



SAFEGUARDING POLICY AND PROCEDURE

Gecko Programmes Ltd holds the health, safety and welfare of all young people and vulnerable adults involved in courses or activities which come under their responsibility as one of its highest priorities. Gecko has a statutory and moral duty to commit to practices that protect young people and vulnerable adults from abuse, neglect or significant harm. This applies to all staff and students enrolled at Gecko programmes including Sub-contractors, franchises and work placements, regardless of race, gender, disability, religion, age or sexual orientation.

1 Safeguarding Policy: Introduction

Gecko has a statutory and moral duty to safeguard the welfare of children and vulnerable adults receiving education and training. Gecko's policy is that safeguarding all its people, both students and staff, will be central to all it does. This covers all matters connected with students and staff having a safe learning and/or working environment, ensuring that they know how to keep themselves safe and that they feel safe. It pays particular regard to the welfare of young people under the age of 18 and to that of vulnerable adults. In accordance with The Children Act 1989 and The Children Act 2004, throughout this policy, where reference is made to 'children and young people', this term is used to mean those under the age of 18. Further to this, Gecko recognises that some adults are also vulnerable to abuse and these are referred to as 'vulnerable adults' (an adult who does not have the mental ability to make his/her own decisions). The purpose of this document is to outline the policy and procedures for safeguarding children and vulnerable adults at Gecko and aims to:

- promote safe practices and challenge poor and unsafe practice.
- ensure staff receive adequate training and supervision.
- identify instances in which there are grounds for concern about the welfare of a child or vulnerable adult and take action to ensure safety.
- take appropriate action to prevent unsuitable people from working with children, young people and vulnerable adults.
- develop a culture in which both learners and staff are aware of the actions they need to take to become and remain safe.
- safe recruitment of staff.

2 Statutory Responsibilities and Background

There are a number of statutory regulations which place a responsibility on Gecko to Protect young people and vulnerable adults. This statutory framework includes:

- The Children Act 2004, which is fundamental to professionals working with children and young people in the UK.
- The Protection of Children Act 1999 requires employers to carry out Criminal Record Checks before employees are allowed to come into contact with children.

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- The Education Act 2002 requires that governing bodies of FE providers have a statutory duty to make arrangements to safeguard and promote the welfare of children and young people.
- The Sexual Offences Act 2003 makes it an offence for a person over 18 (e.g. a tutor or other member of staff) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies where the child is in full-time education and the person works in the same establishment as the child, even if s/he does not teach the child.
- The Safeguarding Vulnerable Groups Act 2006 which sets out the type of activity in relation to children and vulnerable adults for which employers and individuals will be subject.

The Children Act 1989 defines a child as a person under the age of 18. This is regardless of domicile, marital status or any legal orders in force. The Children Act 2004 also includes young people under 21 who have a learning or other disability or who have been looked after by a local authority after the age of 16 and vulnerable adults (an adult who does not have the mental ability to make his/her own decisions). In addition, Ofsted inspectors make a judgement on procedures for safeguarding students meeting current government requirements. They comment on policy, procedures, vetting and training. The responsibility for protecting children does not rest with any one agency as Education, Children's Services, NSPCC, Police, Health Service, Probation Service and the Armed Services are all involved in child protection. Gecko acknowledges that it is not their role to investigate whether abuse has taken place as only Children's Services, the Police and NSPCC have the statutory powers. Gecko does recognise, however, that children have the right to be protected from harm and that it has a duty to act if there is a cause for concern and to notify the appropriate agencies so that they can investigate and take necessary actions. A failure to pass on information that might prevent a tragedy could expose the Gecko to criticism.

3. Scope

This policy and its procedures apply to all staff and students (including those who are Gecko students, but do not actually visit the site).

4. Safeguarding Policy

Gecko will:

- take a preventative approach to safeguarding children, young people and vulnerable adults from potential harm or damage.
- take all appropriate actions to address concerns about the welfare of a young person, child or vulnerable adult.
- work to agreed local policies and procedures in full partnership with other local agencies.

