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# Safeguarding and Prevent Policy, Strategy and Procedures (Children/Vulnerable Adult Protection)

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## Policy Statement

Sport Structures is committed to safeguarding and aims to create a culture of vigilance; we expect everyone who works at the company and with us, to share this commitment. Our staff take all welfare concerns seriously and encourage children and adults to talk about anything that worries them. We will always act in their best interest. We pay close attention to, and work within the legislative safeguarding requirements documented in 'Keeping Children Safe in Education' (September 2021), and the statutory Prevent duty.

We recognise that safeguarding and child protection is an essential part of the duty of care to all learners. Everyone working for Sport Structures shares an objective to keep children and adults safe by:

- Providing a safe environment for children and adults where they can learn and thrive
- Establishing and maintaining an environment where children and adults feel confident to talk and are listened to.
- Identifying children and adults who are suffering or are likely to suffer significant harm and taking appropriate action with the aim of making sure they are kept safe.

## Strategic aims

This policy will contribute to the protection and safeguarding of children and adults in learning (*referred in this policy as learners*) and promote their welfare by:

- Adopting a whole company approach to safeguarding.
- Clarifying standards of behaviour for staff and learners.
- Introducing appropriate teaching and learning practices to support learner knowledge and understanding
- Encouraging learners and parents to participate
- Alerting staff to the signs and indicators that all may not be well
- Identifying clear procedures for reporting
- Developing staff awareness of the causes of abuse
- Developing staff awareness of the risks and vulnerabilities learners may face
- Addressing concerns at the earliest possible stage
- Reducing the potential risks learners face of being exposed to multiple harms including violence, extremism, exploitation, discrimination or victimisation
- Recognising risk and supporting online safety for learners, including in the home.

This means that we will:

- Identify and protect all learners especially those identified as vulnerable learners
- Identify individual needs as early as possible; gain the voice and lived experience of vulnerable learners and design plans to address those needs
- Work in partnership with learners, parents/carers and other agencies as appropriate.

## Values

British Values are of significant importance to everyone involved in Sport Structures activity. We promote all these values to our learners. British values are defined as ‘democracy, the rule of the law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs’.

The ethos of Sport Structures is embedded in the following values:

- Integrity
- Excellent
- Passion
- Togetherness

## Scope

This policy and its procedures apply to:

- The Board at Sport Structures
- Staff
- Learners
- Employers providing an apprenticeship
- Associate workforce (i.e. tutors, assessors, mentors, quality assurers)
- Volunteers
- Contractors
- Anyone who comes into contact with a learner
- Associates who provide a service to the company
- All Sport Structures activities

This policy and its procedures will apply at all times when Sport Structures is providing services or activities.

## Statutory Framework

In order to safeguard and promote the welfare of children and adults in learning, we will act in accordance with the following legislation, statutory guidance and regulations:

- Keeping Children Safe in Education - September 2020
- Working Together to Safeguard Children February 2019
- The Children Act 1989 and 2004
- Children and Social Work Act 2017
- The Care Act 2014
- Safeguarding Vulnerable Adults Act 2006
- The Counter Terrorism and Security Act (Prevent Duty) 2015
- The Education Act 2001
- Procedures set out by the Birmingham Safeguarding Children Partnership, and Birmingham Safeguarding Adults Board
- Ofsted Education Inspection Framework

Our policy also encompasses best practice for specific elements of our business, such as DfES/NIACE “Safer Practice, Safer Learning” (2007) which applies to all providers of post-16 learning and skills.

The policy should be used in conjunction with the following company policies/procedures where necessary:

- Health and Safety
- Equality and Diversity
- Complaints
- Code of conduct for staff, volunteers and associates
- Prevent
- Safe Recruitment
- Whistleblowing
- Disciplinary
- External speakers and events
- Privacy
- E-Safety
- I.T Acceptable Use

## Definitions

**A child** – the United Nations convention on the Rights of a Child defines a child as any person under the age of 18 years.

**Vulnerable Adults** – an individual aged 18 years or over and who is being provided with a regulated service. Generally, the more dependent a person is on the help of others for general day to day living, the more vulnerable the person is likely to be. This is especially so where there is also a degree of mental incapacity or mental disorder that affects the person's ability to make informed decisions and exercise choice.

**Disclosure** - is the process by which a child/adult will let someone know that abuse is taking place. This may not happen all in one go and may be a slow process that takes place over a long period of time.

**Regulated Activity** – a legal term defining the type of activity that persons barred by the Disclosure & Barring Service (DBS) must not undertake. This primarily covers childcare, health care, personal care, social care and education. Regulated activity undertaken by Sport Structures staff may include teaching, training and instruction of children (although not in the course of employment). See [www.gov.uk](http://www.gov.uk) Safeguarding Vulnerable Groups Act 2006 for full definitions of regulated activity.

**Send** –Special Educational Needs and Disabilities. All staff and individuals associated with Sport Structures need to be aware that additional barriers can exist when recognising abuse and neglect in learners with special educational needs (SEN) and disabilities. This can include:

Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the learner's disability without further exploration.

Learners with SEN and disabilities can be disproportionately impacted by issues such as bullying without outwardly showing any signs.

Communication barriers and difficulties in overcoming these barriers.

**Looked After Children** – all staff need to be aware of issues around safeguarding looked after children. The most common reason for young people becoming looked after is as a result of abuse and/or neglect.

Sometimes, a single traumatic event may constitute **significant harm**, e.g. violent assault, suffocation or poisoning. More often, significant harm is a compilation of significant events, both acute and long-standing, which interrupt, change or damage the adults physical and psychological development

In this policy, we will refer to **children and adults** in learning as **learners**. We recognise that children and adults may face different issues and the reporting mechanisms are not the same. Legislation also differs between children and adults.

We refer to staff as paid employees of Sport Structures. We may also have associate workforce that work for us from time to time. For the purpose of this policy, they will be referred to as **staff**.

**Safeguarding** - Safeguarding is the action that is taken to promote the welfare of children and protect them from harm. Safeguarding means:

- protecting children from abuse and maltreatment
- preventing harm to children's health or development
- ensuring children grow up with the provision of safe and effective care
- taking action to enable all children and young people to have the best outcome
- Safeguarding actions may be needed to protect learners from the following; *(a more comprehensive list can be found in appendix A)*.
  - Physical abuse.
  - Emotional abuse.
  - Sexual abuse.
  - Neglect.
  - Bullying including cyberbullying.
  - Child missing from education.
  - Child missing from home or care.
  - Child sexual exploitation (CSE).
  - Domestic abuse
  - Substance misuse
  - Fabricated or induced illness.
  - Faith abuse.
  - Female genital mutilation (FGM).
  - Forced marriage.
  - Gangs and youth violence.
  - Gender-based violence / violence against women and girls (VAWG).
  - Mental health.
  - Radicalisation and Violent Extremism
  - Relationship abuse.
  - Youth Produced Sexual Imagery
  - Trafficking
  - County Lines

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**Concerns that cause harm** - The harms threshold is the point at which a concern is no longer low-level and constitutes a threat of harm to a child/adult. Harm may be defined in cases where an adult has:

- Behaved in a way that has harmed or may have harmed a child/adult.
- Possibly committed a criminal offence against, or related to, a child/adult.
- Behaved towards in a way that indicates they may pose a risk of harm to children/adults.
- Behaved in a way that indicates they may not be suitable to work with children/adults

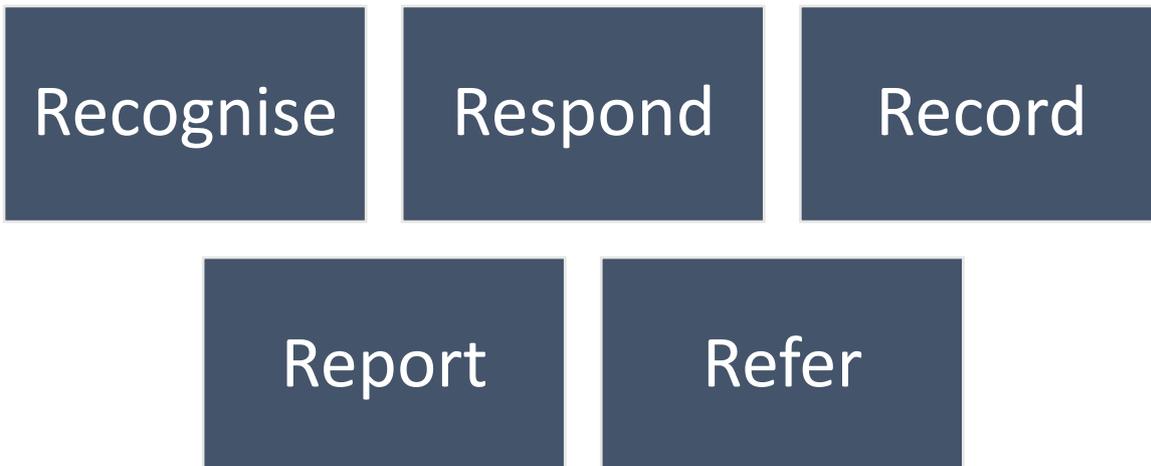
**Low level concerns or poor practice** - A low level concern is defined as any concern about an adult's behaviour towards, or concerning, a child or **another adult** that does not meet the harms threshold above or is not serious enough to consider a referral externally at the time of reporting. Low-level concerns refer to behaviour of a staff member towards a child or another adult that is considered inappropriate in line with statutory safeguarding advice and the Sport Structures Code of Conduct.

Low-level concerns **are differentiated** from concerns that cause harm. The harms threshold is the point at which a concern is **no longer low-level and constitutes a threat of harm to a child or adult**. Sport Structures recognises that while low-level concerns are by their nature, less serious than concerns which meets the threshold identified above, often serious safeguarding concerns often begin with low-level concerns.

### Guiding Principles

There are some guiding principles in terms of dealing with a safeguarding issue(s):

-Remember the 5RS:



-Inform the child or vulnerable adult (or third party) that you must pass the information on to the DSL and the DSL may need to refer the allegation or incident onto a third party if required. However, this will be the limit of disclosure.

-You cannot provide any assurance that the information can remain confidential between yourself and the person disclosing.

-If the child or vulnerable adult declines to discuss the incident you must inform the DSL.

-Listen carefully and stay calm.

-Do not interview them, but question normally and without pressure, in order to be sure that you understand what they are telling you.

-Do not put words in their mouth. Use open questions only and clarify important points where necessary.

-Reassure the child/vulnerable adult that by telling you, they have done the right thing.

--Use the Sport Structures Safeguarding Disclosure Form to make detailed notes of the disclosure and only note the exact words and descriptors used.

In no circumstances should you investigate the allegation or disclosure yourself, but report it immediately or as soon as practically possible to the DSL, or if they are unavailable, the Deputy DSL.

-The DSL or Deputy DSL will investigate the matter and keep all information in a secure location. - Support the DSL or Deputy DSL in anything else they require

It is ultimately the responsibility of the Designated Safeguarding Lead (DSL), to ensure that this policy is published and accessible to all personnel, learners and any relevant third parties. The

Deputy DSL will also support as required. However, the Senior Curriculum and Quality Manager is responsible for ensuring this information is fully understood by staff delivering learning. Staff have a responsibility of ensuring that learners who commence learning are aware of this policy.

