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REVIEWED BY: Katy Rees

Core safeguarding principles

Smile Education Limited acknowledges the duty of care to safeguard and promote the welfare of children and vulnerable adults and is committed to ensuring safeguarding practice that reflects statutory responsibilities, government guidance and complies with best practice requirements. All children and vulnerable adults, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have the right to equal protection from all types of harm or abuse.

This policy applies to all internal staff at Smile Education Limited as well temporary workers, candidates and contractors. Smile Education Limited is fully compliant with Keeping Children Safe in Education – September 2019. Smile Education Limited is committed to ensuring their work is consistent with safeguarding and promoting the welfare of children and vulnerable adults. All candidates placed by Smile Education Limited are expected to take all reasonable steps to ensure they are alert to possible child abuse and neglect, and to familiarise themselves with arrangements for safeguarding children in the schools where they are placed.

Safeguarding Aims and Objectives

This policy is designed to meet the above principles by ensuring that:

- Those who are known to be unsuitable do not gain access to children or vulnerable adults.
- Those who become unsuitable are detected at the earliest stage and prevented from continuing to work with children and vulnerable adults.
- Those who intend to do harm are prevented at every possible stage from entering the workforce.
- It is as simple as possible for an individual to report that they are being harmed or feel at risk of being harmed.
- Clear procedures will be implemented where child protection issues arise.

- Effective management is provided for staff, temporary workers, candidates and contractors through support and training.
- All necessary checks are made on staff, temporary workers, candidates and contractors.
- Smile Education Limited stays up to date with developments on safeguarding best practice, reporting and auditing our safeguarding activities annually and reviewing and updating our policies and practices every 12 months.
- Those who are identified as being at risk of abuse are afforded every practicable protection by Smile Education Limited and our subcontractors/partners.
- Smile Education Limited will report any concerns regarding any individual, or any potential safeguarding situation that it becomes aware of as soon as practicable to the appropriate authority.
- Those we discover are being abused are afforded the relevant protection and assistance by the relevant bodies as soon as practicably possible.
- At an individual and collective level employees are involved in ensuring Safeguarding is embedded across our services to ensure a whole organisation approach so that individuals are adequately covered by this policy

Recruitment and Selection Process

Smile Education Limited are also committed to protecting children and vulnerable adults through a careful recruitment and selection process, a whistle blowing policy and guidance on appropriate behaviour. Smile Education Limited rigorous procedures ensure that any candidate found to have a history of unacceptable conduct or practice, will not be placed.

As part of our safeguarding policy Smile Education Limited will

- promote and prioritise the safety and wellbeing of children and vulnerable adults.
- ensure all candidates undergo a full compliance process.
- ensure everyone understands their roles and responsibilities in respect of safeguarding and is provided with appropriate learning opportunities to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children and vulnerable adults.
- ensure appropriate action is taken in the event of incidents/concerns of abuse and support provided to the individual/s who raise or disclose the concern.
- ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored.
- prevent the engagement of unsuitable individuals.

- ensure robust safeguarding arrangements and procedures are in operation.

This policy will be widely promoted and is mandatory for everyone involved in Smile Education Limited. Failure to comply with this policy and the company's safeguarding procedures will be addressed without delay and may result in disciplinary action.

Legislation

The principal pieces of legislation governing this policy are:

- Working together to safeguard Children 2018
- The Children Act 1989
- The Adoption and Children Act 2002:
- The Children act 2004
- Rehabilitation of Offenders Act 1974
- Keeping Children Safe in Education (2018)
- Disqualification under the Childcare Act 2006 (2015)
- Counter Terrorism and Security Act 2015 (inc. the 'Prevent Duty')
- Modern Slavery Act 2015
- Mental Capacity Act 2005
- Human Rights Act 1998

Definitions

'Safeguarding' - is about embedding practices throughout the organisation to ensure the protection of children and/or vulnerable adults wherever possible. In contrast, child and adult protection is about responding to circumstances that arise.

'Abuse' - Keeping children safe in education September 2016 defines abuse and neglect and gives four clear categories of abuse as:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Neglect

'Child' – is used to define anyone under the age of 18 (Children Act, 1989).

'Young people' are children who are 16 to 17 years old.

'Age of consent' (the legal age to have sex) in the UK is 16 years old*.

'Vulnerable adult' is a person who has attained the age of 18 and for a range of reasons may be, either temporarily or permanently and in different situations, potentially vulnerable.

This may include a person who:

- Is elderly and frail
- Has a mental illness including dementia
- Has a physical or sensory disability
- Has a learning disability
- Has a severe physical illness
- Is a substance misuser
- Is homeless

Smile Education Limited conducts the following safeguarding checks and has sight of all original documents before supplying a candidate into an education establishment.

- Face to face interview with signed interview notes by candidate and consultant
- Proof of identify
- Full relevant written professional references, including most recent employer reference covering a reasonable period of time approx. 2 years.
- Enhanced DBS disclosure with children's barred list
- Prohibited list check including teachers sanctioned in other EEA member states, Section 128 barring decisions, sanctions.
- Proofs of address using the list of acceptable documents as per processing DBS
- Proof of National Insurance number
- Eligibility to work in the UK proof
- Full 10-year employment history with no gaps either covered either on CV or on separate 10 year history form. Any gaps in employment covered with an explanation from the candidate and a character reference from a professional.
- Original qualifications
- Visa requirements (where applicable)
- Overseas police check (where applicable) if not attainable then references to cover the time spent abroad.
- Disqualification by Association declaration.
- Signed Expectations and professional guidelines
- Proof of Name changes

All candidates are required to have an Enhanced DBS certificate. When we process one through Smile Education Limited the certificate will be renewed every 12 months. Otherwise if the candidates are on the DBS Update Service an online check will be done on registration and every 3 months (with signed permission from the candidate).

