Safeguarding Policy for NIS: Working with Vulnerable Adults and Young People

Version	Reviewed by	Date
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Important Contacts

Name/Area	Role	Contact Details – If it is an emergency dial 999
Shaughna Maynard	Designated Safeguarding Lead	shaughna.maynard@nisgroup.co.uk 07826 449151
Chloe Fletcher	Deputy Designated Safeguarding Lead	chloe.gorst@NISGroup.co.uk 07751 801626
HR Team		HR@nisgroup.co.uk
Wolverhampton	Adults Safeguarding Board	Monday to Thursday: 8:30am – 5pm Fridays 8:30am – 4:30pm Telephone: 01902 551199 Out of hours 01902 552999
Dudley	Adults Safeguarding Board	Monday to Friday: 9am to 5pm Telephone: 0300 555 0055 Out of Hours: 0300 555 8574
Birmingham	Adults Safeguarding Board	Monday to Friday: 9am - 5pm Telephone: 0121 303 1234 Out of hours: 0121 464 9001
Coventry	Adults Safeguarding Board	Monday to Friday: 8:30am - 5pm Telephone: 024 7683 3003 Out of Hours: 024 7683 2222
Doncaster	Adults Safeguarding Board	Monday to Friday: 8:30am - 5pm Telephone: 01302 737063 Out of hours: 01302 796000
Rotherham	Adults Safeguarding Board	Monday to Friday: Telephone: 01709 822330
Barnsley	Adults Safeguarding Board	Monday to Friday: 9am - 5pm Telephone: 01226 773300 Out of hours: 01226 774466
Sheffield	Adults Safeguarding Board	Lines are open 24/7 Telephone: 0114 273 4908

1. Introduction

NIS acknowledges that staff have a duty of care to safeguard and promote the welfare of candidates and apprentices and is fully committed to ensuring safeguarding practice reflects statutory responsibilities and Government guidance.

NIS is committed to maintaining procedures and practices which safeguard and promote the welfare of all candidates by ensuring the Safeguarding Policy and Procedures meet the requirements set by the Department for Education's statutory guidance for independent training providers, these include: Keeping Children Safe in Education 2026, Working together to Safeguard Children (2026) and Prevent Duty Guidance (2023).

2. Purpose

The purpose of this Safeguarding Policy is twofold:

- **To protect** all candidates who attend training with NIS from harm, abuse, radicalisation, discrimination and/or exploitation.
- **To guide** our staff, volunteers, employers, contractors and the families of our candidates with clear principles on how we approach safeguarding.

At NIS, we want every candidate to feel safe, supported and respected while working towards their qualifications. We are committed to creating an environment that is free from abuse, harm, discrimination or radicalisation, regardless of a person's age, gender, background, beliefs or personal circumstances. Our goal is to ensure that everyone involved in our programmes has a positive and secure experience.

3. Policy Aims

At NIS, our safeguarding policy is here to make sure everyone, especially adults at risk and young people, are protected from harm, abuse, radicalisation and/or exploitation. Our key aims are to:

- Protect candidates, staff and visitors from abuse, neglect, exploitation and/or harm.
- Promote a safe, inclusive and supportive learning and working environment.
- Ensure everyone understands their safeguarding responsibilities and knows how to report concerns through the appropriate channels.
- Provide clear procedures for recognising, responding to and managing safeguarding concerns.
- Support early intervention and effective multi-agency working to safeguard those at risk.

- Ensure compliance with safeguarding legislation, statutory guidance and regulatory requirements.
- Promote a culture of vigilance, accountability and continuous improvement in safeguarding practice.

NIS is committed to creating and maintaining a safe, inclusive and supportive environment in which all candidates, staff, partners and visitors are protected from harm, treated with dignity and respect and know how to access support if they have a safeguarding concern. We recognise that safeguarding is everyone's responsibility and expect all individuals working with or on behalf of NIS to remain vigilant, act on concerns and report them promptly in accordance with this policy and processes.

4. Statutory Duties and Regulations

At NIS, we follow a range of laws and national guidance to make sure our safeguarding practices are strong, up to date and compliant. These include:

- **Children Acts 1989 and 2004** – These set out our duty to protect and promote the welfare of children.
- **Safeguarding Vulnerable Groups Act 2006** – Provides the legal framework for checking and barring individuals who may pose a risk to children or adults at risk.
- **Children and Families Act 2014** – Focuses on improving support for vulnerable children, especially those with special educational needs and disabilities (SEND).
- **Keeping Children Safe in Education (KCSIE) 2026** – Sets out safeguarding expectations for education providers. While primarily for schools and colleges, many principles represent good practice for independent learning providers.
- **Working Together to Safeguard Children 2026** – Offers guidance on how organisations should work together to protect children.
- **Care Act 2014** – Provides the statutory framework for safeguarding adults with care and support needs and outlines duties to prevent abuse and neglect.
- **Mental Health Acts 1983 and 2007** – Help protect individuals with mental health needs.
- **Female Genital Mutilation Act 2003** – Requires professionals to report known cases of FGM in girls under 18.
- **Prevent Duty (Counter-Terrorism and Security Act 2015, Section 26)** – Explains how organisations should meet their Prevent responsibilities.
- **County Lines Guidance (2018)** – Addresses the criminal exploitation of children and vulnerable adults.
- **Equality Act 2010** – Protects individuals from discrimination, harassment and victimisation.
- **Sexual Offences Act 2003** – This act provides the legal framework for offences involving sexual activity, consent and the protection of children and adults at risk from sexual abuse, exploitation and harm.

