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VLUK Safeguarding and Child Protection Policy

AMENDED APRIL 2023

Consistent with Keeping Children Safe in Education 2022

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Key Personnel	Name (s)	Contact details
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Chair of Governors	Eric Mason	eric.mason@vluk.org

Virtual Learning UK (VLUK) recognises its responsibility for safeguarding and child protection.

1. INTRODUCTION

- 1.1. It is essential that everybody working at VLUK understands and fulfils their safeguarding responsibilities. Everyone who comes into contact with our learners and families has a role to play in ensuring children and young people are safe from abuse, neglect exploitation and harm. VLUK is committed to safeguarding children and aims to create a culture of vigilance. All staff should make sure that any decisions made are in the best interests of the learner.
- 1.2. Our learners' welfare is our paramount concern. The governing body will ensure that VLUK will safeguard and promote the welfare of pupils and work together with agencies to ensure that VLUK has adequate arrangements to identify, assess and support those learners who are suffering or where significant harm is suggested.
- 1.3. This policy provides the basis for good practice within VLUK for Safeguarding work. This is in keeping with relevant national procedures and reflect what VLUK considers to be safe and professional practice in this context.
- 1.4. This policy applies to all staff members at VLUK, including all permanent, temporary and support staff, governors, volunteers, external providers or activity providers.

2. THE LEGAL FRAMEWORK

2.1. This policy and the accompanying procedure have been developed in accordance with the following statutory guidance and local safeguarding procedures:

- *Working Together to Safeguard Children: A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children, July 2018:*
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- *Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges, September 2022*
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Keeping_children_safe_in_education_2022.pdf

3. ROLES AND RESPONSIBILITIES

- 3.1. VLUK's Designated Safeguarding Lead (DSL) with overall designated responsibility for safeguarding is Ben Broyd. We have a deputy designated safeguarding lead, Jenny Butcher to ensure there is always appropriate cover for this role. The responsibilities of all Designated Safeguarding Lead are described in detail in Appendix A.
- 3.2. The **governing body** is collectively responsible for ensuring that safeguarding arrangements are fully embedded within VLUK's ethos and reflected in the it's day-to-day practice.
- 3.3. **All staff members and governors** know how to recognise signs and symptoms of abuse, how to respond to pupils who disclose abuse and what to do if they are concerned about a learner.
- 3.4. VLUK acknowledges the need to treat everyone equally, with fairness, dignity, and respect. Any discriminatory behaviours are challenged, and learners are supported to understand how to treat others with respect. We also have a statutory duty to report and record any of the above incidents.
- 3.5. VLUK and its Governing body take all reasonable action to limit learner's exposure to IT risks and ensure our campuses have appropriate filters and monitoring systems in place.

4. SUPPORTING LEARNERS

4.1. VLUK will support all learners by:

- ensuring the content of the curriculum includes social and emotional aspects of learning; Through Tutorial and other curriculum contexts, and ensuring that learners are taught about safeguarding so that they 'recognise when they are at risk and how to get help when they need it'.

- ensuring a comprehensive response to online safety, enabling learners to learn about the risks of new technologies and social media and to use these responsibly.
- encouraging learners to talk about feelings and deal assertively with pressures and are listened to, providing learners with a range of appropriate adults to approach as needed.
- supporting learners to feel safe, develop confidence and independence and increase the development of self-esteem and self-assertiveness while not condoning aggression or bullying.
- liaising and working together with other support services and those agencies involved in safeguarding children, including domestic abuse including Early Help and preventative services
<https://www.gov.uk/government/consultations/domestic-abuse-act-statutory-guidance>
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1020249/Promoting_children_and_young_people_s_mental_health_and_wellbeing.pdf
- considering intra familial harms and any necessary support for siblings following a report of sexual violence and/or harassment.
- having a behaviour policy that is aimed at supporting vulnerable learners at VLUK campuses. The behaviour policy outlines measures to prevent bullying, including cyber-bullying, prejudice-based and discriminatory bullying.
- having clear procedures are in place for addressing and minimising the risk of child-on-child abuse, including harmful sexual behaviours, sexual violence and sexual harassment.
- acknowledging the importance of ‘[contextual safeguarding](#)’, which considers wider environmental factors in a learner’s life that may be a threat to their safety and/or welfare. ([Working together to safeguard children July 2018](#) and [KCSIE September 2022](#)).
- alerting the relevant authority if it is aware of any learner being looked after under a Private Fostering arrangement. On enrolment to VLUK, and at other times, VLUK will be vigilant in identifying any private fostering arrangement.
- acknowledging that a ‘child that is looked after’ or has been previously looked after by the Local Authority potentially remains vulnerable and all staff have the skills, knowledge and understanding to support these learners.

