

Safeguarding Policy

Keeping Apprentices Safe



SEMESTER
LEARNING & DEVELOPMENT

October 2024

Version History

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27/11/2024	1.1	Policy updated	Michael White	Updates to DBS section and updated Keeping Children Safe in Education to 2024

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1. Policy Statement

Semester Learning and Development (Semester) makes a positive contribution to a strong and safe community and recognises the right of every individual to stay safe. The organisation comes into contact with children, vulnerable adults or adults at risk through the delivery of regulated qualifications and Apprenticeships.

The types of contact with children, vulnerable adults or adults at risk will be controlled.

This policy seeks to ensure that Semester undertakes its responsibilities with regard to the protection of children, vulnerable adults and adults at risk and will respond to concerns appropriately.

The policy establishes a framework to support paid and unpaid staff in their practices and clarifies the organisation's expectations.

The principal pieces of legislation governing this policy are:

- Equality Act 2010
- The Education Act 2011
- Working together to Safeguard Children 2018
- Children and Families Act 2014
- The Children and Social Work Act 2017
- The Children Act 1989
- The Adoption and Children Act 2002
- The Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Care Standards Act 2000
- Public Interest Disclosure Act 1998
- The Police Act – Part V 1997
- Mental Health Act 1983
- NHS and Community Care Act 1990
- Rehabilitation of Offenders Act 1974
- Keeping Children Safe in Education 2024 (statutory guidance)
- Care and Support (statutory guidance)
- The Human Rights Act 1998
- The United Nations convention on the Rights of the Child 1992
- The Social Services and Wellbeing Act 2014 (Wales only)
- The Care Act 2014

2. Communicating the Policy

This policy is shared with all staff, and for new staff it forms an integral element of their induction pack. If the policy is amended as part of the scheduled review cycle, or to include any new legislation/updates, a new version will be made available to all existing staff and the new employee induction pack will be updated with the new version.

Apprentices are informed of this policy during the recruitment and interview process, and it is made available to them during their induction programme. In addition to this, safeguarding is discussed at every progress review meeting to ensure the apprentice doesn't have any concerns.

Employers are provided with a copy of the policy and an explanation, prior to signing any training contract or recruiting an apprentice. They are also encouraged to ask questions and seek clarification at this stage, or at any of the regular progress review meetings.

3. Definitions

Safeguarding is about embedding practices throughout the organisation to ensure the protection of children, vulnerable adults and adults at risk wherever possible. In contrast, child and adult protection is about responding to circumstances that arise.

Abuse is a selfish act of oppression and injustice, exploitation and manipulation of power by those in a position of authority. This can be caused by those inflicting harm or those who fail to act to prevent harm. Abuse is not restricted to any socio-economic group, gender or culture.

It can take a number of forms, including the following:

- Physical abuse
- Sexual violence and sexual harassment
- Emotional abuse
- Bullying and cyberbullying
- Neglect
- Financial (or material) abuse
- Gender based violence
- Sexting
- Radicalisation
- Faith abuse

Definition of a child:

A child is under the age of 18 (as defined in the United Nations convention on the Rights of a Child).

Definition of ‘Vulnerable Adults’ and ‘Adults at Risk’:

A ‘vulnerable adult’ or an ‘adult at risk’ is a person aged 18 years or over and at risk of abuse or neglect due to their need for support or personal circumstances.

This **may** include a person who:

- is elderly and frail
- has a mental illness including dementia
- has a physical or sensory disability
- has a learning disability
- has a severe physical illness
- is a substance misuser
- is homeless

4. Prevent

Prevent is about safeguarding individuals from being drawn into terrorism, ensuring those vulnerable to extremist and terrorist narratives are given appropriate advice and support at an early stage.

The aim of the Prevent strategy is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. In the Act this has simply been expressed as the need to “prevent people from being drawn into terrorism”.

The 2011 Prevent strategy has three specific strategic objectives:

- respond to the ideological challenge of terrorism and the threat we face from those who promote it
- prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support
- work with sectors and institutions where there are risks of radicalisation that we need to address

To meet the expectations of the Prevent Duty, all Semester Senior Managers have committed to:

- use existing mechanisms to understand the risk of radicalisation
- ensure staff understand the risk and build the capabilities to deal with it
- communicate and promote the importance of the Prevent Duty
- ensure staff implement the Prevent Duty effectively

As part of Semester’s commitment to the Prevent Duty, we will ensure all Apprentice training programmes:

- include information and training on the Prevent Duty
- provide guidance on how to raise any concerns immediately to the appropriate person
- provide a ‘safe space’ for apprentices to express views, in a non-extremist way
- promote British values
- encourage apprentices to respect each other and their differences

Newly recruited staff will be provided with Prevent information as part of their induction and existing staff will continue to receive periodic refresher training, as required. Those staff involved in the delivery of training to apprentices will receive specific Prevent training, to provide them with sufficient information and knowledge to support and guide the apprentices.

