will be used to facilitate ongoing improvements.