5. DEALING WITH A DISCLOSURE AND RECORD KEEPING

- 5.1. If a member of staff has a concern about a learner or if a learner makes a disclosure, staff will appropriately respond by listening and offering reassurance. Staff should:
- Make an accurate factual record as soon as possible including details of:
 - Dates and times of their observations
 - Dates and times of any discussions in which they were involved

- Any injuries
- Explanations given by the learner / adult
- What action was taken
- Any actual words or phrases used by the learner
- Any questions the staff member asked (remembering not to ask any leading questions)

The records must be signed and dated by the author (or equivalent on our electronic based CPOMS records).

All concerns and incidents can be added and kept on the CPOMS electronic recording system that VLUK has in place. Any Concern forms or paper-based evidence can be uploaded onto the electronic system.

- Listen to wishes and feelings of the learner, but not to promise any confidentiality
 - Report it to the DSL/DDSL
 - The DSL will consider if there is a requirement for immediate medical intervention, however urgent medical attention should not be delayed if the DSL is not immediately available.
 - In the absence of the DSL or DDSL, staff will refer directly to MASH or the learner's social worker (if applicable) and the police (if appropriate) if there is a significant concern or to contact LCSS for advice and guidance.
- 5.2. The DSL will ensure any decisions and justifications for those decisions will be recorded in writing with clear outcomes documented following any action taken.
- 5.3. VLUK will discuss any concerns we have with the learner's parents. There may be occasions when this is not appropriate and VLUK staff would consult with other agencies prior to involving parents. We will record any decision not to discuss with parents and why.
- 5.4. Safeguarding records are kept for individual children and are maintained separately from all other records relating to the learner at VLUK. Safeguarding records are kept in accordance with General Data Protection Regulations (GDPR) and our own GDPR policy.
- 5.5. The Chief Operations Officer will be kept informed of any significant concerns by the DSL and all other staff are informed on a need-to-know basis.

6. THE ROLE OF AN APPROPRIATE ADULT IN SAFEGUARDING

6.1. The Police and Criminal Evidence (PACE) act advises that "The role of the appropriate adult (AA) is to safeguard the rights, entitlements and welfare of juveniles and vulnerable persons", with there being further elaboration that the AA is expected to observe that the police are acting properly and fairly in relation to a vulnerable detained persons rights and entitlements, as well as helping the detained person understand their rights.

7. INFORMATION SHARING

- 7.1. We recognise that all matters relating to Safeguarding are confidential.
- 7.2. All staff members have a professional responsibility to share information with other agencies to safeguard children.
- 7.3. All staff members who come into contact with VLUK learners will be given appropriate training to understand the purpose of information sharing in order to safeguard and promote children's welfare.
- 7.4. We will ensure that staff members are confident about what they can and should do under the law, including how to obtain consent to share information and when information can be shared without consent.
- 7.5. Staff should not assume a colleague or another professional will take action and share information that might be critical in keeping children safe.

8. MULTI AGENCY WORKING

- 8.1. We will develop and promote effective working relationships with other agencies, including agencies providing early help services to learners, the police, and Children's Social Care.
- 8.2. We will ensure that relevant staff members participate in multi-agency meetings, including child protection conferences and core groups, to consider individual learners.
- 8.3. We will participate in Child Safeguarding Practice Reviews (CSPR's), other reviews and file audits as and when required to do so by the relevant Children's Safeguarding Board. We will ensure that we have a clear process for gathering the evidence required for reviews and audits and embed recommendations into practice and compile required actions within agreed timescales.

9. SAFER RECRUITMENT

- 9.1. VLUK is committed to ensuring the development of a safe culture and that all steps are taken to recruit staff and volunteers who are safe to work with our learners and staff.
- 9.2. The Governing Body and Leadership Team are responsible for ensuring that the organisation follows safe recruitment processes outlined within guidance.
- 9.3. VLUK is responsible for ensuring that it maintains an accurate Single Central Record (SCR) in line with statutory guidance.
- 9.4. The Governing Body will ensure that at least one of the people who conducts a recruitment interview has completed safer recruitment training.
- 9.5. We are also committed to supporting the statutory guidance from the Department for Education on the application of the Childcare (Disqualification) Regulations 2009 and related obligations under the Childcare Act 2006 in schools.

9.6. We will seek assurance that employees and volunteers provided by these organisations and working with our learners have been subjected to the appropriate level of safeguarding checks in line with *Keeping Children Safe in Education: Statutory Guidance, 2022*. If assurance is not obtained, permission to work with our learners or use our campus facilities may be refused.

9.7. When we commission services from other organisations, we will ensure that compliance with our policy and procedures is a contractual requirement.

9.8. We advise all staff to disclose any reason that may affect their suitability to work with children that could be a transferable risk to their role.

10. TRAINING

10.1. All staff members at VLUK are expected to be aware of the signs and symptoms of abuse and must be able to respond appropriately.