- **Mental Capacity Act 2005** – Supports people who may lack the capacity to make decisions and ensuring they are made in the best interest of the individual.
- **Disclosure and Barring Service (DBS) 2013** – Helps employers make safer recruitment decisions.
- **Rehabilitation Offenders Act 1974 Order** - supports the rehabilitation of individuals with criminal convictions by allowing certain convictions and cautions to become "spent" after a specified period, while recognising that safeguarding and regulated roles may be exempt from these provisions
- **Online Safety Act 2023** - Strengthens protections against online harms and informs organisations' approaches to online safeguarding and digital safety.

The above legislation and frameworks guide us to keep our candidates, staff and wider community safe.

5. Definitions

To make sure everyone understands the language we use in this policy, here are some key terms explained:

Safeguarding
This means protecting a person's right to live safely, free from abuse, harm or neglect.

Adult
Anyone aged 18 or over.

Adult at Risk (previously called "Vulnerable Adult")

a) An adult who has care or support needs (whether they're currently receiving it or not),
b) Is experiencing, or could be at risk of, abuse or neglect and
c) Can't protect themselves because of their care or support needs.

This definition comes from the Care Act 2014 and is now the standard term used in safeguarding. While you might still see "vulnerable adult" in older documents, we use "adult at risk" throughout this policy.

Examples of adults who may be at risk:

An adult may be at greater risk due to factors such as:

- A physical or sensory disability,
- A learning disability or difficulty,
- Mental ill health,
- Dementia or cognitive impairment,
- A brain injury,
- Frailty due to age or illness,

- Long-term health conditions,
- Substance or alcohol dependency,
- Experiences of domestic abuse, coercion or exploitation,
- Being a victim of modern slavery, human trafficking or county lines exploitation.

n.b. Not every adult with a disability, illness or support need is automatically an "adult at risk."

Young Person
Anyone under the age of 18.

Abuse
Any action, or failure to act, that causes harm to a young person or adult at risk. Abuse can take many forms, which are explained in Section 6.

Neglect
When someone doesn't provide the care or support a person needs, which can affect their health or wellbeing. This can happen at home or in a care setting and it might be intentional or unintentional.

Exploitation
Taking unfair advantage of someone for personal, financial, criminal or sexual gain through manipulation, coercion or abuse of power.

Disclosure
When someone tells you, directly or indirectly, that they are experiencing or have experienced abuse, neglect or harm.

Concern
Any observation, information or allegation that suggests someone may be at risk of harm or abuse.

Early Intervention
Providing support at the earliest opportunity to prevent concerns from escalating into more serious safeguarding issues.

Designated Safeguarding Lead (DSL)
The person with overall responsibility for safeguarding, providing advice, managing concerns and making referrals to external agencies where appropriate.

Prevent
The duty to identify and respond to concerns that someone may be vulnerable to being drawn into terrorism or extremist activity.

Radicalisation
The process by which a person comes to support extremist views or terrorism.

County Lines
Criminal groups exploiting vulnerable children and adults to transport and sell drugs, often using coercion, intimidation or violence.

Modern Slavery
The recruitment, movement or harbouring of people through coercion, deception or force for the purpose of exploitation, including forced labour and human trafficking.

Domestic Abuse
Controlling, coercive, threatening or violent behaviour between people who are personally connected, including psychological, physical, sexual, emotional and economic abuse.

Mental Capacity
A person's ability to make a specific decision at the time it needs to be made.

An individual may lack mental capacity due to:

- Cognitive impairment.
- Mental ill health.
- Neurological conditions or disorders.
- Brain injury or damage.
- Impaired consciousness or awareness.
- The effects of medication, alcohol, or drugs.
- Temporary or permanent disturbances in the functioning of the mind or brain.

Difficulties understanding, retaining, using, or weighing information relevant to a decision.

Mental Health
A person’s emotional, psychological and social wellbeing. Poor mental health does not automatically mean someone lacks mental capacity.

Consent
A person giving informed, voluntary agreement to something without pressure, manipulation or coercion.

Position of Trust
A role where an adult has authority or influence over a child or vulnerable person and must not abuse that position.

Whistleblowing
Reporting concerns about unsafe, unethical or unlawful practice within the organisation, including safeguarding failures.

Safer Recruitment
Practices that are designed to prevent unsuitable people from working with children and adults at risk, including appropriate DBS checks, references and risk assessments.

Disclosure and Barring Service (DBS)
The organisation that helps employers make safer recruitment decisions by carrying out criminal record checks and maintaining lists of people barred from certain roles.

Professional Curiosity
The willingness to ask respectful questions, seek further information and look beyond the obvious when something doesn't feel right or when there are signs that someone may be at risk of harm.

Online Safety
The safe and responsible use of technology to protect individuals from online abuse, exploitation, harassment and inappropriate content.

6. Types of Harm and Abuse

NIS is committed to identifying and addressing all forms of harm and abuse, including but not limited to:

- **Physical Abuse**: Hitting, shaking, burning or any other form of physical harm.
- **Emotional Abuse**: Persistent negative treatment, threats or rejection.
- **Sexual Abuse**: Non-consensual sexual activities, exploitation or harassment.
- **Neglect**: Failure to meet basic needs including food, shelter and medical care.
- **Financial Abuse**: Misuse or theft of money or property.
- **Institutional Abuse**: Poor practice within an institution resulting in harm.
- **Bullying and Harassment**: Repeated aggressive behaviour or intimidation.
- **Online Abuse**: Harm experienced through digital technology, including grooming, cyberbullying, sextortion and exploitation.
- **Female Genital Mutilation (FGM)**: Any procedure involving partial or total removal of external female genitalia or other injury to female genital organs for non-medical reasons. All staff must report known cases or suspicions to the police.
- **Domestic Abuse**: Any incident of threatening behaviour, violence, sexual violence or abuse by a partner or ex-partner, but also by a family member or carer.
- **Cuckooing**: is a form of criminal exploitation when criminals use or takes over a person's home for criminal purposes such as to cut, prepare, store or deal drugs or storing firearms and money relating to drugs. Criminals will often target and exploit adults who have vulnerabilities.