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- plan, implement, monitor and review policies and procedures to ensure that the maximum is done to provide a safe environment for children, young people and vulnerable adults.
- take all reasonable measures to ensure that risks of harm to the welfare of young people, children or vulnerable adults is minimised by appropriate:
 - risk assessment and management
 - Health and Safety procedures
 - staff selection, recruitment, induction, supervision and training
 - creation and promotion of an open work culture
 - reporting and dealing with abuse

5. Roles and Responsibilities

The Managing Director is the Safeguarding Officer and has responsibility for safeguarding and has a key duty for raising awareness across all staff of issues relating to the welfare of children, young people and vulnerable adults. The post holder is required to have training in safeguarding issues and inter-agency working, and receive refresher training as appropriate.

The designated lead member of staff is responsible for:

- overseeing the referral of cases of suspected abuse or allegations to the relevant investigating agencies
- providing advice and support to other staff on issues relating to safeguarding
- maintaining a proper record of any child protection referral, complaint or concern (even where that concern does not lead to a referral)
- ensuring that parents of children, young people and vulnerable adults within Gecko are aware of the safeguarding policy
- liaising with the Local Authorities and other appropriate agencies
- liaising with employers, sub-contractors and training organisations that receive children or young people from Gecko on placements to ensure that appropriate safeguards are put in place

All Staff

All those working at Gecko Programmes must be familiar with, and follow the Gecko's procedures and protocols for promoting and safeguarding the welfare of children at Gecko and know who to contact to express concerns about a child's welfare. It is everyone's responsibility to

- Recognise
- Respond
- Report
- Record
- Refer

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All members of staff have a duty to ensure the welfare of the child, young person or vulnerable adult is the primary consideration above all others and to report suspected or alleged abuse to the Safeguarding Officer. Staff must be alert to, and aware of, the signs of abuse which may raise concern about child protection. Abuse or neglect can be by inflicting harm, or by failing to act to prevent harm. Signs may include changes in behaviour or a failure to perform or develop as expected. However, recognising abuse can be difficult; therefore staff need to take notice of not only major incidents but also signals which cause concerns, record all concerns on the appropriate form and always discuss with the Safeguarding Officer to decide on which action to take, (i.e. to report, monitor or take no further action). All Gecko staff must be aware of the potential dangers which are presented to students by adults who may appear to be offering opportunities for work or personal development to students by approaching Gecko with offers of work placements or live projects. Care must be taken to ensure that appropriate checks, including DBS checks, references and safeguarding measures are in place before such links are encouraged.

6 Categories of Abuse

In respect of this policy Gecko recognises the following as categories of abuse which relate to Child Protection as significant harm:

Physical Abuse

Physical abuse causes harm to a child's person. It may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning or suffocating. It may be done deliberately or recklessly, or be the result of a deliberate failure to prevent injury occurring. It can also occur when a parent or carer feigns the symptoms of or deliberately causes ill health to a child whom they are looking after.

Neglect

Neglect is the persistent or severe failure to meet a child or young person's basic physical and/or psychological needs, likely to result in serious impairment of the child's health or development. It may involve a failure to provide adequate food clothing or shelter, failure to protect a child from physical harm or danger or failure to ensure access to appropriate medical care or treatment. It may also involve neglect of, or inadequate response to, a child or young person's basic emotional needs.

Sexual Abuse

Sexual abuse involves a child or young person being forced or coerced into participating in or watching sexual activity. It is not necessary for the child to be aware that the activity is sexual and the apparent consent of the child is irrelevant. The acts may involve physical contact, including penetrative or non-penetrative acts. They may involve non-contact activities such as involving children in looking at, or in the production of, pornographic material or watching sexual activities or encouraging children to behave in sexually inappropriate ways.

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Emotional Abuse

Emotional abuse occurs where there is persistent emotional ill treatment or rejection such as to cause severe and adverse effects on the child's or young person's behaviour and emotional development, resulting in low self-worth. It may involve conveying to children that they are worthless or unloved, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is present in all forms of abuse.