10.2. Our DSL undergoes training to provide them with the knowledge and skills required to carry out their role. Our DSL and any members of our DSL team undergo the DSL training every 2 years to enable them to fulfil their role.

10.3. Training is provided for all staff to a generalist level every 2 years, regular updates around safeguarding are shared with staff.

10.4. Separate training is provided to all new staff on appointment as part of their induction process which would also include Online Safety.

10.5. The Designated Safeguarding Lead will provide briefings to VLUK on any changes to safeguarding legislation and procedures and relevant learning from Safeguarding Practice Reviews (CSPR's) in line with Working Together 2018. These will occur annually or more frequently when necessary.

10.6. VLUK will maintain accurate and up to date records of staff induction and training.

11. WHISTLEBLOWING IN A SAFEGUARDING CONTEXT

11.1. While VLUK has a separate whistleblowing policy, this is a summary that outlines the process when there is a concern that safeguarding issues have not been reported or followed correctly.

This does not replace the whistleblowing policy and should be read in conjunction with VLUK's policy.

Whistleblowing is a term that is used when staff want to report a concern within their organisation. There are a limited number of areas that can be called Whistleblowing, and the policy protects staff from being punished for raising concerns.

Within VLUK, the Chief Operations Officer (COO), is the senior manager and responsible for all staff. If you are concerned that any member of staff within VLUK is not

following safeguarding processes or behaving in a way that is placing learners at risk, you should, in the first place, make the COO aware.

If your concern is about the COO, you should raise this with our Chair of Governors .

If you would prefer to raise your concerns outside of VLUK, then you are able to contact the NSPCC whistleblowing line on 0800 028 0285 or email help@nspcc.org.uk for national organisations or make contact with your local authority. Further guidance for staff can be accessed through <https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2> and through the NSPCC website <https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/>

12. CAMPUS SECURITY

- 12.1. All staff members have a responsibility to ensure our campuses are safe.
- 12.2. VLUK will not accept the behaviour of any individual, parent or anyone else, that threatens campus security or leads others, learner or adult, to feel unsafe. Such behaviour will be treated as a serious concern and may result in a decision to refuse the person access onto the campus.

13. QUALITY ASSURANCE

- 13.1. We will ensure that systems are in place to monitor the implementation of and compliance with this policy and accompanying procedures.
- 13.2 VLUK sets its annual safeguarding audit based on the Section 175 safeguarding audit, which is carried out under Section 175 of the Education Act 2002, along with DfE Guidance on Safeguarding Children, Safer Recruitment and Keeping Children Safe in Education.
- 13.4 VLUK's senior leadership and the governing body will ensure that action is taken to remedy any deficiencies and weaknesses identified in child protection arrangements without delay.

14. POLICY REVIEW

- 14.1. This policy and the procedures will be reviewed every academic year. All other linked policies will be reviewed in line with the policy review cycle
- 14.2. The Designated Safeguarding Lead will ensure that staff members are made aware of any amendments to policies and procedures
- 14.3. Additional updates to the safeguarding policy and appendix will take place when needed.

APPENDIX A:

The role of the Designated Safeguarding Lead

Managing referrals:

- Refer cases to MASH, and the police where appropriate, in a timely manner avoiding any delay that could place the learner at more risk
- Identify any safeguarding issues relating to individual learner, especially ongoing enquiries under section 47 of the Children Act 1989.
- Act as a source of support, advice, and expertise to staff members on matters of child protection and safeguarding, including Contextual Safeguarding.

Record keeping:

- Keep online records of safeguarding and welfare concerns and ensure a stand-alone file is created as necessary for learners with safeguarding concerns
- VLUK should have at least two emergency contacts for every learner in case of emergencies, and in case there are welfare concerns at the home.
- Maintain a chronology of significant incidents for each learner with safeguarding concerns, including a record of decisions made and the reasons for those decisions.
- Ensure such records are kept confidentially and securely and separate from the learner's educational record.

Multi-agency working and information sharing:

- The DSL recognises and is committed to its responsibility to work with other professionals and agencies in line with statutory guidance.
- VLUK is not the investigating agency when there are child protection concerns. We will, however, contribute to the investigation and assessment processes as required. We recognise the importance of multi-agency working and will support attendance at relevant safeguarding meetings, including Child Protection Conferences, Core Groups, Strategy Meetings, Child in Need meetings or other early help multi-agency meetings.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf

Training:

The DSL will ensure all staff undertake appropriate annual updates in order to:

- be able to recognise signs of abuse and how to respond to them, including special circumstances such as child sexual exploitation, female genital mutilation, fabricated or induced illness
- have a working knowledge of how the local authority conducts initial and review child protection (CP) case conferences and contribute effectively to these; and
- be alert to the specific needs of learners in need (as specified in section 17 of the Children Act 1989), those with special educational needs, pregnant teenagers, young carers, those who are privately fostered, vulnerable to exploitation, racialisation and subject to listening or hearing to domestic abuse.
- Ensure each member of staff has read and understands the safeguarding policy and procedures, including providing induction on these matters to new staff members. Induction and training must include dealing with disclosures and managing allegations processes.

