

Document Name	Safeguarding and Prevent Policy
Document Owner	Performance & Quality Committee
Responsible Director	Director of Operations & Quality

Policy Statement

The following policy constitutes the approach adopted by CXK when dealing with children, young people or adults on a day-to-day basis. Ultimately, effective safeguarding of children, young people and adults can only be achieved by putting them at the heart of our processes. Additionally, every individual must play his or her full part by working together, and with other agencies, to meet the needs of the most vulnerable.

It is expected that all employees and sub-contractors, refer to the safeguarding procedures for their specific area of work as there may be differences with regard to reporting arrangements for incidents depending upon contractual specifications.

This policy needs to be read in conjunction with the **Incident Management Procedure**.

Version Control

Version	Date Ratified	Ratified By	Type of Change
V 7.0	12.06.2018	Finance & Resource Committee	F&R approved on behalf of Audit & Governance Committee Safeguarding (GOV08) and Prevent (GOV39) Policy combined
V 7.0	14.06.2018	Audit & Governance Committee	Approving Committee changed from A&G to Performance & Quality Committee effective 06.12.2018
V8.0	02.05.2019	Executive Team	Approved for submission to P&G Committee 09.05.2019
V 8.0	09.05.2019	Performance & Quality Committee	Annual review. Template updates. Definitions and Roles/Responsibilities updated.
V 8.0	13.06.2019	Board of Trustees Meeting	Submitted for ratification and adoption.

V 9.0	26/11/2020	Executive Team	Main change is to insist on basic e-training prior to start date. Minor amendments, updates to legislations and format changes. Alignment with Incident Management Procedure.
V 9.0	04/12/2020	Performance & Quality Committee (via e-mail)	Main change is to insist on basic e-training prior to start date. Minor amendments, updates to legislations and format changes. Alignment with Incident Management Procedure.
V 9.0	16/12/2020	Board of Trustees Meeting	Main change is to insist on basic e-training prior to start date. Minor amendments, updates to legislations and format changes. Alignment with Incident Management Procedure.
V 10.0	23/11/2021	Executive Team	Update to legislation linked to Policy. Inclusion of Visitor Policy content.
V 10.0	02/12/2021	Performance & Quality Committee	Update to legislation linked to Policy. Inclusion of Visitor Policy content.
V 10.0	15/12/2021	Board of Trustees Meeting	Update to legislation linked to Policy. Inclusion of Visitor Policy content.
V 11.0	21/11/2022	Executive Team	12.9/12.10 added, re-position Prevent, extract Visitor Policy section, minor amends to wording, updated legislation.
V 11.0	01/12/2022	Performance & Quality Committee	12.9/12.10 added, re-position Prevent, extract Visitor Policy section, minor amends to wording, updated legislation.
V 11.0	14/12/2022	Board of Trustees Meeting	12.9/12.10 added, re-position Prevent, extract Visitor Policy section, minor amends to wording, updated legislation.

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1 Purpose

- 1.1** The creation of a safe and open environment throughout CXK is important to us, as such we understand both our responsibility and duty of care to ensure that we have effective arrangements to safeguard and promote the welfare of children, young people, adults, their families, our employees, and stakeholders.
- 1.2** Everyone has the right to be safe, and to be protected from abuse and exploitation. This is acknowledged throughout our culture, behaviour, working practices and policies. We are committed to responding with integrity and respect to anyone who is in contact with our charity and its services.
- 1.3** We recognise that:
- The welfare of the individual; be they a child, young person or adult is paramount, and will be given the highest priority.
 - All children, young people and adults regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity have the right to equal protection from all types of harm or abuse.
 - Working in partnership with children, young people, adults, their parents, carers and other agencies is essential in promoting an individual's welfare.
 - All individuals that CXK works with have a right to know how to protect themselves from the risks associated with radicalisation, extremism, forms of abuse, exploitation, grooming and bullying. This includes the use of the internet, to ensure that they understand the risks posed by adults or young people who use the internet to bully, groom or abuse other people, especially children, young people and vulnerable adults.
 - It is essential that our employees act appropriately during their interactions with our service users at all times and understand safe practices in carrying out their duties for CXK in all its parts, across all aspects of service delivery.
 - Safeguarding is everyone's responsibility. No single agency can have a full picture of the needs or circumstances of a child, young person or adult. Therefore, a culture of documenting concerns, potentially over time, multi-agency collaboration and the use of early intervention/help services is key to the successful safeguarding of our service users.
- 1.4** CXK does not investigate individual cases, this is the duty of the Local Authority. However, we have a responsibility to identify cases and respond appropriately. This may include gathering enough information to be able to pass on concerns over a period of time, and documenting events. We will share all relevant information with the appropriate agencies without delay and within agreed protocols.

2 Scope

- 2.1** This policy applies to all individuals involved in the delivery of CXK services. This includes all employees, trustees, volunteers and sub-contractors
- 2.2** If there is a contract specific policy or procedure which the charity is required to follow and this differs from our own policy and procedures (for example but not limited to Prisons or Schools, often have their own policy and procedures that visitors must follow), it is imperative that we adhere to any additional requirements to ensure contractual compliance. If these circumstances arise, CXK policy should be followed as fully as is possible, in addition to the contract specific requirements.

