



Pro Language Ltd SAFEGUARDING POLICY

Pro Language Limited recognises the importance of safeguarding to ensure that everyone with who we work is safe and feels secure.

This written policy on the safeguarding of children is made available to all employees and is shared with our partner organisations.

1. Policy Statement

Pro Language Limited works directly with children through its language school and recognises it has a responsibility to promote the wellbeing and safety of all young people it comes into contact with.

Pro Language Limited believes that it is unacceptable for a person to experience abuse or neglect of any kind and recognises its duty to ensure appropriate action is taken where a child is experiencing harm or is at risk of harm.

2. Purpose of this policy

- To safeguard and promote the wellbeing of the vulnerable adults with whom Pro Language Limited supports, and any children encountered whilst doing this,
- To ensure all employees and others covered by this policy understand the context within which checking with the Disclosure and Barring Service takes place,
- To provide all employees with guidance on how they should behave if they suspect that a vulnerable adult or child may be experiencing, or be at risk from, abuse or harm,
- To guide employees on how to respond and report concerns,
- To ensure compatibility with other Pro Language Limited policies.

3. Who is affected by this policy?

This policy applies to all and any existing and future paid employees, mentors, advocates, be them contract/freelance, or any professionals engaged to deliver training or guidance, involved with, for and behalf of Pro Language Limited. This policy relates to children up to 18 with who Pro Language Limited has direct contact with.

In proposals, agreements and tenders, this safeguarding policy should be mentioned and, where appropriate, attached.

4. Definitions

As per the definitions set out in the Children Act 1989, a 'child' is anyone who has not yet reached their 18th birthday. It also includes unborn children.

5. Legal Framework

Everyone has a right to be safeguarded from abuse or neglect. There is a legislative framework in place to safeguard children and vulnerable adults through The Children Act 1989 (as amended by section 53 of the Children Act 2004) and the Safeguarding Vulnerable Groups Act 2006.

Further guidance that sets out the requirements and expectations on professionals to work together to effectively safeguard children include Working Together to Safeguard Children (2015), Safeguarding Disabled Children: Practice Guidance (2009) and What to do if you're worried a child is being abused (2015) (Department for Education 2015).

Pro Language Limited does not have a statutory duty to comply with the key arrangements listed in these publications, and at present does not engage with any professionals however it has in place arrangements that reflect the importance of safeguarding and promoting the welfare of children.

To this end these publications are available for reading by contacting the Designated Safeguarding Officer (DSO).

6. General Principles

Safeguarding relates to the action taken to promote the welfare of children and vulnerable adults and to protect them from harm.

All employees should have a basic awareness of safeguarding issues. This includes:

- Being alert to the possibility of abuse and neglect,
- Having enough knowledge to recognise an abusive or potentially abusive event or set of circumstances,
- Knowing who in the organisation to raise concerns with,
- Being competent to take the appropriate immediate or emergency action.

If any employee has any concerns about a child, they must alert the DSO immediately. If the DSO agrees there are grounds for concern, they must take appropriate action to safeguard the child. This may include contacting the relevant local authority social care service, or the police.

If a vulnerable adult or child is in immediate danger the employee who first becomes aware of the danger should dial 999 for the police.

The above may include;

- Concerns about another employee,
- A suspicion that a child is being abused or neglected,
- A suspicion that an activity is taking place that could place a person at risk.

If the concern relates to an employee, the DSO should contact the local authority designated officer (LADO) for advice and liaison. This is a general guide as the role of LADO remains fluid. Barnsley Council has a multi-agency safeguarding arrangement in place (MASH) and unless notified otherwise MASH will be the primary point of contact.

In any situation where there is a suspicion of abuse, the welfare needs of the child must come first even where there may be a conflict of interest (e.g., where the suspected perpetrator may be an employee).

7. What Constitutes Abuse?

Abuse is a deliberate act of ill-treatment that can harm or is likely to harm a person's safety, wellbeing, and development. Abuse can be physical, sexual, or emotional. Abuse may not fall easily into these categories and employees are not expected to be experts.

Neglect also constitutes abuse but can be defined as failing to provide or secure a child with the basic needs required for physical safety and wellbeing.

Pro Language Limited recognise that a person's welfare is paramount and that all children regardless of age, disability, gender, religion and sexual orientation or identity have the right to protection from harm and abuse.

