



Next Step Apprenticeships

SAFEGUARDING & PREVENT DUTY POLICY & CRIMINAL DISCLOSURE POLICY

<u>Company Name:</u>	Clearline Recruitment trading as Next Step Apprenticeships (“the Company”)
<u>Policy No.</u>	NextStep266
<u>Policy Name:</u>	Safeguarding and Prevent Duty Policy and Criminal Disclosure Policy
<u>Date:</u>	November 2022
<u>Version:</u>	5
<u>Next Review Date</u>	Jun 2023

Policy Statement

Next Step Apprenticeships takes its responsibilities for safeguarding extremely seriously and believes that it is never acceptable for a child, young person, vulnerable adult, or any member of society to experience abuse.

This policy aims to:

- protect and promote the welfare of all learners, including children, young people and vulnerable adults who engage with us.
- communicate our approach to safeguarding in a clear and transparent way.
- demonstrate compliance with relevant statutory guidelines.
- ensure that safeguarding responsibilities are clear, and that people understand how to report concerns they may have about a child, young person, vulnerable adult or any other learner.

This policy is also our response to PREVENT, part of the Government’s counter-terrorism strategy. We understand the need to safeguard our learners from harm and the risk from radicalisation of any type is no different. We recognise our responsibility to participate in such work and to safeguard the welfare of people by committing to practice which prevents and protects people from being drawn into terrorism. Next Step reserves the right to modify this policy from time to time at its discretion and in line with legislation.





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Scope

This policy applies to all employees, apprentices, volunteers, workers, customers and all other third parties who, through their involvement with Next Step Apprenticeships, work with children, young people, or vulnerable adults.

Related Legislation

- Domestic Abuse Act (2021)
- Working Together to Safeguard Children (2018)
- Keeping Children Safe in Education (2021)
- Counter Terrorism and Security Act 2015
- Safeguarding and Vulnerable groups Act 2006
- Care Standards Act 2000 (updated 2015)
- NHS and Community Care Act 1990
- Public Interest Disclosure Act 2018
- Mental Health Act 1983 amended 2007.
- Female Genital Mutilation Act 2003 as amended by the Serious Crime Act 2015
- Children's Act 1989 (revised 2004)
- Sexual Abuse Act 2003
- Education Act 2002

Responsibilities

Managing Director/Safeguarding Lead: Overall responsibility for the policies and procedures that govern the work of Next Step Apprenticeships and overall responsibility for ensuring Next Step Apprenticeships resources are used effectively and appropriately.

Quality Director/Deputy Safeguarding Lead: Responsible for ensuring guidelines are in place and that policies and procedures reflect our commitment. Responsible for ensuring staff receive annual refresher training and updates. Responsible for ensuring team members are aware of and follow this policy.

All Employees: To follow policies and procedures, promoting best practice throughout Next Step Apprenticeships.

The Policy:

1. Safeguarding

- We all have a shared responsibility to identify children, young people and any learner who may need extra help or who are suffering, or are likely to suffer, significant harm.
- We aim to embed a culture of safeguarding across the company by communicating practical guidelines to support the principles and aims of this policy, reinforced by training for all employees and volunteers to ensure that our approach is robust and reflects best practice standards. Everyone should aim to ensure the welfare of children, young people, vulnerable





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adults and any other learner first and foremost, checking your approach with one of our Internal Safeguarding Leads if you are unsure how to handle a safeguarding issue.