3 Responsibilities

Board of Trustees	<ul style="list-style-type: none"> • Agree aims and objectives of the Safeguarding and Prevent policy; and ratifying any substantial amendments. • Ensure the provision of sufficient financial and human resources to comply with policy. • Have oversight of CXK's safeguarding activities, monitoring and ensuring their effectiveness on a regular basis. • Have a safeguarding champion at Board level. • Have a Performance and Quality Committee that is responsible for receiving regular safeguarding reports, understanding practice and scrutinising policy and procedure. • Ensure compliance with the Charity Commissions requirement to report safeguarding incidents.
Chief Executive	<ul style="list-style-type: none"> • Is the Designated Safeguarding Officer for CXK • Has overall responsibility for safeguarding and promoting the welfare of children, young people and adults; on a day-to-day basis this is devolved to the designated officer. • Receive reports, identify and understand trends, take appropriate action where necessary. • Ensure any issues are appropriately addressed within partnerships. • Represent CXK at key safeguarding forums across geographical delivery area. • Chair the CXK Safeguarding & Prevent Group.
Designated Lead Person(s)	<ul style="list-style-type: none"> • Operate as the operational lead(s) on Safeguarding/Child & Adult Protection for the charity. • Update and review annually the Safeguarding/Child & Adult Protection Policy considering current legislation, guidance and good practice. • Act as Designated Prevent Officer. Represent the charity on required Safeguarding Board(s) and be trained and competent in safeguarding /child protection issues. • Cascade good practice within the charity including offering advice and guidance to colleagues on all safeguarding issues. • Liaise and support Safeguarding Champions e.g. Child Sexual Exploitation Champion to ensure good practice and training is cascaded effectively throughout the charity. • Represent the charity in local safeguarding arenas. • Provide reports required by any external agency or commissioner. • Attend and contribute to associated events, conferences and training programmes. • Provide regularly updated mandatory training programmes for employees and provide bespoke training for Trustees. • Report allegations of abuse by employees to the Local Authority Designated Officer. • Undertake risk assessment and where appropriate action plans where children, young people or adults have been identified as falling under the Prevent Strategy. • Ensure that CXK follows a path of continuous improvement to ensure that all safeguarding practices are of the highest standard.

Management Team/Designated Managers	<ul style="list-style-type: none"> • Provide regular and effective line management meetings, with safeguarding included as a standing item for discussion. • Be the first port of call for employees and volunteers to raise concerns and seek advice. • Ensure that risk registers are updated regularly. • Ensure that safeguarding is a standing item in all team meetings. • Ensure that all their employees and volunteers have access to regular safeguarding training and refreshers. • Ensure all employees and volunteers undertake an induction on starting employment and understand and follow charity policies and procedures. • Understand consultation and escalation processes within the local authority they and their colleagues work in. • Report appropriately all safeguarding issues both internally and externally. For example, using the CXK incident log (and reporting processes) and following the process as specified in the Prevent Strategy (Sec 26 of the Counter Terrorism and Security Act). • Assist the Designated Person(s) to conduct risk assessments and action plan under the above strategy and ensure effective use of appropriate toolkits in staff practice e.g. Child Sexual Exploitation. • Contribute to reports compiled about CXK's safeguarding arrangements and their effectiveness, as and when required.
Employees, Sub Contractors and Volunteers	<ul style="list-style-type: none"> • Understand their roles and responsibilities regarding safeguarding. • Share with those accessing the services, children, young people, adults and their family/carers, where appropriate, the safeguarding process and what they should do with any safeguarding concerns. • Follow the process for reporting and recording safeguarding concerns. • Make themselves available for training. • Regularly update knowledge and understanding, through research, training, multi-agency working. • Identify signs, symptoms and categories of abuse and respond appropriately, including identification of children at risk from Extremism, Child Sexual Exploitation, Female Genital Mutilation, Gang Influence, Missing and Trafficking. • Understand threshold levels and services available including those linked to Early Help support and statutory services. • Understand consultation and escalation processes within the local authority they work in. • Have knowledge of, and be committed to, upholding children's, young people's and adults' at-risk rights. • In the case of subcontractors provide information on safeguarding activities as and when required, as per contractual requirements.
HR department	<ul style="list-style-type: none"> • Maintain register of employees and volunteer DBS checks. • Administer DBS check requests and safeguarding training register. • Ensure safe recruitment practice is followed. • Respond appropriately to complaints against employees in respect of safeguarding.

4 Definitions

Term	Definition
Safeguarding children	<ul style="list-style-type: none"> • Protect children from abuse and maltreatment • Prevent harm to children's health or development • Ensure children grow up with the provision of safe and effective care • Take action to enable all children and young people to have the best outcomes
Safeguarding adults at risk	<ul style="list-style-type: none"> • Protecting the right to live in safety and free from abuse and neglect • Safeguarding duties for adults at risk apply to those working with anyone aged 18 or over who: <ul style="list-style-type: none"> ✓ Has needs for care and support (whether or not the local authority is meeting any of those needs) and ✓ Is experiencing, or is at risk of, abuse or neglect ✓ As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.
Abuse	<ul style="list-style-type: none"> • Abuse and neglect are forms of maltreatment of a child or adult. Somebody may abuse or neglect a child or adult by inflicting harm, or by failing to act to prevent harm. • Children may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults, or another child or children. • The Care Act 2014 also recognises self-neglect as a form of abuse in adults.
Types of Abuse	<ul style="list-style-type: none"> • Physical – The victim may have obvious signs such as bruising, bite marks or burns. Other signs to look for are the victim becoming withdrawn, anxious, depressed, and clingy. There will often be a change in their behaviour, and they may start missing school or work. • Sexual – The victim may start to avoid certain people or situations. They may become withdrawn and depressed, or in some cases will become sexually active at a young age, promiscuous or use sexual language that is not age appropriate. Other signs that are not easily identified by anyone other than a medical expert would be sexually transmitted diseases, anal or vaginal soreness, or pregnancy. • Psychological – The victim may report that they are being yelled at, mocked, insulted, threatened, ignored and in some cases feeling increasingly isolated. The victim will often have a strong feeling of worthlessness and become self-conscious, withdrawn and depressed.

