

Safeguarding Policy

Children, Young People and Vulnerable Adults

**Adopted: May 2021
Review Date: May 2022**

Westway CT is committed to safeguarding the welfare of children, young people and vulnerable adults.

Safeguarding is a relatively new term which is broader than protecting individuals and Child Protection as it also includes prevention. Safeguarding is taking all reasonable measures to ensure that the risks of harm to all individuals' welfare are minimised; including children, young people and vulnerable adults.

In this respect Westway acknowledges its responsibility as a provider of transport services for children, young people and vulnerable adults, many of whom may have social, emotional, behavioural difficulties or physical disabilities.

As Westway works with many children, young people and vulnerable adults every year we have developed this policy to primarily protect those in our care. It is designed to reassure service users, their parents/carers/advocates and the contracting/commissioning bodies for whom we provide transport services. It also establishes the roles and responsibilities of everyone who works for Westway CT in relation to safeguarding the children, young people and vulnerable adults with whom we work. It does this by setting out clear guidance, so staff, volunteers, trainees and management committee members are able to act appropriately in any given situation.

This policy is based on and reflects the principles of both UK legislation and guidance and other relevant Westway CT policies and procedures. The approach has been developed in such a way as to be consistent with 'Best Practice' within the field of safeguarding children, young people and vulnerable adults.

Statutory Framework

Children and Young People

The Children's Act 1989 provides the legal framework for the protection of children in the UK. Under the Children's Act a child is defined as any person under 18 years of age.

The Protection of Children Act 1999 requires employers to carry out Criminal Records Bureau (CRB) checks before employees can come into direct contact with children.

The Safeguarding Vulnerable Groups Act 2006 placed a statutory duty on all those working with vulnerable groups and register and undergo an advanced vetting process.

The Disclosure and Barring Service (DBS) was formed in 2012 by merging the functions of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) under the Protection of Freedoms Act 2012.

Vulnerable Adults

The Police Act 1997 requires employers to carry out Criminal Records Bureau (CRB) checks before employees can come into direct contact with vulnerable adults. Westway CT is required under this legislation to apply for enhanced disclosure from the Criminal Records Bureau for staff working with vulnerable adults.

The Police Act 1997 (Enhanced Criminal Record Certificates) (Protection of Vulnerable Adults) Regulations 2000 define a 'vulnerable adult' as a person aged 18 or over who is:

- living in a care home or establishment for people with learning difficulties
- living in sheltered housing
- receiving domiciliary care
- receiving any form of healthcare
- receiving social care services

and who has:

- a learning or physical disability
- a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs

- a reduction in physical or mental capacity

The Safeguarding Vulnerable Groups Act 2006 placed a statutory duty on all those working with vulnerable groups and register and undergo an advanced vetting process.

The Disclosure and Barring Service (DBS) was formed in 2012 by merging the functions of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) under the Protection of Freedoms Act 2012.

The Law Commission - 1999

Someone “who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or exploitation”.

Forms of Abuse

Domestic Abuse

Any type of controlling, bullying, threatening or violent behaviour between people in a relationship. Not just physical violence – domestic abuse includes emotional, physical, sexual, financial or psychological abuse.

Abusive behaviour can occur in any relationship. It can continue even after the relationship has ended. Both men and women can be abused or abusers.

Domestic abuse can seriously harm children and young people. Witnessing domestic abuse is child abuse, and teenagers can suffer domestic abuse in their relationships.

Sexual Abuse

Involves forcing or enticing a young person to take part in sexual activities, whether the young person is aware of what is happening or not. The activities may involve physical contact, including penetrative (e.g. rape) or non-penetrative acts. They may include non-contact activities such as involving young people in looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging young people to behave in sexually inappropriate ways.

This doesn't have to be physical contact and it can happen online. Sometimes the child won't understand that what's happening to them is abuse.

Neglect

This is the persistent failure to meet the young person's basic physical and/or psychological needs, likely to result in the serious impairment of the young person's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing; failure to protect a young person from physical harm or danger, or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a young person's basic emotional needs.

Online Abuse

Online abuse is any type of abuse that happens on the web, whether through social networks, playing online games or using mobile phones. Children and young people may experience cyberbullying, grooming, sexual abuse, sexual exploitation or emotional abuse.

Children can be at risk of online abuse from people they know, as well as from strangers. Online abuse may be part of abuse that is taking place in the real world (for example bullying or grooming). Or it may be that the abuse only happens online (for example persuading children to take part in sexual activity online).

