

Safe Guarding Policy incorporating Modern Slavery and Child Sexual Exploitation

Whilst the Police and Social Services have primary responsibility in the field of safeguarding. All staff at MBKB Training and development have a duty of care to ensure that all young people who are undertaking training with us at MBKB are safeguarded.

Working Together to Safeguard Children 2013 and The Children's Act 2004 places a duty on local authorities to take steps to protect children, young people and vulnerable adults in appropriate circumstances and gives certain powers to the police so that they can take action to protect them. The intention is to ensure that there is a 'joined up' approach to all inspections of Children's Services to ensure improvements in the monitoring and planning of all services designed to protect and promote the interests of children, young people and vulnerable adults.

The Education Act 2002 made it a statutory duty to ensure that responsibilities under the Education Acts are carried out with a view to safeguarding and promoting the welfare of children, young people and vulnerable adults.

The Sexual Offences Act 2003 makes it is an offence for a person over 18 (e.g. a lecturer or other member of staff) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies where the child is in full-time education and the person works in the same establishment as the child, even if s/he does not teach the child.

The Safeguarding Vulnerable Groups Act 2006 recognises that any adult receiving any form of healthcare is vulnerable. There is no formal definition of vulnerability within healthcare although some people receiving healthcare may be at greater risk from harm than others, sometimes as a complication of their presenting condition and their individual circumstances. Responsibilities of the Director of Adult Social Services (Department of Health 2006) Best Practice Guidance on the role of the Director of Adult Social Services was published by the Department of Health in 2006. The Adult Protection Committee later became known as the local Safeguarding Adults Board and the Protection of Vulnerable Adults requirements are now incorporated in the Disclosure Barring Service (DBS) and the Care Bill 2013. <http://www.official-documents.gov.uk/document/cm86/8627/8627.pdf> In developing the policies and procedures, the senior management at MBKB will consult with, and take account of, guidance issued by the Department for Education (DFE), the Disclosure Barring Service Guidance (DBS) and other relevant bodies and groups. The procedures have been developed in cooperation with the Local Safeguarding Children Board.

1, Harm to Children and Young people

Physical – Is any intentional physical contact that results in discomfort, pain or injury. Physical harm may involve assaults including hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, supply of drugs to children or young people or The use of inappropriate or unauthorised restraint methods or otherwise causing physical harm to a child or young person. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child whom they are looking

after. This situation is commonly described using terms such as factitious illness by proxy or Munchausen syndrome by proxy.

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

Sexual abuse – Is any form of sexual activity with a child under the age of consent or young person. Sexual harm involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child or young person is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts. They may include non-contact activities such as involving children or young people in looking at or in the production of pornographic material or watching sexual activities or encouraging children or young people to behave in sexually inappropriate ways. Further sexual activities can take the form of downloading child pornography, taking indecent photographs and sexualised texting.

Emotional/Psychological – is the action or inaction by others that causes mental anguish and/or emotional harm. It is the emotional ill-treatment of a child or young person such as to cause severe a persistent adverse effect on their emotional development. It may involve conveying to an individual that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on a child or young person. It may involve causing an individual to frequently feel frightened or in danger, or the exploitation or corruption of a child or young person. It may also involve witnessing aggressive, violent or harmful behaviour such as domestic abuse. Some level of emotional harm is involved in all types of the ill-treatment of a child or young person, although it may occur alone.

Bullying and Cyberbullying- This is behaviour that hurts someone else – either physically, mentally or emotionally. Bullying that happens online or over the phone is called cyberbullying. Bullying includes verbal abuse such as name calling, abuse via text message or social media, emotional abuse such as humiliating somebody, manipulating somebody, racial, sexual or homophobic abuse, physical assaults and also making hoax calls. Cyberbullying can now often include posting images and videos of children and young people to embarrass them or 'trolling' – posting nasty or hurtful comments on social media.