Other causes of concern include:

- Bullying: harassment or intimidation of an individual that is unwanted or hurtful and that is intentionally carried out by a person or group in order to cause physical and/or emotional hurt. Financial Abuse: denying someone access to funds, making someone wholly responsible for money while the other person is handling money responsibly. Money used as a tool by the abuser to control the victim.
- Domestic Violence
- Forced marriage

7 **Safe Practice for Staff**

From time to time staff may encounter young people who display attention seeking behaviour or profess to be attracted to them. Staff should aim to deal with those situations sensitively and appropriately, but ensure that their behaviour cannot be misinterpreted. In these circumstances, the member of staff should also ensure that a senior colleague is aware of the situation. It is a criminal offence for a person in a position of trust to engage in any sexual activity with a person aged under 18 with whom they have a relationship of trust, irrespective of the age of consent even if the basis for their relationship is consensual. A relationship of trust exists where a member of staff or volunteer is in a position of power or influence over a pupil or student by virtue of the work or nature of the activity being undertaken.

8. **Staff Recruitment**

Gecko is committed to a policy of responsible recruitment which includes procedures for obtaining DBS checks for new employees. The senior member of staff responsible for recruitment and training needs of staff is the Managing Director. This member of staff is responsible for ensuring that all DBS checks are undertaken. Staff should receive basic training in child protection issues and be aware of Gecko child protection procedures.

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9 Staff Training

At the initial staff induction new members of staff should be informed of the importance of safeguarding; its relationship to health and safety, bullying (including cyber bullying) and security and that further training will take place.

10 Procedure where a child protection/vulnerable adult issue is identified

Promises of confidentiality should not be given as the matter may develop in such a way that these cannot be honoured. The person making the declaration should be reassured that by telling you, they have done the right thing. Do not interview the person making the declaration. If the complainant is the student him/herself, questions should be kept to the minimum necessary to understand what is being alleged and leading questions should be avoided, although you may seek to clarify with open questions in order to be sure that you understand what you are being told. Care must be taken in asking or interpreting responses to questions about indications of abuse as this could have an effect on the evidence which is put forward if there are any subsequent legal proceedings. Copies of reports, information, etc, should be kept securely locked at all times. A full written record should be made immediately on the appropriate form. This record should include:

- the date.
- the time.
- the place where the alleged abuse happened
- the name of the complainant and, where different, the name of the child.
- who has allegedly been abused
- the nature of the alleged abuse
- a description and diagram of any injuries observed
- the account which has been given of the allegation.
- the account of the action taken by the staff member involved
- name and signature of staff making the written record
- name of others present, both at the interview with the student and, if known, at the time of the alleged abuse

Such an allegation, suspicion or incident of abuse must be reported immediately to Safeguarding Officer.

Next Steps

Taking into account all the information available, the Safeguarding Officer will decide on the next steps, which may include taking no further action. Where it is decided that further action is necessary, this may be to:

- seek further advice from Social Services
- make a referral to Social Services
- report the incident to a designated Social Worker

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- report the matter to the police if a crime is suspected
- keep the member(s) of staff who raised the concerns informed of the progress/ outcome of the case where possible

If the decision is taken to report the matter to Social Services, the Safeguarding Officer shall:

- contact Social Services or Police by telephone, keeping a written record of the date and time of the report and of the name/position of the person to whom the report was made
- discuss with Social Services what action will be taken to inform the parents of the student.
- make a note of the conversation, sign and date it
- maintain communications with Social Services to ascertain what steps they will be taking and keep the student and staff member informed
- ensure that the student and member of staff are offered counselling
- retain a copy of the report and any other relevant material

If a Gecko trainee discloses information, or there is a suspicion of abuse whilst in the workplace, the relevant staff should follow Gecko's Safeguarding Policy and Procedure in the same way as for a full time student.