The Prevent Duty can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf

Prevent duty guidance for England and Wales can be found here:

<https://www.gov.uk/government/publications/prevent-duty-guidance>

Get help for radicalisation concerns: <https://www.gov.uk/guidance/get-help-if-youre-worried-about-someone-being-radicalised>

5. Expectation of Semester Staff

Everyone working for Semester has a responsibility to familiarise themselves with this safeguarding policy and the procedures that go with it. They must maintain a proper focus on the safety and welfare of children, vulnerable adults and adults at risk in all aspects of their work.

Anyone who works for Semester must inform their manager if they become the subject of an allegation involving a safeguarding concern or abuse against a child, vulnerable adult or an adult at risk. If anyone is in doubt whether the situation or allegation is relevant, they should:

- refer to the definitions of safeguarding and protection of vulnerable adults
- seek advice from the HR department or their manager

Any allegations of misconduct towards children, vulnerable adults or adults at risk by those working for Semester will be managed and investigated.

6. Employers' Duties

As an Apprentice must be employed, there is an expectation that every Apprentice registered with Semester will be employed and therefore have an employer.

Employers of apprentices have a duty to comply with all existing and future UK legislation and any statutory responsibilities. Semester expects employers to take responsibility for their apprentice's welfare when in the workplace and if they are concerned an apprentice is 'at risk' in their personal life, to seek appropriate advice.

Semester expects employers of apprentices to:

- Familiarise themselves with the relevant safeguarding legislation and statutory guidance
- Understand the responsibilities they have, in relation to safeguarding, for the people they employ
- Ensure that any member of staff working with an apprentice, mentoring an apprentice or in a position of trust, is appropriate for the role and does not present any danger or risk to the apprentice
- Make their apprentice(s) aware of their policies on using the internet and technology
- Understand the dangers their apprentice(s) may face using technology and minimise any risks (where possible)
- Communicate any concerns about safeguarding or staying safe online to Semester

In addition to specific safeguarding legislation, Semester also expects employers to have an understanding and a commitment to the Prevent Duty. Prevent is about safeguarding individuals from being drawn into terrorism, ensuring those vulnerable to extremist and terrorist narratives are given appropriate advice and support at an early stage.

Prevent Duty guidance can be found here: <https://www.gov.uk/government/publications/prevent-duty-guidance>

7. How To Respond to Safeguarding Concerns

All staff should follow the Code of Good Practice and the Alerting Guide. When responding to concerns staff should follow The Five Rs.

7.1 Recognise

Recognise signs, symptoms and behaviours that could indicate a person is a victim of abuse or harm. It does not matter where the abuse has taken place.

- Disclosure – i.e., telling you they have been/are being abused
- Bruising or cuts
- Dramatic change in behaviour – aggressive or withdrawn
- Dramatic change in appearance, attention to personal wellbeing
- Arriving early/leaving late
- Reluctance to make eye contact
- Mood swings
- Clothing that covers the body – even in hot weather
- Inappropriate behaviour

Many of these signs will have innocent causes but they could indicate abuse.

7.2 Respond

Appropriate response is very important.

If you have **concerns**, try to find out if the person is OK/about any injuries/mood change etc. If a person **discloses** that they have been abused, are being abused, or that they know someone else is being abused:

- Remember this may have been very difficult and courageous for them to do
- Remain calm, concerned, reassuring and interested
- Assure them that their disclosure will be taken seriously
- Tell them that you will have to share the disclosure with one of the Safeguarding Officers. Do not promise to keep the information to yourself.
- Try to find out if the disclosure relates to themselves or to another person
- Try to find out the name of the perpetrator
- Try to find out exactly what has happened
- Do not prompt them or make suggestions about what has happened

7.3 Record and Report

Record your **concerns** with information about the signs, symptoms or behaviours you have observed and **report** these to one of the Safeguarding Officers, unless you think the person is at risk of immediate harm (see [7.4 Refer](#)).

Record what they have told you, in their own words and what you have observed – e.g. about their emotional state, any injuries, how they spoke, words they had difficulty in saying.

Report the disclosure including your notes to one of the **Line Managers**.

Do not speak with anyone else about the disclosure, do not investigate and do not approach an alleged perpetrator.

7.4 Refer

The Managers will seek advice and will follow the correct course of action, **referring** to either the police or social services if appropriate.

Only **refer** a concern or disclosure directly to the police or social services if you are unable to contact one of the Management Team and the person is at risk of harm if you do not do this.

- The [children's social care team at their local council](https://www.gov.uk/report-child-abuse-to-local-council) (<https://www.gov.uk/report-child-abuse-to-local-council>). You'll be asked for your details, but you can choose not to share them.
- Call 999 if the child is at immediate risk.

Remember – the signs and symptoms you have observed or your concerns may be important information. Failure to share information is a common theme on almost all of the serious cases.

8. Additional Support and Guidance

Additional support and guidance for apprentices and employers, in the first instance, is available from their tutor or assessor. Where the tutor or assessor is unable to provide sufficient information, this will be passed to a member of the Senior Management Team.