Children can feel like there is no escape from online abuse – abusers can contact them at any time of the day or night, the abuse can come into safe places like their bedrooms, and images and videos can be stored and shared with other people.

Physical Abuse

This may include hitting, shaking, throwing burning or scalding, drowning, suffocating, or otherwise causing physical harm to a young person. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a young person who they are looking after. This is commonly described using such terms as 'fictitious' illness by proxy or 'Munchausen's Syndrome by proxy'.

Emotional Abuse

This is the persistent emotional ill-treatment of a young person such as to cause severe and persistent effects on the young person's emotional development. It may involve conveying to young people that they are worthless and unloved, inadequate, or valued only so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed on young people. It may involve causing young people frequently to feel frightened or in danger, or the exploitation or corruption of young people. Some level of emotional abuse is involved in all types of ill-treatment of a young person, though it may occur alone.

Child Sexual Exploitation (CSE)

CSE is a type of sexual abuse. Children in exploitative situations and relationships receive something such as gifts, money or affection as a result of performing sexual activities or others performing sexual activities on them.

Children or young people may be tricked into believing they're in a loving, consensual relationship. They may also be groomed and exploited online.

Some children and young people are trafficked into or within the UK for the purpose of sexual exploitation. Sexual exploitation can also happen to young people in gangs.

Female Genital Mutilation (FGM)

Female genital mutilation (FGM) is the partial or total removal of external female genitalia for non-medical reasons. It's also known as female circumcision or cutting. Religious, social or cultural reasons are sometimes given for FGM. However, FGM is child abuse. It's dangerous and a criminal offence.

There are no medical reasons to carry out FGM. It doesn't enhance fertility and it doesn't make childbirth safer. It is used to control female sexuality and can cause severe and long-lasting damage to physical and emotional health.

Bullying and Cyberbullying

Bullying is behaviour that hurts someone else. It includes name calling, hitting, pushing, spreading rumours, threatening or undermining someone.

It can happen anywhere – at school, at home or online. It's usually repeated over a long period of time and can hurt a child both physically and emotionally.

Cyberbullying is bullying that takes place online. Unlike bullying in the real world, online bullying can follow the child wherever they go, via social networks, gaming and mobile phones.

Child Trafficking

Child trafficking and modern slavery are child abuse. Children are recruited, moved or transported and then exploited, forced to work or sold.

Children are trafficked for: child sexual exploitation; benefit fraud; forced marriage; domestic servitude such as cleaning, childcare, cooking; forced labour in factories or agriculture; criminal activity such as pickpocketing, begging, transporting drugs, working on cannabis farms, selling pirated DVDs and bag theft.

Many children are trafficked into the UK from abroad, but children can also be trafficked from one part of the UK to another.

Grooming

Grooming is when someone builds an emotional connection with a child to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking.

Children and young people can be groomed online or face-to-face, by a stranger or by someone they know - for example a family member, friend or professional.

Groomers may be of any age and can be male or female.

Many children and young people don't understand that they have been groomed or that what has happened is abuse.

Harmful Sexual Behaviour

Harmful sexual behaviour includes using sexually explicit words and phrases, inappropriate touching, using sexual violence or threats or full penetrative sex with other children or adults.

Children and young people who develop harmful sexual behaviour harm themselves and others.

Protection from Harm or Abuse

It is everyone at Westway CT's responsibility to promote the safety of the children, young people and vulnerable adults we work with. Staff, volunteers, trainees and management committee members are always expected to maintain a sense of proportion, apply common sense to situations and protect the child' or the young person's welfare as the key priority.

It is also Westway CT's duty to ensure that staff, volunteers, trainees and management committee members are never placed in situations where abuse might be alleged. It is not intended that the policy should restrict staff, volunteers, trainees and management committee members from normal ways of working, but they always need to consider how an action or activity may be perceived as opposed to how it is intended.

Principles of Good Practice

Westway CT considers that:

All children, young people and vulnerable adults, regardless of age, disability, gender, racial or ethnic origin, religious belief and sexual identity have a right to be treated with care, respect and dignity;

The welfare of the child, young person or vulnerable adult is the paramount consideration;

Those working for Westway CT will be perceived by children, young people and vulnerable adults as trusted representatives of Westway CT;

It is important to ensure communication with children, young people and vulnerable adults is open and clear;

It is essential to assess the risks to children, young people and vulnerable adults of its activities through comprehensive risk assessment at the inception of the contract or transport request;

It is important for staff, volunteers, trainees and management committee members to avoid physical contact with children, young people and vulnerable adults except for that which is clearly outlined in the service user's risk assessment and the duties outlined in job descriptions and role profiles.