- Organise Safeguarding training for all staff members at least **every two years**.
- The DSL will ensure their training remains in date (every 2 years)
- All staff should be aware of key policies systems within VLUK which support safeguarding, and these should be explained to them as part of staff induction.
- Ensure VLUK allocates time and resources every year for relevant staff members to attend training and receive continuous professional development opportunities.
- Encourage a culture of listening to learners and taking account of their wishes and feelings in any action VLUK takes to protect them.

Awareness raising:

- Ensure VLUK's safeguarding policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with governing bodies regarding this.
- Ensure our safeguarding policy is available publicly and parents know referrals about suspected abuse or neglect may be made and the role of VLUK in this.

Quality assurance:

- Provide regular reports, to the governing body detailing changes and reviews to policy, training undertaken by staff members and the number of learners with child protection plans and other relevant data.
- Take lead responsibility for remedying any deficiencies and weaknesses identified in Safeguarding arrangements.

APPENDIX B:

Safeguarding Procedures

Definitions:

- **Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child 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 others (e.g., via the internet). They may be abused by an adult or adults or another child or children.
- **Children** are any people who have not yet reached their 18th birthday; a 16-year-old, whether living independently, in further education, in the armed forces or in hospital, is a child and is entitled to the same protection and services as anyone younger. KCSIE now applies to providers of post 16 education as set out Education and Training (Welfare of Children) Act 2021.
- **Child protection** is part of safeguarding and promoting the welfare of children and refers to activity undertaken to protect specific children who are suffering, or likely to suffer, significant harm, or significant harm is suggested.
- **Early help** means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years to teenage years.
- **Harm** is ill treatment or impairment of health and development, including impairment suffered from seeing or hearing the ill treatment of another.

- **Safeguarding children** is the action we take to promote the welfare of children and protect them from harm.
- **Safeguarding and promoting the welfare of children** is defined as:
 - protecting children from maltreatment
 - preventing the impairment of children's mental health, physical health or development
 - ensuring the children grow up in circumstances consistent with the provision of safe and effective care
 - taking action to enable all children to have the best outcomes

Staff are particularly important, as they are in a position to identify concerns early, provide help for learners, promote learner's welfare, and prevent concerns from escalating ([KCSIE 2022](#))

A bespoke helpline for learners and young people who've experienced abuse, and for worried adults and professionals that need support and guidance. If you are concerned about something, you can contact the NSPCC helpline Report Abuse in Education on 0800 136 663 or email help@nspcc.org.uk

- **Significant harm** is the threshold that justifies compulsory intervention in the family in the best interests of the learner. Section 47 of the Children Act 1989 states 'where the question of whether harm suffered by a learner is significant turns on the their health or development, his health or development shall be compared with that which could reasonably be expected of a similar learner.'
- **Vulnerable children:** Any learner may benefit from [early help](#), but all VLUK staff should be particularly alert to the potential need for early help for a learner who:
 - is disabled and has specific additional needs.
 - has special educational needs (whether they have a statutory Education, Health and Care Plan).
 - is a young carer.
 - is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups.
 - is frequently missing/goes missing from care or from home.
 - is at risk of modern slavery, trafficking, or exploitation.
 - is at risk of being radicalised or exploited.
 - is in a family circumstance presenting challenges for the learner, such as drug and alcohol misuse, adult mental health issues and domestic abuse; <https://www.gov.uk/government/collections/domestic-abuse-bill>
 - is misusing drugs or alcohol themselves.
 - has returned home to their family from care; and
 - is a privately fostered child.

CATEGORIES OF ABUSE:

- **Emotional abuse** is the persistent emotional maltreatment of a child such that it causes severe and persistent adverse effects on the child's emotional development and conveying that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include:
 - not giving the child opportunities to express their views
 - deliberately silencing them or 'making fun' of what they say or how they communicate.

It may feature:

- age or developmentally inappropriate expectations being imposed on children
- interactions that are beyond a child's developmental capability
- overprotection and limitation of exploration and learning,
- preventing the child from participating in normal social interaction.
- seeing or hearing the ill-treatment of another
- serious bullying (including cyberbullying)
- causing children frequently to feel frightened or in danger, or the exploitation or corruption of children

Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

- **Neglect** is the persistent failure to meet a child's basic physical or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance misuse. Once a child is born, it may involve a parent failing to:
 - provide adequate food, clothing, and shelter, including exclusion from home or abandonment
 - protect a child from physical and emotional harm or danger
 - ensure adequate supervision, including the use of inadequate care givers
 - ensure access to appropriate medical care or treatment

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs. Educational neglect is also considered:

<https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/neglect/>

- **Physical abuse** may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
- **Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education (KCSIE 2022).