1a) Harm to Vulnerable Adults

Who is a Vulnerable Adult? - The broad definition of a 'vulnerable adult' referred to in the 1997 Consultation Paper Who decides? Issued by the Lord Chancellor's Department, is a person:

'who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or

unable to protect him or herself against significant harm or exploitation". It must not be forgotten, however, that any adult could potentially be the victim of abuse.

Physical Abuse – This may include 'hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions' 'Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child whom they are looking after. This situation is commonly described using terms such as factitious illness by proxy or Munchausen syndrome by proxy.'

Sexual Abuse – This may include 'rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting.' Sexual abuse also includes forcing a person to look at pornographic materials taking indecent photographs.

Emotional/Psychological – This may include threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Financial or Material Abuse – This may include 'theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse of misappropriation of property, possessions or benefits.'

Neglect and Acts of Omission – This may include 'ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate heating and nutrition.'

Discriminatory Abuse – This may include abuse, bullying and harassment based on the individual's age, sex, disability, religion, race or ethnicity or sexual orientation.' Some of the recognised signs of discriminatory abuse might be very similar to emotional and psychological abuse.

2, Monitoring / Reviewing

The designated person and designated staff members as indicated in this Policy will have completed basic child protection training and further child protection Training which is refreshed every two years.

All staff will receive safeguarding training as part of induction to the college, refreshed every 2 years.

All staff who work with children, young people and vulnerable adults should undertake

Appropriate training to equip them to carry out their responsibilities for child protection effectively, and this is kept up to date by refresher training at 2 yearly intervals.

Voluntary or temporary staff should also be made aware of the arrangement for child protection and their responsibilities through their employing agency.

Senior management at MBKB, will complete Managing Allegations Training which will be kept up-to-date by refresher training at 3 yearly intervals

All managers who take part in recruitment and selection activity will attend Safer Recruitment Training which will be kept up-to-date by refresher training at 3 yearly intervals

3, Management Responsibilities

- a. Has in place an effective Safeguarding Policy and Procedure in-keeping with locally agreed interagency procedures and makes the Policy available to parents/students or other users on request.
- b. Operates safe recruitment procedures and makes sure that all appropriate checks are carried out on new staff and volunteers who will work with children and vulnerable adults, including DBS checks.
- c. Has procedures for dealing with allegations of abuse against members of staff and volunteers
- d. Has a senior member of management who is designated to take lead responsibility for dealing with safeguarding issues, providing advice and support to other staff and liaising with local agencies.
- e. Ensures that, where the learners are under 16 years of age and on the roll of local secondary schools, the designated person liaises with the schools concerned and ensures appropriate arrangements are in place to safeguard the children.
- f. Ensures the designated person undertakes training that is up to the standards agreed by the LSCB and refresher training at 2 yearly intervals.

4, Dealing with disclosure of abuse and procedure for reporting concerns.

In the event that a child, young person or vulnerable person tells a member of staff about possible abuse, the following steps should be taken:

- a. Listen carefully and stay calm.
- b. Do not interview the person, but question normally and without pressure in order to be sure that you understand what they are telling you.
- c. Do not put words into the person's mouth.
- d. Reassure the person that by telling you, they have done the right thing.

- e. Inform the person that you must pass the information on, but that only those that need to know about it will be told, for example, the Designated Person and any potential witnesses.
- f. Note the main points carefully.
- g. Make a detailed note of the date, time, place, what the person said, did and your questions etc. Staff should not investigate concerns or allegations themselves, but should report them immediately to the Designated person. Some young people with learning difficulties may need different treatment to others, e.g. in the way their physical/mental condition might mask possible abuse. Particular attention may have to be given to those with speech impediments, as these can make communication difficult. In addition, this applies to people whose first language is not English and it is important to consider any cultural differences.