Designated Safeguarding Officer (DSO)

The Designated Safeguarding Officer is Westway CT's Deputy Chief Executive Officer. Contact details may be found under Appendix A.

The role of the designated member of staff is to:

- Ensure that Westway CT's Safeguarding Children, young people and vulnerable adults Policy is implemented throughout the organisation and;
- Carry out all necessary child protection/safeguarding-related enquiries, procedures and investigations;
- Ensure secure and confidential record-keeping on safeguarding matters, that a "need to know" confidentiality policy is preserved on such matters and that all staff, volunteers, trainees and management committee members apply themselves fully to the Data Protection Act, 1998;
- Liaise with social services and the police in the relevant boroughs on child protection/safeguarding matters, both formally and informally;
- Report allegations and suspicions of abuse to the appropriate authorities;

- Ensure there are adequate and appropriate induction and training for all Staff, volunteers, trainees and management committee members on child safeguarding matters;
- Ensure that all activities carried out by Westway CT satisfy safeguarding requirements with regard to personnel, practices and premises;
- Check and countersigns all incident reports made by staff making such reference to outside agencies as is appropriate.
- Report on the implementation of the Safeguarding Children Policy at all Westway CT management committee meetings.

Staffing Issues and Disclosure

New Appointments

Westway CT uses www.disclosureservices.com to conduct suitable level DBS checks for any staff with access to personal information and/or regular unsupervised access to children, young people and vulnerable adults, the job, will be subject to DBS enhanced disclosure. This applies to persons engaged on permanent or agency contracts.

If the disclosure reveals that that they have been convicted of any offence relating to children, young people or vulnerable adults; and/or subject to any disciplinary action or sanction relating to children, young people or vulnerable adults, the candidate will not be appointed to that post or area of work.

If the disclosure shows that the candidate has previous convictions, but they are not related to children, young people or vulnerable adults, Westway CT in consultation with any contracting body will decide whether the candidate is suitable for the post they have applied for.

Any decision will be recorded in writing and stored for future reference.

Current Staff

All current members of Staff, volunteers or trainees who have unsupervised access to children, young people and vulnerable adults will have been subject to a DBS enhanced disclosure on appointment. If they continue to undertake unsupervised work, i.e. regularly transporting or assisting children, young people and vulnerable adults, their DBS disclosure will be updated every three years.

If the disclosure reveals that that they have been convicted of any offence relating to children or young people and/or subject to any disciplinary action or sanction relating to children, Westway CT's Grievance and Disciplinary Procedure will be enacted.

If the disclosure shows that the candidate has received a conviction, but that it is not related to children or young people, Westway CT in consultation with any contracting body will decide whether the candidate can remain in post.

If the disclosure reveals no convictions or disciplinary action or sanctions the postholder will remain in post and no further action will be taken.

If access is unsupervised for any period of time an enhanced DBS check will be undertaken and the above clauses will apply.

Any decision will be recorded in writing and stored for future reference.

There may be instances where Westway CT staff, volunteers, trainees or management committee members who do not ordinarily work directly with children, young people and vulnerable adults are required to do so.

If access is supervised at all times by an authorised person who has received a cleared enhanced DBS disclosure it is not necessary for the staff member, volunteer, trainee or management committee member to be subject to a DBS check.

Any decision will be recorded in writing and stored for future reference.

Current Staff Convictions

Irrespective of the requirements outlined for Current Staff, should a member of Westway CT personnel be charged or convicted of any offence, the following clauses will apply:

- If the disclosure reveals that that they have been convicted of any offence relating to children or young people and/or subject to any disciplinary action or

sanction relating to children, Westway CT's Grievance and Disciplinary Procedure will be enacted.

or

- If the disclosure shows that the candidate has received a conviction, but that it is not related to children or young people, Westway CT in consultation with any contracting body will decide whether the candidate can remain in post.

Procedures for Westway CT Personnel (Staff, Volunteers, Trainees, Management Committee Members)

Reporting Witnessed Incidents or Abuse or Reports from Children, young people and vulnerable adults

Reporting Witnessed Incidents

All Westway CT staff, volunteers, trainees or management committee members should be alert to any signs of abuse and report any concerns or suspicions to their line manager or in the case of management committee members directly to the Designated Child Safeguarding Officer, immediately or as soon as it is practicable to do so i.e. at the end of a journey.

