



# Safeguarding Policy

**Document Number 102A**

June 2020 V6

## Copyright

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means whatsoever without prior written permission from the copyright holder.

© Smart Awards Ltd

Beechwood House | Tanners Lane | Berkswell | Coventry | CV7 7DA

T: 02476 421125

E: [info@smartawards.co.uk](mailto:info@smartawards.co.uk)

W: [www.smartawards.co.uk](http://www.smartawards.co.uk)

Company Number 9079735 | VAT Number 216 7632 08

## SCOPE

1. This policy seeks to ensure that Smart Awards undertakes its responsibilities with regard to protection of children and/or vulnerable adults and will respond to concerns appropriately. Smart Awards makes a positive contribution to a strong and safe community and recognises the right of every individual to stay safe.
2. Our policy is that no-one shall work with children and young people within Smart Awards who:
  - Has been convicted of or has received a formal police caution concerning an offence against children as listed in the First Schedule of the Children and Young People's Act
  - Has been convicted of or has received a formal police caution concerning sexual offences against children and young people.
  - Is registered on the protection of Children Act, protection of Vulnerable Adults Act and List
3. This means that:
  - All who work with children & young people under Smart Awards will be required to be checked through the Disclosure and Barring Service (DSB) and are expected at all times to conform with good practice in their work.
4. Additionally, where Smart Awards works with employers/training providers to deliver end point assessment apprenticeships to apprentices aged 16-18 years, we will ensure that the employer/training providers has a policy and appropriate arrangements in place for safeguarding as described in this policy.

## OFQUAL GENERAL CONDITIONS

5. D2.1: An awarding organisation must ensure that it complies with the requirements of Equalities Law in relation to each of the qualifications which it makes available.
6. D2.2: An awarding organisation must monitor qualifications which it makes available for any feature which could disadvantage a group of Learners who share a particular Characteristic.
7. D2.3: Where an awarding organisation has identified such a feature, it must – (a) remove any disadvantage which is unjustifiable, and (b) maintain a record of any disadvantage which it believes to be justifiable, setting out the reasons why in its opinion the disadvantage is justifiable.

## SQA ACCREDITATION PRINCIPLES

8. Principle 14. The awarding body and its providers shall ensure that it has safeguards to prevent and manage cases of malpractice and maladministration.

## RESPONSIBILITIES

9. This policy is for end point assessments offered by Smart Awards. This policy is for employers, training providers and apprentices accessing Smart Awards end point assessments and related services and all those involved with the development, delivery and quality assurance of Smart Awards

qualifications. Smart Awards has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it. Smart Awards has the day-to-day responsibility for implementing this policy and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

R	Responsibilities	The person who actually carries out the process or task. The person is responsible for action/implementation. Responsibilities can be shared											
A	Accountabilities	The person who is ultimately accountable for the process or task being completed and who has the authority to make decisions, yes or no authority and veto power. Responsible person (s) are accountable to this person. Only one A can be assigned to a task											
C	Consulted	The person to be consulted prior to a final decision or action (two-way communication). People who are not directly involved with carrying out the task but are consulted with.											
I	Informed	Anyone whose work depends on the process or task and who has to be updated about the progress after a decision or action has been taken (one-way communication).											
POLICIES													
		BOARD	CEO	MD	OPS DIRECTOR	QUALITY PORTFOLIO MANAGER	STANDARDS COMPLIANCE OFFICER	QUAL ADMIN OFFICER	IT CONSULT	FINANCE AUDITOR	EQA	NOPS BOARD	EMPLOYER TRAINING PROVIDER
Safeguarding		A	R	R	R	R	R	R	I	I	R	I	R
ASSOCIATED POLICIES													
Equality and diversity													
Modern slavery													
Prevent													
Holiday/Sickness Cover													
The MD, CEO and Operations Director cover holiday/sickness and absenteeism for areas where the person is responsible for action/implementation of a task. The MD, CEO and Operations Director hold company wide experience to be able to carry out these tasks and hold no conflicts of interest.													