MENTAL HEALTH:

- All VLUK staff should also be aware that mental health problems can, in some cases, be an indicator that a learner has suffered or is at risk of suffering abuse, neglect or exploitation
- Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff, however, are well placed to observe learners day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one

- Where learners have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these learner's experiences, can impact on their mental health, behaviour, and education
- If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following their child protection policy, and speaking to the designated safeguarding lead or a deputy.

<https://www.gov.uk/government/publications/promoting-children-and-young-peoples-emotional-health-and-wellbeing>

The department has published advice and guidance on [Preventing and Tackling Bullying](#), and [Mental Health and Behaviour in Schools](#) (which may also be useful for training providers). In addition, Public Health England has produced a range of resources to support Post-16 Tutors to promote positive health, wellbeing and resilience among young people including its guidance [Promoting children and young people's emotional health and wellbeing](#). Its resources include social media, forming positive relationships, smoking and alcohol. See [Every Mind Matters](#) for links to all materials and lesson plans.

There are three thresholds for and types of referral that need to be considered:

- is this a learner with additional needs; where their health, development or achievement may be adversely affected?
- age-appropriate progress is not being made and the causes are unclear
- the support of more than one agency is needed to meet the learner's needs

If this is a learner with additional needs discuss the issues with the SENCO coordinator at VLUK, the learner, and parents.

Is this a child in need matter? Section 17 of the Children Act 1989 says:

- they are unlikely to achieve or maintain, or to have opportunity to achieve or maintain, a reasonable standard of health or development, without the provision of services by a local authority
- their health or development is likely to be impaired, or further impaired, without the provision of such services
- they are SEND (and as such can face additional safeguarding challenges)

If this is a child in need, discuss the issues with the Designated Safeguarding Lead and parents. Obtain their consent for referral.

Is this a child protection matter? Section 47 of the Children Act 1989 says:

- learner at risk or who are suffering significant harm
- learner suffering the effects of significant harm
- serious health problems

An example regarding more on the thresholds can be found here:

[Oxfordshire-Threshold-of-Needs-2021.pdf \(oscb.org.uk\)](#)

If this is a child protection matter, this should be discussed with the Designated Safeguarding Lead and will need to be referred to the MASH relevant to that learners address, as soon as possible. An example is [Multi-Agency Safeguarding Hub \(MASH\) | Oxfordshire County Council](#)

APPENDIX C:**Further information****Female Genital Mutilation**

Female Genital Mutilation (FGM) comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM.

[Multi-agency statutory guidance on female genital mutilation](#)

- **Indicators** - There is a range of potential indicators that a girl may be at risk of FGM. Warning signs that FGM may be about to take place, or may have already taken place, can be found in the [Multi-agency statutory guidance on female genital mutilation](#). Section 5C of the Female Genital Mutilation Act 2003 (as inserted by section 75 of the Serious Crime Act 2015) gives the Government powers to issue statutory guidance on FGM to relevant persons. Once the government issues any statutory multi-agency guidance this will apply to our organisation.
- **Actions** - If staff have a concern, they should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care. Mandatory reporting commenced in October 2015. These procedures remain when dealing with concerns regarding the potential for FGM to take place. Where a VLUK Tutor discovers that an act of FGM appears to have been carried out on a girl who is aged under 18, there will be a statutory duty upon that individual to report it to the police.
- **Mandatory Reporting Duty** -From October 2015, Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) placed a statutory duty upon tutors, along with social workers and healthcare professionals, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. It will be rare for tutors to see visual evidence, and they should not be examining learners, but the same definition of what is meant by "to discover that an act of FGM appears to have been carried out" is used for all professionals to whom this mandatory reporting duty applies. Unless the tutor has a good reason not to, they should still consider and discuss any such case with the VLUK's designated safeguarding lead.

Gang and Youth / Serious Violence

Learners who become involved in gangs are at risk of violent crime and as a result of this involvement are deemed vulnerable. Agencies and professionals have a responsibility to safeguard these learners and young people and to prevent further harm both to the young person and their potential victims. Risks associated with gang activity include access to weapons (including firearms), retaliatory violence and territorial violence with other gangs, knife crime, sexual violence, and substance misuse

<https://www.gov.uk/government/publications/serious-violence-strategy>

learners are also increasingly being targeted and recruited online using social media. Learners can easily become trapped by this type of exploitation as county lines gangs can manufacture drug debts which need to be worked off or threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

A number of the indicators for CSE and CCE may be applicable to where children are involved in county lines. Some additional specific indicators that may be present where a learner is criminally exploited through involvement in county lines are those who:

- go missing and are subsequently found in areas away from their home.
- have been the victim or perpetrator of serious violence (e.g., knife crime).