The Company will follow the relevant Local Safeguarding Children Board (LSCB) procedures and guidance from Channel. The policy lists information in the following headings:

- **Prevention** through the teaching and pastoral support offered to learners and the creation of and maintenance of a whole Company proactive ethos The Education Act 2001. This section also identifies key responsibilities.
- **Procedures** for identifying and reporting cases, or suspected cases of abuse or radicalisation.
- **Supporting Vulnerable Adults and Children** those who may have been abused or witnessed violence towards others
- **Preventing Unsuitable People Working with Children**
- **Reporting**

#### Prevention (including responsibilities)

We recognise that high self-esteem, confidence, supportive friends and good lines of communication help to protect children (with a trusted adult) and adults.

The company will therefore:

- Establish and maintain an environment where learners feel safe in both the real and virtual world and are encouraged to talk and are listened to
- Ensure learners know that there are adults in the company whom they can approach if they are worried or in difficulty and their concerns will be taken seriously and acted upon as soon as appropriate
- Include in the curriculum activities and opportunities which equip learners with the skills they need to stay safe from abuse and radicalisation both in the real and virtual world and information about who to turn to for help
- Include in the curriculum material which will help learners develop realistic attitudes to the responsibilities of adult life
- Support staff should they make any disclosures including Whistleblowing

Further information with regards to the governments Prevent Strategy can be found at <https://www.gov.uk/government/publications/prevent-strategy-2011> and in the company's Prevent Policy.

## Responsibilities

### ***Sport Structures Board***

The Sport Structures Board will:

- Ensure that it has an effective Safeguarding Policy in place which is updated annually and that the company contributes to inter-agency working in line with statutory guidance.
- Ensure that the company's Safeguarding arrangements take into account the procedures and practice of the local authority as part of the inter-agency safeguarding procedures set up by the Local Safeguarding Children's Partnerships and Adult Safeguarding Boards
- Ensure that the company complies with the Prevent Duty as set out in the Counter-Terrorism and Security Act 2015
- Ensure that the policies and procedures in place enable appropriate action to be taken in a timely manner to safeguard and promote learners' welfare.
- Ensure that a Designated Safeguarding Lead is appointed to lead on safeguarding, advise/support staff and liaise with the Local Authority and other agencies. They will have status and authority to carry out the role e.g. commit resources to safeguarding and direct staff as appropriate.
- Give scrutiny to regular reports which will provide detail on the numbers and types of safeguarding incidents and concerns which have arisen, along with updates from the DSL, Human Resources and the Senior Curriculum and Quality Manager
- Ensure that training is updated yearly in accordance with government guidance or training policy
- Hold a safeguarding central record where the DSL and Deputy DSL has access to all safeguarding reports.
- Hold a staffing central record where the DSL and Deputy DSL has access to DBS, right to work in the UK and references for all staff.
- Ensure staff DBS checks as per the recommended guidance on the update service to remain as accurate as possible
- Ensure at least one member of the Board is nominated with a special interest in safeguarding and child/vulnerable adult protection and that they have undertaken appropriate training

- Ensure every member of staff, paid and unpaid, knows;
  - The name of the DSL and the Deputy DSL and their role
  - How to identify the signs of abuse, neglect and radicalisation
  - How to pass on and record concerns about a learner
  - That they have an individual responsibility to be alert to the signs and indicators of abuse and radicalisation and for referring child/vulnerable adult protection concerns to the DSL or Deputy DSL
  - That they have a responsibility to provide a safe environment in which children/vulnerable adults can learn
  - Where to find information on relevant other company policies that may influence this policy

***The Designated / Deputy Safeguarding Lead***

The Designated / Deputy Safeguarding Lead/s will:

- Ensure as a company, we are meeting legal and statutory requirements
- Ensure that the Safeguarding Policy, including Prevent, is reviewed annually and the procedures and implementation are reviewed regularly
- Ensure that the Safeguarding Policy is available publicly and that individuals are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the company in this.
- Provide an Annual Safeguarding report for the Sport Structures Board, detailing any changes to the policy and procedures; training undertaken by self, staff with specific responsibility and all other staff and number and type of incidents/cases.
- Provide safeguarding induction for new staff
- Provide support, advice and guidance for any staff member, learner and employer with a safeguarding or child protection concern
- Ensure the quality assurance of the provision of safeguarding information, advice and guidance and procedures
- Work closely with the Senior Operations and Compliance Manager to ensure there is liaison with employers providing apprenticeships to ensure proper safeguarding arrangements are in place and that risk is monitored accordingly.
- Keep detailed, accurate, confidential and secure written records of concerns, disclosures and referrals. Ensure all such records are kept confidentially and securely.

- Liaise with and making referrals to appropriate agencies about children or adults where there are safeguarding concerns, including the Local Authority Designated Officer (LADO) and the Adult Safeguarding Board
- Liaise with OFSTED to inform them of any safeguarding actions taken
- Deal with allegations against staff
- Liaise with the internal safeguarding and prevent group any other relevant staff to inform of any issues/ongoing investigations
- Have access to resources and attend any relevant or refresher training courses at least every year.
- Maintain their training and development

Details of the Designated Safeguarding Lead and Deputy Designated Safeguarding Lead can be found below:

<b>Designated Safeguarding Lead</b>
Katherine Percival Katherine.percival@sportstructures.com 07917 388174 Sport Structures, Suite 8, The Cloisters, 12 George Road, Edgbaston, Birmingham B15 1NP

We also have a Deputy DSL should the DSL be unavailable:

<b>Deputy Designated Safeguarding Lead</b>
Simon Kirkland Simon.kirkland@sportstructures.com 07766 768474 Sport Structures, Suite 8, The Cloisters, 12 George Road, Edgbaston, Birmingham B15 1NP

## ***The Company***

### *Liaison with Other Agencies*

The company will:

- Work to develop effective links with relevant services to promote the safety and welfare of all learners
- Co-operate pro-actively as required, in line with Working Together to Safeguarding Children, with key agencies in their enquiries regarding child protection matters including attendance and providing written reports at child protection conference and core groups
- Establish and maintain links with regional Prevent Leads and the Police Channel Coordinator

### *Record Keeping*

The Company will:

- Keep clear, detailed, accurate, written records of any safeguarding concerns (noting the date, event and action taken), even where there is no need to refer the matter to an external agency
- Ensure all records are kept securely in an area only available to the DSL and Deputy DSL and any other Director that may be suitable

### *Confidentiality and information sharing*

The Company will:

- Child/vulnerable adult protection information will be stored and handled in line with the General Data Protection Regulation (GDPR) 2016. GDPR does not prevent Company staff from sharing information with relevant agencies, where that information may help to protect a child or vulnerable adult.
- Child/vulnerable adult protection records are normally exempt from the disclosure provisions of the Data Protection Act, which means that children/vulnerable adults and parents do not have an automatic right to see them. If any member of staff receives a request from a learner or parent to see child/vulnerable adult protection requests, they will refer to the DSL or Deputy DSL.
- Ensure confidentiality protocols are adhered to and information is shared appropriately. If in any doubt about confidentiality, staff will seek advice from the DSL or Deputy DSL.  
Information sharing: Guidance for Practitioners and managers is available from Department of education [www.education.gov.uk](http://www.education.gov.uk)
- Ensure that the DSL and Deputy DSL only disclose any information about a learner to other members of staff on a “needs to know” basis, including Domestic Violence notifications

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- Make all staff aware that they have a professional responsibility to share information with other agencies in order to safeguard children and vulnerable adults, if required.
  - Ensure staff are clear with children and vulnerable adults that they cannot promise to keep secrets

#### *Communications with Parents/Carers*

The Company will:

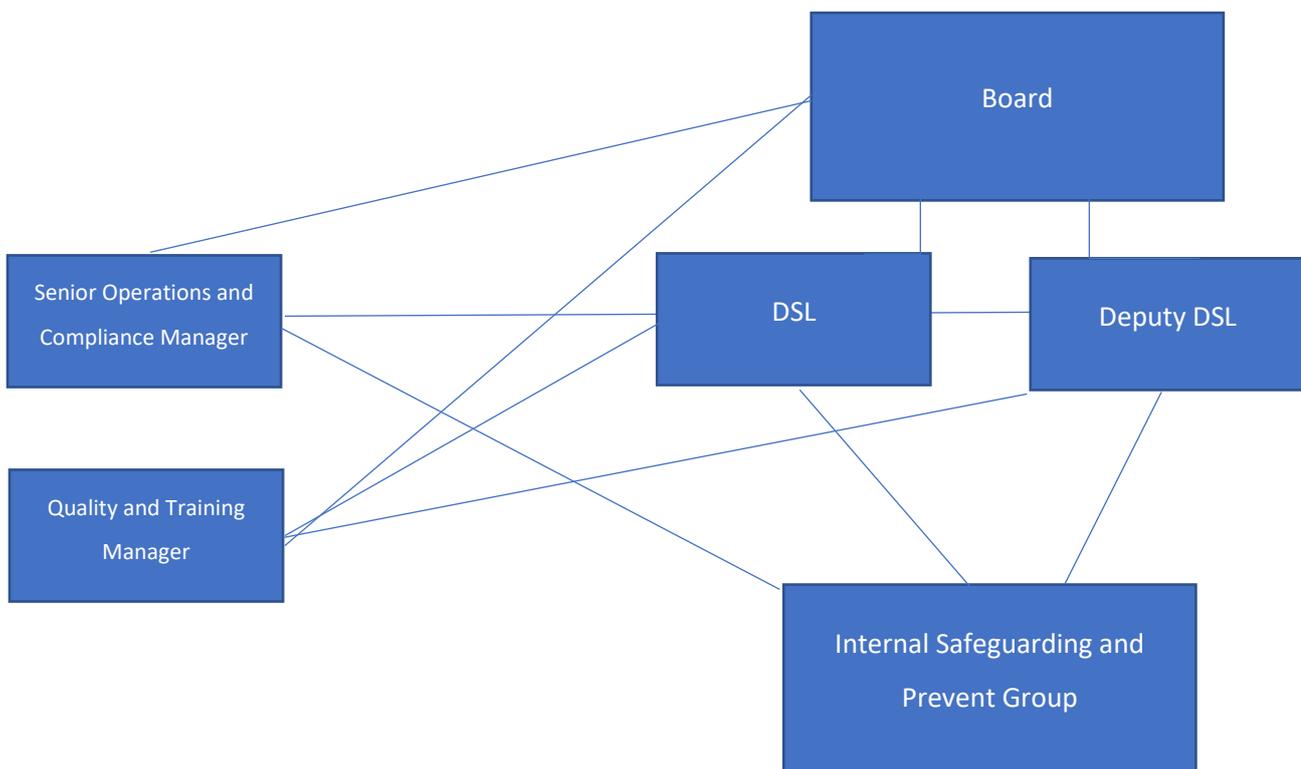
- Ensure that parents/carers are informed of the responsibilities placed on the Company and staff in relation to child/vulnerable adult protection by setting out its duties on the Company website
- Undertake appropriate discussion with parents/carers prior to involvement of another agency unless the circumstances preclude this action. If the Company believes that notifying parents could increase the risk to the child/vulnerable adult or exacerbate the situation, advice will be sought from social care. (Further guidance on this can be found in the Core Inter-agency Procedures of the Local Safeguarding Children Board)

### ***Internal Safeguarding and Prevent Group***

The internal safeguarding and prevent group will:

- Oversee the company's policies and procedures in relation to Safeguarding and Prevent
- Oversee training and resources
- Ensure the company is up to date and relevant with training, information sharing and reporting procedures
- Own the risk register and action plan
- Share information with staff and partners .