7.1 Categories of abuse

Children can experience abuse in a number of ways. Forms of abuse that may affect vulnerable adults and children include:

- Abuse of trust,
- Child sexual exploitation,
- Child Trafficking,
- Discriminatory abuse,
- Domestic violence or abuse,
- Emotional Abuse,
- Female Genital Mutilation (FGM),
- Financial or material abuse,
- Grooming,
- Harmful sexual behaviour,
- Modern slavery,
- Neglect,
- Online abuse,
- Organisational or institutional abuse,
- Physical Abuse,
- Psychological or emotional abuse,
- Radicalisation,
- Self-neglect,
- Sexual Abuse.

These categories can overlap, and an abused child often suffers more than one type of abuse.

7.2 Disabled children

Disabled children are particularly vulnerable to abuse in any form. Safeguards for disabled children are essentially the same as for the non-disabled and employees must at all times maintain high standards of practice, remain vigilant to the possibility of a vulnerable child being abused and minimise situations of risk.

Where there are concerns about the welfare of a child with a disability, they should be acted upon in accordance with the procedures set out in this policy. The same thresholds for action apply.

8. PROCEDURES FOR SAFEGUARDING CHILDREN

8.1. Organisation duties and responsibilities

- Raise awareness of the need to protect vulnerable adults and reduce risks to them,
- Ensure that employees in contact with children have the requisite knowledge, skill and qualifications if required to carry out their jobs safely and effectively,
- Ensure safe practice when working in partnership with other organisations, in particular that they have in place adequate safeguarding arrangements, including appropriate policies and mechanisms to provide assurance on compliance,

- Maintain an organisation that is safe for everyone and develop an environment where poor practice is robustly challenged,
- Ensure that all employees who will be supporting children consent to vetting through the Disclosure and Barring Scheme where applicable,
- Ensure that when abuse is suspected or disclosed, it is clear what action must be taken,
- Ensure the DSO are accountable for implementing this policy,
- Ensure all employees receive a copy of this safeguarding policy, understand its meaning and application and are aware of their responsibilities.

8.2. Responsibilities of the Designated Safeguarding Officer

These procedures are set within the wider context of Pro Language Limited's organisational policy and practice and the DSO must ensure that safeguarding is given high priority. Specific responsibilities include:

- Providing support and advice to all employees on safeguarding matters,
- Ensuring employees receive training on safeguarding as part of their induction, and on an ongoing basis where required,
- Manage cases reported to ensure resolutions,
- Carrying out referrals where abuse is reported or suspected,
- Referring the matter via MASH where an employee is suspected of abuse,
- Maintaining an overview of safeguarding issues,
- Monitoring the implementation of this policy.

8.3. Responsibilities of employees

To comply with their legal duties, employees must react responsibly to reports of safeguarding risks and incidents of abuse and take steps to make sure all employees know how to deal with these.

8.4. Responsibilities of all staff

All staff should comply with the expectations set out within this policy. Specific responsibilities include:

- Being the first point of contact for reports of concerns, if appropriate,
- Ensuring employees are subject to and compliant with, DBS checks where applicable,
- Reporting all concerns to the DSO,
- Providing advice and support to employees reporting disclosures or concerns,
- Working with the DSO as required to resolve issues.

8.5. Employee responsibilities

All Pro Language Limited employees have a responsibility to ensure the safety of the children that they come into contact with. It is the responsibility of employees to promote good practice and minimise and manage potential risks. All employees must be aware of these requirements.

Action to safeguard:

"Pro Language Limited employees have no powers to investigate abuse. Nonetheless employees have a duty to safeguard and promote the welfare of children and a responsibility to work closely and co-operatively with other agencies as necessary."

Employees may have a role as referrers, witnesses, or supporters in safeguarding processes. If an employee suspects a child is being harmed, experiencing, or already has experienced, abuse or neglect and is likely to suffer harm in the future, they must talk to the DSO.

The DSO will agree next steps including making any necessary referrals. If anyone other than the DSO makes a referral, they should inform the DSO as soon as possible.

“It is not the responsibility of Pro Language Limited to decide whether or not abuse has taken place. It is the responsibility of employees to act if cause for concern, in order the appropriate agencies can investigate and take any action necessary to protect those in danger or need.”