6.1 If you have concerns about a vulnerable adult but no clear evidence.

If you have concerns about a vulnerable adult or a young person but do not have immediate evidence that they are suffering or they are in immediate danger, you should still take the following steps to ensure their safety and well-being:

1. Assess and Document Your Concerns

Gather Information: Collect all relevant details about your concerns, including observations, conversations and any other evidence that might help clarify the situation.

Document Clearly: Make a detailed and objective record of your concerns, including dates, times and the specific nature of your worries. Ensure that your documentation is factual and free from personal opinions.

2. Consult with the Safeguarding Team

Report Your Concerns: Share your documented concerns with the DSL, DDSL or Safeguarding Team. Provide the team with all relevant information to help them understand the context and severity of your concerns.

Seek Guidance: The DSL, DDSL or Safeguarding Team can offer guidance on the next steps and whether further action is needed. They are trained to assess the situation and decide on appropriate measures to support the individual.

3. Follow Organisational Procedures

Adhere to Policies: Follow your organisation's safeguarding policies and procedures for addressing concerns about adults at risk and young people.

Escalate if Necessary: If the DSL, DDSL or Safeguarding Team determines that your concerns warrant further investigation or intervention, they will take appropriate action, which may include involving external agencies or authorities.

4. Maintain Confidentiality

Protect Privacy: Ensure that information about your concerns is shared only with those who need to know, such as the DSL, DDSL and Safeguarding Team. Avoid discussing the situation with others who are not directly involved in the safeguarding process.

Respect Sensitivity: Handle the matter with sensitivity and discretion to avoid causing unnecessary distress to the individual.

5. Provide Support to the Vulnerable Adult or Young Person

Offer Support: Continue to offer support and reassurance to the individual as appropriate. Let them know you are there to help and listen to any concerns they might have.

Encourage Communication: Encourage the individual to express their needs or concerns, but do not press them for information if they are not comfortable sharing.

6. Monitor the Situation

Observe Changes: Keep an eye on any changes in the individual's situation or behaviour. If you notice any new concerns or worsening conditions, update your documentation and report these changes to the DSL, DDSL or Safeguarding Team.

Review and Follow Up: Ensure that any agreed actions or interventions are implemented effectively and follow up to see if the situation improves.

By taking these steps, you help ensure that concerns about a vulnerable individual are addressed appropriately, even if there is no immediate evidence of harm or danger. This approach prioritises the individual's safety while respecting their dignity and privacy.

7. Risk Assessments for Unspent Criminal Convictions

At NIS, we are committed to promoting inclusive access to education and supporting individuals to achieve meaningful careers regardless of candidates backgrounds.

We are an employer-led business that provides training for individuals to support them into work. Our courses are designed to support these individuals into the civils, rail, construction and utilities industries and we have worked closely with employers to gain an understanding of what entry requirements, qualifications and experience these individuals need to gain employment.

The individuals that we work with have a diverse range of backgrounds and so NIS take a holistic approach to safeguard our candidates, staff and external parties. We look at unspent criminal convictions as a whole and our safeguarding policy has a 'protection-without-prejudice' approach where the goal is to manage risk and support rehabilitation of offenders, not to exclude them.

As part of our safeguarding and employer partnership responsibilities, we ask all applicants to declare any unspent criminal convictions during the enrolment process.

This allows us to:

- Conduct appropriate risk assessments,
- Offer individualised support where needed,
- Ensure candidates are placed onto training programmes that are safe, suitable and aligned with industry requirements whilst also meeting the learners individual needs and circumstances, particularly around restrictions that may apply.

In line with the Rehabilitation of Offenders Act 1974, we do not ask about or take into account spent convictions when assessing a candidate's suitability for our courses. A spent conviction means that enough time has passed since the offence for it to no longer be legally required to be disclosed in most circumstances, including for our vetting checks.

As part of our responsibility to prepare candidates for careers in safety-critical sectors we are required to carry out a risk assessment for all applicants with unspent criminal convictions entering training that may lead to work in these industries. See appendix 4, this appendix outlines the risk assessment and the risk assessment process both by NIS and Wolverhampton College.

8. Reporting Process

If you have a safeguarding or welfare concern there are appropriate channels to follow when reporting this, these are set out below.

Low-level concerns refer to behaviours that fall short of allegations or serious misconduct but may still undermine the safeguarding culture. Significant concerns involve actual or likely harm and must be acted upon immediately.

Who do I report my concerns to?

- Shaughna Maynard, Director & DSL

- Chloe Fletcher, Manager & DDSL

In the first instance please raise safeguarding or welfare concerns with Chloe Fletcher, DDSL.

What do I do if someone is unavailable?

If Chloe is unavailable contact Shaughna Maynard, DSL.

If Shaughna is unavailable contact Chloe Fletcher, DDSL.

In the event both are unavailable, contact Davie Carns, CEO.

My concern is about a member of staff and doesn't involve a candidate, how do I report this?

If a safeguarding concern relates to the behaviour or conduct of a member of staff, it must be reported immediately and in confidence to the HR Team. The HR Team will follow the appropriate procedures, which may include a referral to the Local Authority Designated Officer (LADO) if the threshold for referral is met. Under no circumstances should concerns relating to members of staff (not involving a candidate) be reported through to the Safeguarding Team.

Quick Reference: Escalation of Concerns About Staff

- ⇒ Concern about a Staff Member → Report to their Line Manager and HR.
- ⇒ Concern about a Line Manager → Report to the next level of management, Director and HR.
- ⇒ Concern about the Designated Safeguarding Lead (DSL) or Designated Deputy Safeguarding Lead (DDSL) → Report to the Managing Director,
- ⇒ Concern about a Director → Report to the Managing Director,
- ⇒ Concern about a Managing Director → Report to the Chief Executive Officer
- ⇒ Concern about the Most Senior Person in the Organisation → Report directly to the Board, Local Authority Safeguarding Team, CQC (where applicable), commissioning body or Police.