The member of staff, volunteer, trainee or management committee member will be required to complete either the 'Safeguarding Children' or 'Safeguarding Vulnerable Adults' occurrence report found at the end of this document.

In the case of staff, volunteers or trainees the line manager will refer this matter to the Designated Children, young people and vulnerable adults Safeguarding Officer who should contact the contracting authority or agency. The contracting authority or agency's child protection/safeguarding children, young people and vulnerable adults' procedures will then apply;

If the alleged incident did not occur within the context of a contract operated by Westway CT, the local authority within which the alleged incident occurred should be contacted and/or the police. Their guidance should then be followed;

A record of the incident and action taken must be kept and filed within Westway CT. Record-keeping on safeguarding children matters must be secure and confidential, that a "need to know" confidentiality policy is preserved on such matters and that all staff and members of the management committee within Westway CT must apply themselves fully to the Data Protection Act, 1998.

Reports from Children, Young People and Vulnerable Adults

If a child or young person tells a member of Westway CT's personnel of any incident of abuse or states any concerns about the behaviour of any person (transport related or not i.e. friends or family) this person must inform the child or young person that this matter cannot remain confidential.

The member of staff, volunteers or trainee should contact their line manager who will require them to complete an occurrence report. If this is a management committee member they should contact the Designated Safeguarding Officer.

The line manager will then refer this matter to the Designated Safeguarding Officer who should contact the contracting authority or agency. The contracting authority or agency's child protection/safeguarding children, young people and vulnerable adults' procedures will then apply.

If the alleged incident did not occur within the context of a contract operated by Westway CT, the local authority within which the alleged incident occurred should be contacted and/or the police. Their guidance should then be followed.

A record of the incident and action taken must be kept and filed within Westway CT. Record-keeping on safeguarding children matters must be secure and confidential, that a "need to know" confidentiality policy is preserved on such matters and that all staff and members of the management committee within Westway CT must apply themselves fully to the Data Protection Act, 1998.

Allegations Made Against Westway CT Staff, Volunteers, Trainees or Management Committee Members

If an allegation against any person working for Westway CT is made the following procedure must be followed. The person or persons making the allegation will be required to complete an occurrence report. This should be taken by a member of Westway CT's senior management team. The manager will then refer this matter to the Designated Child Safeguarding Officer.