Faith Based Abuse

Our policy recognises the 'National Action Plan to Tackle Abuse linked to faith or belief' which describes this abuse as:

'not about challenging people's beliefs, but where beliefs lead to abuse that must not be tolerated. This includes belief in witchcraft, spirit possession, demons or the devil, the evil eye, or djinns, dakini, kindoki, ritual or muti murders and use of fear of the supernatural to make children comply with being trafficked for domestic slavery or sexual exploitation. The beliefs which are not confined to one faith, nationality or ethnic community.'

When this type of abuse is suspected the DSL will make a referral to the relevant MASH Team for support and guidance.

<https://www.gov.uk/government/publications/national-action-plan-to-tackle-child-abuse-linked-to-faith-or-belief>

Risks Associated with Parent/Carer Mental Health

The majority of Parents who suffer mental ill-health can care for and safeguard their children and/or unborn child. Some parents, however, will be unable to meet the needs and ensure the safety of their children.

Our approach is to recognise; seek support; instil preventive factors and monitor. Designated Safeguarding Lead should seek support through the Early Help team but escalate to the local MASH Team if they are concerned that the learner involved is being placed at immediate risk of harm.

Drugs and Alcohol

Learners can be at risk of drugs and alcohol directly and indirectly. They may be at direct risk of having access to these substances or indirectly because they affect family life at home through use by parents/carers, siblings, child-minders etc.

Honour Based Violence and Forced Marriages

Honour Based Violence and Forced Marriage refers to a collection of practices used to control behaviour within families to protect perceived cultural or religious beliefs and honour. Violence can occur when offenders perceive that a relative has shamed the family or community by breaking their 'code of honour'. Honour Based Violence cuts across all cultures and communities: Turkish, Kurdish, Afghani, South Asian, African, Middle Eastern, South, and Eastern European for example. This is not an exhaustive list. Where a culture is heavily male dominated, HBV may exist.

'A forced marriage is a marriage in which one or both spouses do not (or, in the case of some vulnerable adults, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure.' For more information see:

<http://www.fco.gov.uk/en/travel-and-living-abroad/when-things-go-wrong/forced-marriage/>

<http://www.fco.gov.uk/en/travel-and-living-abroad/when-things-go-wrong/forced-marriage/case-studies/safer-schools-partnership>

<http://www.karmanirvana.org.uk/>

Managing Allegations against staff

The Local Authority Designated Officer for Allegations (LADO) must be told of allegations against adults working with learners within 24 hours. Chairs of Governors should refer to this guidance if there is an allegation against any Senior Leader. This includes all cases that meet the harms threshold where a person is alleged to have:

- behaved in a way that has harmed, or may have harmed a learner
- possibly committed a criminal offence against, or related to, a learner
- behaved towards a learner in a way that indicates they may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with learners. This includes behaviour that may have happened outside of the VLUK Campus, that might make an individual unsuitable to work with learners, and is known as transferable risk. Where appropriate an assessment of transferable risk to learners with whom the person works should be undertaken. If in doubt seek advice from the relevant local authority designated officer (LADO)

There are two levels of allegation/concern:

- allegations that may meet the harms threshold (see definition above)
- allegation/concerns that do not meet the harms threshold – referred to in 2022 guidance as ‘low level concerns’

VLUK should have policies and processes to deal with concerns (including allegations) which do not meet the harm threshold. Concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a learner, parent, or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

It is important that VLUK have appropriate policies and processes in place to manage and record any such concerns and take appropriate action to safeguard children.

‘Low Level Concerns’ - Creating a culture in which all concerns about adults (including allegations that do not meet the harms threshold are shared responsibly and with the right person, recorded and dealt with appropriately, is critical.

A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ - that an adult working at or on behalf of VLUK may have acted in a way that is inconsistent with staff expectations, including inappropriate conduct outside of work; and does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO. Examples of such behaviour could include, but are not limited to:

- being over friendly with learners.
- having favourites.
- taking photographs of learners on their mobile phone.
- engaging with a learner on a one-to-one basis in a secluded area or behind a closed door
- 'humiliating learners'

Such concerns such always be recorded and reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified

Preventing Radicalisation

Protecting learners from the risk of radicalisation should be part of VLUK's wider safeguarding duties and is similar in nature to protecting learners from other forms of harm and abuse. During the process of radicalisation, it is possible to intervene to prevent vulnerable people being radicalised.