Confidentiality

Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety of the person disclosing is the overriding concern. The degree of confidentiality will be governed by the need to protect those concerned. The child, young person or vulnerable adult should be informed at the earliest possible stage of the disclosure that the information will be passed on. All conversations regarding a child should always be held in private. Gecko complies with the requirements of the Data Protection Act 1998, which allows for disclosure of personal data where this is necessary to protect the vital interests of a child or vulnerable adult. In all cases the main restrictions on disclosure of information are:

- common law duty of confidence
- human Rights Act 1998
- data Protection Act 1998 In general, legislation does not prevent sharing of information if:-
 - those likely to be affected consent
- the public interest in safeguarding the child or vulnerable adults welfare overrides the
- need to keep the information confidential
- disclosure is required under court order or other legal obligation

Whatever happens, the child, young person or vulnerable should be dealt with openly and honestly if the case is to be moved forward

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11 For Cases Involving Allegations against a Member of Staff

Any suspicion, allegation or actual abuse of a child by a member of staff must be reported to the Safeguarding Officer. On being notified of any such matter the Safeguarding Officer must take the following steps:

Take such steps as s/he considers necessary to ensure the safety of the student in question and any other student who may be at risk

- if necessary, report the matter to Social Services in accordance with the procedure above
- ensure that a report of the matter is completed by the person who reported the original concern immediately

On being notified of the allegation the Safeguarding Officer will take into account:

- the seriousness of the allegation
- the risk of harm to the student concerned or to other students
- the possibility of tampering with evidence
- the interests of the member of staff concerned and Gecko

The Safeguarding Officer will then decide on the appropriate action(s) from the following options:

- to take no action and exonerate the member of staff
- if there is sufficient evidence to warrant an investigation, to conduct such an investigation in accordance with the procedure in the Staff Disciplinary Policy and Procedure
- to suspend the member of staff immediately since the substance of the evidence/ the nature of the allegation is sufficient to make this desirable in the interest of the protection of students and/or staff

In all cases of accusations against staff, the member of staff will be offered access to appropriate support. Where it is subsequently found that an allegation was made with malice and aforethought, Gecko may wish to invoke disciplinary procedures against the accuser. In the event of a police investigation being undertaken, the member of staff will be suspended and any internal investigation and/or disciplinary action may be postponed pending the outcome of the external investigation.

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SAFEGUARDING REFERRAL FORM

To be completed by any member of staff who has concerns regarding a student's welfare.
Please complete and submit to the Safeguarding Officer.

Student's Name	Date of Birth	Tutor and Course

Date	Cause for Concern	Action Taken

Additional Information

Staff name/signature	Date

Safeguarding officer	Date received

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SAGEGUARDING DECLARATION FORM

Your name:	Your position:	Contact number
Name of others present		

Student Name
Student Address
Student phone number(s)
Student DOB
Parent/Carers Name and Address

To be completed by staff member to whom the initial declaration was made

Date and Time of declaration

Date and time of incident

Your Observations

Exactly what the student said and what you said. Remember do not lead the student – record actual details. (Continue on separate sheet if necessary)

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Name

.....
.....

Date

.....
.....

NB Inform the safeguarding officer immediately on completion of this form.

Remember to maintain confidentiality on a need to know basis – share information only if this will protect the child/adult. Do not discuss the incident with anyone other than those who need to know.

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DETAILS OF HIGH RISK STUDENTS

High risk students are those who are assessed by other agencies to be vulnerable or a significant risk to either themselves or others (this could include students on the “at Risk” Register or Schedule 2 offenders)

Student details

Name	
Address	
Contact Details	
Next of kin	
Student advisor/tutor	
Course	

Agency Contacts (eg Social Services)

Agency	Details of Contact	Nature of Contact

Background

Educational History	
Qualifications/Attainments	

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Critical incidents (cause of being high risk)	
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Current education

Attendance	
Behaviour	
Progress towards targets	
Critical incidents	

Analysis of Risks

Who is at risk?	Why are they at risk?	Recommended actions

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