



# Safeguarding & Prevent Policy

Yellow Tree Business Safeguarding and Prevent V1;

Effective Date: 15/02/2021

Review Date: 15/02/2022

GGs Salon Ltd T/A Yellow Tree Workforce Development Ltd. Company Registration Nos: 11373957

## Contents

No.	Section	Page
1	Policy Statement, principles and Aim	3
2	Implementation of the Policy	4
3	Safeguarding Principles	4
4	Safeguarding Foundations	4
5	Prevent Duty	5
6	Legal Framework	6
7	Legislation & Guidance	6
8	Corporate Policies	7

## Policy Statement

This policy is to be read alongside our Safeguarding and Prevent Policy Statement.

Safeguarding<sup>1</sup> is pivotal to what we do and fundamental to our success in providing first class learning, coaching and support to all individuals through Yellow Tree WD programme of services.

Yellow Tree WD has responsibility to provide a safe learning environment for all learners and staff but especially for learners under the age of 18 and vulnerable adults. Yellow Tree WD will use the Disclosure and Barring Service as part of a range of options for assessing the suitability of those who have contact with learners under the age of 18 and vulnerable adults. Yellow Tree WD obtains decisions based on information provided on DBS disclosures in accordance with the Data Protection Act, the DBS Code of Practice and the Independent Safeguarding Authority advice.

## Introduction

All people who work for or on behalf of the organisation and who are likely to have unsupervised access to under 18s or vulnerable adults will be advised that they will be subject to checks as to their suitability for this type of access. These checks include enhanced DBS checks, self-certification (Children's Act) checking references and a robust set of procedures for following up any concerns, as set out in this policy.

Yellow Tree WD obtains an enhanced DBS Certificate for all types of role that involve 'regulated activity' of a 'specific nature' (eg. teaching, training, care, supervision, advice, treatment or transport) or in a 'specified place' (eg., training venues or employer premises) of under 18 year olds and vulnerable adults. These checks will cover all staff and service providers (eg. taxi companies, coach/bus companies, tour providers).

Yellow Tree WD is strongly committed to practices that protect children, young people, adults and apprentices at risk from abuse, neglect, significant harm or radicalisation.

The purpose of this policy is to set out Yellow Tree WD approach to safeguarding children<sup>2</sup> and adults who may be at risk<sup>3</sup> from abuse in any form. It applies to everyone working for Yellow Tree WD or acting on their behalf and provides the framework to help us safeguard our key stakeholders with commitment and confidence.

Yellow Tree WD is committed to working with existing local safeguarding partners, health and social care partnerships, police, and the Channel Programme to ensure the safeguarding of its students.

### 1. Aim of the policy

Yellow Tree WD Safeguarding and Prevent Policy aims to:

- Prevent abuse towards learners, apprentices and all stakeholders
- Promote and ensure engagement and commitment to the policy throughout the organisation.
- Provide regular and ongoing updates and training and development for all staff, apprentices and stakeholders.
- Ensure learners, apprentices and staff are aware of and can respond to concerns and disclosures including reporting channels
- Ensure support and referral mechanisms are in place for learners, apprentices and staff
- Monitor IT usage including social media platforms
- Use the policy in fair recruitment of our staff and associate trainers.
- Embed the principles into our training as part of induction and delivery in collaboration with employers and apprentices.

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<sup>1</sup> Definitions: Safeguarding is the action we take to promote the welfare or wellbeing of children and adults and protect them from harm.

<sup>2</sup> Children: The term child/children includes babies, children and young people up to 18 years

<sup>3</sup> An Adult at risk is any person who is aged 18 years or over and at risk of abuse or neglect because of their needs for care or support (Care Act 2014) England. It also includes any adult who demonstrates vulnerability including mental health and experiential life experiences.

- Ensure an ongoing review of the policy in response to change and legislative updates. Formal updates at least annually in line with quality processes.

## **2. Implementation of the Policy**

To achieve the aims Yellow Tree WD will:

- Ensure that all staff and learners recognise that the implementation of Safeguarding and Prevent procedures is the responsibility of everyone.
- Identify a named member of staff (or where appropriate a group) with responsibility for ensuring reporting and procedures are actively implemented in all aspects of the company's business.
- Work with the management team to ensure policies are in line with current legislation.
- Distribute policy statement to all members of staff and to learners, apprentices and their employers.
- Ensure that our ethos and environment create a welcoming and harmonious atmosphere.
- Provide staff, learners and stakeholders with Safeguarding and Prevent awareness training as appropriate.
- Monitor the IT usage and social media platforms to ensure inappropriate content is removed and investigated in line with the IT policy.
- Maintain and publicise mechanisms for investigating alleged breaches to the Safeguarding and Prevent Policy taking appropriate action if required.
- Monitor and review this policy at least annually.