Immediate Risk of Harm or Criminal Activity → Contact 999 immediately and inform the appropriate safeguarding lead as soon as possible.

Key Principle: If a concern involves the person you would normally report to, escalate it to the next appropriate level of management without delay.

9. Prevent

As an Independent Training Provider, we have a legal duty under the Counter-Terrorism and Security Act 2015 to prevent individuals from being drawn into terrorism. This is known as the Prevent Duty.

All staff have a responsibility to be vigilant and report any concerns that an individual may be at risk of radicalisation or being influenced by extremist ideologies. Concerns must be reported immediately to the Designated Safeguarding Lead (DSL), who will assess the situation and if necessary, make a referral to the Channel programme or relevant external agencies. We are committed to creating a safe, open and inclusive learning environment where all individuals are protected from exploitation and harm, including the risks associated with extremism.

10. Online Safety and the Responsible Use of Artificial Intelligence (AI)

NIS recognises that technology plays an important role in learning, communication and everyday life. We are committed to promoting a safe and responsible digital environment for all learners, staff and visitors. Online safety forms an integral part of our safeguarding arrangements and includes protecting individuals from risks such as cyberbullying, online abuse, exploitation, grooming, fraud, radicalisation, misinformation, inappropriate content and the misuse of technology.

We also recognise the increasing use of Artificial Intelligence (AI) tools and encourage their responsible, ethical and appropriate use to support learning and productivity. AI should never be used in a way that compromises safeguarding, confidentiality, privacy, academic integrity or organisational security. Learners and staff are expected to use AI critically, verify the accuracy of information it provides, protect personal and sensitive information, and comply with NIS' policies on acceptable use, data protection and information security. Any concerns relating to online safety, inappropriate online behaviour or the misuse of AI must be reported promptly through the organisation's safeguarding procedures so that appropriate action and support can be provided.

11. Safer Recruitment

NIS is committed to robust and proportionate safer recruitment practices as a key part of safeguarding across the organisation. As an Ofsted-regulated Independent Training Provider (ITP) supporting adult learners, the organisation will ensure that employees, contractors, agency workers, volunteers and other individuals working with learners are appropriately recruited and suitable for their roles.

Recruitment will include appropriate verification of identity, employment history, references, qualifications and DBS checks where legally required, with criminal record information considered fairly and on an individual, risk-assessed basis.

Safer recruitment will support the organisation's wider safeguarding responsibilities, including protecting adult learners who may have additional vulnerabilities or support needs.

Where the organisation provides training to learners under 18, the relevant requirements of Keeping Children Safe in Education (KCSIE) 2026 will also be applied.

Safer recruitment will be supported by appropriate induction, safeguarding training, professional standards and ongoing monitoring of suitability, recognising that safeguarding responsibility continues throughout an individual's employment or engagement with NIS, not just on appointment.

12. Mental Health and Wellbeing of Learners

At NIS, we believe that good mental health and emotional wellbeing are essential for learners to feel safe, engage in learning and achieve their potential. We know that identifying concerns early gives us the best opportunity to provide support before problems become more serious.

All staff play an important role in creating a safe, supportive environment where learners feel comfortable talking about any worries or difficulties they may be experiencing.

Staff should remain alert to changes in a learner's behaviour, attendance, appearance, engagement or wellbeing. As these may indicate that they need additional support or could be at risk of harm.

Any concerns, no matter how small they may seem, should be reported promptly in line with our safeguarding procedures so that appropriate action can be taken. Where needed, learners will be supported through internal welfare services or referred to external agencies, such as health professionals, local authority services or specialist organisations, to ensure they receive the right help at the right time.

Taking this approach will focus and work towards a learner focused approach and help us provide support early and minimise the risk of significant incidents and concerns arising. Thus, helping learners succeed while on course but also provide them with support for their personal lives.

13. Peer on Peer Abuse

Peer on peer abuse refers to instances where adults at risk or young people abuse their peers, the abuse can manifest in various forms including physical abuse, sexual abuse, emotional abuse and bullying.

At NIS, we are committed to addressing and preventing peer on peer abuse through a comprehensive safeguarding approach. This includes educating staff and candidates about the different types of peer-on-peer abuse, such as physical violence (e.g., hitting, kicking), sexual violence and harassment (e.g., inappropriate touching, sexual comments), emotional abuse (e.g., manipulation, coercion) and bullying (e.g., verbal, cyberbullying).

We will tackle these issues by implementing robust reporting mechanisms, providing support and counselling services where appropriate and ensuring all incidents are thoroughly investigated. We also have a zero-tolerance policy to protect both staff and candidates.

Additionally, our policies will promote a culture of respect and openness, encouraging individuals to report concerns without fear of reprisal and ensuring that all cases are handled sensitively and appropriately. Regular training and awareness sessions will be conducted to help staff and candidates recognise signs of abuse and respond effectively, ensuring a safe environment for everyone.

14. Designated Safeguarding Leads

The Designated Safeguarding Lead has a key duty to take lead responsibility for raising awareness within the staff body of issues relating to the welfare of children, young people and adults at risk and the provision of a safe environment candidates learning within NIS.

Designated Safeguarding Lead Contact Information:

Name: Shaughna Maynard, Director

Phone: 07826 449151

Email: shaughna.maynard@nisgroup.co.uk

The Designated Safeguarding Lead has received training in safeguarding issues, including the prevent duty and inter-agency working, as required and will receive refresher training at least every 2 years. They should keep up to date with developments in safeguarding issues.