	<ul style="list-style-type: none"> • Neglect or act of omission – Victims will often show signs such as malnutrition, begging, stealing or hoarding food. Poor hygiene, matted hair, dirty skin or body odour. There may be unattended physical or medical problems. In some cases, a child may make comments that no one is home to provide care for them. They may appear constantly tired, have frequent lateness or absence from school or work. In some adults, neglect can be self-inflicted, such as self-harming or hoarding. • Discrimination – Victims may feel they are being treated differently because of a physical or learning disability, mental, ill-health or sensory impairment, race, gender, age, religion, cultural background, sexual orientation, political convictions or appearance. • Domestic – The victims of abuse may have obvious signs such as regular bruising, scratches, bite marks or fractures. They may also report that their partner will not let them see family or friends, that they feel controlled, are being told how they can or cannot dress. However, victims will also frequently report that their partner belittles or humiliates them in front of others, is keeping them short of money or is using the children within the relationship in a threatening or controlling way. Domestic Abuse is not just physical but emotional, controlling and coercive and economic. Under the Domestic Violence Act, both parties to the abuse will be over 16 years of age. It also defines that children who see, hear or otherwise experience the abuse are victims or survivors of abuse. In the case of adolescent to parent abuse, domestic violence occurrence when both are over the age of 16. • Financial – Victims of financial abuse will often complain of having no money and will regularly look to borrow money. It may become obvious that they are missing personal possessions and it may appear that they are not living in conditions that reflect their financial resources. Other signs to look for would be the victim losing weight, becoming suspicious of people's motives, withdrawn, anxious or depressed. • Institutional – Institutional abuse will often occur when a person is living in a care home or children's home. Victims will often report that they are being treated badly by staff, either physically or mentally. They may have little or no control over their finances and will report that their medication or food is withheld from them by staff. • Self-neglect – Self neglect is an act carried out by an individual to themselves. This may be demonstrated through a person self-harming, lack of personal hygiene, poor health, poor diet, poor living conditions, hoarding or mismanagement of money.
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	<ul style="list-style-type: none"> • Cyber-bullying – Victims of cyber-bullying may show signs such as becoming withdrawn or shy, or signs of depression. They may be extremely moody or agitated, anxious or overly stressed out, or potentially demonstrate aggressive behaviour. They may suddenly stop using their computer or stop wanting to take part in social activities.
Prevent	Section 26 of the Counter Terrorism and Security Act 2015 forms the basis of the Prevent Duty. This places a duty on certain bodies, including education and training providers (specified in section 6.3) to have 'due regard to the need to prevent people from being drawn into terrorism'. The Prevent Duty is not about preventing employees, children, young people and adults from having political and religious views and concerns, but about supporting them to use those concerns or act on them in non-extremist ways.
Extremism	The Government has defined extremism as 'vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty, mutual respect and tolerance of different faiths and beliefs.' This also includes calls for the deaths of persons involved in or associated with the British Armed Forces.
British Values	<p>British Values are defined as follows:</p> <ul style="list-style-type: none"> • Democracy • The rule of law • Individual liberty • Mutual respect and tolerance for those with different faiths and beliefs. <p>CXK expects that all employees will encourage service users to respect British Values particularly with regard to the protected characteristics as specified in the Equality Act 2010.</p>
Local Authority Designated Officer (LADO)	The County LADO Service deals with allegations against staff who work with children either in education or the wider children's workforce.

5 Equality and Diversity

- 5.1** The Charity aims to design and implement services, policies and measures that meet the diverse needs of our service population and workforce, ensuring that none are placed at a disadvantage over others.
- 5.2** No employee will be treated less favorably or discriminated against or suffer a detriment as a result of this policy. If any employee feels that they are discriminated against, they should first raise the matter with their manager or use the Grievance procedure.
- 5.3** The author of the document is responsible for assessing that the document does not place any one at a disadvantage over others.

6 Associated CXK Policies and Procedures

- Incident Management Procedure
- Recruitment Policy
- Lone Working Policy
- Privacy and Personal Data Protection Policy
- Whistleblowing Policy
- Risk Assessment Procedure
- Health & Safety Policy
- Professional Boundaries Policy
- DBS Policy
- Anti-Bullying Policy
- Comments, Compliments and Complaints Policy
- Grievance Policy
- Social Media Policy
- Remote working with beneficiaries Procedure
- Staff Handbook

7 Relevant Legislation and guidance

- Working Together 2018
- *Keeping Children Safe in Education*, Department for Education 2022
- The Children Act 1989
- The Children Act 2004
- The Data Protection Act 2018
- The Protection of Children Act 1999
- The Children and Social Work Act 2017
- The Human Rights Act 1998
- The United Nations Convention for the Rights of the Child
- Mental Capacity Act 2005
- The Vulnerable Groups Act 2006
- The Care Act 2014
- The Counter Terrorism and Security Act 2015 (updated in 2019)
- *Inspecting Safeguarding in Early Years, Education and Skills Settings* 2021
- Domestic Abuse Act 2021

8 Monitoring Compliance

8.1 Implementation of this policy will be monitored in the following ways:

Area to be monitored	Methodology	Who	Reported to	Frequency
All staff, volunteer, trustee compliance in undertaking safeguarding training	Training record to be reviewed and if necessary, measures to be implemented to ensure training is completed as required	HR & Training Manager	CXK Safeguarding & Prevent Group	Monthly

Review of content of face-to-face Safeguarding Training	Content of training reviewed considering new legislation / emerging themes	Designated Lead	CXK Safeguarding & Prevent Group	Annually
Reporting, recording and reviewing of safeguarding incidents	Review of the incident log to assess use, themes and identify actions needed	CXK Safeguarding & Prevent Group	The Board of Trustees	At each Safeguarding & Prevent Group meeting

9 Procedure

9.1 CXK offers a broad range of activities and programmes for service users. As well as responding to immediate concerns, we will ensure that appropriate measures and practices are in place to promote the welfare of children, young people and adults, bringing matters requiring attention to the relevant persons within the charity or outside it.