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Specific background factors may contribute to vulnerability which are often combined with specific influences such as family, friends or online, and with specific needs for which an extremist or terrorist group may appear to provide an answer. The internet and the use of social media has become a major factor in the radicalisation of young people. As with managing other safeguarding risks, staff should be alert to changes in a learner's behaviour which could indicate that they may need help or protection. VLUK staff should use their professional judgement in identifying learners who might be at risk of radicalisation and act proportionately which may include making a referral to the Channel programme

VLUK must have regard to statutory PREVENT GUIDANCE issued under section 29 of the CTSA 2015. Paragraphs 57-76 of the Prevent guidance are concerned specifically with a responsibility to the need to prevent people from being drawn into terrorism. "This duty is known as the Prevent duty. It applies to a wide range of public-facing bodies.

VLUK is expected to assess the risk of learners being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. This means being able to demonstrate both a general understanding of the risks affecting learners in the area and a specific understanding of how to identify individual learners who may be at risk of radicalisation and what to do to support them. VLUK should have clear procedures in place for protecting children at risk of radicalisation. It is not necessary for VLUK to have distinct policies on implementing the Prevent duty.

Designated Safeguarding Leads and other senior leaders should familiarise themselves with the revised [Prevent duty guidance: for England and Wales](#).

The **Prevent** guidance refers to the importance of Prevent awareness training to equip staff to identify learners at risk of being drawn into terrorism and to challenge extremist ideas. VLUK is best placed to assess the training needs of its staff in the light of their assessment of the risk to learners on VLUK campuses of being drawn into terrorism. As a minimum, however, VLUK should ensure that the Designated Safeguarding Lead, alongside all VLUK Tutors, undertakes Prevent awareness training and are able to provide advice and support to other members of staff on protecting learners from the risk of radicalisation.

VLUK must ensure that learners are safe from terrorist and extremist material when accessing the internet on campus. VLUK should ensure that suitable filtering is in place.

The Department for Education has also published advice on the Prevent duty and is intended to complement the Prevent guidance and signposts other sources of advice and support. <https://www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty>

Channel

DSL staff should understand when it is appropriate to make a referral to the Channel team. Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for VLUK to make referrals if they are concerned that an individual might be vulnerable to radicalisation. An individual's engagement with the programme is entirely voluntary at all stages.

Child Sexual Exploitation & Child Criminal Exploitation

Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. The abuse can be perpetrated by individuals or groups, males or females and children or adults.

The abuse can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence. Victims can be exploited even when activity appears consensual, and it should be noted exploitation. As well as being physical can be facilitated and/or take place online.

Child Sexual Exploitation (CSE)

CSE occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. CSE does not always involve physical contact; it can also occur through the use of technology. CSE can affect any child or young person (male or female) under the age of 18 years, including 16- and 17-year-olds who can legally consent to have sex. It can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g., through others copying videos or images they have created and posted on social media). CCE indicators can also be indicators of CSE, as can: • children who have older boyfriends or girlfriends; and • children who suffer from sexually transmitted infections or become pregnant.

Link: [Child sexual exploitation: guide for practitioners](#)

Child Criminal Exploitation (CCE)

While there is still no legal definition of 'Child Criminal Exploitation' or CCE, it is increasingly being recognised as a major factor behind crime in communities across Merseyside and the UK, while also simultaneously victimising vulnerable young people and leaving them at risk of harm. A simple definition of CCE is: CCE often occurs without the victim being aware that they are being exploited and involves young people being encouraged, cajoled, or threatened to carry out crime for the benefit of others. In return they are offered friendship or peer acceptance, but also cigarettes, drugs (especially cannabis), alcohol or even food and accommodation.

County Line

It is a term used to describe gangs, groups or drug networks that supply drugs from urban to suburban areas across the country, including market and coastal towns, using dedicated mobile phone lines or 'deal lines'. They exploit children and vulnerable adults to move the drugs and money to and from the urban area, and to store the drugs in local markets. They will often use intimidation, violence, and weapons, including knives, corrosives, and firearms.

County lines is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons; and the response to tackle it involves the police, the National Crime Agency, a wide range of Government departments, local government agencies and voluntary and community sector organisations. County lines activity and the associated violence, drug dealing, and exploitation has a devastating impact on young people, vulnerable adults, and local communities.

Further information can be found here: [County Lines exploitation: applying All Our Health Sexual harassment, violence, harmful sexual behaviours \(inc. child on child abuse and 'upskirting'\)](#)

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence refers to sexual offences under the Sexual Offences Act 2003, including rape, assault by penetration and sexual assault.

It is important that VLUK is aware of sexual violence and the fact learners can, and sometimes do, abuse their peers in this way. When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of the education campus. When we reference sexual harassment, we do so in the context of child on child, sexual harassment. Sexual harassment is likely to: violate a learner's dignity, and/or make them feel intimidated, degraded, or humiliated and/or create a hostile, offensive or sexualised environment.