2. Prevent

- Preventing people from being drawn into terrorism, extremism and radicalised ideology has never been more important. As a provider of apprenticeship training programmes for people, particularly young people, from ethnically diverse and socially and economically disadvantaged areas it is essential that Next Step Apprenticeships is involved in the Prevent Strategy.
- **Radicalisation and extremism:** radicalisation can be defined as the process of supporting terrorism and extremism and, in some cases, to then participate in terrorist activity. Extremism is defined as vocal or active opposition to fundamental British values including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.
- Staff will promote and reinforce values of openness and respect, tolerance, cohesion and equality of opportunity and treatment by:
 - creating space for free and open debate; and by listening, valuing, and respecting the learner voice
 - breaking down barriers and supporting inter-faith and inter-cultural dialogue and understanding and by engaging all learners in playing a full and active role in wider engagement in society
 - making sure that the company is free from bullying, harassment, and discrimination.
 - providing support for learners who may be at risk by providing appropriate sources of advice and guidance.
 - making sure that staff and learners are aware of their roles and responsibilities in preventing violent extremism.
 - promoting British values with both learners and employers.

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- Recognises that the welfare of any learner including a child, young person or vulnerable adult is paramount and to ensure that all feel safe.
- Aims to create a culture of vigilance in relation to our safeguarding approach, while continually developing our knowledge and practice accordingly
- Recognises that everyone, regardless of their age, background, ability, culture, disability, gender, language, religious beliefs, and sexual identity has the right to protection from any form of abuse and harassment. We are very aware that “it could happen here” and we take a whole organisation approach by creating a culture where abuse and harassment is not tolerated.
- Takes all suspicions and allegations of abuse and/or poor practice seriously and will respond to them swiftly and appropriately following the 4 Rs of safeguarding which are recognise, respond, report and record.
- Where there is a possibility of abuse or neglect by a person or persons, everyone has a responsibility to report their concerns to the appropriate person (physical, sexual, emotional, and neglect)





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- Where there is a possibility of radicalisation of a person or by a person, everyone has a responsibility to report their concerns to the appropriate person.
- It is not the responsibility of Next Step Apprenticeships employees to decide whether abuse or radicalisation has taken place; it is their duty to act on any concerns by reporting them to the appropriate person. We will support people who report their concerns about abuse and radicalisation in good faith and will investigate their concerns, referring to the appropriate people where necessary.
- We will take all actions within our power to enable any learner including a child, young person, or vulnerable adult to have the best outcomes. We recognise that safeguarding is not just about protecting any learner including a child, young person or vulnerable adult from deliberate harm and neglect, but also about broader aspects of care and education such as well-being (including mental health), first aid, special educational needs and/or disabilities, educational visits, and online safety.

1. Definition of abuse

In respect of this policy, Next Step Apprenticeships recognises, the following as definitions of abuse:

- **Bullying:** Bullying is the repetitive, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power
- **Physical abuse:** Physical abuse causes harm. 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. Physical abuse can also be when a parent, guardian or carer fabricates symptoms or induces illness in a student.
- **Neglect:** Neglect is the persistent or severe failure to meet a student's or adult at risk's basic physical and/or psychological needs. It will result in serious impairment of the student's and/or adults at risk's health or development.
- **Sexual abuse:** Sexual abuse involves a child or adult at risk being forced or coerced into participating in or watching sexual activity. It is not necessary for the child or adult at risk to be aware that the activity is sexual and the apparent consent of the child or adult at risk is irrelevant. It also relates to sexual abuse in terms of e-safety and child sexual exploitation, such as inappropriate images, film, and evidence of grooming.
- **Sexual Harassment:** "It could happen here." Unwanted behaviour of a sexual nature which violates your dignity, makes you feel intimidated, degraded, or humiliated and creates a hostile or offensive environment.
- **Non-contact abuse:** non-contact abuse is when abusive acts do not involve actual physical contact, i.e., pornographic, or violent films, sexual acts performed in front of the victim, violent acts with the abused present.
- The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress, or alarm. It is a criminal offence. Anyone of any gender, can be a victim.
- **Emotional abuse:** Emotional abuse occurs when there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the student or adult at risk's behaviour and





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emotional development, resulting in low self-worth. Some level of emotional abuse is present in all forms of abuse.