Additional support and guidance for staff, in the first instance, is available from any member of the Senior Management Team. Where a member of the Senior Management Team is unavailable or unable to satisfy the query, the following external resources are available:

- NSPCC - <https://learning.nspcc.org.uk/safeguarding-child-protection>
- GOV.UK - <https://www.gov.uk/topic/schools-colleges-childrens-services/safeguarding-children>
- Information Sharing: Advice for Practitioners - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1062969/Information_sharing_advice_practitioners_safeguarding_services.pdf

9. The Roles and Responsibilities of Senior Management (Designated Persons)

The roles and responsibilities of the Designated Persons fall into 3 areas:

Referrals

- Refer cases of suspected abuse or allegations to relevant statutory agencies
- Act as a source of support, advice and expertise to staff when deciding whether and when to make a referral
- Act as a source of support, advice and expertise to all apprentices and staff affected by a safeguarding incident
- Ideally seek advice from and share information with relevant statutory agencies after seeking consent or informing parents or carers of a referral, unless to do so would place the person at increased risk of harm

Training

- Recognise how to identify the signs of abuse and neglect and when it is appropriate to make a referral to other agencies
- Ensure each member of staff has access to and understands the safeguarding policy and procedures, especially new or part-time staff who may work at different establishments and or locations
- Ensure all apprentices have access to and understand the organisation's safeguarding policy and procedures
- Ensure all apprentices and staff have induction training covering safeguarding and are able to recognise and report any concerns about safety and welfare immediately they arise
- Be able to keep detailed, accurate, secure written records of referrals and or concerns
- Obtain access to resources and attend any relevant or refresher training courses

Raising Awareness

- Ensure the safeguarding policy and procedures are updated and reviewed annually and work with the management team regarding this
- Ensure apprentices know that disclosures or concerns about suspected abuse or neglect may be referred to the police or social services

10. Staying Safe Online

It is important that apprentices understand and are aware of how to protect themselves online, paying particular attention to the sharing of their personal data.

The increased use of the internet and digital technology has brought with it additional dangers for apprentices. This can include, but is not limited to:

- Identity theft
- Abuse
- Bullying
- Grooming
- Revenge porn
- Viruses

All of our apprenticeship programmes will include training and awareness relating to 'keeping safe online' and the potential dangers of not doing so. This training will ensure that all apprentices have sufficient knowledge and understanding to be able to work safely and effectively online.

Internet usage will be monitored, and where possible, known malicious websites will be blacklisted, to prevent accidental access and divulging of personal data. Where an apprentice has access to a Semester email account, this account will have appropriate spam control in place and caution will be advised where an apprentice needs to access a personal email account.

11. Achieving Commitment to the Policy

Semester are committed to ensuring the Safeguarding policy is adhered to by all staff, apprentices and employers.

Semester staff found not to be adhering to the Safeguarding policy, or not communicating it to employers and apprentices (where it forms part of their role), will be dealt with according to the disciplinary process, and this could, in extreme instances, result in termination of employment.

Where an apprentice shows a lack of regard for the content of this policy, this will be addressed immediately by a member of staff. If this is unsuccessful, then the issue will be raised with the employer and apprentice together. If additional support and guidance does not resolve the lack of regard, or unwillingness to abide by the policy, the apprentice may be terminated from the programme, which could also lead to termination of their employment.

Where an employer demonstrates a lack of regard, or unwillingness to abide by this policy, additional support and guidance will be put in place. If this does not address the concerns, then the training contract may be terminated and the apprentice re-located to another employer, to ensure their duty of care.

12. Disclosure Barring Service (DBS) Checks

The Disclosure and Barring Service (DBS) offer four levels of criminal records checks. These are as follows:

- **Basic** - shows unspent convictions and conditional cautions
- **Standard** - shows spent and unspent convictions and cautions
- **Enhanced** - shows the same as a standard check plus any information held by local police that's considered relevant to the role
- **Enhanced with barred lists** - shows the same as an enhanced check plus whether the applicant is on the list of people barred from doing the role

The eligibility criteria for Standard and Enhanced DBS checks, when working with 16 or 17 years olds states that 'anyone aged 16 to 17 who is employed is considered an adult for DBS checking purposes'. Although all apprentices are employed, they are still in education and training and therefore all tutors and assessors are eligible for, and subject to an Enhanced DBS check.

Based on the eligibility criteria, Semester ensure that all apprenticeship tutors and assessors have an Enhanced DBS check, and are required to apply to the DBS update service to ensure their DBS remains up to date. A copy of the DBS check must be passed to the line manager for review before the individual is permitted to teach or assess, unless accompanied by another member of staff with a current Enhanced DBS check.

Where an employer can find themselves working alone with an apprentice, we require the employer to undertake a basic DBS check and provide Semester with a copy of it. For all other employers, Semester recommend a basic DBS check for all employees who come in close contact with an apprentice, but this cannot be mandated.

13. Policy Review

This policy will be reviewed annually or earlier should it become necessary by the Director.