If a member of staff is concerned that a child is in immediate danger, or requires immediate medical treatment, they should call the police and/or emergency medical services on 999 straight away.

9. Staff Behaviour

9.1. Code of conduct

Pro Language Limited employees who are involved with the supporting of children may be required to undergo awareness training.

Employees should not:

- Meet with a child on their own,
- Ask overly personal questions, including those about age or appearance (unless specifically related to a lesson project),
- Send/give out material that could be considered offensive, which includes material on social media sites, including the posting of interactions and experiences,
- Suggest or imply a personal relationship could develop,
- Visit a child at their home,
- Take an aggressive or bullying tone,
- Have physical contact,
- Travel alone with a child.

Should employees breach this they will be asked to leave.

9.2. Online communications

Employees should take care when communicating with others online, particularly when identifying themselves as Pro Language Limited employees and when in contact with children. Language should not be overfamiliar, and personal details, experiences and interactions should not be shared.

9.3 Social media and websites

In addition, employees must not place any material on to the internet that would be considered inappropriate, offensive, or disrespectful of others. Should employees breach this policy they will be asked to leave Pro Language Ltd.

9.4 Public showcasing

In addition, employees must not place any identifying photos or personal information about children on social media.

Where an inappropriate or identifying image or text is shared inadvertently, the user must leave the website and/or delete the material immediately. They should also report the incident to the

DSO. Details of the incident and the actions taken must be recorded in writing. Failure to notify the DSO of the breach will result in the employee being asked to leave Pro Language Ltd.

10. Confidentiality and sharing information

10.1. Confidentiality and the possible impact on the child

While personal information held is subject to a legal duty of confidence and should not normally be disclosed without the subject's consent, it is essential employees respond quickly with concerns or suspicions of abuse. Any concerns about confidentiality should not override the rights of a child at risk of, or suffering, harm.

Pro Language Limited's responsibility for protecting children means that, where necessary to protect, it will breach confidentiality to raise concerns.

Information sharing must be done in a way that is compliant with the General Data Protection Regulation and Data Protection Act 2018, the Human Rights Act 1998, and the common law duty of confidentiality. However, a concern for confidentiality must never be used as a justification for withholding information when it would be in the child's best interests to share.

10.2. Do not promise to keep secrets.

Should it become necessary to pass on information shared by another party this decision should always be discussed with the person in question and where possible their cooperation sought beforehand. Explanations of the reasons; processes; likely sequence of events; and who to contact for information or for support should also be provided.

When a child makes an allegation of abuse, they may hope that the abuse will stop without further enquiries. They may fear the effect this will have on their family and may fear retribution from the abuser. They should be helped to understand why the referral (to the DSO) must be made and what is likely to happen as a result. It is important to reassure the child but they must not be told that their allegation will be treated in a particular way or that the information will be kept a secret.

A record should be kept of any decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

Even if a concern has been discussed with the DSO it's important all concerns are recorded in writing whether or not further action is taken. Pro Language Limited has a Safeguarding Children Protection Report form (**See APPENDIX A**) for recording suspected abuse to help people record relevant information. This form must be used for all concerns and passed as soon as possible to the DSO.

It is important that concerns raised are recorded accurately. All discussions should end with clear and explicit recorded agreement about who will be taking what action. Where no further action is the outcome the reason for this should be clearly recorded.

Employees should not pursue questioning of a child for information if it is not given freely and there should be no delay in reporting the matter by waiting for all the information.

In completing the form, it is important not to write speculative comments but to stick to facts. Employees opinions may be important but should be recorded as opinion and any evidence included to support these opinions. Issues relating to child protection may be accessible to third parties such as Children's Services, Police, the Courts, and Solicitors.

Pro Language Limited maintains its safeguarding records via secure external server. All documentation is stored there. No paper copies are left on any premises. The DSO has a particular responsibility in maintaining the confidentiality of these records and must ensure the records, or any information they contain, is only made available to those with a relevant and legitimate interest. The transfer of information - verbally, electronically, etc. - should be done in such a way that confidentiality is maintained.

11. SAFE RECRUITMENT OF EMPLOYEES

11.1. Recruiting employees

The Protection of Freedoms Act 2012 under the Safeguarding Vulnerable Groups Act 2006 sets out that it is an offence for an employer to knowingly employ someone in a regulated position if they are barred from doing so. Whilst Pro Language Limited is not required to comply with this, we make statement:

“As of the last policy review date Pro Language Limited does not engage employees in regulated positions. Furthermore, we commit to implement a safer recruitment of employee’s policy before June 2023.”