5, Reporting and dealing with allegations of professional abuse against members of staff

MBKB recognises that due to the nature of frequent contact with children, young people and vulnerable adults, a staff member or person working on behalf of MBKB may have an allegation of abuse or misconduct made against them. MBKB recognises that an allegation may be made for a variety of reasons and the facts of the allegation may, or may not be true.

It may be alleged that a person has:

- a. Behaved in a way that has or may have abused or harmed a child or vulnerable adult.
- b. Committed a criminal offence against or related to a child, young person or vulnerable adult.
- c. Behaved towards a child, young person or vulnerable adult in a way that indicates he or she is unsuitable to work with children, young people or vulnerable adults.

It is essential that complaints are dealt with fairly, quickly and consistently, in a way that provides effective protection for the child, young person or vulnerable adult and at the same time supporting the person who is the subject of the allegation.

Whilst the welfare of the child, young person or vulnerable adult is the paramount concern, it is recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence and career. Therefore, those dealing with such allegations within the MBKB will do so with sensitivity.

we have a whistleblowing policy in place so that, should a staff member have concerns about a colleague or practices of MBKB, that they can report them confidentially without fear of detrimental treatment for doing so.

6, Receiving an allegation from a child, young person or vulnerable adult

A member of staff who receives an allegation about another member of staff from a child, young person or vulnerable adult should follow the guidelines below.

The allegation should be reported immediately to the lead Designated Person, unless this is the person against whom the allegation is made, where it should be reported to the Head of Human Resources.

- a. Obtain details of the allegation from the person who received it.
- b. Record information about times, dates, locations and names of potential witnesses.

The Designated Person can make an initial assessment based on information, this guidance applies to all MBKB staff, whether at arranged work placements, in our office, working with or representing MBKB or its clients.

7, Dealing with disclosure

In the event that a young person or adult tells a member of staff about possible abuse within a work placement or work based learning setting, the procedures in section 6 should be followed.

In the event that an employer, fellow employee, placement organiser, parent or guardian of a young person or vulnerable adult, or any other person coming into contact with a learner within the workplace context, tells a member of MBKB staff about possible abuse the procedure as described in Section 4 should be followed.

In the event a member of staff receiving an e-mail, text or telephone message from a learner, employee, fellow employee, placement organiser, parent or guardian or any other person coming into contact with a learner in the workplace context, should immediately notify the Designated Person who will investigate the report and advise on further action needed.

8, Recruitment and selection procedures

MBKB has Recruitment and Selection Procedures. In respect of this Policy, they should take account of the following:

- a. The procedures apply to staff, volunteers and agency staff who may work with children, young people and/or vulnerable adults.
- b. The post should be clearly defined and the key selection criteria for the post should be identified.
- c. Vacancies should be advertised widely in order to ensure a diversity of applicants.
- d. Applicants are required to complete an application form and sign to declare the information they have provided is true. Where submissions are by email, the applicant has deemed to have accepted the declaration.
- e. Application forms are reviewed by Human Resources and any gaps in employment or other missing information is highlighted. The Chair of the interview panel will ask questions in respect of areas of concern and ensure the right people are selected for employment.
- f. Applicants invited to interview are requested to provide documentary evidence of identity which will satisfy DBS requirements.
- g. Documentary evidence of academic/vocational qualifications is obtained.
- h. Professional and character references are required for successful candidates.
- i. Previous employment history is verified.
- j. Conditional offers of appointment are made subject to Disclosure Barring Service (DBS)

Modern Slavery / Anti-Slavery Policy

This policy is made pursuant to s.54 of the Modern Slavery Act 2015 and sets out the steps that MBKB Training has taken and is continuing to take to ensure that modern slavery or human trafficking is not taking place within our business or supply chain. Modern slavery encompasses slavery, servitude, human trafficking and forced labour. MBKB has a zero tolerance approach to any form of modern slavery. We are committed to acting ethically and with integrity and transparency in all business dealings and to putting effective systems and controls in place to safeguard against any form of modern slavery taking place within the business or our supply chain.