The DSL is responsible for:

- Overseeing the referral of cases of suspected abuse or allegations to the relevant agencies which includes radicalisation.
- Providing advice and support to other staff on issues relating to safeguarding.
- Maintaining a central record of any safeguarding referral, complaint or concern (even where that concern does not lead to a referral).
- Ensure each member of staff has access to and understands, the NIS' Adult safeguarding policy and procedures, especially new and part-time staff.
- Liaising with the relevant safeguarding agencies where appropriate. NIS works across multiple local authority areas. Therefore, safeguarding referrals will always be made to the relevant local authority safeguarding team or Local Safeguarding Adults Board (LSAB) for the area in which the adult at risk resides.
- Carrying out specific safeguarding risk assessments where appropriate. Particularly for those candidates identified as having unspent criminal convictions.
- Ensuring that appropriate in-house and external safeguarding training is delivered and facilitated as relevant and appropriate to each member of staffs job role.
- Will deal with individual cases, including attending case conferences and review meetings as appropriate.

The Designated Safeguarding Lead is responsible for reporting any deficiencies in safeguarding procedures or policies identified by local safeguarding boards, external agencies, or internal review to NIS Senior Management at the earliest opportunity.

Deputy Designated Safeguarding lead

Name: Chloe Fletcher, Manager

Phone: 07751 801626

Email: chloe.gorst@nisgroup.co.uk

The DDSL will;

- Act as a central point of contact for enquiries and liaise with line managers, other staff and external agencies to deal with issues relating to candidate safeguarding.
- Liaise with the Designated Safeguarding Lead on concerns they are dealing with.
- Deputise for the Designated Safeguarding Lead as required.
- Support the Designated Safeguarding Lead by ensuring that central safeguarding records are accurate.

The DSL can also be contacted out of works hours, if necessary, by email.

When the DSL is absent, the DDSL will act as cover and can be contacted by email: If the DSL and Deputy are not available, the Managing Director can be contacted.

15. Other staff

All staff above will ensure that all concerns are recorded promptly, factually and accurately using the organisation's agreed safeguarding reporting mechanisms.

Other NIS managers will;

- In the first instance report any safeguarding issue as defined in Appendix 1 to the safeguarding team.
- Have received training in safeguarding issues, as required.

All staff have a mandatory obligation to familiarise themselves with this procedure and other relevant documents, see the various links in this document. All staff should particularly pay due regard to part 1 of Keeping Children Safe in Education 2025.

All staff working with young people and adults at risk are expected to undertake safeguarding training regularly and receive safeguarding updates and briefings at least annually.

16. Reporting and Responding to Safeguarding Concerns

Reporting process for Staff:

If the candidate is in immediate danger, dial 999.

If they are not in immediate danger;

1. Report immediately to the DSL or DDSL if you have concerns about an individual's safety or wellbeing.

2. Document all details of the concern accurately and promptly. You can do this by using the NIS Safeguarding Reporting form, see Appendix 3.

3. Follow up with the safeguarding team to ensure that appropriate actions are taken and that concerns are addressed.

17. Dealing with Allegations against staff

Allegations against staff when working with vulnerable adults refer to any claims or accusations that a staff member has acted in a way that could harm or endanger the well-being, safety or rights of an adult who is unable to protect themselves due to age, disability, illness or other circumstances that make them vulnerable.

These allegations may include physical, emotional or sexual abuse, neglect, exploitation or any behaviour that undermines the dignity or autonomy of the vulnerable adult. It is crucial for organisations to take all allegations seriously, responding promptly and appropriately to protect the individual involved while ensuring a fair and thorough investigation.

Addressing these allegations transparently and effectively is essential to maintaining trust, safeguarding the rights of adults at risk and ensuring compliance with regulatory standards, such as those set by Ofsted.

Upon receiving an allegation against a staff member, the following steps must be taken:

- Reporting: All allegations must be reported immediately and confidentially to the HR Team, who will manage the process in line with organisational procedures. If the allegation involves a member of the HR Team, it should be escalated directly to Senior Management Team.
- Safety Measures: HR will coordinate with relevant personnel to ensure the immediate safety and wellbeing of the candidate involved.
- Suspension: Where appropriate and depending on the seriousness and nature of the allegation, the staff member may be suspended as a neutral and precautionary measure during the investigation. This is not a presumption of guilt, but a step to ensure fairness and safety for all parties involved.

<u>Potential Outcomes</u>

The outcomes of an investigation into allegations against staff, particularly in environments involving adults at risk, can vary depending on the evidence gathered, the severity of the allegation and the conclusions drawn by the investigating authorities. Here are the potential outcomes of an investigation:

1. Unsubstantiated Allegation

The investigation finds that there is insufficient evidence to prove or disprove the allegation. In such cases, no further action is taken against the staff member, but a record of the allegation and the investigation may still be kept on file for a specified period, in line with NIS' policies.

2. Substantiated Allegation

The investigation concludes that the allegation is supported by sufficient evidence. This could result in various actions, depending on the severity of the misconduct:

Disciplinary Action: The staff member may face disciplinary measures, which could range from a formal warning to dismissal.

Criminal Prosecution: If the substantiated allegation involves criminal behaviour, the case may be referred to the police or other external authorities, which could lead to arrest, charges, and criminal prosecution.

Referral to Professional Bodies: The staff member may be referred to relevant professional bodies or regulatory authorities, such as the Disclosure and Barring Service (DBS), which could lead to barring from working in certain roles.

3. Unfounded or False Allegation

The investigation determines that the allegation is false or unfounded. This means that there is clear evidence that disproves the allegation or shows it was made with malicious intent. In such cases:

- The staff member may be formally exonerated, and steps may be taken to restore their reputation within the organisation.
- Consideration may be given to taking action against the person who made the false allegation if it was done with malicious intent.