10. All Smart Awards staff or representatives are expected to uphold the highest levels of professional conduct in their dealings with children, young people or vulnerable adults and have responsibility to:

- Know who to pass on concerns to
- Be aware of signs and symptoms of harm
- Pass on any welfare concerns using the required procedures
- Keep accurate records of all information including time, date, reason for suspicion and signature.

11. For the purposes of this policy, Smart Awards responsibilities cover:

- Statutory Requirements – Smart Awards ensure staff have awareness of; Working Together to Safeguard Children (DfE 2015) and Keeping Children Safe in Education (DfE 2016). These documents form part of the staff induction pack.
- Policy – It is the responsible of Directors and Senior Managers to ensure the Safeguarding policy is communicated to all staff and contractors. This policy forms part of staff and contractor's induction packs and is available on Smart Awards website. The policy is reviewed annually or at the point of policy change. A senior board member takes leadership responsibility for the organisation's safeguarding arrangements.
- Reports – Safeguarding reports are reported to the Board.
- Appointment of Designated Safeguarding Person –Smart Awards Quality Director leads on safeguarding
- Mandatory DBS Checks – Smart Awards undertake mandatory DBS checks for everyone involved with end point assessment activities and enhanced DBS checks for all members of the Board.

- Training- training is mandatory for all staff who are involved in the delivery of end point assessments for apprenticeships. These staff also undertake a safeguarding online course to enhance their knowledge and understanding.

## DEFINITIONS

12. In relation to children and young people, Smart Awards adopts the definition used in the Children Act 2004 and the Department for Education (DfE) guidance document: Working Together to Safeguard Children which define safeguarding and promoting children and young people's welfare as:
  - protecting children from maltreatment
  - preventing impairment of children's health or development
  - ensuring that children are growing up in circumstances consistent with the provision of safe and effective care, and
  - taking action to enable all children to have the best outcomes.
13. A child is under the age of 18 years (as defined in the United Nations convention on the Rights of a Child).
14. A vulnerable adult is a person aged 18 years or over (as defined in the Safeguarding Vulnerable Group Act) who may be unable to take care of themselves or protect themselves from harm or from being exploited.
15. This may include a person who:
  - Has a physical or sensory disability
  - Has a learning disability
  - Has a severe physical illness
  - Is a substance misuser
  - Is homeless
16. Significant harm can take four forms:
  - Physical harm
  - Emotional harm
  - Sexual harm
  - Neglect
17. Possible signs of abuse include:
  - Unexplained or suspicious injuries such as bruising cuts or burns
  - A vulnerable adult or child discloses abuse, or describes what appears to be an abusive act
  - Someone else expresses concern about the welfare of a vulnerable adult or child
  - Unexplained change in behaviour such as withdrawal or sudden outbursts of temper
  - Inappropriate sexual awareness or sexually explicit behaviour
  - Distrust of adults
  - Difficulty in making friends
  - Eating disorders, depression, self-harm

## PRINCIPLES

18. All who work for or represent Smart Awards must follow Smart Awards principles when in contact with children, young people or vulnerable adults to:

- Ensure the health, safety and welfare of any child or vulnerable adult
- Minimise the risks of harm to the welfare of children and vulnerable adults
- Adopt a relaxed, informal and friendly approachable manner
- Ensure behaviour, language, gestures etc. are appropriate and above reproach
- Always work in an open environment, avoiding private or unobserved situations
- Keep a physical and professional distance
- Treat all children and vulnerable adults equally, with respect and dignity
- Ensure that any activities are appropriate to the age, maturity and ability
- Consistently display high standards of personal behaviour and appearance
- Where there are concerns about children and vulnerable adults' welfare, take immediate and appropriate action to address those concerns
- Record any allegations.