- **Financial abuse:** Financial abuse is the misuse of a person's funds and assets; obtaining property and funds without his/her knowledge and full consent, or in the case of an elderly person who is not competent, not in his/her best interests. This is also known as material abuse. Financial or material abuse can involve the theft or misuse of a person's money or property.
- **Discriminatory abuse:** Discriminatory abuse is motivated by oppressive and discriminatory attitudes. Examples of discriminatory abuse may include:
 - disability - physical or learning disability, mental, ill-health or sensory impairment.
 - race
 - gender
 - age
 - religion
 - cultural background
 - sexual orientation
 - political convictions
 - appearance
- **Peer on Peer abuse:** Should be aware that children or adults can abuse other children or adults.
- **Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE):** Child Sexual Exploitation (CSE) 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 or criminal activities. County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”.
- **Stalking** is defined as a pattern of unwanted behavior, directed at a specific person, which causes that person to change their routine or feel afraid, nervous or in danger. Examples of stalking behaviors include Repeated, unwanted phone calls, texts, messages, etc. that may or may not be threatening.
- **Cyber-bullying:** Cyber-bullying is bullying that takes place over digital devices like mobile phones, computers, and tablets. Cyber-bullying can occur through SMS, text, and apps, or online in social media, forums, or gaming where people can view, participate in, or share content. Cyber-bullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can include sharing personal or private information about someone else causing embarrassment or humiliation. Some cyber-bullying crosses the line into unlawful or criminal behaviour
- **Forced Marriage** – Forced marriage is where one or both people do not consent to the marriage and pressure, or abuse is used. Pressure can include threats, physical or sexual violence, and financial pressure. All child marriages are forced, because a child cannot provide informed consent, and is therefore a violation of children’s rights.
- **Female Genital Mutilation (FGM)** – Female Genital Mutilation (FGM) is a human rights violation, torture and an extreme form of violence and discrimination against girls and women. It is most often carried out on girls between infancy and age 15, though adult women are occasionally subjected.
- **VAWG** – any form of violence taken against or towards women and girls.





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- **Domestic Abuse** - We define domestic abuse as an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence, in most cases by a partner or ex-partner, but also by a family member or carer.
- **Grooming:** Grooming is when someone builds an emotional connection with a child 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 colleague.

Mental Health:

- **Suicide** - Suicide is a **leading cause of death**. Suicide is death caused by injuring oneself with the intent to die. A suicide attempt is when someone harms themselves with any intent to end their life, but they do not die because of their actions.
- Mental health issues - Mental health includes **our emotional, psychological, and social well-being**. It affects how we think, feel, and act. It also helps determine how we handle stress, relate to others, and make choices.

4. Statutory responsibilities and background

The Police and Social Services have primary responsibility in the field of child protection. The Children's Act 2004 places a duty on local authorities to take steps to protect students in appropriate circumstances and gives certain powers to the police so that they can take action to protect learners. The intention is to ensure there is a 'joined up' approach to ensure improvements in the monitoring and planning of all services designed to protect and promote the interests of learners.

- The Education Act 2002 ensures the responsibilities under the Education Acts are carried out with a view to safeguarding and promoting the welfare of students and adults at risk.
- The Sexual Offences Act 2003 makes it an offence for a person over 18 (e.g., a 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.
- The Group takes account of guidance issued by the Department for Education, the Disclosure and Barring Service and other relevant bodies and groups.
- Next Step Apprenticeships is committed to working with and assisting the local children's departments with regards to child protection matters and is committed to liaison with the Local Safeguarding Children's Board (LSCB) and Local Authority Designated Officer (LADO).

5. Training

The designated person and designated staff members as indicated in this policy, will have completed basic child protection training, provided by the local authority, refreshed every two years.

All staff, including temporary, bank staff, agency workers and volunteers, who work with apprentices and/or adults at risk will undertake appropriate training to equip them to carry out their





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responsibilities for child protection effectively, and this is kept up to date by refresher training at three yearly intervals. This includes online modules covering safeguarding, e-safety and PREVENT.