4. Malicious Allegation

If the investigation concludes that the allegation was made with deliberate intent to deceive or cause harm, and there is evidence to support this, actions may be taken against the person making the allegation, which could include disciplinary measures or legal action.

5. Inconclusive Outcome

Sometimes, the investigation may not provide enough evidence to either substantiate or disprove the allegation. In such cases, the outcome may remain inconclusive. NIS may still decide to implement additional measures, such as closer monitoring of the staff member, additional training, or changes in policy or practice, to prevent future concerns.

6. Recommendations for Policy and Practice Changes

Regardless of the outcome, the investigation might reveal gaps or weaknesses in NIS' safeguarding policies, procedures, or practices. Recommendations may be made to improve these, such as updating training programs, revising policies, or enhancing reporting and monitoring mechanisms.

7. Support and Rehabilitation Measures

If the allegation is substantiated but does not warrant severe disciplinary action, the outcome may include support and rehabilitation measures for the staff member, such as targeted training, increased supervision, or professional development to address the specific issues identified.

8. Closure of Case with No Action

In cases where the evidence clearly shows that there is no basis for the allegation, the investigation may be closed with no further action. However, NIS may still review its practices to identify any learning points or areas for improvement.

9. Notification to Relevant Authorities

Depending on the nature of the allegation and the findings of the investigation, there may be a requirement to notify external bodies, such as the local authority, Ofsted, the police or other regulatory organisations, about the outcome and any actions taken.

These outcomes ensure that NIS handles the investigation process fairly, protects the rights of both the alleged victim and the staff member and upholds safeguarding responsibilities in line with regulatory standards and statutory requirements.

17.1 Disciplinary Action

Disciplinary action can be taken while other investigations are going on, e.g. by the police. The fact that another body is investigating or has investigated an incident does not prevent NIS from coming to its own conclusion about what happened and imposing a penalty accordingly.
We will consider these matters on a case-by-case basis, considering whether:

- Taking action would prejudice an investigation and/or subsequent prosecution – we will liaise with the police and/or local authority social care to determine this.

- There are circumstances that make it unreasonable or irrational for us to reach our own view about what happened while an independent investigation is ongoing.

See the disciplinary policy for further information.

17.2 Low-Level Concerns

Concerns that do not meet the harm threshold

This section applies to all concerns (including allegations) about members of staff, including volunteers and contractors, which do not meet the harm threshold set out above.

Concerns may arise through the following:

- Suspicion or observations regarding an individual's conduct, behaviour, judgement, professional boundaries or interactions with adults or young people.
- A complaint raised by a learner, parent, carer, colleague, volunteer or member of the public.
- A safeguarding concern or allegation from another member of staff, visitor, contractor or stakeholder that we work with,
- Pre-employment vetting checks.

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of young people and adults at risk.

Definition of low-level concerns

The term ‘low-level’ concern is any concern – no matter how small – that a member of staff, volunteer, contractor working in or on behalf of NIS may have acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work,
- Goes against professional standards, organisational values and safeguarding practices, and
- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the designated officer at the local authority.

Examples of such behaviour could include, but are not limited to:

- Being over friendly with young person or adults at risk,
- Having favourites,
- Taking photographs of adults at risk on their personal mobile phone,
- Engaging with a vulnerable adult or young person on a one-to-one basis in a secluded area or behind a closed door,

- Engaging with learners via personal social media accounts and;
- Humiliating learners.

Sharing low-level concerns

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to confidentially share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

- Ensuring staff are clear about what appropriate behaviour is and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others,
- Empowering staff to share any low-level concerns,
- Empowering staff to self-refer,
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage,
- Providing a responsive, sensitive and proportionate handling of such concerns when they are raised, and
- Helping to identify any weakness in NIS' safeguarding system.

Responding to low-level concerns

If the concern is raised via a third party, the HR Team will collect evidence where necessary by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously,
- To the individual involved and any witnesses.

The HR Team will use the information collected to categorise the type of behaviour and determine any further action, in line with NIS' staff behaviour policy/code of conduct the HR Team will be the ultimate decision-maker in respect of all low-level concerns, though they may wish to collaborate with the DSL.

Record keeping

All low-level concerns will be recorded in writing. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken.

Records will be:

- Kept confidential, held securely and comply with the DPA 2018 and UK GDPR,

- Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harms threshold, we will refer it to the designated officer at the local authority,
- Retained at least until the individual leaves employment.

Where a low-level concern relates to a contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

18. Useful Contacts

Charity Contacts:

Samaritans: Provides 24/7 confidential support. Call 116 123 or visit https://www.samaritans.org