9.2 We expect that all those who work for or represent CXK in all its parts to maintain a proper focus on safeguarding children, young people and adults, which is reflected both in sound individual practice and internal policies and guidance. All those who work for or represent CXK in all its parts must be able to:

- Give the highest priority to the welfare of children, young people and adults.
- Recognise and identify signs of abuse and neglect and any other concerns relating to children and young people and adults.
- Support service users to ensure they know how to protect themselves from the risk of all forms of abuse including radicalisation, extremism, forms of abuse, grooming and bullying.
- Respond appropriately to any disclosure.
- Respond appropriately to any allegation against employees, other adults, or themselves.
- Record incidents appropriately, accurately, and immediately in accordance with contract specifications.
- Act appropriately during their interactions with service users and understand safe practice in carrying out their duties.
- Share appropriate information in a timely way, with colleagues and the relevant statutory or non-statutory agency, or local authority, where there are concerns about the safety of a child, young person, or adult.

- Enable employees to use their professional judgement with confidence to put the needs of the child, young person, or adult at the heart of the safeguarding system regularly reviewing the outcomes obtained against any specific plans of action.
- Be alert to the risks which abusers, potential abusers or you may pose.
- Contribute as necessary to CXK's safeguarding and protection processes to ensure that a process of review and continuous improvement is followed.
- New employees will be asked to complete online safeguarding training before their start date and will cover safeguarding within the induction process. Employees will be expected to complete full safeguarding training within 3 months of starting work at CXK.
- Complete all necessary training and development requirements:
 - ✓ All staff, volunteers and Trustees will undertake safeguarding and Prevent training on a regular basis including initial training and updated refresher training. Training will be renewed every 12 to 18 months at various levels including introductory, refresher and designated leads. Human Resources will be responsible for monitoring compliance with this requirement, and all necessary measures will be taken to ensure that the required training is completed.
 - ✓ Subcontractors working on behalf of CXK will be required to provide all relevant training records on demand, in accordance with due diligence and ongoing compliance checks. The manager responsible for the supply chain will be responsible for monitoring this and collecting all required evidence.
- Document their concerns appropriately using the approved case management or database system and recording on separate incident forms where appropriate.
- Use lessons learnt from Serious Case Reviews in an effective and appropriate manner so that practice is informed, up-to-date and remains focused on the welfare of children, young people and adults.
- Understand and follow any specific contract requirements relating to safeguarding reporting.
- Undertake CPD in accordance with emergent themes from central or local government.
- Understand and comply with the duties placed upon CXK by Government strategies including the Prevent Strategy (Counter Terrorism and Security Act 2015)

10 Reporting and Recording of Safeguarding Concerns

10.1 Reporting

All staff have a duty to report any actual or suspected safeguarding concerns. The reporting process can be found on SharePoint in the **Incident Management Procedure**. The key principles for reporting and recording safeguarding are as follows:

- If a member of staff has a concern they cannot resolve or it needs escalation, they must speak to their manager or designated lead immediately. If their manager is not available, they should report to their manager's line manager or another manager in a more senior role.
- If the individual involved is in immediate danger, then the member of staff should contact the Emergency Services and the Local authority (if required) before their manager acting as soon as possible.
- Aside from cases where an individual is in immediate danger, the member of staff should present to their manager or designated lead what the concern is. A discussion with the manager or designated lead will identify if a referral to the Local Authority is required or not. Whatever action is taken must be recorded on the incident log and relevant service CRM.
- If identified as meeting local authority threshold for concern or an actual safeguarding situation, a referral will be made to the Local Authority who then have responsibility to investigate. If the concern is not a situation that requires a referral to the Local Authority, then staff will be advised by their manager on how to conclude the concern.
- The manager may need to report to the organisation's designated lead(s) who will review the situation and identify any further actions required.
- If it is agreed that the concern is not one of child protection but rather a child in need of support services or early help, then the employee must discuss this with their line manager and if agreed, seek consent from the parents/carers to make a referral onward to the Local authority.
- All concerns will remain open until the concern has been addressed and closed. The employee has the responsibility to track the concern and update their line manager on any outcomes and when the case has been closed.
- All safeguarding concerns will be discussed in line management sessions. If the member of staff has been affected by the situation, then access to the organisation's wellbeing services must be discussed.

Escalation

All staff must be aware that any safeguarding concern raised must be followed up until the situation has been resolved. If CXK considers that appropriate safeguarding action has not been taken to address the concern, then the line manager must discuss the situation with the designated safeguarding lead(s) and decide if the matter needs escalating with the local authority by following the local safeguarding procedures for escalation.

The escalation process set out in the **Incident Management Procedure** should be referred to at all times to assist with decisions in relation to reporting and escalation.

Additional Reporting Requirements

Some contracts may have specific reporting requirements regarding safeguarding or incidents. All staff should be made aware of these processes in addition to the CXK process. For example, but not limited to Prisons and Youth Offender Institutes or Schools

Any safeguarding concerns that are identified when working within another institution (i.e. school or prison) must be passed to the institutions designated safeguarding lead within the same working day. This action must be recorded, and the line manager must also be informed. Responsibility for following up action taken by the school lies with front line worker who will need to update their manager. If CXK consider action taken by the institution is not sufficient to safeguard the person, then it can make a direct referral to the Local authority/intervene as appropriate and should inform the institution of having taken such action.