## **3. Safeguarding Principles**

Our approach to safeguarding is driven by a number of principles which are informed by the UN Convention on the Rights of the Child, The Governments Prevent Duty Guidance, relevant legislation and guidance, and by Yellow Tree's values and understanding of best practice and in line with our core principles:

- Principle 1 - All children, apprentices and adults considered to be at risk have a right to protection from harm and abuse, regardless of age, ability, gender, racial heritage, religious beliefs, sexual orientation, identity or additional vulnerabilities
- Principle 2 - The best interests of the child are paramount in all considerations about their welfare and protection, including when to maintain confidentiality and when to share information about them
- Principle 3 - Children have the right to participate in decisions about their lives. Their views, wishes, feelings and experiences are evident in our work with them.
- Principle 4 - Concerns or allegations that Yellow Tree Staff or anyone acting on our behalf, have abused or neglected a child, apprentice or adult will be managed sensitively and fairly in accordance with these policies, relevant legislation and local procedures
- Principle 5 - Working together with children, their parents/carers and other agencies is essential to promoting children's welfare/wellbeing and ensuring their protection. In some limited circumstances, it will not be appropriate to engage with parents/carers to protect the child.
- Principle 6 - As part of working together we expect professionals to act on our concerns, and we will escalate our concerns in our efforts to be satisfied that the child has been protected, taking a stand in cases where we consider the protection of the child has not been taken seriously either within Yellow Tree WD or those investigating child protection.
- Principle 7 - Yellow Tree WD staff should understand what radicalisation means and why people may be vulnerable to being drawn into terrorism as a consequence of it. Know what measures are available to prevent and protect people from being drawn into it.

## **4. Safeguarding Foundations**

### **Safe recruitment**

We apply a fair and consistent approach to recruitment to attract and recruit the best people. We have a robust value-based recruitment process to minimise the risk of engaging anyone who may pose a risk to children and vulnerable adults.

## **DBS Checks**

Portability refers to the re-use of a DBS disclosure, obtained for a position in one organisation and later used for a position in a new organisation. Yellow Tree will exercise its discretion to accept such DBS disclosures on a case by case and risk assessed basis – for example, in conjunction with other evidence presented, pending when the results of the DBS was obtained.

### **Validity of DBS Disclosures**

There is no period of validity for a DBS disclosure. Technically, it is out-of-date on the day that it is issued as a new or further criminal conviction, caution, etc, may be recorded against an individual at any time after the issue date. Yellow Tree requires an enhanced DBS check that is less than 3 years old and applies for new staff DBS disclosures on recruiting a new member of staff.

In addition, Yellow Tree requires all staff to make an annual declaration of their suitability to work with under 18 year olds, and service providers to provide written evidence that their staff have undergone satisfactory DBS disclosure within the last 3 years

### **Usage and storage of DBS disclosure information**

Yellow Tree WD complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of DBS disclosures and disclosure information. DBS disclosure information is passed only to those who are authorised to receive it in the course of their duties, i.e., those whose jobs deem it essential. Information disclosed as part of a DBS check will be treated as confidential. It is an offence for information in a Disclosure to be passed to anyone who does not need it in the course of his/her duties.

Yellow Tree maintains a record of those to whom disclosures or disclosure information has been revealed. The photocopying of any DBS Disclosure is strictly forbidden by the DBS. Yellow Tree will keep a record of the date of issue of a disclosure, the name of the subject, the type requested, the reason for which it has been requested, the unique reference number and the details of the recruitment decision taken.

- Effective policies procedures and practices: We have a suite of robust policies and procedures which we require all our staff and those working on our behalf to read, understand and complete associated documentation.
- Competent and confident workforce: We provide mandatory safeguarding induction and training as well as annual refresher courses. These incorporate all relevant professional regulatory requirements.
- Actively managing safeguarding risk: We practice regular risk assessments and react swiftly to any concerns. Escalating our robust safeguarding procedures when required.
- Culture and values: Safeguarding is at the heart of our culture and work with young people. Our culture supports, enables and mandates our approach to safeguarding – embodying our business and what we stand for.

## **5. Prevent Duty**

The Government published the Prevent Strategy in 2010, to raise an awareness of the specific need to safeguard children, young people and families from violent extremism.

Extremist groups attempt to radicalise vulnerable children and young people to hold extreme views including views justifying political, religious, sexist or racist violence, or to steer them into a rigid and narrow ideology that is intolerant of diversity and leaves them vulnerable to future radicalisation.

Prevent is about safeguarding our learners, apprentices and staff to keep them both safe and within the law. Yellow Tree WD will protect learners, apprentices and staff from radicalising influences and ensure resilience to extreme narratives. The Prevent Duty is not about preventing learners from having political and religious views and concerns, but it is about supporting them to use those views and concerns or act on them, in non-extremist ways.

The Counter Terrorism and Security Act 2015 places a duty on certain bodies to have 'due regard to the need to prevent people from being drawn into terrorism' and Yellow Tree WD have a legal responsibility to fulfil the prevent duty statement.