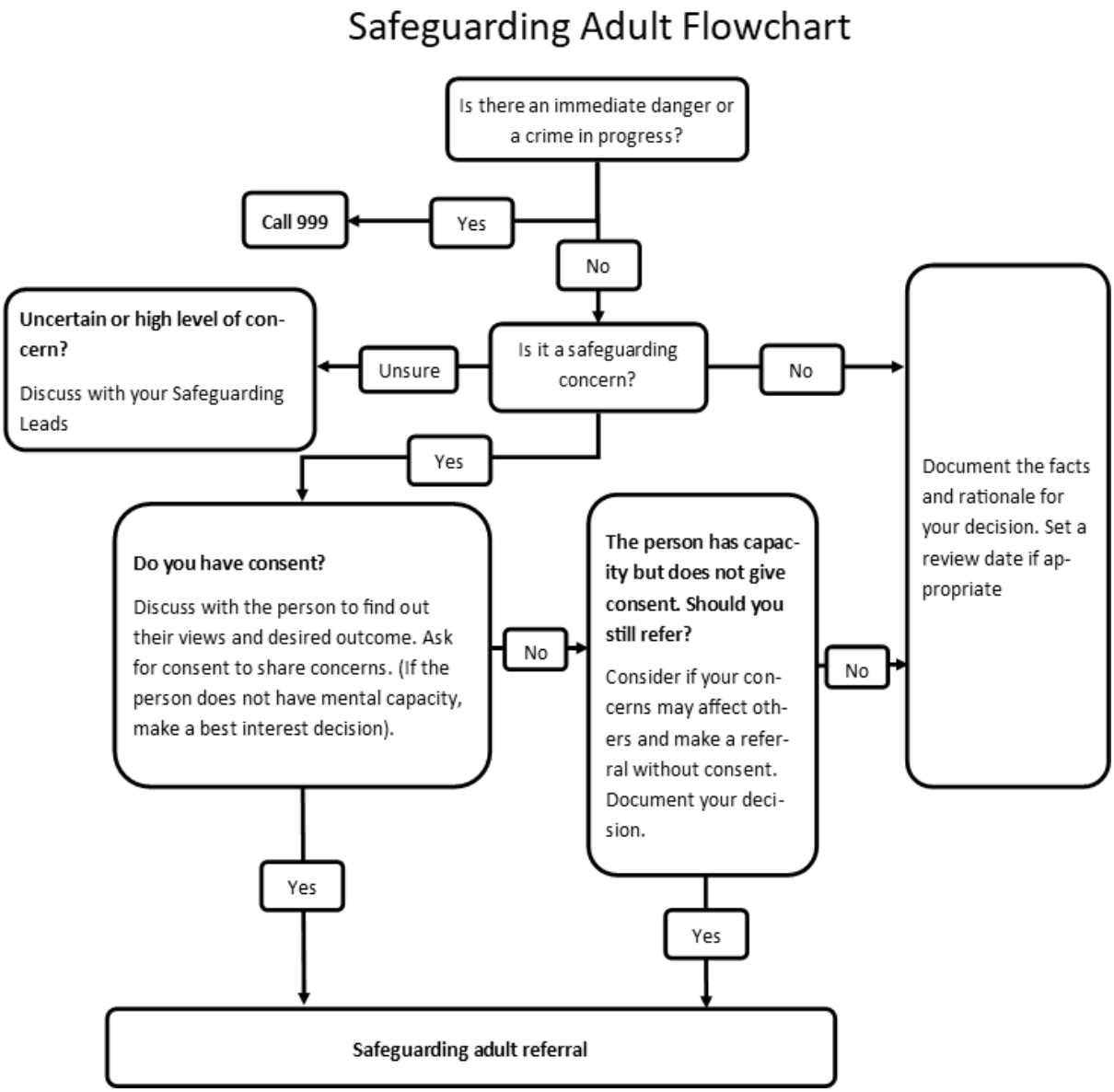
Childline: For children and young people, up to 19. Call 0800 1111 or visit https://www.childline.org.uk

Mind: Offers support for mental health issues. Call 0300 123 3393 or visit https://www.mind.org.uk

National Domestic Violence Helpline: Provides support for those affected by domestic abuse. Call 0808 2000 247 or visit https://www.nationaldahelpline.org.uk

Shout (24/7 Crisis Text Service): Offers free, confidential support via text for anyone in crisis, including mental health or emotional distress. Text: **SHOUT** to 85258.

Appendix 1


Safeguarding Adult Flowchart
Is there an immediate danger or a crime in progress?
Yes
Call 999
No
Is it a safeguarding concern?
Unsure
Uncertain or high level of concern?
Discuss with your Safeguarding Leads
No
Document the facts and rationale for your decision. Set a review date if appropriate
Yes
Do you have consent?
Discuss with the person to find out their views and desired outcome. Ask for consent to share concerns. (If the person does not have mental capacity, make a best interest decision).
No
The person has capacity but does not give consent. Should you still refer?
Consider if your concerns may affect others and make a referral without consent. Document your decision.
No
Yes
Yes
Safeguarding adult referral

Appendix 2

Abuse, including neglect, and safeguarding issues are rarely standalone events that can be covered by 1 definition or label. In most cases, multiple issues will overlap.

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a young person or vulnerable person. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a young person or vulnerable person.

Emotional abuse is the persistent emotional maltreatment of a young person or vulnerable person such as to cause severe and adverse effects on the individual's emotional development. Some level of emotional abuse is involved in all types of maltreatment of a young person or vulnerable person, although it may occur alone.

Emotional abuse may involve:

- Conveying to a young person or vulnerable person that they are worthless or unloved, inadequate, or valued only so far as they meet the needs of another person,
- Not giving the young person or vulnerable person opportunities to express their views, deliberately silencing them or, 'making fun' of what they say or how they communicate,
- Seeing or hearing the ill-treatment of another,
- Serious bullying (including cyber-bullying), causing young person or vulnerable person frequently to feel frightened or in danger, or the exploitation or corruption of young person or vulnerable person.

Sexual abuse involves forcing or enticing a young person or vulnerable adult to take part in sexual activities, not necessarily involving a high level of violence, whether or not they are 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,
- Non-contact activities, such as involving a young person or vulnerable person in looking at, or in the production of, sexual images, watching sexual activities, encouraging individuals to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

Sexual abuse is not solely perpetrated by males. Women can also commit acts of sexual abuse, as can other young people and adults.

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a young person or vulnerable person is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- Protect a child from physical and emotional harm or danger,
- Ensure adequate supervision (including the use of inadequate caregivers),
- Ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

This policy is designed to provide clear guidance and ensure a safe environment for all individuals involved with NIS.

Appendix 3

Safeguarding and welfare reporting processes are detailed below and there are two reporting processes for the different contracts that we currently train under.