10.2 Recording and releasing information

All concerns must be recorded on the Incident Log (and if needed associated incident form). The Incident Log (and associated reports) is only accessible to the CXK management team, including senior managers and the Executive team. The log is saved on the M drive on the main server.

A record should also be made on the relevant contract CRM system.

Staff should record the safeguarding concern, the actions that have been taken, any associated risks and the conclusion. Records must distinguish between fact, hearsay (i.e., what others have said) and personal opinion.

The line manager of the member of staff who is reporting the concern has the responsibility for ensuring that a record on the incident log is made and must keep the case open until it has been resolved.

Should the service user or a child's parent, carer or family member request access to service user files, the application must be made through a Subject Access Request in writing to CXK's Data Protection Officer. Current GDPR / Data Protection Act requirements will be followed in facilitating such requests. If a request is made by the Local Authority the same process should be followed.

All client records are secured electronically on secure systems.

Client records are accessible to CXK employees and should be accessed only on a need-to-know basis.

10.3 Allegations against a Staff Member

All members of staff and volunteers are expected to work within the Professional Boundaries policy. Staff/volunteers who breach this code of behaviour may be subject to disciplinary procedures whilst volunteers who do so may not be able to continue in their volunteering role. Serious breaches may result in a referral being made to a statutory authority for investigation. All staff, as part of induction, must be made aware of professional boundaries and what is and is not appropriate behaviour when working with beneficiaries. This should include recognising signs of attachment and having a clear understanding between being friendly and being friends. All staff must understand that safeguarding policies are to protect beneficiaries and staff.

It may be brought to our attention, or we may observe staff acting in ways that we may consider to be unprofessional and that we consider may present a risk to our client group. It could be that they have behaved in a way that has harmed, or may have

harmed, a child; or they may have possibly committed a criminal offence against or related to a child or adult at risk. This may also apply to an individual's personal life if it is considered that activities undertaken outside of work constitute a risk to children, young people, or adults.

Beneficiaries must be informed of how to raise a concern or allegation in relation to a CXK member of staff or programme. Beneficiaries must be informed that concerns can be raised in confidence and will be taken seriously. Concerns of this nature can be raised by emailing Safeguarding@cxk.org or by informing a nominated 3rd Party contact (i.e. a named person in a school or Prison). The Safeguarding mailbox will be monitored by Human Resources (separately from operational teams). If a concern is raised, then the following actions must be taken:

- In the first instance the allegation must be discussed with a line manager and the lead designated person or SLT/Executive representative within the same day that the concern comes to light.
- Concerns that cannot be resolved by the above actions must be reported to Human Resources (HR), generally by the lead designated officer or SLT/Executive representative. The Chief Executive must also be informed.
- Where there is a safeguarding allegation in relation to a child or young person, then the Local Authority Designated Officer (LADO) should be informed, prior to any internal investigation being carried out by CXK
- An internal investigation may need to be carried out by SLT/Executive and the lead designated person(s). Such a person should be identified by the CEO in consultation with the designated lead as soon after the incident as possible and a plan of action made which includes how the accused person will be supported and how any children/ beneficiaries will be safeguarded.
- The accused person(s) may be subject to capability and/or disciplinary action by CXK, which could include dismissal and/or formal criminal investigations being instigated. Please see CXK's Disciplinary Process and Procedures.
- Investigations by CXK will take place within seven days. However, an investigation by the LADO and/or Police may take longer and will happen prior to CXK instigating any internal procedures.
- It should be noted that just because a particular case does not meet the required threshold for the LADO does not mean that it will not meet the threshold of CXK who may, at their own discretion, decide to terminate an individual's contract because the person's behaviour is one of gross misconduct.
- The role of the LADO applies to safeguarding allegations which apply to adults harming children only.
- If CXK decided to end an employee's contract of employment or terminates the relationship with a volunteer for reasons of harm, risk of harm or because a consideration has made that a person is unsuitable to work with children or vulnerable adults, then the lead designated person(s) and HR lead will make a referral to Disclosure and Barring Service (DBS) who will consider all the information and decide whether the person should be barred or not from future work with children or vulnerable adults.

- If a staff member/volunteer resigns before the investigatory process is completed, CXK will continue to gather facts; and if they would have dismissed the person a referral will be made to the DBS. A decision on any further actions to close the investigation will be made on a case-by-case basis.
- CXK will exercise its duty of care to the employee who is the subject of the allegation throughout the investigatory process by providing the necessary support and advice and help to reintegrate back into the workplace should the allegations be unfounded.
- Full records of the management of allegations will be kept in case of further concerns or request for references.
- These records will be kept until the person reaches retirement age, or for 10 years, whichever is the longest.

10.4 How to Respond to a Disclosure

If you are working with someone who discloses to you that they or a member of the family has been or is currently being abused, you should respond in the following way;

- Tell them you are concerned and may need to discuss the issue further
- Ensure a client-centred approach, and that the person's voice is heard.
- Obtain consent to share if necessary.
- If the child or adult is in immediate danger, call the emergency services
- Inform parents/carers/school or associated professionals, e.g. family worker, if you are sharing with local authority unless they are considered to be at risk of harm. Consider whether child/person will be put at further risk if their parents are informed.
- Tell your line manager/designated person, you may need to consult with them in the first instance.
- Document the incident at the first available opportunity.
- Inform your line manager that you have dealt with an issue even if you have dealt with it.