19. When in contract with children and vulnerable adults staff and those working on behalf of Smart Awards must not:

- Engage in horseplay
- Allow or engage in inappropriate touching of any kind
- Make sexually suggestive comments
- Have children or vulnerable adults on their own in a vehicle. Where circumstances require this another member of staff or appropriate person must travel in the vehicle
- Spend time alone outside of the normal training/ classroom situation
- Engage in a personal relationship beyond that appropriate for a normal assessor/ apprentice relationship
- Interaction with apprentices through a social networking site unless this has been agreed as part of managing collaborative learning

## THE PREVENT DUTY

20. Smart Awards seeks to safeguard individuals from radicalisation, which is the process by which individuals come to support terrorism or violent extremism. It is recognised that radicalisation can occur to an individual from any section of society and is not particular to any racial, ethnic or social group. Children and vulnerable adults may be more susceptible to radicalisation.

21. Possible behaviour indicators are:

- Discriminatory language or actions towards specific groups or people with a particular protected characteristic
- Possession or sharing of violent extremist literature
- Showing or sharing online material of an extreme nature to others
- Behavioural changes (for example, becoming withdrawn)
- Expression of extremist views
- Association with known extremists

- Seeking to recruit others to an extremist ideology in respect of safeguarding individuals from radicalisation

22. Where Smart Awards suspects that individuals are involved in radicalisation the police will be notified.

- assessing the risk of children being drawn into terrorism.
- demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies.
- ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board.
- make sure that staff have training that gives them the knowledge and confidence to identify children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism
- expected to ensure children are safe from terrorist and extremist material when accessing the internet

## PROCEDURE IN THE EVENT OF A DISCLOSURE

23. All allegations or suspicions of abuse must be taken seriously. It is vitally important that any disclosure made in confidence is recorded factually as soon as possible; this is whether or not the matter is taken to another authority.

24. This procedure must be followed whenever an allegation of abuse is made or when there is a suspicion that a vulnerable adult has been abused.

- Allegation or suspicious of abuse reported
- Any concerns should be discussed with Smart Awards within 24 hours
- Details logged on risk register and reported to Smart Awards immediately
- An accurate account shall be made as soon as possible of the nature of the allegation
- All relevant details collated including:
  - Name, position and contact details of the person reporting the incident
  - Name of child or vulnerable adult, contact details and date of birth
  - Parent/ Guardian/ Carer contact details
  - Date and time of what has occurred and the time the disclosure was made
  - Details of the incident/ allegations/ suspicions.
- Smart Awards will consider any report, seeking legal advice where necessary, and will take action which may involve referral of the incident to the appropriate people or authorities (e.g. parents, police, DBS, social services) within 24 hours
- Review and consider any corrective or preventative action that maybe
- Smart Awards will keep all sensitive information secure.

25. Legislation

- Education Act 2002
- Section 175 of the Education Act 2002 requires local education authorities and the governors of maintained schools and further education (FE) colleges to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.