### **Responding to suspicions of Radicalisation and Extremism**

We are alert to changes in a learner's behaviour or attitude which could indicate that they need help or protection:

When any colleague has concerns that a learner may be at risk of radicalisation or involvement in terrorism, they should speak with the Designated Safeguarding Lead/Head of Safeguarding for investigation and action.

Disclosure records are held by the DSL/Head of Safeguarding and stored on a secure server.

Colleagues take care not to influence the outcome either through the way they speak to or question children/adults at risk.

We will continue to welcome the learner whilst investigations are being made. The Learner may choose to withdraw from learning activities whilst investigations take place.

All suspicions and investigations are confidential and any information is shared under guidance of the Local BIS Prevent Coordinator.

Please refer to Yellow Tree WD Prevent Duty Procedures and its associated appendices for more information.

### **Aims**

- Promote the policy and British Fundamental values, including freedom of speech, rights to be safe and listened to, by creating an environment that encourages young people and vulnerable adults to raise any concerns.
- Encourage learners to develop a sense of autonomy and independence in their learning and development.
- Enable young people, learners, apprentice and vulnerable adults to have the self- confidence and the vocabulary to resist inappropriate approaches.
- Work with employers to build their understanding of and commitment to the principles of safeguarding and prevent duty.
- Liaise with other statutory agencies to ensure legislative procedures are current.

### **Missing from Education**

Children and young people and vulnerable adults who go missing from education will fail to achieve their full potential academically and fail to achieve economic wellbeing in later life. They are also at a greater risk of physical harm, self- inflicted or inflicted by others, being sexually exploited and becoming involved in crime and anti-social behaviour, being employed illegally or abusing drugs and alcohol. In line with the duty under section 10 of the Children Act 2004, Yellow Tree must take reasonable steps to monitor learners' attendance through a daily register. This is also completed for vulnerable adults. Attendance should be monitored closely, and poor or irregular attendance should be addressed. Please see Missing from Education Policy for more details.

## **6. Legal Framework**

The Children Act 1989 placed a duty on local authorities to investigate situations where a child is at risk of significant harm. Schools, Colleges and Providers had a legal obligation to work with investigating agencies acting on behalf of children in need Guidance was published in 'Safeguarding Children in Education' (2004). It set out the requirements to provide a safe learning environment, identify young people suffering, or likely to suffer, significant harm and take appropriate action in full partnership with other local agencies. It encompassed wider issues such as health, safety, drug/substance abuse and bullying as well as the contribution made to safeguarding in relation to individual children and underpinned our common law duty of care.

This was replaced and extended in January 2007 by 'Safeguarding Children and Safer Recruitment in Education', which includes more specific guidance (including some statutory requirements) relating to the recruitment and vetting of staff. The responsibility for making sure appropriate arrangements are in place lies with STC Group. Colleagues are responsible for carrying out their duties in compliance with the arrangements set out by STC Group, we are not the investigating agency. This function is carried out by local authority Children's Services, or other agencies with statutory powers. The Children Act 1989, and subsequent legislation and guidance, are concerned with the emotional, physical or sexual abuse or neglect of children, defined as under the age of 18. However, it is recognised that children acquire degrees of legal capacity (for example, the ability to give informed consent) and maturity prior to their 18th birthday, and that there are adults over 18 who continue to be vulnerable due to a learning difficulty and/or disability.

## **7. Legislation & Guidance**

- The Children Act 1989 and 2004
- UN Convention on the Rights of the Child 1991
- Data Protection Act 1998
- Sexual Offences Act 2003
- Protection of Freedoms Act 2012
- Statutory guidance Working Together to Safeguard Children 2016 (previous versions; 1999, 2006, 2010, 2013 and 2015)
- Keeping Children Safe in Education 2020 (this replaces previous versions and the Safeguarding Children and Safer Recruitment in Education 2006)
- Advice for practitioners providing safeguarding services to children, young people, parents and carers 2015
- The Care Act 2014
- The Mental Capacity Act 2005
- The "No Secrets" guidance which sets out a code of practice for the protection of vulnerable adults
- Equality Act 2010
- Prevent Duty 2015

## **8. Corporate policies and procedures mandatory reading**

In addition to this policy, all staff and those acting on our behalf must read and understand the following safeguarding policies and procedures and associated documentation:

- Appropriate Professional Boundaries
- Bullying and Harassment
- Designated Safeguarding Lead Role Description
- Dignity at work
- Financial Abuse
- GDPR
- Information Sharing
- Modern slavery
- Missing from Education
- Online Safety policies & procedures including "Staff Self-Audit" Risk Assessment
- Prevent Duty Policy and Procedures
- Procedures on what to do if you have a concern about a child or Adult
- Safeguarding Adults at risk
- Safeguarding code of conduct
- Safeguarding and Prevent Policy
- Types and indicators of Abuse
- Values and Behaviours
- Whistleblowing
- What to do if you have a concern about a child or adult at risk of harm

There is a mechanism in place to record when each member of staff has read each of the above policies and completed safeguarding training.

Signed By:



Ellis Bailey  
Managing Director