It is very important that they are given the opportunity to share information with someone they trust in a comfortable and safe environment. You must also:

- Put the child or adult's welfare first.
- Listen to the child or adult.
- Clarify if necessary. Don't be scared to ask appropriate questions to ensure you are getting the facts right.
- Do not ask leading questions – let them tell you in their own words.
- Don't promise to keep a secret.
- Do not judge or comment on what the child or adult has said. Do not make assumptions regarding the accuracy or truth of what is being said to you.
- Ensure opinions expressed are relevant to the situation, respectful and appropriate in tone.
- Consider the child or adult's privacy.
- Ensure the child or adult feels secure and protected throughout the process. Make sure they are aware of the support that will be available to them, and who will provide this support. If necessary, make sure that the child or adult has contact numbers for anyone who has been identified as able to provide support.
- Stay calm and reassure.

- All disclosures must be reported and recorded as stated in 10.1 - 10.2

10.5 Obtaining consent to share and when consent may not be needed or appropriate

It is always important to obtain consent, but in some cases this may not be appropriate.

CXK's policy ensures that information sharing should be necessary, proportionate, relevant, adequate, accurate, timely and secure.

Confidential information is sensitive, not already in the public domain and shared in confidence. Confidential information can be shared when authorised by the person who shared it, or whom it relates to.

Confidential information can be shared - even if not authorised by the person - if justified in the public interest. Sharing this information should be done when there is evidence that the child or adult is suffering or at risk of suffering significant harm, there is reasonable cause to believe the child may be suffering or at risk of suffering significant harm or to prevent significant harm to children or serious harm to adults.

All staff must make sure any person accessing CXK's services is aware of the need to share confidential information where necessary and appropriate. This information should be made available at the first interaction with CXK staff.

If appropriate, and with consent, staff can talk to parents or other family members at the earliest opportunity. Staff need to present the facts of the disclosure, who this will be reported to and what will subsequently happen, such as informing the Local authority, the Police, and School etc.

If you are unsure whether consent to share is needed you must seek advice from your line manager, or another manager.

In addition to the above, CXK and sub-contractors must have a clear process to report concerns in the following way:

- Designated Person informed of concerns via the Safeguarding Policy and Process or the Whistleblowing Policy and Process.
- A CXK risk assessment and subsequent action plan must be written, which is shared as required, to be updated when arrangements are known.
- Understanding and buy-in from all parts of the charity, including Board members.
- For further details see Appendix 1

11 Other Safeguarding themes

CXK reserves the right to amend this policy as and when necessary to ensure that we are compliant with current legislation, good practice, and statutory government guidance.

Additionally, we may add any further process or procedure as an appendix for employees' use. Employees will be informed in full of any and all changes using the Intranet, the e-bulletin and cascaded by teams.

Employees are made aware of via induction and regular safeguarding updates of a range of safeguarding themes. These are linked to training to ensure employees understand and are confident in all relevant processes and procedures and include the following:

11.1 Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

Lead Designated Officer(s) and managers will ensure all employees know what processes and procedures to follow should they be concerned that a young person is at risk of child exploitation.

All CXK employees are made aware via induction and regular updates of safeguarding training, of processes and procedures that they are required to follow should they be concerned that a young person or adult is at risk of exploitation

Employees are directed to the CXK Safeguarding page on the intranet which has links to Local Authority toolkits on assessing risk and exploitation, their procedures and strategies.

11.2 Missing Children

All CXK employees are made aware via induction and regular updates of safeguarding on the processes and procedures that they are required to follow should they be concerned that a young person is missing.

In the first instance employees must follow the CXK safeguarding and incident management procedures which will direct them to taking advice from the Local Authority.

11.3 Female Genital Mutilation (FGM)

All CXK employees are made aware via induction and regular updates of safeguarding training of processes and procedures that they are required to follow should they be concerned that a young person is at risk of female genital mutilation.

FGM is illegal in the UK and constitutes a form of child abuse and violence against children and young women that has severe short term and long term physical and psychological consequences. If an employee has reason to believe that a child or young person is at risk of FGM they have a legal responsibility to report this to the police or to social services.

11.4 Trafficking and Modern Slavery

The National Crime Agency sets out the full National Referral Mechanism (NRM) for identifying, protecting and supporting victims of human trafficking. This includes the National Referral Mechanism (NRM) form for potential victims of trafficking and modern slavery.

All CXK employees are made aware via induction and regular updates of safeguarding training issues related to Trafficking.

- Local guidance
- Safeguarding trafficked children toolkit
- Safeguarding unaccompanied children who arrive in Kent
- The context of this work within the Modern Slavery Act 2015

If a CXK employee believes that a client is at risk of Trafficking they have a legal responsibility to report this to the police or to the Local authority.

11.5 Gangs

Children, young people and vulnerable adults becoming involved in gangs can be vulnerable to a range of risk taking, grooming and illegal activities. These include:

- Substance misuse
- Sexual Exploitation
- Criminal Exploitation
- Extremist activity
- County Lines
- Other forms of abuse and criminal activity including misuse of weapons

All CXK employees are made aware via induction and regular updates of safeguarding training of processes and procedures that they are required to follow should they be concerned that a young person or vulnerable adult is involved in risk taking activity related to the membership of or influence of a gang.

In the first instance the employee must follow the CXK safeguarding procedures which will direct them to taking advice from the Local authority. Any illegal activity must be reported via the appropriate channels.

11.6 Online Safety

Online safety is a part of CXK's safeguarding responsibilities and a whole charity approach is outlined in CXK Professional Boundaries policy and Social Media Policy.

The term 'online safety' reflects a widening range of issues associated with technology and a user's access to content, contact with others and behavioural issues and a move away from a focus on online safety as an ICT issue. This includes youth produced sexual imagery.