Safeguarding and PREVENT are covered at both staff and apprentice inductions as well as at other times during the year. All staff and Apprentices are issued with Safeguarding and PREVENT pamphlets to refer to for information and with details of who to contact if they have any concerns.

7. Use and monitoring of ICT

IT equipment provided to both staff and learners is subject to monitoring. Filters are applied to Next Step Apprenticeships systems which will restrict access to harmful content. A log will be kept and reviewed to enable patterns of inappropriate access to be identified and challenged. This log will be overseen by the Risk and Compliance Officer.

Staff identifying inappropriate use will report this to the Risk and Compliance Officer to enable this to be investigated for safeguarding purposes.

8. Designated staff with responsibility for child protection

The designated person with overall responsibility for child protection is the Designated Safeguarding Lead. They have a key duty to take lead responsibility for raising staff's awareness of issues relating to the welfare and the promotion of a safe environment for learners and adults at risk.

The Designated Safeguarding Lead will be responsible for:

- The safety of all our apprentices and adults at risk
- Overseeing the referral of cases of suspected abuse or allegations
- Providing advice and support to other staff on issues relating to child protection
- Maintaining a proper record of any safeguarding referral, complaint, or concern (even where that concern does not lead to a referral)
- Liaising with the local authority, LSCP and LADO and other appropriate agencies
- Liaising with employers and training organisations who receive Next Step Apprenticeships apprentices on placements to ensure appropriate safeguards are put in place.
- Ensuring staff receive basic training in safeguarding issues and are aware of Next Step Apprenticeships safeguarding procedures.

9. Designated staff members

Members of staff with delegated responsibility for child protection issues are:

Designated Safeguarding Lead (DSL) – Angela Potter
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Deputy Safeguarding Lead (DDSL) – Dawn Hale

If an employee is in doubt as to whether it is a safeguarding matter, they should immediately pass it to the DSL to decide.

The DSL will acknowledge receipt of a disclosure via a standard e-mail message to the member of reporting staff.

In the event the DSL is unavailable, the DDSL should be contacted.





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They will:

- Know how to make an appropriate referral.
- Be available to provide advice and support to other staff on issues relating to Child Protection, Safeguarding, e-Safety and Prevent
- Have responsibility to be available to listen to learners who are training with Next Step.
- Deal with individual cases, including attending case conferences and review meetings as required.
- Be the first point of contact for employers who have any safeguarding/PREVENT concerns about their Apprentice.
- Provide a quarterly Safeguarding and PREVENT report to the Senior Leadership team outlining statistics of those referred.

All staff are responsible for complying with this policy, reporting incidents and co-operating with any investigations or incidents in line with procedures.

10. Safer recruitment

This policy should be read in conjunction with the Next Step Criminal Disclosure policy.

Next Step Apprenticeships actively promotes equality of opportunity for all with the capacity to benefit from training and we welcome all learners, including those with a criminal conviction. It is therefore necessary to collect information on criminal convictions and any prosecutions pending from all learners (both applicants and enrolled) to ensure enrolment on a suitable programme, while maintaining the company's duty to provide a safe and secure environment for all its learners, staff, and visitors.

To do this, we will consider the nature of the programme and the circumstances and background to the offence alongside the requirements of various professional bodies and legislation to protect special categories of people.

Purpose

- To provide protection to the people and property within the Next Step community and any vulnerable persons who may meet apprentices training with the company.
- To have regard to specific duties of the company in relation to certain careers or professions which apprentices on our programmes may enter.
- To ensure fair treatment of all applicants and apprentices ensuring that Next Step Apprenticeships follows the values enshrined in the Rehabilitation of Offenders Act 1974
- To ensure records are kept secure and confidential.

Learners and Applicants

Next Step Apprenticeships has a duty of care to our staff and apprentices and therefore all applicants and enrolled apprentices are required to disclose unspent convictions. Any applicant





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who declares a criminal conviction as part of the admissions process will firstly have their application assessed on academic grounds before being asked to provide further information.