For information, an illustration of the roles and responsibilities associated with the Safeguarding Policy can be seen below:



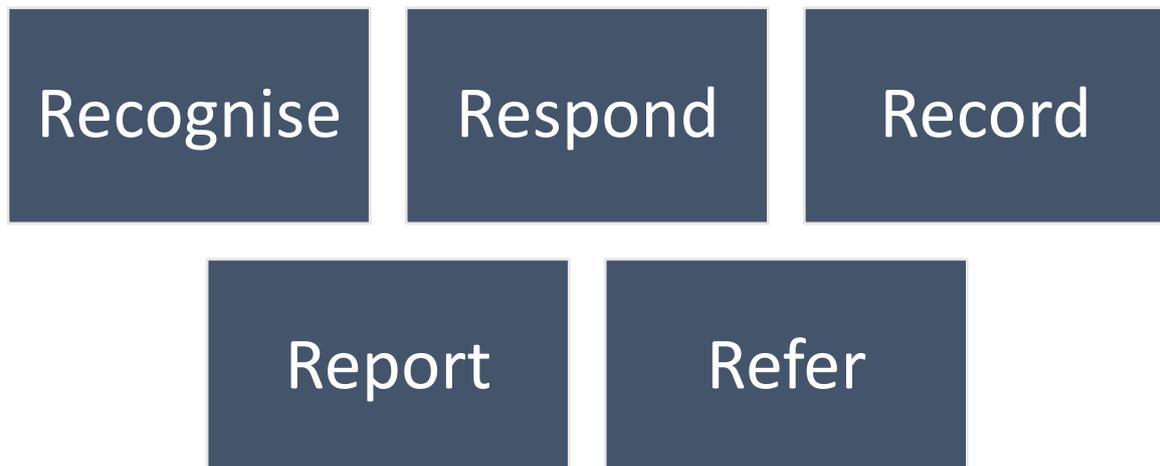
## Procedures

Our procedures have considered the procedures of the Local Safeguarding Children Partnership, the Adult Safeguarding Board procedure and guidance from Channel. Concerns, disclosures and allegations will be taken seriously and dealt with as soon as practicable, in line with this policy.

The Designated Safeguarding Lead (DSL) should be the first point of contact. If they are unavailable, please contact the Deputy DSL. The **DSL or Deputy DSL** is responsible for conducting any investigation.

Throughout the procedure, records will be maintained and kept securely and confidentially, separately from the learners' file. In the event of an allegation of child/vulnerable adult abuse being committed by a partner organisation such as an awarding organisation or end point assessment organisation, the DSL or Deputy DSL will report this to the appropriate organisation and support in their procedure to investigate the matter.

Staff responsibilities or **5Rs** can be summarised as:



## Procedures for staff

If a member of staff believes a learner is in **immediate danger or at risk of harm** – immediately contact the DSL or Deputy DSL. They will assess the severity and make a referral to an external agency (i.e. the police) immediately, if required.

### *Staff concerns about a learner*

If staff members have **any concerns** about a learner, this must be referred to the DSL or Deputy DSL as soon as possible. They will assess the severity of the concern.

It is recommended that staff complete the Safeguarding Disclosure Form. Options can include referral to external specialist services or pastoral support and local monitoring. Providing early help is more effective in promoting the welfare of children and adults than reacting later.

Staff **may** be required to support other agencies and professionals in an early help assessment and share information support early identification and assessment. The DSL or Deputy DSL will take the lead on working with external agencies.

### *If a learner makes a disclosure to a member of staff*

If a learner makes a disclosure to a member of staff, the learner should be acknowledged, taken seriously and listened to. As soon as it becomes clear that the learner is talking about a safeguarding issue, you need to gently stop them and inform them that if they continue you have a **legal obligation** to pass this information on to a DSL or Deputy DSL. **You cannot promise confidentiality to the learner.**

Reassure the learner but tell them that a record of information given will be made. It is important not to ask too many questions as **it is clear that you must not under any circumstances investigate any accusations.**

Allow the learner to freely recall significant events, keeping questions to the absolute minimum necessary to ensure a clear and accurate understanding of what has been said. Record the factual details of what has been told to you using the Safeguarding Disclosure Form.

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Contact the DSL or Deputy DSL immediately to explain the situation and pass on the written notes. The DSL will outline the action that they have to take so that you can explain this to the learner. It may be appropriate for the DSL to meet the learner. You must not take any further action yourself.

*If a member of staff receives information about a learner from another person*

If a member of staff receives information about a learner, which suggests a that there is a safeguarding issue or that this is likely, this must be recorded on the Safeguarding Disclosure Form and reported immediately to the DSL. The DSL will assess the severity of the issue.

*If a member of staff suspects a learner has a safeguarding concern*

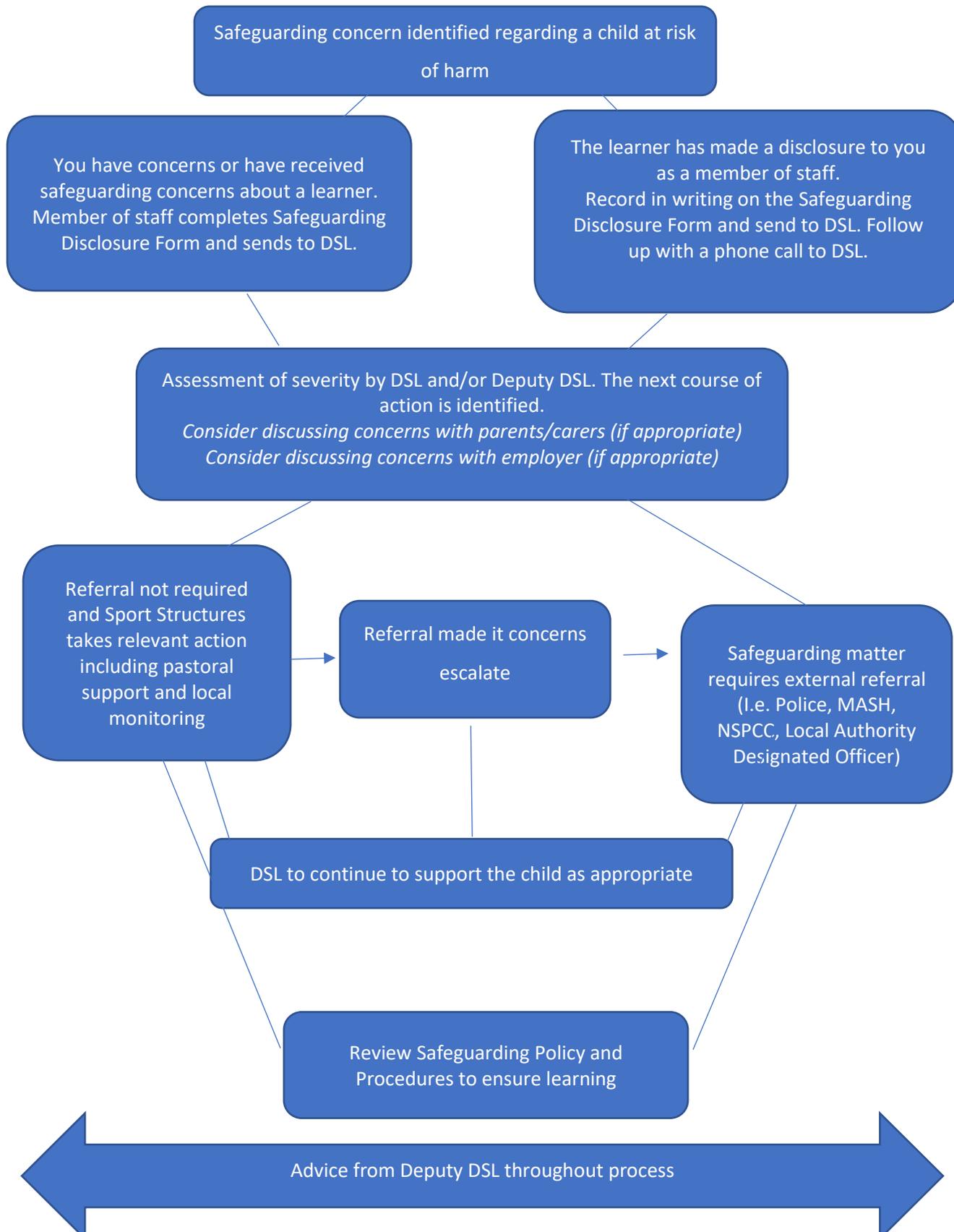
If a member of staff suspects that a learner is at risk from a safeguarding issue, they must discuss these concerns with the DSL or Deputy DSL and not take any independent action. The concerns must be recorded on the Safeguarding Disclosure Form.

All contact with outside agencies over issues of safeguarding must be approved by the DSL/Deputy DSL. They will decide whether to make a referral. In exceptional circumstances, such as in an emergency or a genuine concern that action has not been taken, staff members can speak directly to an external agency.

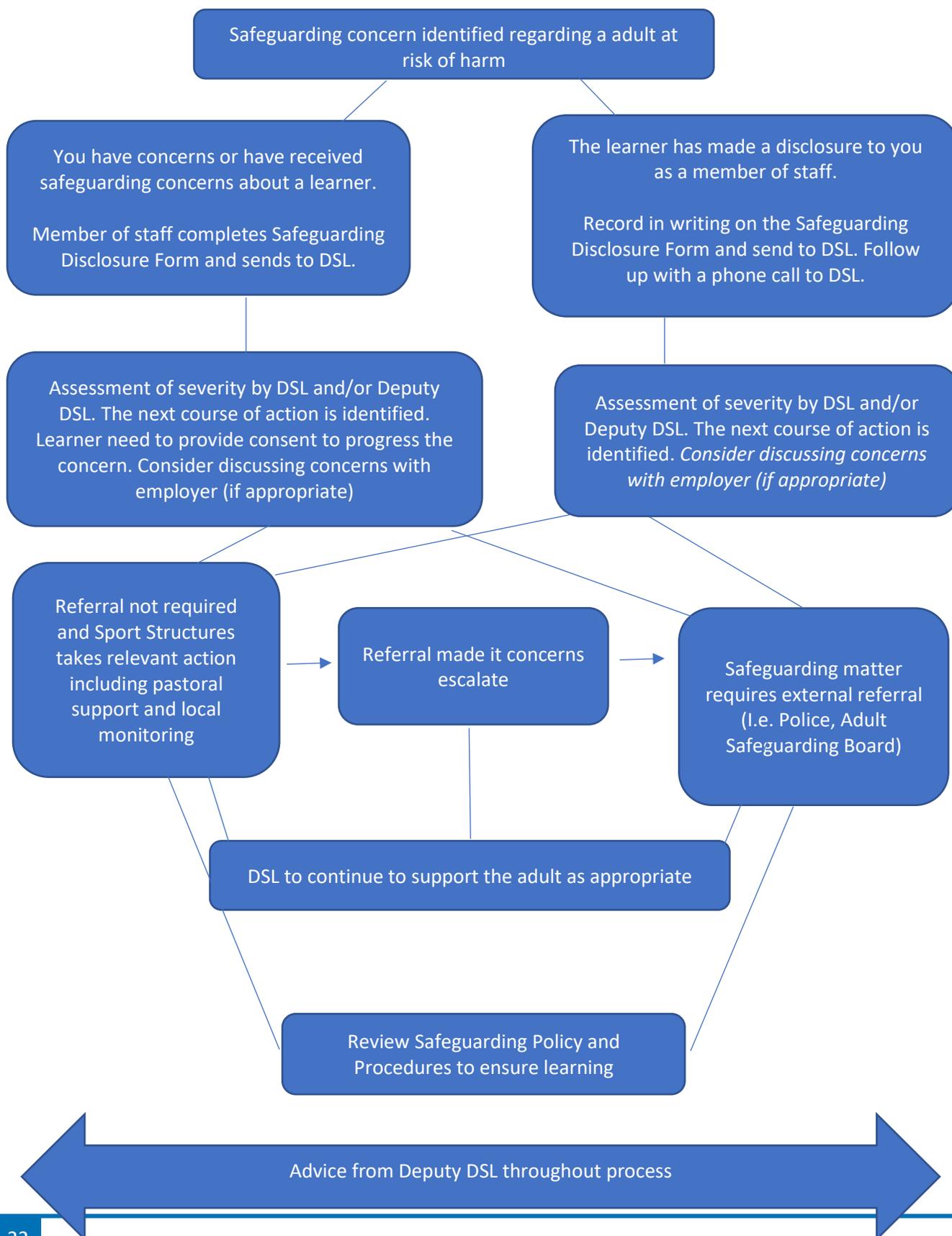
Parents / carers and have the right to be informed in respect of any concerns or any action taken to safeguard and promote their welfare, providing this does not compromise the learner's safety.