The Ofsted 'Inspecting Safeguarding in early year, education and skills settings 2021' document explicitly highlights online safety as part of leaders' and managers' safeguarding responsibility and all employees, in particular those working with clients in a learning environment, are expected to be familiar with and compliant with its content.

11.7 Private Fostering

Private fostering is when a child under the age of 16 (18 if disabled) lives with someone, who is not considered a close relative of the person, for 28 days or more in a year. Examples of this include living with:

- A grandparent
- Aunt or uncle
- Sibling
- Step-parent

It is the law that any Local Authority is made aware of all the children who are being privately fostered as the local authority have a duty to ensure that the child is safe and that the private foster carer has support.

11.8 Child on Child sexual violence and sexual harassment

Sexual violence and sexual harassment can occur between two children of any age and sex, from primary through to secondary stage and into colleges. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable. Staff working with children are advised to maintain an attitude of 'it could happen here'.

11.9 Mental Capacity Act and Adults

Whilst working with an adult who is at risk it may be necessary to assess whether the person has the mental capacity to make decisions about their use of our services or the use of their personal data.

In dealing with beneficiaries who may lack mental capacity, and those who make decisions on their behalf, we will adopt the 5 key principles of The Mental Capacity Act 2005 (including the Deprivation of Liberty Safeguards (DoLS), an amendment to the Mental Capacity Act 2005).

- Presumption of capacity: every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless proven otherwise
- Individuals being supported to make their own decisions: a person will be given all practicable help before anyone treats them as being unable to make their own decisions
- Unwise decisions: just because an individual makes what might be seen as an unwise decision, they will not be treated as lacking capacity to make that decision
- Best interests: any act done or decision made under the Act for, or on behalf of, a person who lacks capacity will be done in their best interests
- Least restrictive option: any action taken should be the least restrictive of their basic rights and freedoms.

A person cannot automatically be deemed incapable simply as a result of a particular medical condition or diagnosis. Someone is said to lack capacity if they are unable to make a particular decision; the inability must be caused by an impediment or disturbance of the mind or brain whether temporary or permanent. The Act sets out a single test for assessing whether a person lacks capacity to take a particular decision at a particular time; it is a decision-specific and time-specific test. In order to make a decision, the person needs to be able to:

- Absorb basic information about the pros and cons of the issue
- Retain the information for long enough to process it
- Evaluate the pros and cons against their own value system and arrive at a decision
- Communicate that decision.

Where an adult is deemed incapable of making decisions their representative should be involved in all decision-making and associated communication between CXK and the service user. Where no-one is appointed to act on behalf of the service user colleagues must seek the advice of their Line Manager or the Designated Safeguarding Lead. Any decision made on behalf of an adult who lacks capacity will be done in their best interests and all decisions and actions logged, including evidence of appropriate assessment and reasons behind those decisions and actions

11.10 Mental Capacity and Young People

Young people under 16 are not automatically presumed to be legally competent to make decisions about their care, but they do have some automatic legal rights to confidentiality.

The Mental Capacity Act does not generally apply to people under the age of 16, for whom the concept of 'intelligence and understanding' to comprehend is used rather than the term 'mental capacity'.

Likewise, the MCA Capacity Test does not apply to under-16s; instead, the Gillick competence test or Fraser guidelines may be used as a framework to support colleagues' assessment of a young person's capacity to make decisions about their care and interaction with CXK and their competence to consent to data-sharing.

Advice from the Designated Safeguarding Lead should be sought if there is any doubt as to a young person's decision-making capacity and/or their ability to understand the implications of their decisions. In circumstances concerned with child protection, consent considerations may be overridden; advice from the Designated Safeguarding Lead should always be sought in this situation.

12 Prevent

12.1 Requirements

CXK have a legal responsibility to ensure that employees undertake training in the Prevent Duty, are aware of when it is appropriate to refer concerns regarding service users and colleagues and exemplify British Values in their day-to-day practice. In addition, CXK must appoint a Designated Prevent Officer, who is the Designated Safeguarding Officer. To be compliant with our duty under this strategy, CXK must ensure that the Prevent Strategy is included in the following aspects of business:

- Training – Safeguarding Training, Understanding Pathways to Extremism and the Prevent Programme online training
- Due diligence.
- Policies surrounding use of IT equipment and internet usage.
- Whistleblowing and Comments, Compliments and Complaints policy.
- Safeguarding arrangements.
- Visitors to CXK premises or to CXK provision
- Professional boundaries.
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In addition to the above, CXK and sub-contractors must have a clear process to report concerns in the following way:

- Designated Person informed of concerns via the Safeguarding Policy and Process or the Whistleblowing Policy and Process.
- A CXK risk assessment and subsequent action plan must be written, which is shared as required, to be updated when arrangements are known.
- Understanding and buy-in from all parts of the charity, including Board members.
- For further details see Appendix 1

12.2 Prevent Strategy

The charity takes the Prevent agenda seriously and ensures that all the charity's employees and sub-contractors complete Prevent training as part of their induction and within Safeguarding training every 12-18 months. Prevent is part of a Government initiative to develop a robust counter terrorism programme – CONTEST. The UK faces a range of terrorist threats. All the terrorist groups who pose a threat to us seek to radicalise and recruit people to their cause.