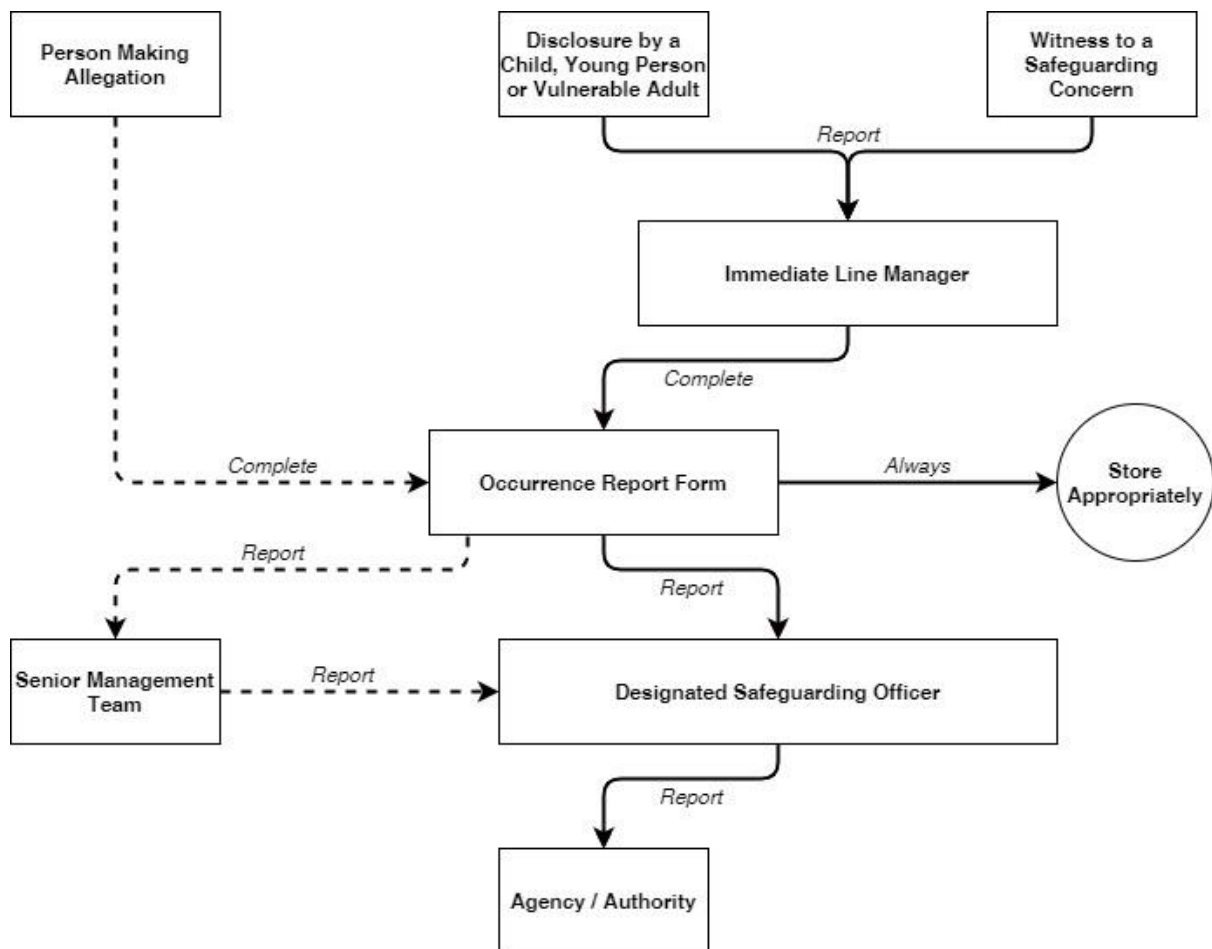
The Designated Safeguarding Officer or their nominee (i.e. the Deputy CEO) should inform the Westway CT employee against whom the complaint has been made as soon as possible, unless there appears to be a case that this might prejudice a criminal investigation. The Designated Safeguarding Officer or his/her nominee should consult with the contracting authority regarding police notification and involvement and take direction from the contracting authority. If the allegation/s made is/are of a criminal

nature, e.g. allegations of sexual abuse, physical assault or inappropriate behaviour, the Designated Safeguarding Officer or nominee will enact Westway CT's Grievance and Disciplinary Procedure and suspend the person from any activity in Westway CT for reasons of alleged gross misconduct.

The member of staff, volunteer, trainee or management committee member in question will remain suspended unless and until the police and/or social services confirm there was no substance to the report. An incident report will be made and treated as confidential.

If no criminal allegation has been made the Designated Safeguarding Officer or nominee will conduct an investigation by gathering as much detail as possible from available sources of information. For staff, volunteers and trainees the investigation will follow Westway CT's Grievance and Disciplinary Procedure. The contracting authority (if relevant) will be informed of the outcome of the investigation process and any resultant appeal.

Safeguarding Process



Review and Evaluation

Documenting Disclosure

In all cases outlined above written records of the process and the decisions taken throughout must be maintained. In the first instance this will include the completion of an incident report.

Monitoring, Review and Evaluation

Incidences of breaches of this policy should be kept and reviewed at contract/depot meetings and Senior Managers meetings to review how these matters were dealt with to inform future policy and practice.

Appendix A

Designated Safeguarding Officer

Ryan Price
Deputy Chief Executive Officer

Westway CT
240 Acklam Road
London
W10 5YG

ryanprice@westwayct.org.uk

020 8964 4928

Westway CT Safeguarding Children Occurrence Report Form

Date:

Name of the person filing the report:

Name of the Child:

Details of the incident:

What is the concern? Who is involved? Where did it happen? When did it happen? Why?

Please describe what happened, what you have noticed or been told?

Are there any witnesses?

Has the Child been told that you can't keep this private?

Signed:



A record of the incident and action taken must be kept and filed within Westway CT. Record-keeping on safeguarding children matters must be secure and confidential, that a "need to know" confidentiality policy is preserved on such matters and that all staff and members of the management committee within Westway CT must apply themselves fully to the Data Protection Act, 1998.

Westway CT Safeguarding Vulnerable Adults Occurrence Report Form

Date:

Name of the Person Filing the Report:

Name of the Adult:

Details of the Incident or Concern:

What is the concern? Who is involved? Where did it happen? When did it happen? Why?

Please describe what happened, what you have noticed or been told?