Support will be offered to learners through the process, and this will be led by the DSL.

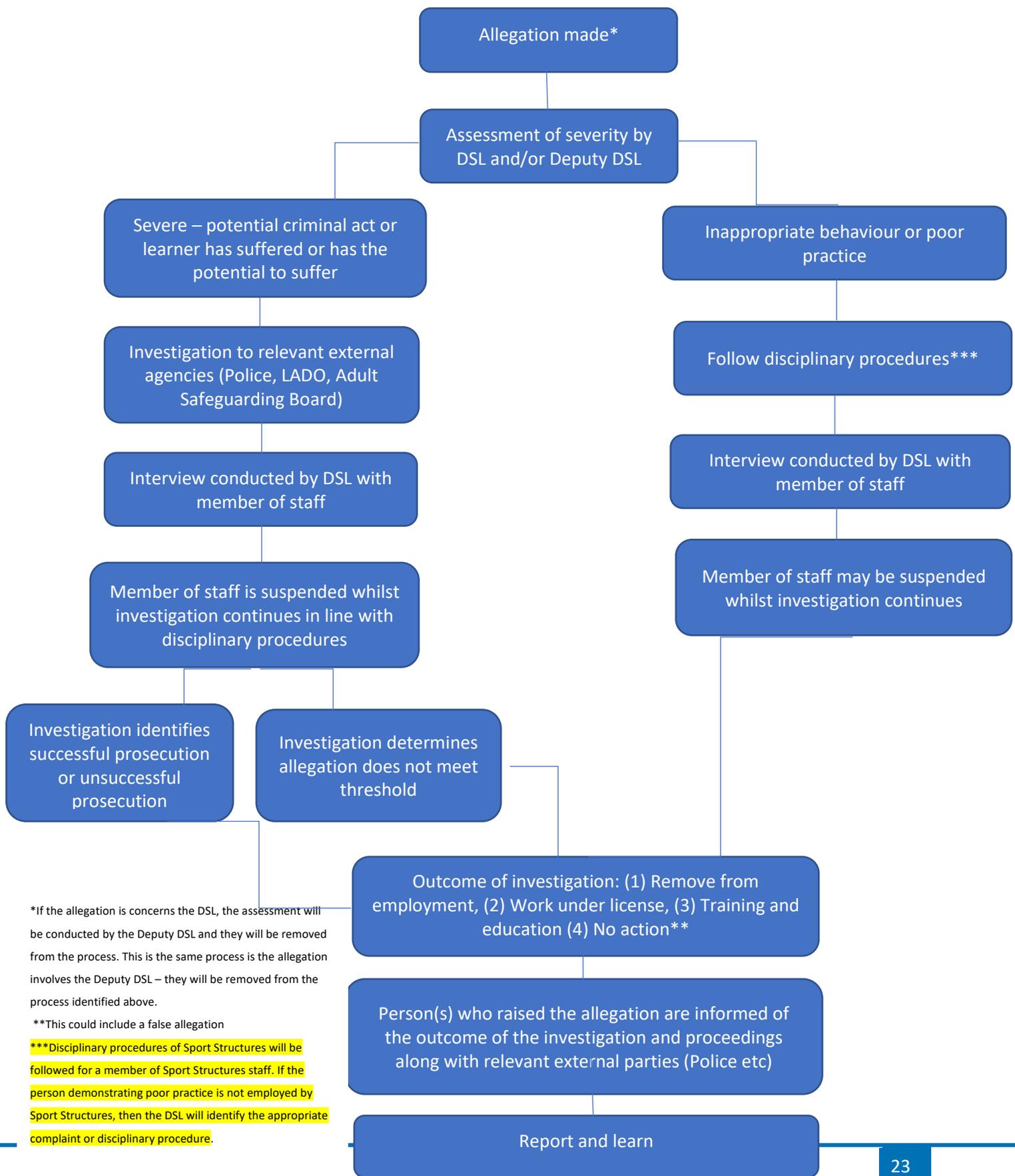
## Safeguarding Procedure for Children (Under the Age of 18 years of age)



## Safeguarding Procedure for Adults (over the age of 18 years)



## Safeguarding Procedure if concern relates to member of staff



\*If the allegation is concerns the DSL, the assessment will be conducted by the Deputy DSL and they will be removed from the process. This is the same process is the allegation involves the Deputy DSL – they will be removed from the process identified above.

\*\*This could include a false allegation

\*\*\*Disciplinary procedures of Sport Structures will be followed for a member of Sport Structures staff. If the person demonstrating poor practice is not employed by Sport Structures, then the DSL will identify the appropriate complaint or disciplinary procedure.



### *Concerns about another Staff Member*

It is recognised that sometimes there may be concerns about a Sport Structures member of staff.

The Whistleblowing policy identifies situations that constitutes grounds for whistleblowing:

- Criminal offences (e.g. fraud, blackmail, bribery, corruption)
- Endangering someone's health and safety
- Damage to the environment
- A miscarriage of justice
- A failure to comply with legal and regulatory obligation
- A safeguarding concern
- Improper conduct or unethical behaviour including unauthorised disclosure of confidential information.
- Attempting to conceal any of the above

Please refer to the Whistleblowing procedure for further information.

### *Receiving an allegation from a learner about a member of staff*

It is recognised that sometimes allegations may involve a member of Sport Structures staff.

Allegations may emerge in the following ways:

- When a member of staff has behaved in a way that has harmed or may have harmed a child, young person or adult at risk of harm.
- When a member of staff has possibly committed a criminal offence against or related to a child, young person or adult at risk of harm.
- When a member of staff has behaved towards a child, young person or adult at risk of harm in a way that indicated they are unsuitable to work with children, young people or adults at risk of harm.

Sport Structures recognises that an allegation of child abuse or abuse to adults at risk of harm made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and those investigations are thorough and not subject to delay.

A member of staff who receives an allegation about another member of staff from a learner at risk of harm will follow the guidelines in the Safeguarding Procedure on page 24. This will ensure the learner needs are met. On some occasions the concern may not arise from a direct disclosure. If observations of staff behaviour give rise for concern of inappropriateness, these must be shared directly with the DSL or Deputy DSL.

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The DSL or Deputy DSL will contact the Local Authority Designated Officer (LADO) for children under 18 or the Adult Safeguarding Board for adults at risk of harm to discuss referral and action if required. Appropriate internal action will be taken to safeguard the child/vulnerable adult.

### *Self-reporting*

There may be occasions where a staff member may feel they have acted in a way that:

- could be misinterpreted
- could appear compromising to others
- falls below the standards set out in the Code of Conduct

The DSL will maintain a culture of approachability for all staff members and will be understanding and sensitive towards those who self-report. Staff members who self-report will not be treated more favourably during any investigations than staff members who have been reported by somebody else. Their self-awareness will be taken into consideration. The procedure on page 24 would be followed.

### **Initial Assessment by the DSL**

The DSL and or Deputy DLS will make an initial assessment of the allegation/issue or concern.

Where the allegation is considered to be either a potential criminal act or indicates that the learner has suffered, is suffering or is likely to suffer significant harm, the matter will be dealt with under the relevant Local Safeguarding Children Board procedures or in the case of adult abuse, the Adult Safeguarding Unit. The police may also be contacted.

The initial assessment will be on the basis of the information received and is a decision whether or not the allegation warrants further investigation.

Other potential outcomes are:

- The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the child or adult at risk of harm. The matter will be addressed through professional development of mentoring or in some cases more appropriate, the company's Disciplinary Policy and Procedure.
- The allegation can be shown to be false because the facts alleged could not possibly be true, in which case the person concerned will be reassured and supported as appropriate.

### **Enquiries and Investigations**

Child/Adult protection enquiries by Children's Social Care, Adult Services or the Police are not to be confused with internal, disciplinary enquiries by Sport Structures. The company may be able to use the outcome of external agency enquiries as part of its own procedures. Neither the Child Protection Agencies nor the Police have power to direct the company to act in a particular way; however, Sport Structures will always assist the agencies with their enquiries.

If there is an investigation by an external agency, for example, the Police, the DSL will normally be involved in and contribute to the inter-agency strategy discussions. The DSL is responsible for ensuring that the company gives every assistance with the agency's enquiries. They will ensure that the appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The DSL shall advise the member of staff that they may seek additional advice and support.

Following discussion with the LADO/Adult Safeguarding Board, the Police or other investigating agency, the DSL shall:

- ensure that the parents/carers of the child or vulnerable adult making the allegation have been informed that the allegation has been made and what the likely process will involve.
- inform the member of staff against whom the allegation was made of the fact that the allegation was made. Where investigation is taking place, they will be informed of what the likely process will involve and what support may be available.

Written records of the action taken in connection with the allegation will be kept.

### **Suspension of staff**

Suspension will only occur for a good reason, for example:

- Where there is a cause to suspect a child or adult is at risk of significant harm.
- Where the allegations warrant investigation by the Police or potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.
- Where necessary for the good and efficient conduct of the investigation.

Suspension will not be automatic; a member of staff may be suspended on full pay whilst an investigation is undertaken (if they are employed through PAYE Sport Structures – not as an associate). If the member of staff is an associate, work with the staff member will stop until the investigation has been carried out. Suspension can only be carried out by the DSL or Deputy DSL.

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Prior to making the decision to suspend, the DSL will interview the member of staff. This will occur with the approval of the LADO/Adult Safeguarding Board where possible. In particular, if the Police are engaged in an investigation, the officer in charge of the case will be consulted. The process will follow Sport Structures Disciplinary Procedures.

Where suspension is instigated and or something that could result in dismissal for gross misconduct which harmed a child or placed a child at risk, Sport Structures will refer them to the Disclosure and Barring Service (DBS). Referral to DBS also applies to action taken in relation to adults at risk of harm.

If the staff member is subject to registration by a professional body or regulator, for example, OFSTED, the LADO will advise on whether a referral to that body is appropriate.

If it is decided that a member of staff who has been suspended from work can return, Sport Structures will facilitate their return to work and consider how the member of staff's contact with the child or children who made the allegation can be best managed. The DBS will be notified that the suspension has been lifted.

### **Disciplinary Investigation**

The disciplinary investigation will be conducted in accordance with Sport Structures' existing Disciplinary Policy and Procedure.

The member of staff will be informed of:

- The disciplinary allegation against them
- Their entitlement to be represented by a work companion.
- The company's awareness of the personal impact the allegation may have and the support the company is able to offer for example, counselling.

Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension will be lifted immediately, and arrangements made for the member of staff to return to work.

The child, children or adult at risk of harm, making the allegation, and/or parent will be informed of the outcome of the investigation and proceedings. This will occur prior to the return to work of the member of staff (if suspended).