The Prevent strategy seeks to:

- Respond to the ideological challenge of terrorism and aspects of extremism, and the threat we face from those who promote these views
- Provide practical help to prevent people from being drawn into terrorism and ensure they are given appropriate advice and support
- Work with a wide range of sectors where there are risks of radicalisation which need to be addressed, including education, criminal justice, faith, charities, the internet and health

A system of threat level has been created which represents the likelihood of an attack in the near future. The five levels are:

- Critical- an attack is expected imminently
- Severe – an attack is highly likely
- Substantial – an attack is a strong possibility
- Moderate – an attack is possible but not likely
- Low – an attack is unlikely

The current threat level from international terrorism in the UK is substantial which means that a terrorist attack is a strong possibility.

The charity's programmes include adult services, youth, education and training services for the 16–25 year age group, and engagement and support work with people from ethnically diverse, and socially and economically disadvantaged areas. The age and profile of our beneficiaries make it crucial to be involved in the Prevent strategy. This strategy and all related policies and procedures apply to all the charities employees and sub-contractors.

All employees and providers have a part to play in fostering shared values and promoting cohesion. Providers should focus on the risks of violent extremism, which represents the greatest threat at national level, while recognising that other forms of violence and extremism can and do manifest themselves within providers and other training settings.

12.3 Prevent Objectives

This strategy has five key objectives:

1. To promote and reinforce shared values; to create space for free and open debate; and to listen and support the voice of the learner or beneficiary.
2. To break down segregation among different communities, including by supporting inter-faith and inter-cultural dialogue and understanding, and to engage all learners and beneficiaries in playing a full and active role in wider engagement in society.

3. To ensure learners' and beneficiaries' safety, and to ensure that the provision is free from bullying, harassment and discrimination.
4. To provide support for learners and beneficiaries who may be at risk and to provide appropriate sources of advice and guidance.
5. To ensure that beneficiaries, learners, employees and sub-contractors are aware of their roles and responsibilities in preventing violent extremism.

In order to achieve these objectives, the strategy will concentrate on four areas;

1. Leadership and Values

To provide an ethos which upholds core values of shared responsibility and wellbeing for all beneficiaries, learners, staff and visitors and promotes respect, equality and diversity and understanding.

This will be achieved through:

- Promoting core values of respect, equality and diversity, democratic society, learner voice and participation.
- Building staff and beneficiaries' understanding of the issues, and the confidence to deal with them.
- Deepening engagement with local communities.
- Actively working with local schools, local authorities, Police and other agencies.

2. Teaching and Learning

To provide a programme and support which promotes knowledge, skills and understanding to build the resilience of beneficiaries and learners, by undermining extremist ideology and supporting the learner voice.

This will be achieved through:

- Embedding equality, diversity and inclusion, wellbeing and community cohesion.
- Promoting wider skill development such as social and emotional aspects of learning.
- A curriculum adapted to recognise local needs, challenge extremist narratives, and promote British Values and universal rights.
- Encouraging active citizenship/participation and learner voice.

3. Support for Beneficiaries

To ensure that staff are confident to take preventative and responsive steps, working with partner professionals, families and communities.

This will be achieved through:

- Establishing strong and effective support services.
- Listening to what is happening in the provision on offer and in the community.
- Implementing anti-bullying strategies and challenging discriminatory behaviour.

- Helping beneficiaries, learners and staff to know how to access support in the provision and/or through community partners.
- Supporting 'at risk' beneficiaries and learners through safeguarding and crime prevention processes.
- Focussing on narrowing the attainment gap for all beneficiaries and learners.

4. Managing Risks and Responding to Events

To ensure that employees and sub-contractors monitor risks and are ready to deal appropriately with issues which arise.

It will do this through:

- Understanding the nature of the threat from violent extremism and how this may impact directly or indirectly on the provision, beneficiaries, learners or employees.
- Understanding and managing potential risks within the provision and from external influences.
- Responding appropriately to events in local, national or international news that may impact on people and communities.
- Ensuring measures are in place to minimise the potential for acts of violent extremist behaviour within the provision (i.e. 'Engaging Beneficiaries, Building Resilience, 'Prevent' funded Projects).
- Ensuring plans are in place to respond appropriately to a threat or incident.
- Developing effective ICT security and responsible user policies.

ESF NEET SUPPORT SERVICE

Policy Addendum

The ESF NEET Support Service has received funding from the European Social Fund (ESF) as part of the 2014-2020 European Structural and Investment Funds Growth Programme in England. The Department for Work and Pensions is the Managing Authority for the England European Social Fund programme. Established by the European Union, the European Social Fund helps local areas stimulate their economic development by investing in projects which will support skills development, employment and job creation, social inclusion and local community regenerations. For more information visit <https://www.gov.uk/european-growth-funding>. The ESF NEET Support Service programme is managed and delivered by CXK and provides bespoke, targeted support the young people identified to be NEET (Not in Education Employment or Training) or demonstrably at risk of becoming NEET.

Activities are targeted at and aligned with the South East Local Enterprise Partnership's (SELEP) key priorities:

- Out of work benefit claimants at 16-24.
- Young People with Special Educational Needs & Disabilities (SEND), harder to reach, long-term NEET, carers, children in care and care leavers, those in rural areas, homeless/ at risk of, and those with mental health and financial barriers.
- Provision of confidence building and self-esteem support for NEETs and those at risk.
- Provision of the additional support required to enable take up opportunities such as Apprenticeships or Traineeships.
- Provision of wrap around support to address any barriers to sustaining employment.
- Supporting young people to understand and access key sectors as outlined in the LEP Skills Report (SELEP-Local-Skills-Report-March-2021-FINAL.pdf (southeastlep.com)).

The ESF NEET Support Service will operate from November 2021 to 31st March 2023 and this policy will apply to all activities undertaken as part of the programme and to all staff and sub-contractors delivering the programme. This policy encompasses all learners funded through the programme and sub-contractors are required to make learners aware of their own and this policy as part of induction.