Staff must challenge any form of derogatory and sexualised language or behaviour. Staff should be vigilant to sexualised/aggressive touching/grabbing. DfE guidance situates sexual violence, sexual harassment, and harmful sexual behaviour in the context of developing a whole-school safeguarding culture, where sexual misconduct is seen as unacceptable, and not 'banter' or an inevitable part of growing up. Advice about tackling and reporting sexual harassment in schools and colleges can be found in Part 5 of Keeping Children Safe in Education (Sep 22): Child-on-child sexual violence and sexual harassment.

This policy is no longer in place as a standalone, it now forms part of KCSIE22.

It should be recognised that these issues are likely to occur, and so VLUK should have procedures in place to deal with them. Groups at particular risk include girls, learners who identify as Lesbian, Gay, Bisexual, Transgender+ (LGBT+), or are perceived by peers to be LGBT+, and pupils with SEND. We recognise that these learners can be targeted by other learners, so it is vital VLUK provide a safe space for these learners to speak out and share their concerns with members of staff. Learners are protected from 'upskirting', bullying, homophobic and transphobic behaviour, racism, sexism, and other forms of discrimination. Staff have familiarity with the [Equality Act 2010 and the Public Sector Equality Duty](#) (PSED), the Human Rights Act 1998 and recent reforms to the Act and how they apply to safeguarding

<https://www.gov.uk/government/consultations/human-rights-act-reform-a-modern-bill-of-rights/outcome/human-rights-act-reform-a-modern-bill-of-rights-consultation-response> ,

VLUK acknowledges the need to treat everyone equally, with fairness, dignity, and respect. Any discriminatory behaviours are challenged, and learners are supported to understand how to treat others with respect. We also have a statutory duty to report and record any of the above incidents. VLUK must record incidents across the whole spectrum of sexual violence, sexual harassment, and harmful sexualised behaviours so that the organisation can understand the scale of the problem and make appropriate plans to reduce it.

All such incidents should be immediately reported to the Designated Safeguarding Lead (DSL). Victims of harm should be supported by VLUK safeguarding team, and their wishes and feelings considered and that the law on child-on-child abuse is there to protect them, not criminalise them.

The Designated Safeguarding Lead should be familiar with the full guidance from the UK Council for Internet Safety (UKCIS), found at :

[Sharing nudes and semi-nudes: advice for education settings working with children and young people](#)

Upskirting

'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress, or alarm. It is a criminal offence. Anyone of any gender, can be a victim. The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019.

Consent

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal, or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice. Further information about consent can be found here: [What is sexual consent?](#)

Online Safety & Remote Learning

The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation- technology often provides the platform that facilitates harm. An effective approach to online safety empowers VLUK to protect and educate staff and learners in their use of technology and establishes mechanisms to identify, intervene and escalate any incident where appropriate.

The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

- content: being exposed to illegal, inappropriate, or harmful material
- contact: being subjected to harmful online interaction with other users
- conduct: personal online behaviour that increases the likelihood of, or causes, harm

There is an Online Safety policy, which covers the use of mobile phones, cameras, and other digital recording devices e.g. i-Pads.

Filters and monitoring - VLUK does all that it reasonably can to limit learner's exposure and ensure that each campus has appropriate filters and monitoring systems in place.

The UK Safer Internet Centre has published guidance as to what "appropriate" filtering and monitoring might look like: [UK Safer Internet Centre: appropriate filtering and monitoring](#).

Pre-Appointment Checks and Safer Recruitment

Any offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the necessary pre-employment checks.

When appointing new staff, VLUK must:

- verify a candidate's identity. Identification checking guidelines can be found on the GOV.UK website
- obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity)
- obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available
- verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health to establish whether they have the physical and mental capacity for the specific role
- verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, follow advice on the GOV.UK website.
- if the person has lived or worked outside the UK, make any further checks VLUK consider appropriate and verify professional qualifications, as appropriate
- carry out prohibition check for all staff with QTS
- consider carrying out an online search on shortlisted candidates to help identify any issues that are publicly available online

The Education and Training (Welfare of Children) Act 2021 extended safeguarding provisions to providers of post 16 Education: 16-19 Academies, Special Post-16 institutions and Independent Training Providers.

Single Central Record

VLUK must keep a single central record. The single central record must cover the following people:

- all staff who work on our study programmes'
- The information that must be recorded in respect of staff members is whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:
- an identity check / a barred list check / an enhanced DBS check/certificate / a prohibition from teaching check.
- further checks on people who have lived or worked outside the UK; this would include recording checks for those EEA teacher sanctions and restrictions
- a check of professional qualifications; and a check to establish the person's right to work in the United Kingdom.

A record of staff leavers must be maintained on the Single Central record.

Governance is not a regulated activity and so they do not need a barred list check unless, in addition to their governance duties, they also engage in regulated activity.

The SCR shall be updated in the light of any further legislation.