### **Allegations without Foundation**

False allegations may be indicative of problems of abuse elsewhere. A record will be kept and consideration given to a referral to Local Safeguarding Children's Partnerships / Adult Safeguarding Boards, in order that other agencies may act upon the information.

The company (DSL or Deputy DSL) shall:

- Inform the member of staff against whom the allegation is made orally and in writing that no further action will be taken.
- Reassure them of the company's understanding of the personal impact that false allegations may have and the support that Sport Structures will continue to offer.
- Inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.
- Where the allegation was made by a child/adult at risk of harm other than the alleged victim, consideration to be given to informing the parents/carers of that child/adult at risk of harm.
- Prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.
- Remove allegations from member of staff's personal file

### *If a staff member has concerns about an employer*

If staff members have **any concerns** about an employer, this must be referred to the Senior Operations and Compliance Manager if it is not related to safeguarding i.e. health and safety. If the issue is a safeguarding concern, please refer to the DSL.

Please note, Sport Structures has a responsibility to ensure the health, safety and welfare of all learners undertaking apprenticeships with employers. Sport Structures will ensure that employers are aware of this policy and their responsibilities for compliance in relation to Safeguarding and the Prevent duty for any learner who is placed with them and that arrangements are in place to ensure that a learner's wellbeing is safeguarded.

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*If a staff member has concerns about a learner or other stakeholder which falls outside a safeguarding issue*

If a staff member has concerns about a learner or any other stakeholder that fall outside any safeguarding issues (for example, a learner falls below progress expected) they should complete a Concerns Form. Staff will be trained on this procedure separately as and when relevant to their work area and all concerns will be tracked by a senior member of staff and escalated to a safeguarding concern if required. This proactive action ensures safeguarding concerns may be identified early to prevent them becoming a serious issue.

*Apprentices with criminal convictions*

Sport Structures is committed to the fair treatment of all learners and to the equality of opportunity. A learner who wishes to undertake an apprenticeship will be reviewed against their skills, qualifications and experience, not their background or personal circumstances. Having a criminal conviction will not necessarily prevent someone from undertaking learning with us.

**It is the responsibility of the employer** to ensure their recruitment processes reflect the legal requirements when recruiting apprentices. Disclosure rules for criminal records are commonly referred to as filtering which is used to describe the process that identifies which criminal records will be disclosed on a Standard or Enhanced DBS check. Certain or minor offences may not be disclosed on DBS certificates. These are known as protected offences.

There is a [list of offences](#) that will always be disclosed on a Standard or Enhanced DBS certificate (unless they relate to a youth caution). These are known as 'specified offences' and are usually of a serious violent or sexual nature, or are relevant for safeguarding children and vulnerable adults. It is recommended that employers use the following questions in the recruitment process:

*Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974? (Y/N)?*

*Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020? (Y/N)?*

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We requested that the employer brings to our attention any specified offences by emailing the DSL or Deputy DSL using the. This will enable us to work with the employer to determine the level of risk posed to both the learner and to others and to decide a way forward.

#### *Concerns about Safeguarding Practices*

All staff should feel able to raise concerns about poor or unsafe practice and potential failures in the companies safeguarding practices and that such concerns would be taken seriously by the Sport Structures Board.

If staff members have any concerns about the Sport Structures' safeguarding regime, they should raise this initially with their Line Manager.

If no immediate action is taken, then appropriate Whistle-blowing Procedures are in place for such concerns to be raised with the Board.

Where a staff member feels unable to raise an issue with Sport Structures or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:

*General guidance can be found at - Advice on whistleblowing.*

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 - line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC)  
Weston House 42 Curtain Road London EC2A 3NH

## Supporting Vulnerable Adults and Children

- We recognise that abuse, radicalisation or witnessing violence may have an adverse impact on those children which may last into adulthood without appropriate intervention and support
- The Company may be the only stable, secure and predictable element in the lives of children/vulnerable adults at risk. Nevertheless, when at the Company their behaviour may be challenging and defiant or they may become withdrawn
- We recognise that some vulnerable children/vulnerable adults may develop abusive behaviours and that they may need to be referred on for appropriate support and intervention
- We recognise that, statistically, children/vulnerable adults with emotional and behavioural difficulties and disabilities are most vulnerable to abuse. Company staff who deal with children/vulnerable adults with complex and multiple disability and/or emotional and behavioural problems should be particularly sensitive to indicators of abuse

The company will support the learner through:

- Training /curricular opportunities to encourage self-esteem and self-motivation
- An ethos that actively promotes a positive, supportive and safe environment and values the whole community
- The Company's Code of Conduct will support vulnerable learners in the Company. The Company will ensure that the learner knows that some behaviour is unacceptable but they are valued and not to be blamed for any abuse which has occurred
- Liaison with other agencies which support the learner
- Recognition that children/vulnerable adults living in a home environment where there is domestic abuse, drug or abuse or mental health issues are vulnerable and in need of support and protection; they may also be young carers
- Monitoring and supporting learner welfare, keeping records and notifying Social Care in accordance with the Local Safeguarding Children Board "Core Inter-Agency Procedures" or the Police Channel Coordinator
- When a learner who is subject to a child protection plan leaves, information will be transferred to the new learning environment immediately. The relevant contact with social care and any other agencies will also be informed

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- When a child/vulnerable adult is missing from education, the Company will immediately notify the relevant contact within the Social Care Team/Education Welfare Officer and follow any local procedures' accordingly if a child is subject to a Child Protection Plan or there have been ongoing concerns

## Preventing Unsuitable People from Working with Children or Vulnerable Adults

### Summary of the Personnel Recruitment Procedure

Vacancies are advertised widely in order to ensure a diversity of applicants.

Applicants are required to complete an application form along with a CV and covering letter for each position advertised. These are required to be returned to HR Officer (previously a Manager, Senior Manager or Director) who manages the recruitment process.

The role requirements are clearly defined (job description and person specification) and the job offer will be subject to satisfactory completion of pre-employment checks which include:

- receipt of two satisfactory written references, one of which must be from the present or most recent employer which identifies their suitability to work with children and adults.
- verification of identity and the provision of original documentation as required by the DBS.
- Right to Work in the UK online survey completion
- DBS checks are sought on appointment and updated every 3 years as appropriate.
- a clear check against the DBS Barred Children's List, if applicants are working in regulated activity
- a variety of selection techniques (for example, cover letter, previous experience and interview).

For applicants working in regulated activity, the interview process will include a question relating to safeguarding.

Personnel are selected on their suitability to meet the job/role-related requirements and responsibilities and their ability to demonstrate that they can work safely with children and/or vulnerable adults. Applicants will receive confirmation in writing relating to the outcome of their application/interview. Where the outcome is positive, an offer letter is sent to the individual outlining the terms and conditions of the role. If previously non-disclosed and criminal/police information is identified by the DBS disclosure, the Human Resources Officer will discuss this with the person seeking the position, before discussing with the Managing Director, to determine whether withdrawing the conditional offer of employment is necessary.

All new members of staff must have either a face to face or online induction. Arrangements are made for any relevant training, which includes clarification of activity requirements, responsibilities and child/vulnerable adult protection procedures and further identification of training needs. New members of personnel are then required to confirm their agreement to abide by the Sport Structures policies and procedures, including the safeguarding policy, in writing along with confirmation that they have read Part I and Annex A of Keeping Children Safe in Education. Awareness of child/vulnerable protection practice will continue to be addressed via ongoing training and all staff will be expected to keep themselves up to date with current practice.

All members of staff who work with children and adults are required to adhere to this policy. All staff details and required checks will be managed by the Human Resources Officer using a Single Central Record.

### **Staff training**

The company will provide Safeguarding and Prevent training for all staff, from the point of their induction which is updated yearly (in accordance with legal/statutory guidance or best practice) so that they are confident about:

- The Company's legislative responsibilities
- Their personal responsibilities
- The Company's policies and procedures
- The need to be alert to the signs and indicators of possible abuse and radicalisation
- The need to record concerns
- How to support and respond to a child/vulnerable adult who tells of abuse

The company will also ensure:

- Staff undertake accredited training is given to all staff members every 3 years, relevant to their role
- The DSL will receive training updated at least every two years, including training in the inter-agency procedures.
- Staff have access to relevant resources, relevant to their role
- that all staff, paid and unpaid, recognise their duty and feel able to raise concerns about poor or unsafe practice in regard to children/vulnerable adults and that such concerns are

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addressed sensitively and effectively in a timely manner in accordance with agreed whistle-blowing policies

- That every member of staff, employer and volunteer is issued with a copy of Part 1 of the “Keeping Children Safe in Education” statutory guidance document as updated upon induction. A copy of the document is available at <https://www.gov.uk/government/publications/keeping-children-safe-in-education>

### **Photographs and Videos**

To protect learners, we will:

- Seek their consent for photographs to be taken or published (for example, on our website or in publications). Consent must be obtained via a Sport Structures consent form, provided by the beginning of a learning programme.
- Ensure learners are appropriately dressed.
- Encourage learners to tell us if they are worried about any photographs that are taken of them.
- Ensure that members of staff delete any associated images of learners once they have been sent to Sport Structures

### **Online Safety**

Sport Structures E-safety Policy explains how we aim to keep learners safe. Cyber-bullying by learners, via texts, emails, sexting and sharing indecent images will be treated as seriously as any other type of bullying and will be managed through liaising with the employer and through our disciplinary system.

Social networking sites are also sources of inappropriate and harmful behaviour. Any inappropriate behaviour will be dealt with as per the process above.

We will ensure that online safety is included through teaching and learning opportunities as part of their curriculum. This may include covering relevant issues such as tutorials.

## Prevent Background

Sport Structures has had a longstanding commitment to safeguarding the wellbeing of its learners. The Children's Act 2004 mandated the establishment of local safeguarding children boards. Sport Structures recognised the importance of multi-agency working and established a comprehensive safeguarding procedure. This strategy extends Sport Structures' commitment to safeguarding to include protecting its learners and staff from the risk of harm from radicalisation and being drawn into terrorism.

Since early 2006, the United Kingdom has had a long-term strategy for countering national and international terrorism (known within Government as CONTEST). Its aim is to reduce the risk from national and international terrorism so that people can go about their daily lives freely and with confidence. The strategy is divided into four principal strands:

**Pursue** - terrorists and their operations at home and abroad

**Prepare** - for the consequences and improve resilience

**Protect** - reduce vulnerability of the public and UK interests

**Prevent** – prevent people from becoming terrorists or supporting terrorism

## The Prevent Strategy

The aim of the Prevent strategy, published by the government in 2011, is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. In the Counter-Terrorism and Security Act 2015 this has simply been expressed as the need to “prevent people from being drawn into terrorism.” This document focuses on the ‘Prevent’ strand of the strategy.

- The 2011 Prevent strategy has three specific strategic objectives:
- respond to the ideological challenge of terrorism and the threat we face from those who promote it;
- prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and
- work with sectors and institutions where there are risks of radicalisation that we need to address

Terrorist groups often draw on extremist ideology, developed by extremist organisations and individuals. Some people who join terrorist groups have previously been members of extremist organisations and have been radicalised by them. The Government has defined extremism in the Prevent strategy as: “vocal or active opposition to fundamental British values, including democracy,

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the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces.”

A system of threat level has been created which represents the likelihood of an attack in the near future. The five levels are:

- Critical - an attack is highly likely in the near future
- Severe - an attack is highly likely
- Substantial - an attack is likely
- Moderate - an attack is possible but not likely
- Low - an attack is unlikely

### The Prevent Strategy Principles

Sport Structures is aware of the important role it plays in helping prevent people being drawn into terrorism, which includes not just violent extremism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit. Sport Structures recognises that radicalised learners can act as a focal point for further radicalisation through personal contact with fellow learners and through their social media activity. Where radicalisation happens out of classroom sessions, the learners concerned may well share his/her issues with other learners. The role that staff play in recognising and responding appropriately to any changes in behaviour and outlook of learners cannot be under-estimated and will be central to this strategy, going forward.

In its efforts to comply with the duty, Sport Structures, through this strategy and associated documentation, will demonstrate an awareness and understanding of the risk of radicalisation in its area and what steps can be taken to minimise any risk to its staff, learners and community. For learners every effort will be made to identify any radicalising influences. Learners will be taught British Values of respect and tolerance throughout their apprenticeship programmes to lessen the risk that they become radicalised. Employers and apprentices will be shared information on prevent to allow them to support in this endeavour. Any changes in behaviour or areas of concern raised by an employer, learner or a tutor will be reported immediately and the safeguarding procedures will be followed as detailed in this policy.

## Key Objectives:

The Prevent strategy has 5 key objectives:

1. To ensure that learners and staff are aware of their roles and responsibilities in preventing violent extremism.
2. To promote and reinforce shared values and to listen and support the learner voice.
3. To break down differences between different learner communities including supporting inter-faith and inter-cultural dialogue and understanding, and to engage all learners in playing a full and active role in wider engagement in society.
4. To ensure that Sport Structures is free from bullying, harassment and discrimination and that learners feel safe.
5. To provide support for learners who may be at risk by providing appropriate sources of advice and guidance.

## Safeguarding and Prevent Risk Assessment

To show our commitment to ensuring all staff and learners remain safe, we have a safeguarding and prevent risk assessment which documents any risks and actions taken to mitigate them. The designated safeguarding lead owns this document and utilises the safeguarding group who support to update this document and communicate it to all staff. This document is updated by the safeguarding group every quarter and more frequently if required. In addition, the Internal Safeguarding Group maintains effective partnerships, including with the Department for Education Regional Prevent Coordinators, to ensure that the organisation remains well appraised of current risk and best practice.

Sector specific guidance for further education was issued in September 2015, to be read alongside the guidance contained in the revised prevent duty guidance July 2015 as well as Ofsted's Education Inspection Framework for FE skills.

## External Speakers and Events

Sport Structures will assess the risks associated with any planned events and consider carefully whether the views likely to be expressed constitute extremist views that may risk drawing people into terrorism. Only where Sport Structures is confident that any such risk can be fully mitigated will the event be allowed to proceed.

The external hire of Sport Structures facilities is subject to the booking being deemed acceptable under their policies and procedures including those relating to risk management, health and safety and safeguarding.

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Sport Structures will comply with its legal duties in terms of both ensuring freedom of speech and preventing radicalisation. Any potential concerns by staff should be raised following the normal safeguarding reporting procedure so the DSL can assess the appropriateness of the external speaker or event or assess the suitability of any external facilities identified.

### Channel and Referrals

Channel is about safeguarding children and adults from being drawn into committing terrorist related activity. It is a key element of the prevent strategy and uses a multiagency approach to protect people at risk from radicalisation. Channel uses existing collaboration between local authorities, statutory partners, the police and local community.

Access to Police Prevent referral pathways and Channel is achieved by utilising the Department for Education Regional Prevent Coordinator network to effectively and quickly access nationwide support.

### Referral Pathway for Prevent

It is recognised that on occasions learners may be identified as requiring support for issues connected to radicalisation and extremism. In these cases the DSL or Deputy DSL will review the case and where it is considered appropriate to seek external support a Prevent referral will be made with a view to assessment of the case for the Channel programme.

It is recognised that learners requiring support may live or reside in differing geographical areas and Prevent referral processes and support may vary from region to region. Therefore upon identification of a relevant case the DSL or Deputy DSL, or person nominated by them, will liaise with the Department for Education Regional Prevent Coordinator network to ensure quick and effective access to the appropriate local Prevent support.

If in doubt of who the regional contact is, information can be sent to:

Sam Slack

East Midlands Regional Prevent Coordinator HE/FE (G7)

sam.slack@education.gov.uk

07384452156

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## Safeguarding Reporting

Our Safeguarding Disclosure Form should be used to report any disclosure. This can be requested from Sport Structures at any time and all staff will have access to this. A copy can be found in the appendix. The form must be completed immediately following the awareness of a safeguarding concern or disclosure and sent directly to the DSL or the Deputy DSL. The form should be completed as accurately and fully as possible, but if all information is not available this should not stop the form being submitted as quickly as possible.

## Appendix 1 – Types of Abuse

Staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases multiple issues will overlap with one another.

### **Physical Abuse**

Physical abuse causes harm to a child/vulnerable adult. It may involve hitting, shaking, throwing, poisoning, scalding, drowning or suffocating. It may be done deliberately or recklessly, or be the result of deliberate failure to prevent injury occurring.

### **Emotional and Psychological Abuse**

Emotional and psychological abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the child's or vulnerable adult's behaviour and emotional development, resulting in low self-worth. Some level of emotional and psychological abuse is present in all forms of abuse

### **Sexual Abuse**

Involves forcing or enticing a child/adult to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child/adult 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/adults 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 (including via the internet).

### **Neglect**

Neglect is the persistent or severe failure to meet a child or vulnerable adult's basic physical and/or psychological needs. It will result in serious impairment of the child/vulnerable adult's health or development. This could involve ignoring medical, emotional or physical care needs and the withholding of the necessities of life, such as medication, adequate nutrition and heating.

### **Bullying, including cyberbullying**

Under the Children Act 1989, a bullying incident should be addressed as a child protection

concern when there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm'. Where this is the case, staff should report their concerns to the DSL. Even where safeguarding is not considered to be an issue, Sport Structures may need to draw on a range of external services to support the learner who is experiencing bullying, or to tackle any underlying issue which has contributed to a learner engaging in bullying.

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages or the internet), and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, or because a child is adopted or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences.

Please note, bullying is peer to peer. An adult cannot bully a child. This would fall under one of the other abuse categories (neglect, sexual, emotional, physical).

### **Child Missing from Education**

A young person going missing from education is a potential indicator of abuse or neglect. It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict zones, FGM and forced marriage. Any concerns should be referred to the DSL.

### **Child Missing from Home or Care**

- Young runaway - a child who has run away from their home or care placement, or feels they have been forced or lured to leave.
- Missing child - a child reported as missing to the police by their family or carers. If a member of staff suspects that a child is running away, the normal safeguarding procedures apply and this must be reported to the DSL
- Looked after Child: a child who is looked after by a local authority by reason of a care order, or being accommodated under section 20 of the Children Act 1989.
- Care Leaver: an eligible, relevant or former relevant child as defined by the Children Act 1989.

### **Child Sexual Exploitation (CSE)**

- Child Sexual Exploitation involves exploitative, contexts and relationships where young people receive something (for example food, drugs, alcohol, gifts or in some cases simply affection) as a result of engaging in sexual activities
- Sexual exploration can take many different forms, from the seemingly “consensual” relationships to serious organised crime involving gangs and groups
- Exploitation is marked out by an imbalance of power in the relationship and involves varying degrees of coercion, intimidation and sexual bullying including cyberbullying and grooming
- It is important to recognise that some people who are being sexually exploited do not show any external signs of this abuse and may not recognise it as abuse
- Young people who go missing can be at increased risk of sexual exploitation and so procedures should be put in place to ensure an appropriate response should any young person go missing, particularly on repeat occasions
- The Company will refer to the Keeping Children Safe in Education Document and seek advice from the Social Care Team and/or the LSCB if there is a concern that a young person may be at risk

### **Domestic Abuse**

The definition of domestic violence and abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- Psychological.
- Physical.
- Sexual.
- Financial.
- Emotional.

The DSL and Deputy DSL should be notified of Domestic Abuse incidents where the police have been called and that involve young people under their jurisdiction and they will take appropriate action to ensure children/vulnerable adults are kept safe.

### **Substance Misuse and Child/Vulnerable Adult Protection**

The discovery that a child/vulnerable adult is misusing legal or illegal substances or reported evidence of their substance misuse is not necessarily sufficient in itself to initiate child/vulnerable protection proceedings but the Company will consider such actions in the following situations, where there is evidence or reasonable cause:

- To believe the child/vulnerable adult's substance misuse may cause him or her to be vulnerable to other abuse such as sexual abuse
- To believe the pupils substance related behaviour is a result of abuse or because of pressure or incentives from others, particularly adults
- Where the misuse is suspected of being linked to parent/carer substance misuse

#### Children/Vulnerable Adults of Substance Misusing Parents/Carers

- Misuse of drugs and /or alcohol is strongly associated with Significant Harm to children/vulnerable adults, especially when combined with other features such as domestic violence
- When the Company receives information about drug and alcohol abuse by a child/vulnerable adults' parents/carers they will follow appropriate procedures

This is particularly important if the following factors are present:

- Use of the family resources to finance the parent's dependency, characterised by inadequate food, heat and clothing for the children/vulnerable adult
- Children/vulnerable adults exposed to unsuitable caregivers or visitors e.g. customers or dealers
- The effects of alcohol leading to an inappropriate display of sexual and/or aggressive behaviours
- Chaotic drug and alcohol use leading to emotional unavailability, irrational behaviour and reduced parental vigilance
- Disturbed moods as a result of withdrawal symptoms or dependency
- Unsafe storage of drugs and/or alcohol or injecting equipment
- Drugs and/or alcohol having an adverse impact on the growth and development of an unborn child

#### **Fabricated or Induced Illness**

There are three main ways of the parent / carer fabricating or inducing illness in a child. These are not mutually exclusive and include:

- Fabrication of signs and symptoms which may include fabrication of past medical history.

- Fabrication of signs and symptoms and falsification of hospital charts and records, and specimens of bodily fluids. This may include falsification of letters and documents.
- Induction of illness by a variety of means.

### **Faith Abuse**

Faith abuse is child abuse linked to faith or belief. This includes: belief in concepts of witchcraft and spirit possession, demons or the devil acting through children or leading them astray (traditionally seen in some Christian beliefs), the evil eye or djinns (traditionally known in some Islamic faith contexts) and dakini (in the Hindu context); ritual or muti murders where the killing of children is believed to bring supernatural benefits or the use of their body parts is believed to produce potent magical remedies; and use of belief in magic or witchcraft to create fear in children to make them more compliant when they are being trafficked for domestic slavery or sexual exploitation. This is not an exhaustive list.

### **Female Genital Mutilation (FGM)**

Female Genital Mutation includes procedures that intentionally alter or injure the female genital organs for non-medical reasons. It is a surprisingly common form of abuse in the UK

FGM is carried out on children between the ages of 0-15, depending on the community in which they live. It is extremely harmful and has a short and long term effects on physical and psychological health. FGM is internationally recognised as a violation of the human rights of girls and women, and is illegal in most countries, including the UK

The Company takes these concerns seriously and staff will be made aware of the possible signs and indicators that may alert them to the possibility of FGM. Any indication that FGM is a risk, is imminent, or has already taken place will be dealt with under the child protection procedures outlined in this policy. Particular regard should be given to a child, who has returned from an extended holiday, and this should always be followed up and any concerns reported to the DSL or Deputy DSL. Where the Company believes there is a specific risk due to the community it serves further guidance can be found under Part 1 of the Keeping Children Safe in Education Document. The DSL or Deputy DSL will make appropriate and timely referrals to Social Care if FGM is suspected. In these cases, parents will not be informed before seeking advice. The case will still be referred to Social Care if it is against the learner's wishes

### **Forced Marriage**

A forced marriage is a marriage without the consent of both parties and where pressure or threats are a factor. This is very different to an arranged marriage, which both parties will have to agree to. It is a criminal offence to force someone to marry. Signs of concern could include poor punctuality or absences from Company, low motivation, self-harm, depression, isolation, attempted suicide, eating disorders, other family members forced to marry, family disputes, domestic violence, substance misuse or the learner being reported missing from home.