- Section 157 of the same act and the Education (Independent Schools Standards) (England) Regulations 2003 require proprietors of independent schools (including academies and city technology colleges) to have arrangements to safeguard and promote the welfare of children who are pupils at the school.
26. Counter Terrorism and Security Act 2015. Section 26 Applies to schools and other providers; To have due regard to the need to prevent people being drawn into terrorism.
  27. Statutory Guidance. Together to Safeguarding Children (2015) covers the legislative requirements and expectations on individual services (including schools and colleges) to safeguard and promote the welfare of Children. It also provides the framework for Local Safeguarding Children Boards (LSCB's) to monitor the effectiveness of local services, including safeguarding arrangements in schools. <https://www.gov.uk/government/publications/working-together-to-safeguard-children-2>
  28. Keeping Children Safe in Education (2016) is issued under Section 175 of the Education Act 2002, the Education (Independent School Standards) (England) Regulations 2014 and the Education (Non-Maintained Special Schools) (England) Regulations 2011. Schools and colleges must have regard to this guidance when carrying out their duties to safeguard and promote the welfare of children.
  29. Unless otherwise stated, 'school' in this guidance means all schools, whether maintained, non-maintained or independent, including academies and free schools, alternative provision academies, pupil referral units and maintained nursery schools. College means further education and sixth form colleges under the further and higher education act 1992 and relates to under 18's, but excludes 16-19 academies and free schools. <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
  30. Prevent Duty Guidance – England and Wales. Covers the duty of schools and other providers in section 29 Counter Terrorism and Security Act 2015, to have due regard to the need to prevent people being drawn into terrorism. <https://www.gov.uk/government/publications/prevent-duty-guidance>  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/439598/prevent-duty-departmental-advice-v6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf)
  31. DBS Checks. The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaces the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).
  32. The DSB are responsible for:
    - Processing requests for criminal records checks (DBS checks)
    - Deciding whether it is appropriate for a person to be placed on or removed from a barred list
    - Placing or removing people from the DBS children's barred list and adults' barred list for England, Wales and Northern Ireland.
  33. Disclosure Scotland was established in 2002 to provide criminal records checks under Part V of the Police Act 1997. It became an Executive Agency of the Scottish Government on 1 April 2009 operating on behalf of Scottish Ministers.



34. Disclosure Scotland issues certificates - known as 'Disclosures' - which give details of an individual's criminal convictions, or state that they have none. Enhanced and PVG Scheme Disclosures, where appropriate, will also contain information held by police forces and other Government bodies. They also manage the Protecting Vulnerable Groups Scheme on behalf of Ministers.

35. The principal pieces of legislation governing this policy are:

- The Children Act
- The Protection of Children Act
- The Adoption and Children Act
- The Children and Adoption Act
- Working Together to Safeguard Children
- Safeguarding Vulnerable Groups Act
- Care Standards Act
- Public Interest Disclosure Act
- The Police Act
- Mental Health Act
- NHS and Community Care Act
- Rehabilitation of Offenders Act.
- DfES Safeguarding Children and Safer Recruitment in Education

## REVIEW OF THIS POLICY

36. This policy is reviewed and revised annually in response to feedback, changes in legislation and guidance from the regulators, SQA Accreditation or Ofqual.

## SAFEGUARDING PROCESS

Process Step Description	Process	Person Responsibility	Organisation Responsibility
Allegation raised with Smart Awards via SAMS	Process	Employer/ Training Provider Manager	Employer/ Training Provider
Log issue on risk register on SAMS	Process	Standards and Compliance Officer	Smart Awards
Arrange management meeting to discuss the relevant course of action to decide whether: <ul style="list-style-type: none"> <li>• Is there a case</li> <li>• Does this require an immediate action</li> </ul>	Process	Standards and Compliance Officer	Smart Awards
Inform regulators if deemed an adverse effect	Process	MD	Smart Awards
Investigate issue and notify all parties/employers and	Process	Standards and Compliance Officer	Smart Awards

training providers concerned and request that a written account of the circumstances surrounding the case.			
Receive written and other evidence of the circumstances surrounding the case. Gather all information relating to case and the personnel involved.	Process	Employer/ Training Provider Manager	Smart Awards
Board to review risk	Decision	Board - holds responsibility and experience to make decisions and measured risks	Smart Awards
Mitigate risk	Decision	Board - holds responsibility and experience to make decisions and measured risks	Smart Awards
Agree actions to prevent/mitigate, this includes potential reoccurrences and preventive actions.	Decision	Board - holds responsibility and experience to make decisions on appropriate action	Smart Awards
Communicate outcomes to all parties concerned	Process	MD	Smart Awards
Lessons learned	Process	MD	Smart Awards
Upload all case findings and information to SAMS	Process	Standards and Compliance Officer	Smart Awards
Stop	End		Smart Awards