Responsibilities

All staff, temporary workers, candidates and contractors placed on assignment are responsible for supporting safe behaviour and have responsibility to follow the guidance laid out in this policy and related policies, and to pass on any welfare concerns using the required procedures. We expect all staff, temporary workers, candidates and contractors to promote good practice by being an excellent role model; contributing to discussions about safeguarding; and to positively involving people in developing safe practices. All staff, temporary workers, candidates and contractors should:

- Read, understand, accept and act in accordance with this policy.
- Be vigilant and follow professional codes of conduct to maintain professional boundaries.
- Report any concerns or disclosures related to the protection and safety of children and vulnerable adults.
- Undertake mandatory child protection and vulnerable adult training and awareness sessions where provided.
- Help educate learners, including children, young people and adults in matters of keeping safe, and acting as a good role model.

All staff, temporary workers, candidates and contractors working through Smile Education Limited are expected to keep children safe by contributing to:

- Providing a safe learning environment.
- Identifying children who are suffering or likely to suffer significant harm and taking the appropriate action with the aim of making sure they are kept safe at home and in the education setting.
- Making a note and reporting to the designated member of staff any major incident, or signals which give cause for suspicion or concern. It is the candidate's responsibility to adhere to the specific guidelines set out in each Client's own safeguarding policy.
- Under no circumstance should a candidate intervene on his or her own.

Reporting and barring referrals

The process outlined below details the stages involved in raising and reporting safeguarding concerns at Smile Education Limited.

Any queries with safeguarding and compliance are referred in the first instance to the staff members Manager, following that the compliance team. Being escalated to the Team Leader/Office Manager If necessary.

Any allegations and safeguarding issues are dealt with following our allegation process flowchart and are reported to a Directors (Katy Rees, Mark Childe or Emma Sheldon) to monitor progress.

The consultant who is responsible for looking after the candidate will be involved with any allegation processes to support the candidate and the client. Along with their manager (to support the consultant), a branch Director and the Office/Compliance Manager who can act more impartially.

We liaise closely at all times with the candidate, LADO and appropriate staff members from the School (Designated Safeguarding Lead and headteachers). Ensuring that we follow up quickly on any requested actions, remaining objective throughout the process. Supporting both the candidate and the client enabling a smooth process to guarantee the ongoing safeguarding of children. Carrying out appropriate training measures as required.

LADO (Local Authority Designated Officer)

In accordance with Working Together (2018), where an organisation has received an allegation that a volunteer or member of staff who works with children has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children

A referral should be sent to the Local Authority Designated Officer (LADO) within one working day, giving as much detail as possible.

Duty to make a referral to the DBS

Where there is evidence that anyone has harmed, or poses a risk of harm, to a child or vulnerable adult, there is a legal duty on Smile Education Limited to report that person to the Disclosure and Barring Service using their guidance. Available here <https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs>. The DBS has statutory authority to bar a person from working in regulated activity with children and/or vulnerable adults in the UK.

Referral to the DBS will also be made if the person resigns prior to an investigation being carried out or reaching its conclusion. If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance.

Smile Education Limited will not make any compromise/settlement agreement in the case of a person deemed unsuitable to work with children. Any such agreement which contained a condition of not referring the case to the DBS would constitute a criminal offence.

Anyone who is concerned about a child's or vulnerable adult's welfare or who believe that a child or vulnerable adult may be at risk of abuse should pass any information to the DBS or other appropriate authority as soon as possible and no longer than 24 hours after the initial concern.

Whistle Blowing

All staff, temporary workers, candidates and contractors should bring matters of concern to the attention of Smile Education Limited and concerns can be reported directly to the LADO. Once you have shared your concerns you should submit them in writing giving names, date and places where appropriate. No action will be taken against you if the concern proves to be unfounded but was raised in good faith. All staff, workers, candidates and contractors should be aware of their duty to raise concerns, where they exist, about the attitude or actions of colleagues. Include concern raised and not acted upon by the safeguarding leads. Allegations that are made frivolously, maliciously or for personal gain will lead to termination.

Once a disclosure against anyone has been made, Smile Education Limited will consider whether the allegation should be reported to the LADO. Only after notifying and consulting with the LADO (or, in the most serious cases, the police) will Smile Education Limited undertake an investigation.

Summary:

Smile Education Limited will make clients and candidates aware of the Safeguarding Policy by making the policy available on our website, having a copy displayed in the interview room, attaching a copy to the interview confirmation email to all candidates who are registering.

All staff, temporary workers, candidates and contractors must be aware that they have a professional duty to share information with other recruitment firms in order to safeguard children and vulnerable adults. The public interest in safeguarding children and vulnerable adults may override confidentiality interests. However, information will be shared on a need to know basis only, as judged by Smile Education Limited.