### **Gangs and Youth Violence**

**Gang Activity** - Groups of children and young people often gather together in public places to socialise, and peer association is an essential feature of most children's transition to adulthood. Groups of children and young people can be disorderly and/or antisocial without engaging in criminal activity. Young people on the periphery of becoming involved with street gangs and those young people already involved in some way can be described as 'A relatively durable, predominantly street-based group of young people who see themselves (and are seen by others) as a discernible group for whom crime and violence is integral to the group's identity'.

**Youth Violence** - Youth violence, serious or otherwise, may be a function of gang activity. However, it could equally represent the behaviour of a child acting individually in response to his or her particular history and circumstances. 'Serious youth violence' is defined as 'any offence of most serious violence or weapon enabled crime, where the victim is aged 1-19', i.e. murder, manslaughter, rape, wounding with intent and causing grievous bodily harm. 'Youth violence' is defined in the same way, but also includes assault with injury offences. Most children and young people do not become violent overnight. Their behaviour represents many years of (increasingly) anti-social and aggressive acts.

### **Gender-based Violence / Violence against Women and Girls**

This can include:

- Physical, sexual and psychological violence occurring in the family, within the general community or in institutions, including: domestic abuse, rape, incest and child sexual abuse.
- Sexual harassment and intimidation at work and in the public sphere; commercial sexual exploitation, including prostitution, pornography and trafficking.
- Dowry related violence.

- Female genital mutilation.
- Forced and child marriages.
- 'Honor' crimes.
- Commercial sexual exploitation including activities such as pornography, prostitution, stripping, lap dancing, pole dancing and table dancing.
- Sexual harassment and stalking

### **Mental Health**

Mental health includes our emotional, psychological, and social well-being. It affects how we think, feel, and act. Issues may include:

- Relationship problems.
- Family break-up/divorce.
- Depression.
- Study problems.
- Anger Management.
- Self-harming behaviours.
- Feeling dissatisfied with life or self.
- Domestic Violence/Abuse (past/present).
- Stress/Anxiety.
- Bereavement.
- Low self-confidence / self-esteem.
- Issues with drugs or alcohol.
- Suicidal thoughts.

### **Radicalisation and Violent Extremism**

Radicalisation is the process by which a person comes to support terrorism and forms of extremism leading to terrorism. A radicaliser is an individual who encourages others to develop or adopt beliefs and views supportive of terrorism and forms of extremism leading to terrorism. It is recognised that radicalisation pathways can be very different for everyone and that the objective is to identify those people who are most at risk of radicalisation so that they can be offered support as may be most appropriate in their individual case.

Possible signs of radicalisation include:

- The individual's views become increasingly extreme regarding another section of society or government policy
- They are observed downloading, viewing or sharing extremist propaganda from the web
- They become withdrawn and focused on one ideology
- The individual becomes increasingly intolerant of more moderate views
- The individual may change appearance, their health may suffer (including mental health) and they may become isolated from family, friends, peers or social groups
- The individual expresses a desire/intent to take part in or support extremist activity
- Ensure all records are kept securely; separate from the main learner file, and in a locked location

### **Relationship abuse**

- Emotional abuse - can include constant insults and name calling, isolation from friends and family, controlling what someone wears / where they go, checking up on someone all the time (checking emails, texts, social networking sites etc) and making someone feel responsible for the abuse.
- Physical abuse - can include hitting, punching, pushing, biting, kicking, using weapons etc.
- Sexual abuse - can include unwanted kissing or touching, forcing someone to have sex, being made to watch pornography against their will and pressure not to use contraception.
- Financial abuse - can include the taking and controlling of money, forcing someone to buy things for someone, forcing someone to work or not to work.

### **Youth Produced Sexual Imagery (Sexting)**

Making, possessing and distributing an imagery of someone under 18 which is indecent is illegal. This includes imagery created by under 18s themselves.

The type of incidents covered by this guidance are:

- A person under the age of 18 creates and shares sexual images of themselves with a peer under the age of 18.
- A person under the age of 18 shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult.
- A person under the age of 18 is in possession of sexual imagery created by another person under the age of 18.

The sharing of sexual imagery of people under 18 by adults constitutes child sexual abuse and this should be reported to the police.

## Handling Incidents

All incidents involving youth produced sexual imagery should be reported to the DSL.

## Trafficking

Trafficking is defined as the recruitment, transportation, transfer, harbouring or receipt of children by means of threat, force or coercion for the purpose of sexual or commercial sexual exploitation or domestic servitude' (NSPCC).

The Palermo Protocol establishes children as a special case for whom there are only two components - movement and exploitation. Any child transported for exploitative reasons is considered to be a trafficking victim - whether or not he/she has been deceived, because it is not considered possible for children to give informed consent.

A child may be trafficked without crossing any national borders, e.g. only within the UK.

A child may be trafficked between a number of countries prior to being trafficked into/within the UK. The child may have entered the UK illegally or legally (i.e. with immigration documents). The intention to exploit the child underpins the entire process.

The Modern Slavery Act 2015 consolidates current offences of trafficking and slavery and details the different forms of exploitation that a victim of trafficking may be forced into. The exploitation can take place in a number of ways including:

- Sexual Exploitation
- Labour Exploitation
- Criminal Exploitation
- Domestic Servitude
- Organ Harvesting

Distinction between human trafficking and smuggling:

Human trafficking does not include people smuggling, which requires the consent of the person being moved.

A smuggled person is, however, a potential victim who may be vulnerable to being trafficked at any point in their journey, and the distinction can be blurred. Perpetrators may smuggle people with the intention of exploiting them, or with the intention of facilitating exploitation. Alternatively, the smuggled can become vulnerable to traffickers upon arrival at their destination and subsequently be exploited and/or harmed

## County Lines

The 2018 Home Office Serious Crime Strategy states the NPCC definition of a County Line is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”. They are likely to exploit children and vulnerable adults to move [and store] the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

A common feature in county lines drug supply is the exploitation of young and vulnerable people. The dealers will frequently target children and adults - often with mental health or addiction problems - to act as drug runners or move cash so they can stay under the radar of law enforcement. In some cases the dealers will take over a local property, normally belonging to a vulnerable person, and use it to operate their criminal activity from. This is known as *cuckooing*. People exploited in this way will quite often be exposed to physical, mental and sexual abuse, and in some instances will be trafficked to areas a long way from home as part of the network's drug dealing business.

Children often don't see themselves as victims or realise they have been groomed to get involved in criminality.

The following signs may indicate that a child is being exploited by a county lines gang:

- frequently going missing from school, home or care
- travelling to locations, or being found in areas they have no obvious connections with, including seaside or market towns
- unwillingness to explain their whereabouts
- acquiring money, clothes, accessories or mobile phones which they seem unable to account for
- receiving excessive texts or phone calls at all hours of the day
- having multiple mobile phone handsets or sim cards
- withdrawing or having sudden changes in personality, behaviour or the language they use
- having relationships with controlling or older individuals and groups
- unexplained injuries
- carrying weapons
- significant decline in results or performance
- being isolated from peers or social networks
- associating with or being interested in gang culture

- 
- self-harming or having significant changes in mental health

(Ministry of Justice, 2019)

## Appendix 2: Safeguarding Disclosure Form

To be completed in full by **ALL** relevant staff members. Complete as fully as possible and send it immediately to our designated safeguarding lead (DSL):

<b>Designated Safeguarding Lead</b>
Katherine Percival Katherine.percival@sportstructures.com 07917 388174 Sport Structures, Suite 8, The Cloisters, 12 George Road, Edgbaston, Birmingham B15 1NP

In the event that the DSL is unavailable, please pass the information onto our Deputy DSL:

<b>Deputy Designated Safeguarding Lead</b>
Simon Kirkland Simon.kirkland@sportstructures.com 07766 768474 Sport Structures, Suite 8, The Cloisters, 12 George Road, Edgbaston, Birmingham B15 1NP

<b>Part 1: Staff Member Information</b>			
Staff member raising concern:		Job role:	
Staff member contact number:		Staff member email:	
<b>Learner Information</b>			
Learner Name:		Learner ID:	
Learner contact number:		Gender:	
Learner DOB:		Age:	
Learner Postcode:			
Please tick one:			
<input type="checkbox"/> I am reporting my own concerns. <input type="checkbox"/> I am responding to concerns raised by someone else ( <i>record details below</i> )			
Name of person raising concern if not staff member:		Contact number(s)	
Designated Safeguarding Lead (DSL):		Date disclosure reported to DSL	

Part 2: Incident/Disclosure Details			
Date of incident/ disclosure:		Time:	
Other persons present at time of incident/disclosure:	Y/N	Location of incident/disclosure:	
Reason for concern (please tick)			
Disclosure by learner <i>Concern or risk of harm</i>		Summary of disclosure:  <i>Details of the incident or concerns (include other relevant information, such as description of any injuries and whether you are recording this incident as fact, opinion or hearsay)</i>	
Disclosure relates to learner or another learner			
Disclosure is current			
Disclosure is historic			
Type of Concern <i>Circle relevant concern(s)</i>	Mental / Physical / Emotional / Other		
Details of incident/disclosure	<p><i>Provide full details of the incident or disclosure here – try to be as factual as possible, and use the words and phrases of the person making the disclosure if possible. <b>Under no circumstances</b> note opinion, or personal interpretation of what an individual “meant”. You may include observations such as body language, emotional state, injuries etc.</i></p> <p><i>Also include any immediate action taken such as first aid or referrals to any external agencies such as the Police, social services, NSPCC etc. with all corresponding advice and contact details of those agencies if contacted.</i></p>		
Name of other person(s) present:		Contact number(s)	
Attitude to concern			

Learner attitude towards our concern:			
Attitude of parent/carer/other support networks as reported by learner:			
Learner informed of duty of care to report concern:	Y/N		
Any additional comments:			
<b>Declaration</b>			
Signature:		Date:	

**Part 3 - Designated Safeguarding Lead (DSL) Decision and Action (to be completed by the DSL)**

Designated Safeguarding Lead (DSL) name:		Date disclosure received:	
Action taken by DSL:			
Rationale for decision making/actions taken:			
Follow up action by DSL:			
Feedback given to person reporting the concerns:			

Has information been sought or shared with an external agency?	Y/N
Name of agency:	
Named person:	
Contact details:	
Time/date of contact:	
Summary of information/advice received:	

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<b>Decision</b> <i>(complete for all safeguarding concerns)</i>		
Internal referral <i>(complete 4a)</i>	Y/N	
External referral <i>(complete 4b)</i>	Y/N	
No immediate referral <i>(complete 4c)</i>	Y/N	
Decision clearly communicated to learner	Y/N	
<b>Declaration</b>		
Signature:		Date:

<b>Part 4 - Referral and Follow Up</b>	
<b>Part 4a – Internal referral (complete if applicable)</b>	
Referral to:	
Person making referral:	
Date referral made:	
Notes:	

<b>Part 4b – External referral action plan (complete if applicable)</b>	
Referral to:	
Person making referral:	
Date of referral:	
Information to be shared with agency:	
Response requested from agency:	
Person responsible for following up:	
Follow up on (date):	

<b>Part 4c – Support and follow up communication with client/external agencies (complete for all safeguarding concerns)</b>		
Contact date & time	Support and or follow up communication	Date action to be delivered by

## Appendix 3: Disclosure of Criminal Convictions Form

### Strictly confidential

This form must be completed in full by the employer who has identified that an apprentice has a specified offence through disclosure on a standard or enhanced DBS certificate.