We operate a number of policies to ensure that we are conducting business in an ethical and transparent manner. This policy sets out the organisation's stance on modern slavery and explains how employees can identify any instances of this and where they can go for help.

1. Recruitment policy. We operate a robust recruitment policy, including conducting eligibility to work in the UK checks for all employees to safeguard against human trafficking or individuals being forced to work against their will.
2. Whistleblowing policy. We operate a whistleblowing policy so that all employees know that they can raise concerns about how colleagues are being treated, or practices within our business or supply chain, without fear of reprisals.
3. Code of business conduct. This code explains the manner in which we behave as an organisation and how we expect our employees and suppliers to act.]

Our Employers - MBKB operates an Employer vetting policy and maintains a preferred list. We conduct due diligence on all suppliers before allowing them to become access to our training and services. This due diligence includes an online search to ensure that particular organisation has never been convicted of offenses relating to modern slavery [and on site audits which include a review of working conditions]. Our anti-slavery policy forms part of our contract with all suppliers and they are required to confirm that no part of their business operations contradicts this policy. In addition to the above, as part of our contract with employers, we require that they confirm to us that; they pay their employees any prevailing minimum wage applicable and provided suitable working conditions, the must also adhere to all our policies, as outlined at sign up. We reserve the right to terminate the contract at any time should any instances of modern slavery come to light.

Staff Training - We regularly conduct training for our team so that they understand the signs of modern slavery and what to do if they suspect that it is taking place within our supply chain.

Child Sexual Exploitation-

Child sexual exploitation is a type of child abuse. It involves children and young people under the age of 18 being exploited and groomed. In these cases the child or young person receive something (for example money, alcohol, drugs, affection, cigarettes, material possessions etc.) in return for performing or having sexual acts performed on them.

CSE can occur face to face (in person) or via technology, for example children being groomed online and being asked to send/ post sexual images of themselves in return for something.

Often the child or young person does not immediately recognise the coercive nature of the relationship or see themselves as a victim. The child or young person is targeted based on their age, lack of confidence and lack of experience.

We would follow step 4 to deal with any disclosures or concerns about CSE, ensuring we adapt to the circumstances as needed.

At MBKB we follow the “See Me Hear Me” Framework principles developed for the West Midlands:

- 1. The child’s best interests must be the top priority - Everything we do puts the child or young person first.*
- 2. Enduring relationships and support -Support is given to the child and family as far as possible, by the same person over time , based on individual circumstances and who they most trust. This can be the DSL or a staff member chosen by the child or young person as long as they have relevant experience.*
- 3. Participation of children and young people - We will include children in all decisions made about them.*
- 4. A shared responsibility - Recognising and responding to those at risk of or subject to CSE is everyone’s responsibility (as part of their everyday professional duties), not just the responsibility of specialists.*
- 5. Effective information-sharing within and between agencies - Agencies agree to share information about individuals and know how to, in what circumstances.*
- 6. Comprehensive problem-profiling – we use intelligence to identify problems in specific areas in order to understand the patterns of CSE, to identify possible victims, address areas where problems are identified, disrupt offender behaviour and pursue and prosecute perpetrators.*

7. Supervision, support and training for staff – We ensure we have a confident, competent workforce, at the front line in every organisation in the city which has contact with children as well as in specialist services.

8. Evaluation and review – We regularly evaluate and review our policies and update them as necessary. We review staff training regularly also.

9. We intervene as early as possible – by identifying and responding to CSE through services designed to identify and meet need with advice and guidance from the specialist multi agency CSE Team

At MBKB we work in line with “Working Together to Safeguard Children 2015.” This states that professionals should be aware of the need for early help (including in relation to the risk of CSE) for a child who:

- is disabled and has specific additional needs.
- has special educational needs.
- is a young carer.
- is showing signs of engaging in anti-social or criminal behaviour.
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health, domestic violence; and/or
- is showing early signs of abuse and/or neglect