Summary of process:

- All applicants will be asked to declare if they have any criminal convictions at the time of application and/or enrolment.
- If they tick yes on the application or enrolment form, they will be required to complete a criminal disclosure form. The apprentice should ensure this is placed in an envelope and marked for the attention of the DSL.
- A decision as to the continuation of the application/enrolment will be authorised by the DSL.
- Only the DSL and DDSL will know the nature of the conviction.
- All disclosures will be treated with a high degree of discretion and will not be disclosed to other employees unnecessarily.
- A risk assessment will be undertaken, if necessary, the applicant will be contacted to contribute to this.
- Any decision made will be conveyed to the applicant as quickly as possible.
- Next Step Apprenticeships may withdraw an offer of enrolment due to attempted or actual avoidance of relevant disclosure.

Enrolled Apprentices

- If the apprentice is already enrolled on a programme at the time of a conviction, they must inform the DSL. If a member of staff becomes aware of this, they should directly notify the DSL.
- If the offence is committed in connection to being an apprentice, disciplinary action and restrictions may follow, however Next Step Apprenticeships will aim to take a fair and proportionate step not to place unnecessary additional penalties on a learner who has already received a criminal sanction for their behaviour.
- Next Step Apprenticeships may consider attempted or actual avoidance of relevant disclosure at the appropriate time a disciplinary offence.

Spent Convictions

When an apprentice is studying an apprenticeship that entitles them to work in a profession that is exempt from the Rehabilitation of offenders Act 1974, they will be required to disclose spent convictions. Professions exempt from the Rehabilitation of offenders Act 1974 include: Teaching, Childcare, Health & Social Care, Sports Therapy, Osteopathic Medicine, any other course requiring one-to-one work with members of the public.

Apprentices on these courses will be required to disclose spent & unspent convictions, sentences, cautions, verbal cautions, reprimands, final warnings and bind over orders. Disclosure and Barring checks are also required.

Confidentiality and Data Protection

- The declaration form will normally only be available to the staff listed below.





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- On occasions it may be necessary to share your information with curriculum staff and support staff.
- In line with our record data keeping procedures, all disclosure forms will be classified as “sensitive data’ and files will be kept separately to your student file.

Staff with Access to the Declaration Form
Designated Safeguarding Lead -Angela Potter

Appeal:

Any applicant who has been refused enrolment on their chosen Apprenticeship, because of the assessment of their disclosure and who wishes to appeal, should do so in writing within 7 days of receiving the decision to: Designated Safeguarding Lead, Next Step Apprenticeships.

Staff Recruitment:

Prior to and during interview there will be scrutiny of the information provided by applicants, such as references, gaps in employment or educational history.

Next Step Apprenticeships will undertake an DBS check for all staff employed at the company at an enhanced level, which may include a check of the Barred Lists depending on the type of workforce they are employed to work in. We will only accept existing DBS certificates if the applicant is subscribed to the DBS Update Service, and the check is at the same level and workforce as the one they are being appointed to.

Designated Safeguarding Lead Next Step Apprenticeships

Angela Potter – Managing Director

Angela@nextstepapprenticeships.co.uk

Tel:- 01273 063769

Deputy Designated Safeguarding Lead

Dawn Hale – Quality Director

dawn@nextstepapprenticeships.co.uk

Tel: 07857 091130

External Safeguarding Contact

The Local Authority Designated Safeguarding Officer (LADO) is:

Darrel Clews - 01273 295 643 Email: darrel.clews@brighton-hove.gcsx.gov.uk

External Prevent Contact

The Prevent Officer at Sussex Police is:

Tom Morvan-Toone - 07786 114 158 or non-emergency police number 101 ext 550543 Email:

thomas.morvantoone@sussex.pnn.police.uk

Signed: Dawn Hale, Quality Director

Dated: 7/11/2022