#### Section 1: Employer Details

Full name:	
Organisation representing:	
Phone number:	
Email:	

#### Section 2: Apprentice details

Full name:	
Address:	
Phone number:	
Email:	
Please provide details of the apprenticeship you would like to undertake:	

#### Section 3: Details of specified offence

Details of specified offence:	
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#### Section 4: Declaration

Employer signature:	
Date:	

## Appendix 4: Useful Contact Details

<b>Designated Safeguarding Lead</b>
Katherine Percival Katherine.percival@sportstructures.com 07917 388174 Sport Structures, Suite 8, The Cloisters, 12 George Road, Edgbaston, Birmingham B15 1NP

<b>Deputy Designated Safeguarding Lead</b>
Simon Kirkland Simon.kirkland@sportstructures.com 07766 768474 Sport Structures, Suite 8, The Cloisters, 12 George Road, Edgbaston, Birmingham B15 1NP

Keeping Children Safe in Education: <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Birmingham Local Children's Partnership: <https://www.lscpbirmingham.org.uk/>

Birmingham Adult Safeguarding Board: <https://www.bsab.org/>

NPSCC: <https://www.nspcc.org.uk/>

Prevent Duty: [https://www.birmingham.gov.uk/downloads/download/773/the\\_prevent\\_duty](https://www.birmingham.gov.uk/downloads/download/773/the_prevent_duty)

Keeping Children Safe Online: [www.ceop.gov.uk](http://www.ceop.gov.uk)

Bullying & child abuse: [www.anti-bullyingalliance.org.uk](http://www.anti-bullyingalliance.org.uk)

Marie Collins Foundation: <https://www.mariecollinsfoundation.org.uk/>

Ann Craft Trust: <https://www.anncrafttrust.org/>

Child Line: <https://www.childline.org.uk/>

Staff can access government guidance as required via a number of GOV.UK website addresses. We have identified some examples below:

[www.gov.uk/government/publications/children-missing-education](http://www.gov.uk/government/publications/children-missing-education)

[www.gov.uk/government/publications/children-who-run-away-or-go-missing-from-home-or-care](http://www.gov.uk/government/publications/children-who-run-away-or-go-missing-from-home-or-care)

[www.gov.uk/government/publications/missing-children-and-adults-strategy](http://www.gov.uk/government/publications/missing-children-and-adults-strategy)

[www.gov.uk/domestic-violence-and-abuse](http://www.gov.uk/domestic-violence-and-abuse)

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

[www.gov.uk/government/publications/female-genital-mutilation-guidelines](http://www.gov.uk/government/publications/female-genital-mutilation-guidelines)

[www.gov.uk/forced-marriage](http://www.gov.uk/forced-marriage)

[www.gov.uk/government/publications/advice-to-schools-and-colleges-on-gangs-and-youth-violence](http://www.gov.uk/government/publications/advice-to-schools-and-colleges-on-gangs-and-youth-violence)

[www.gov.uk/government/policies/violence-against-women-and-girls](http://www.gov.uk/government/policies/violence-against-women-and-girls)

[www.gov.uk/government/publications/prevent-duty-guidance](http://www.gov.uk/government/publications/prevent-duty-guidance)

<https://www.gov.uk/government/publications/safeguarding-children-who-may-have-been-trafficked-practice-guidance>

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## Addendum to Safeguarding and Prevent Policy, Strategy and Procedures

### Appendix 1 – Types of Abuse

#### Child Criminal Exploitation

In our policy, we refer to Child Sexual Exploitation but have not explicitly specified what constitutes Child Criminal Exploitation. This can occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in criminal activity, in exchange for something the victim needs or wants and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence.

Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, working in cannabis factories, shoplifting or pickpocketing. They can also be forced or manipulated into committing vehicle crime or threatening/committing serious violence to others.

Children can become trapped by this type of exploitation as perpetrators can threaten victims (and their families) with violence or entrap and coerce them into debt. They may be coerced into carrying weapons or begin to carry weapons (such as a knife) for a sense of protection from harm from others. As children involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognised by adults and professionals, (particularly older children), and they are not treated as victims despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to.

It is important to note that the indicators for boys and girls may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

#### Child Sexual Exploitation

Child sexual exploitation is a form of sexual abuse and can be a one-off occurrence or might happen over time. All children and young people can experience child sexual exploitation. This includes 16

and 17 year olds, who can legally consent to have sex. Some children may not realise they are being exploited e.g. they believe they are in a genuine romantic relationship.

### Peer on Peer Abuse

In our Safeguarding and Prevent Policy, we refer to bullying as peer to peer abuse. In line with Keeping Children Safe in Education 2021, all staff should be aware that children can abuse other children. It is important that staff recognise the indicators and signs of peer-on-peer abuse and know how to identify it and respond to any reports.

Peer on peer abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- abuse in intimate personal relationships between peers;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;
- 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;
- consensual and non-consensual sharing of nude and semi-nude images and/or videos<sup>10</sup> (also known as sexting or youth produced sexual imagery);
- 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)

Staff have a responsibility to challenge inappropriate behaviours between peers. Downplaying certain behaviours, for example dismissing sexual harassment as “just banter”, “just having a laugh”, can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

### Peer on Peer Abuse Procedure

If a member of staff or employer has any concerns regarding peer-on-peer abuse or believe a child is at risk, they must speak to the Designated Safeguarding Lead or Deputy Designated Safeguarding Lead who will investigate accordingly.

Please be aware if there are no reports to us as a training provider or to an employer, **it does not mean that it is not happening.**

### Serious Violence

Children might become at risk from or can become involved with serious violent crime. Indicators may include:

- Increased absence
- A change in friendships or relationships with older individuals or groups
- A significant decline in performance
- Signs of self harm or a significant change in wellbeing
- Signs of assault or unexplained injuries
- Unexplained gifts or new possessions (this could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation (see above).

There are a range of risk factors which increase the likelihood of involvement in serious violence such as being male, having been frequently absent or permanently excluded from school, having experienced child maltreatment and having been involved in offending, such as theft or robbery.

Further advice can be found in the [Preventing Youth Violence and Gang Involvement](#) and [Criminal Exploitation of Children and Vulnerable Adults: County Lines](#).

### Sexual Violence and Sexual Abuse

Sexual violence and sexual abuse can happen anywhere, and all staff working with children through our training provision are advised to maintain an attitude of 'it could happen here'. Staff should be aware of, and respond appropriately to all reports and concerns, including those outside of our training provision, and or online. Any risks or concerns must be reported immediately to the Designated Safeguarding Lead or Deputy Designated Safeguarding Lead.

When referring to sexual violence, we do so in the context of child on child sexual violence. For the purpose of this advice, when referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003, as described below;

- Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.
- Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.
- Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (Schools should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)
- Causing someone to engage in sexual activity without consent: A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

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;

- A child under the age of 13 can never consent to any sexual activity;
- The age of consent is 16; 17
- Sexual intercourse without consent is rape.

### Sexual Harassment

When referring to sexual harassment, this is 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of a training environment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Sexual harassment can include:

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- Sexual “jokes” or taunting;
- Physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes and displaying pictures, photos or drawings of a sexual nature; and
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include;
  - Consensual and non-consensual sharing of nude and semi-nude images and/or videos. Taking and Sharing nude photographs of U18s is a criminal offence;
  - Sharing of unwanted explicit content;
  - Upskirting (a criminal offence);
  - Sexualised online bullying;
  - Unwanted sexual comments and messages, including, on social media;
  - Sexual exploitation; coercion and threats

Staff have a responsibility to challenge inappropriate behaviours and prevent an environment that could lead to sexual violence.

### Harmful Sexual Behaviour (HSB)

Children’s sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is “harmful sexual behaviour” (HSB). HSB can occur online and/or face to face and can also occur simultaneously between the two.

When considering HSB, ages and the stages of development of the children are critical factors.

Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years’ difference or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled or smaller in stature. Confidential, specialist support and advice on HSB is available from the specialist sexual violence sector. Examples can be found below:

- StopItNow - [Preventing harmful sexual behaviour in children - Stop It Now](#) provides a guide for parents, carers and professionals to help everyone do their part in keeping children safe, they also run a free confidential helpline.

- The NSPCC provides free and independent advice about HSB: [NSPCC Learning: Protecting children from harmful sexual behaviour](#) and NSPCC - Harmful sexual behaviour framework
- The Lucy Faithfull Foundation has developed a [HSB toolkit](#), which amongst other things, provides support, advice and information on how to prevent it, links to organisations and helplines, resources about HSB by children, internet safety, sexual development and preventing child sexual abuse

### Sexual Violence, Abuse, Harassment and Behaviour Procedure

If staff or employers have any concerns about the welfare of a child or adult, please act immediately and report to the Designated Safeguarding Lead or Deputy Designated Safeguarding Lead. It is essential that all learners are reassured that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe.

In a case where the learner has chosen not to make a report themselves, the Designated Safeguarding Lead will handle this sensitively with the support of local children or adult services.

When there has been a report of sexual violence, Designated Safeguarding Lead or Deputy Designated Safeguarding Lead will make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment will be considered on a case-by-case basis. The risk and needs assessment will consider:

- The learner, especially their protection and support;
- Whether there may have been other victims,
- The alleged perpetrator(s); and
- All the learners, especially any actions that are appropriate to protect them from the alleged perpetrator(s), or from future harms.

Risk assessments will be recorded (written or electronic) and should be kept under review. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. This risk assessment will not replace the Sport Structures risk assessment. At all times, we will actively consider the risks posed to learners and put adequate measures in place to protect them and keep them safe.

Reports will be managed in one of the following ways:

- Internally: we may take the view that the learner(s) concerned are not in need of early help or require referrals to be made to statutory services and that it would be appropriate to handle the incident internally, perhaps through utilising their behaviour and bullying policies and by providing internal support. All actions related to the case will be recorded.

- 
- Early help: we may decide that where the learner is a child, they do not require referral to statutory services but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a child's life.
  - Referral to children's social care
  - Reporting to the police.

The needs and wishes of the learner will be paramount (along with protecting the child/adult) in any response. Support will be tailored on a case-by-case basis. Wherever possible, the learner if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the learner's daily experience as normal as possible.

For any scenario or incident relating to sexual abuse, violence, harassment or behaviour, we will review our actions, relevant policies and identify lessons learnt. This could constitute in extra teaching time and/or staff training to minimise the risk of further situations.

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## Safeguarding and Protecting Children and Adults

### Statement of Commitment

Sport Structures is committed to safeguarding and aims to create a culture of vigilance; we expect everyone who works at the company and with us, to share this commitment. Our staff take all welfare concerns seriously and encourage children and adults to talk about anything that worries them. We will always act in their best interest. We pay close attention to, and work within the legislative safeguarding requirements documented in 'Keeping Children Safe in Education' (September 2021), and the statutory Prevent duty.

We recognise that safeguarding and child protection is an essential part of the duty of care to all learners. Everyone working for Sport Structures shares an objective to keep children and adults safe by:

- Providing a safe environment for children and adults where they can learn and thrive
- Establishing and maintaining an environment where children and adults feel confident to talk and are listened to.
- Identifying children and adults who are suffering or are likely to suffer significant harm and taking appropriate action with the aim of making sure they are kept safe

**SIGNED POLICY AVAILABLE ON REQUEST**