TRIA (sub-contracted provision)

To report a welfare or safeguarding concern you need to complete the below Microsoft form:

DPS (direct funded provision)

If you work with candidates on our direct-funded contracts, you will have been issued with a login for My Concern; this allows you to report concerns through a platform.

Log In - MyConcern
(https://login.thesafeguardingcompany.com/Identity/Account/Login?ReturnUrl=%2F)

Once the relevant form has been submitted, the Safeguarding Team will automatically be updated via email. The form needs to be completed at the earliest opportunity once a concern has been identified. The DSL/DDSL should also be notified via phone call.

Appendix 4

The below risk assessment is used by NIS for direct-funded provision **only** (sub-contractors have their own process for completing Risk Assessments for learners with unspent criminal convictions).

1. During enrolment, learners are asked to declare any **unspent convictions**. Spent convictions are not included in this process unless a legal exception applies. GOV.UK
2. If a learner makes a declaration, the Employability Team informs the Safeguarding Team by email and QR code and obtains the learner's Probation Officer's contact details.
3. The learner is told that they cannot start the course until a safeguarding risk assessment has been completed.
4. The Safeguarding Team contacts the Probation Officer for information, completes the risk assessment matrix and assigns a RAG rating to decide whether the learner can safely join the programme.
5. If approved, the learner is invited to start. If the learner cannot be approved, the Safeguarding Team informs the Probation Officer so they can help identify alternative provision.

NIS Safeguarding; Risk assessment for Ex Offenders/Those on Licence

This form is to be used when assessing the suitability of those applying to/or attending NIS for a training programme and who are currently/or in past 12 months been under supervision and/or those who disclose a conviction at application / enrolment.

This candidate has been referred from;

Probation Service ☐ Youth Offending Team ☐

Self-Referral ☐ Other ☐

If "Other" please specify; Click or tap here to enter text.

Section 1; Personal Details

Course Applied for; Click or tap here to enter text.
Study site: Click or tap here to enter text.

Forename; Click or tap here to enter text.
Surname; Click or tap here to enter text.

Date of Birth; Click or tap to enter a date.

Address; Click or tap here to enter text.

Mobile Number; Click or tap here to enter text.
Email Address; Click or tap here to enter text.

Ethnicity; Click or tap here to enter text.

Gender; Male ☐ Female ☐ Other ☐
If 'other' please specify Click or tap here to enter text.

Is the candidate currently on;

Tagging Order Yes ☐ No ☐

Home Detention Curfew Yes ☐ No ☐

Sex Offenders Register Yes ☐ No ☐

Is the candidate currently?

Under Bail Conditions ☐ Pending a court hearing ☐

Does the candidate have any history of the following:

Arson Yes ☐ No ☐

Violence against a person Yes ☐ No ☐

Offences against a person	Yes	☐	No	☐
Sexual	Yes	☐	No	☐

What level of risk does the candidate pose to;

Themselves	Low	☐		Medium	☐	High	☐
Children	Low	☐		Medium	☐	High	☐
Vulnerable Adults	Low	☐		Medium	☐	High	☐
Staff Members	Low	☐		Medium	☐	High	☐

Section 2 ; Referee information **Not applicable** ☐

Referee Details

Name of Referee;	Click or tap here to enter text.
Organisation;	Click or tap here to enter text.
Job Title;	Click or tap here to enter text.
Email Address;	Click or tap here to enter text.
Contact Number;	Click or tap here to enter text.
Work Address;	Click or tap here to enter text.
Relationship to candidate;	Click or tap here to enter text.

Section 3; Offences

NIS need as much information as possible to enable to us to complete an informative risk assessment. We appreciate GDPR might not allow you to share this information so please ensure you have informed consent from the candidate or that this information is being shared with us legally.

3a; Offence Details

Current and/or any outstanding offences	Sentence imposed and any restrictions

Section 3b;

Has the candidate had any issues recently with;

Alcohol/Substance misuse ☐ Anger and/or Violence issues ☐

Domestic Circumstances ☐

If yes, please provide further details; Click or tap here to enter text.

Section 4; Background Information of Candidate

To enable us to support please provide any further information in relation to the candidate and if they have any personal circumstances that they might need further support with or if they have any concerns.

4a; Relevant information

4b; Does the applicant have any of the following:

Health Problem/Allergy ☐

Disability or Learning Need ☐ EHC Plan ☐

If ticked above, please provide further information.

4c; Please provide information about any safeguards in place against re-offending while in training e.g. Supervision; Reviews; Partnership working.

4d; Is the applicant likely to meet anyone at the training establishment that was involved in the offence (previous or current)?

Yes ☐ No ☐ Don't Know ☐

Further information;

4e; Will the referrer need information on the candidate's progress and attendance?

Yes ☐ No ☐

If yes, what information is required?

Section 5; Applicant Declaration

I have read or listened to the information provided on this form and understand that NIS needs this information to ensure I am provided with the appropriate information, advice and guidance. I confirm that I give consent to NIS to use this information to risk assess my application. I confirm that the information I have given is true and accurate to the best of my knowledge. I understand that this information will be stored and managed under the General Data Protection Regulation and provisions of Section 46 of the Freedom of Information Act 2000.

General Data Protection Regulation (GDPR)

I agree to NIS processing personal data contained in this form, or other data which the training provider may obtain from me or other people. I agree to the processing of such data for any purposes connected with my enrolment, my health and safety or for any other legitimate reason.

Name Click or tap here to enter text.

Signature

Date Click or tap to enter a date.

<u>Sub-Contracted Provision</u>

When a learner enrols onto sub-contracted provision and declares an unspent criminal conviction, their application is flagged to the sub-contractor and they then follow their own safeguarding and risk assessment processes.

Only once NIS have received notification from the Sub-Contractor that the learner has been cleared will they be invited to start.