You must seek advice from the DSO as to whether an enhanced check should be sought. As a rule, anyone who will have sustained contact with a particular child or group of children during the course of their employment with Pro Language Limited will be required to undergo an Enhanced DBS check.

For the purpose of this policy the term ‘sustained’ shall mean meeting with the same individual child on six or more occasions.

Most employee roles within Pro Language Limited, whilst not ‘regulated positions’, may involve infrequent supervised (i.e., not alone) direct support with children.

Where a criminal conviction is disclosed by an employee or through a check/ disclosure, the DSO will apply Pro Language Limited’s Projects Engagement of Ex-Offenders Risk Assessment Framework (**See APPENDIX B**) to objectively consider the level of risk.

If the level of risk is too high to allow the individual to start/continue employment in a particular role/activity, the consequences of this for the individual will dependent upon:

- The check concerned,
- The reason for the check (that is, check for a new employee, a recheck for an existing employee in their current post or a check for an existing employee in a new post),
- Relevant legislation,
- The post concerned,
- Whether the individual is suitable for other employment opportunities within the organisation.

Possible outcomes include amended duties, withdrawal of the employment opportunity or, where the individual started employment before the relevant screening check was completed, termination of the employment agreement.

11.2. Recruitment of ROTL employees

Pro Language Limited will consider engaging employees that are on and subject to a Release on Temporary Licence (ROTL). The prison or probation officer assigned to the individual on ROTL will be asked to disclose specific vulnerabilities in relation to the individual on ROTL and

confirm it is both safe and appropriate under their own risk assessment for the individual to be employed by Pro Language Limited.

11.3. Good recruitment practice

Best practice guidelines around safe recruitment practice should be adhered. This includes the recruitment of employees for one regular shift a week. Best practice for safe recruitment of employees requires;

- Checking work history via a CV or application form,
- Taking up relevant references,
- Checking identity documents,
- Face-to-face interview, failing that and circumstances dependant this can be by zoom.

Best practice guidelines must be followed for all employees working at Pro Language Limited even if direct contact with vulnerable adults is not part of their role.

11.4. Supporting employees

It is the responsibility of session leaders to ensure other employees on shift are aware of and understand the procedures and have levels of knowledge and skills commensurate to the level and nature of their direct involvement with children.

All employees should:

- Be supervised and supported in their work,
- Work to the Pro Language Limited safeguarding procedures which are reviewed and updated as necessary,
- Receive training in safeguarding at a level appropriate to their situation,
- Be able to raise concerns about poor and dangerous practice through the DSO,
- Have training and support as required to effectively discharge their responsibilities.

11.5. Allegations against employees

Any suspicion, allegation, or actual abuse of a child by any employee must be reported to the DSO immediately.

Concerns about employees must be treated with the same rigour as other concerns. If there are concerns that abuse has taken place the DSO will pass this information to the MASH for investigation.

On occasion, a child may abuse another child. Safeguarding procedures should be followed in respect of all parties in those situations.

In addition, immediate action should be taken to:

- Prevent or minimise any further harm,
- Report it to the police, if it is suspected a crime has been committed, and to any other regulators that Pro Language Ltd are accountable to,
- Plan what to say to employees, the public and the media,
- Review what happened and prevent it from happening again - this may include strengthening internal controls and procedures, and/or seeking appropriate help from professional advisers.

12. Complying with this policy

12.1. Expectations of employees

It is important that employees work to a high standard of professional conduct and act with integrity at all times. It is important to create an employment environment where the risk of abuse is minimised, and children feel comfortable and safe when visiting.

When incidents of abuse are raised or suspected it is important that employees have the necessary information and support and follow the procedures appropriately.

Employees should make sure they have read this safeguarding procedure in full. They should highlight and discuss any issues requiring clarification and any training issues with their sessional leader. Employees should make sure that they have a working knowledge of the different forms of abuse and possible indicators.

13. People to contact

Meg Turner, DSO, Pro Language Limited, McLintocks, Summer Lane Barnsley, S70 2NZ

Review Date Set At June 2023