

## Safeguarding Procedure

### Procedure Purpose:

To give clear guidance on appropriate conduct, safeguarding responsibilities, and provide a defined process for all trustees, ESB employees, contractors working on behalf of ESB (ESB staff), to follow should a safeguarding incident occur.

### Linked Policies / Procedure

- [Safeguarding Policy.](#)
- [Privacy Policy.](#)
- [Photography and Contributions Policy.](#)

### Safeguarding Definition:

Safeguarding is a term which is broader than 'child protection' and relates to the action taken to promote the welfare and safety of all people, including children, young people, and vulnerable adults, to protect them from harm. For further Safeguarding Definitions please refer to the [Safeguarding Policy](#).

ESB are committed to:

- Protecting children, young people and vulnerable adults from maltreatment.
- Preventing impairment of children's, young person's and vulnerable adult's health and development.
- Ensuring that children and young people grow up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable all children and young people have the best outcomes.
- People, and organisations, working together to prevent and stop both the risks and experience of abuse or neglect.
- People, and organisations, making sure that the adult's wellbeing is promoted including, where appropriate, taking fully into account their views, wishes, feelings and beliefs in deciding on any action.
- Recognising that vulnerable people sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances and therefore potential risks to their safety or well-being.

### ESB's frequency of contact with children, young people and vulnerable adults.

ESB staff do not have direct responsibility for, or frequent contact with children, young people, or vulnerable adults on a regular basis, therefore, ESB staff should be accompanied by other adults when around children and/or vulnerable adults whilst carrying out duties as part of their employment. If ESB staff should find themselves without an accompanying adult, they must withdraw their services immediately.

It is the responsibility of approved centres to provide the appropriate safeguarding provisions for children and vulnerable adults where ESB staff or representatives of ESB can carry out their duties.

## ESB's Safeguarding Responsibilities:

### 1 Safeguarding Training:

ESB will provide necessary training in respect to the safeguarding of children, young people and vulnerable adult learners and where appropriate in order for ESB trustees, employees, and external contractors providing services on behalf of ESB to keep up to date with legislative changes.

### 2 Human Resources - Safe Recruitment practices –DBS Checking

ESB will only recruit or appoint trustees, employees, and external contractors providing services on behalf of ESB who are deemed suitable to work with children and vulnerable adults. It is the responsibility of the HR Manager, in conjunction with the HR team, to ensure that all email correspondence and documents received in relation to Basic Disclosure Checks are thoroughly checked and challenged where necessary, and stored confidentially in accordance with GDPR, see our [Privacy Policy](#).

ESB cannot ask employees and external contractors providing services on behalf of ESB to gain an Enhanced Disclosure and Barring Service certificate as the frequency of the activity does not meet the regulated activity criteria <https://www.gov.uk/government/organisations/disclosure-and-barring-service>.

However, all ESB staff who do come into regular contact children, young people and vulnerable adults as part of their employment responsibilities must provide, as a minimum, a Basic Disclosure Certificate which identifies any unspent convictions.

Employees, and contractors will need to obtain and supply a new Basic Disclosure Check on an annual basis to satisfy ESB's safeguarding requirements. Failure to provide a Basic Disclosure Certificate may result in termination of contract for contractors. Employees (where necessary) who fail to provide a basic disclosure certificate may be subject to disciplinary proceedings. For more information on DBS checking, see the [Safeguarding Policy](#).

### 3 Trustee, employee, and contractor ("informants") responsibility:

**Safeguarding is everybody's responsibility.** ESB working on behalf of ESB who do have some contact with children, young people, and vulnerable adults are considered to be 'persons in a position of trust', and are considered to be an 'informant' should a safeguarding issue or incident become known to them. Trustees, employees, or contractors must never 'assume' that somebody else is aware, or that somebody else is going to take action.

It is not the responsibility of an informant to decide the severity of an incident and whether to report it or not. If ever a trustee, employee, or contractor either suspects, or has confirmation that a child, young person or vulnerable adult has been subject to abuse of any kind or maltreatment in an ESB centre, this must be acted upon with immediate effect by reporting the incident. Failure to listen, take seriously, record, and act upon a safeguarding incident in accordance with **Appendix 1 (page 5) How to report, and manage a safeguarding incident** could result in disciplinary action, for employees, or termination of a contract for contractors working on behalf of ESB.

#### 4. ESB Safeguarding Team:

ESB have appointed members of the senior management team to manage the safeguarding process:

- **Safeguarding Coordinator** - Customer Experience Manager
- **Safeguarding Lead** – CEO-

It is the responsibility of the **Safeguarding Coordinator** to coordinate the process as per Appendix 1, by:

- