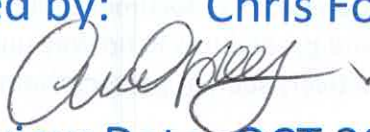


# POLICIES & PROCEDURES

## Safeguarding Policy

Reviewed on: 14/10/2021

Reviewed by: Chris Foley

Signed: 

Next Review Date: OCT 2022

## SAFEGUARDING POLICY

### INTRODUCTION

This document sets out Oxford Energy Academy's responsibilities for staff and representatives with regards to safeguarding children and vulnerable adults. It is for both internal and external use.

It relates to all situations, where Oxford Energy Academy may come into contact with children and vulnerable adults

### PURPOSE

For the purpose of this Policy, the term 'representatives' refers to anyone who is contracted to act on behalf of Oxford Energy Academy and who come into contact with learners or receive learners' work for assessment purposes.

### COMMITMENT

Oxford Energy Academy, as the leading provider of Plumbing, Gas and Electrical qualifications in Oxfordshire, is committed to safeguarding the interests of children and vulnerable adults. Oxford Energy Academy believes that anyone who participates in any learning activities is entitled to do so in an environment that is both safe and enjoyable.

### PURPOSE

Oxford Energy Academy's aim is:

- Valuing learners, listening to and respecting them
- Maintaining policy, procedures, and a code of conduct (where applicable) for staff and representatives
- Recruiting representatives safely by ensuring all necessary checks are made in line with current Government guidance and legislation.
- Updating staff and representatives on the relevant policy and procedures and providing access to relevant information
- Ensuring that all assessments, communications, documentation, records, materials, personnel deployment, processes, and procedures in no way undermine the interests of children and vulnerable adults but actively seek to protect them
- Respecting confidentiality whilst sharing information about concerns with agencies who need to know and appropriately involving parents, employers, carers, children and vulnerable adults.



- Providing effective support and management for staff and representatives
- While primarily intended to safeguard children and vulnerable adults; this safeguarding policy also serves to protect staff and representatives from unsubstantiated allegations of improper conduct.
- For the purpose of this Policy, the term 'representatives' refers to anyone who is contracted to act on behalf of Oxford Energy Academy and who come into contact with learners or receive learners' work for assessment purposes.

## DEFINITION

### Children

For the purposes of this Policy, the term "children" refers to a child who has not yet reached their eighteenth birthday in England, Wales, and N. Ireland and their sixteenth birthday in Scotland.

### Vulnerable adults

For the purposes of this policy the term "vulnerable adult" refers to someone over the age of 18, or 16 in Scotland, to whom 'regulated activity' is provided.

### Regulated Activity

This definition is taken from the Joint Council for Qualifications (JCQ) 'Principles for safeguarding children and vulnerable adults (Autumn 2014) document.

'Regulated activity' is a broad term which applies to:

- Specified unsupervised activities relating to children and vulnerable adults (e.g. teaching, training, instruction, care or supervision) which are carried out on a frequent (as a general rule at least once a week), or intensive (more than three days in any 30 day period) basis, or overnight (between 2am and 6am where the activity gives the person the opportunity to have face-to-face contact with children or vulnerable adults)
- Certain work in a specified place which provides the opportunity for frequent contact with children or vulnerable adults (e.g. a school)
- Certain specified positions (e.g. An Oxford Energy governor) and functions

## LEGISLATION AND REGULATION

- Key Legislation
- Children Act (1989)
- The Children's Act (Scotland) (1995); The Children's Order (Northern Ireland) 1995

- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- Criminal Justice and Court Services Act 2000: Section 26 and Schedule 4 - Offenders and individuals banned from working with children and/or vulnerable adults

### Contracting with the City & Guilds Group

Under the Criminal Justice and Court Services Act 2000, it is an offence punishable by imprisonment to apply for work with children and/or vulnerable adults if an individual has been:

- Convicted of a Schedule Four Offence<sup>2</sup>
- Put on the Protection of Children Act List (POCA<sup>3</sup>)
- Put on the Protection of Vulnerable Adults List (POVA<sup>4</sup>)
- Considered unsuitable or banned from working with children under section 142 of the Education Act of 2002<sup>5</sup>.

If such information is received as a result of a criminal records check from the Disclosure & Barring Service (England & Wales) or Disclosure Scotland or Access NI, the individual must be immediately reported to the police. City & Guilds will take the necessary appropriate action.

It is also an offence for anyone knowingly to employ such a person in such a capacity, either on a voluntary or a paid basis.

### REGULATION

Oxford Energy Academy operates as a training provider within the regulatory requirements of the awarding organisations/bodies.

The Directors are to:

- review any safeguarding concerns that are reported by members of staff, representatives or external sources (e.g. learners, parents or employers)
- make a judgement about what action, if necessary, should be taken in relation to any reported concern
- meet on annual basis to review the policy and monitor implementation and progress
- act as a source of advice on safeguarding matters
- co-ordinate with the appropriate authorities or agencies about suspected or actual cases of child or vulnerable adult abuse



- provide guidance and support to those dealing with any issues about safeguarding children or vulnerable adults involving the inappropriate behaviour or actions of a member staff of Oxford Energy Academy or representatives
- advise on safeguarding training within Oxford Energy Academy.

## PROCEDURES

Disclosure Procedures for Recruitment of Representatives and Declaration Disclosure for Representatives involved in unregulated activity.

As part of the recruitment process, staff will provide all details of;

- any changes to the status of their registration with any relevant regulatory body
- any unspent convictions for the purposes of the Rehabilitation of Offenders Act
- whether any child has been removed temporarily or permanently from their care as a result of child protection proceedings

Oxford Energy Academy:

- will ensure it complies fully with its obligations under the Data Protection Act 1998.
- will ensure that information contained in the Disclosure is available only to those who need to have access in the course of their duties.
- reserves the right to reject any applicant who refuses to complete the Disclosure Declaration.

Disclosure for representatives involved in regulated activity

Oxford Energy Academy will require that the applicant undertakes a criminal records check.

The information received will be treated with the utmost confidentiality and will only be used by the Directors to reach a conclusion as to whether a contract of services should be offered to the applicant.

Oxford Energy Academy complies fully with the relevant criminal records checking guidelines issued within the UK by the Disclosure & Barring Service (England & Wales)

<https://www.gov.uk/disclosure-barring-service-check/contact-disclosure-and-barring-service>

Oxford Energy Academy shall reject any applicant who refuses to complete a criminal records check.

## CODE OF CONDUCT

Oxford Energy Academy requires that representatives will behave appropriately at all times.



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In order to provide guidance as to what constitutes appropriate behaviour in terms of safeguarding children and vulnerable adults, Oxford Energy Academy produced this Code of Conduct.

Recruitment of ex-offenders - having a criminal record will not bar an applicant from working with the Oxford Energy Academy. Oxford Energy Academy undertakes not to unlawfully discriminate against any individual on the basis of information revealed in the Disclosure documentation. Any action taken on the basis of such information will depend on the nature of the role and the circumstances and background of the offence.

## ROLES AND RESPONSIBILITIES

It is vital that any member of Oxford Energy Academy and representatives who suspects that a child or vulnerable adult is at risk of harm or abuse, take personal responsibility to report their concerns. Not reporting concerns may put children and vulnerable adults at further risk of harm. It is not Oxford Energy Academy's responsibility to investigate a child or adult safeguarding concern but to review the information provided and, where necessary, escalate to the relevant authorities.

### Responding to a safeguarding concern

Concerns about safeguarding children and vulnerable adults may arise in different situations. Staff and representatives may:

- witness or observe something first hand
- receive information by phone/email/letter/in person
- receive learners work that raises potential safeguarding concerns

The following guidance must be followed if staff or representatives receive an allegation of child or vulnerable adult abuse or if a disclosure or allegation of abuse is being made to them by a child or vulnerable adult. Staff should:

- listen to what is being said with an open mind
- not ask probing or leading questions designed to get them to reveal more
- never stop a person who is freely recalling significant events
- check their understanding of the situation, without being investigative
- explain that they cannot keep such information confidential, and that they have a responsibility to report what has been said to Oxford Energy Academy. It is important to record if the person has consented to having the information shared



- make a note of the discussion, taking care to record the timing, setting and people present as well as what was said
- ensure that any medical attention needed is addressed as a priority

### Reporting Information

Staff and representatives must inform the directors (via e-mail :). Record as much information as possible about the situation.

This should include:

- What has happened?
- Where and when
- Who was involved?
- Any contact details?
- What action, if any, has so far been taken?

Staff and representatives must pass on what information they have, even if the informant has only divulged a little or will not give their details. The information may join up with reports from someone else.

All information should be treated as confidential and staff and representatives must not to talk about this information with anyone other than the Directors as rumour spreads quickly, can be damaging and might even hinder any investigation that may result.

The Directors may discuss any raised concerns with staff and representatives and decide what action to take. They will not start a safeguarding investigation but will make sure if necessary that the relevant authorities have the information they need to decide themselves what to do next.

The Directors will treat all information received with complete discretion, and will maintain as much confidentiality as possible whilst making sure that action is taken to safeguard a child or vulnerable adult.

All information given will be treated seriously and with respect for the person providing it.

### Procedure for allegation against a member of Oxford Energy Academy

If an allegation of abuse is being made against an Oxford Energy Academy representative in all instances, representatives must inform the Directors immediately (via e-mail).

If Oxford Energy Academy receives an allegation against a representative, they will inform the representative in question and may suspend them from their contractual duties while the matter is investigated.

Any allegation will be scrupulously investigated, having regard to confidentiality.

## Information sharing

If the allegation could constitute a potential risk of abuse to a child or vulnerable adult then Oxford Energy Academy will always share the information with relevant agencies in order to protect the child or vulnerable adult.

If there is insufficient information to enable a referral then the reasons for this will be recorded.

Oxford Energy Academy recognises its responsibility to protect the identity of anyone reporting suspected or actual abuse and no information will be made available externally without careful consultation and prior approval at Director Level.

## Further support

It is always possible that reading or talking about safeguarding will cause distress, particularly if staff or representatives have had direct experience themselves.

Any individual requiring further advice or support can contact the NSPCC Child Protection Helpline. This is staffed 24 hours a day, 7 days a week on 0808 800 5000.

## IMPLEMENTATION

In order to achieve the successful implementation of this policy, Oxford Energy Academy will:

- issue the Safeguarding policy statement to all its representatives, staff and partner organisations to ensure that it should be available on request to learners and other interested parties
- Provide development activities/updates appropriate to the needs of representatives when required
- Ensure that issues concerning safety and confidentiality are addressed as an integral part of qualification development, review and assessment guidance
- Directors will oversee the development and implementation of the policy and to advise on changes and amendments as appropriate.

Although the legal context is different for vulnerable adults, much of the following information on the types of abuse and neglect of children is also applicable to vulnerable adults.

## ABUSE AND NEGLECT – CHILDREN

It is generally accepted that there are five main forms of abuse. The following definitions are taken from Working Together to Safeguard Children (HM Government 2006) and Safeguarding Children: Working Together under the Children Act 2004.

Abuse and neglect are forms of maltreatment of a child. Someone may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family, institutional



setting or community setting; by those known to them, or by a stranger. They may be abused by adult/s or another child or children.

### Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or 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. An important indicator of abuse is where bruises or injuries are unexplained or the explanation does not fit the injury.

### Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve making a child feel or believe they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve serious bullying 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 ill treatment of a child, though it may occur alone.

### Sexual Abuse

Sexual abuse involves forcing or enticing a child to take part in sexual activities, including prostitution whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may also include non-contact activities, such as involving children in looking at pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

### Neglect

Neglect is the persistent failure to meet a child's basic physical and psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of a child's basic emotional needs

### Bullying

Bullying may come from another child or an adult. Bullying is defined as - deliberate hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves.

There are four main types of bullying:

- Physical (e.g. hitting, kicking, slapping)
- Verbal (e.g. racist or homophobic remarks, name-calling, graffiti, threats, abusive text messages, abuse via social media),
- Emotional (e.g. tormenting, ridiculing, humiliating, ignoring, isolating from the group),
- Sexual (e.g. unwanted physical contact or abusive comments).

## VULNERABLE ADULTS ABUSE

Adult abuse is:

- A violation of an individual's human and civil rights by any other person or persons
- Any behaviour towards a person that deliberately or unknowingly causes him or her harm, endangers their life or violates their rights
- Physical, sexual, emotional, financial or through neglect or discrimination
- Perpetrated by an individual, a group or an organisation
- Financial Abuse, Discriminatory Abuse & Institutional Abuse
- Financial abuse is abuse or misuse of possessions or money. Indicators may be an unusual shortage of money to pay bills, to buy food or to maintain adequate living conditions
- Discriminatory abuse is harassment or similar discriminatory or derogatory treatment which is racist, sexist or refers to disability

Institutional abuse or Practice abuse is neglect due to bad or poor care practice or unsatisfactory professional practice and low standards.

## PREVENT

See separate policy to Support the Prevention of Extremism and Radicalisation (PREVENT).

All staff have been trained to identify possible radicalisation of our students through behaviour  
And change of attitude.

## Updates to Keeping children safe in education 2021

### Part Five sexual violence and sexual harassment between children in schools and colleges.

What college staff should look out for Abuse and neglect.

. Knowing what to look for is vital to the early identification of abuse and neglect. All staff should be aware of indicators of abuse and neglect, including exploitation, so that they are able to identify cases of children who may be in need of help or protection.

If staff are unsure, they should always speak to the designated safeguarding lead (or deputy).  
Forms of abuse and neglect.



**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 by other children or adults, in a family or in an institutional or community setting by those known to them or, more rarely, by others.

**Physical abuse:** a form of abuse that may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child.

**Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

**Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving 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. Females can also be abusers as can other children. The sexual abuse of children by other children is a specific safeguarding issue (also known as peer on peer abuse) in education and all staff should be aware of it and their school or colleges policy and procedures for dealing with it.

**Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may involve a parent or carer 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); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

All staff should be aware that child sexual and child criminal exploitation are forms of child abuse.

**Peer on peer abuse** All staff should be aware that children can abuse other children (often referred to as peer on peer abuse). It can happen both inside and outside of school/college and online. It is important that all staff recognise the indicators and signs of peer on peer abuse and know how to identify it and respond to reports. 14. All staff should be clear as to the school or college's policy and procedures with regards to peer on peer abuse. Peer on peer abuse is most likely to include, but may not be limited to:



Consensual image sharing, especially between older children of the same age, may require a different response. It might not be abusive – but children still need to know it is illegal- whilst non-consensual is illegal and abusive.

**Bullying** (including cyberbullying, prejudice-based and discriminatory bullying)

**Abuse** in intimate personal relationships between peers.

**Physical abuse** which can include hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm.

**Sexual violence**, such as rape, assault by penetration and sexual assault.

**Sexual harassment**, such as sexual comments, remarks, jokes and online sexual harassment.

**Non-consensual sharing** of nude and semi-nude images and/or videos; • causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.

**Upskirting**, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification or cause the victim humiliation, distress or alarm.

**Initiation/hazing** type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element.

## CODE OF CONDUCT

As a representative, you must:

- Listen to, value and respect everyone as an individual
- Appropriately involve learners/learners in decision making
- Encourage and praise achievement
- Actively contribute to an organisational culture where inappropriate behaviour is not tolerated
- Provide an example of the good conduct you wish others to follow
- Ensure that whenever possible there is more than one adult present during activities with children and vulnerable adults or at least that you are within sight or hearing of others
- Not give out personal information, or share email addresses, mobile phone numbers etc with any child, young person or vulnerable adult
- Report all allegations/suspicions of abuse by seeking further support and guidance, including any allegation made against yourself or other staff



- Ensure that any concerns about inappropriate behaviour are quickly and appropriately reported on to the Safeguarding Leads within Oxford Energy Academy
- Be aware that some children and vulnerable adults may behave inappropriately. Any sanctions and approaches to discipline used must be appropriate to age and understanding
- Not engage in sexual relationships with learners (which may in any event constitute a criminal offence)
- OEA adheres to Cyber essentials with IT usage with filters employed and monitors usage.

As a representative, you must avoid:

- Being alone or out of sight of others. Where privacy is required, the door should be left ajar having ensured that others have been informed and are within earshot
- Never transport learners by car on one's own
- Have unnecessary physical contact
- Engaging in or allowing sexually provocative games or activities
- Making or permitting suggestive or discriminating remarks to/or about children or vulnerable adults
- Meeting children or vulnerable adults outside of organised/formal interaction
- Entering a room where learners may be changing their clothes, or are not fully dressed
- Participating in, or tolerating any bullying
- Taking any photographs or videos which include any participant unless authorised by the appropriate member of staff and the learner/parental (for children) consent has been given.

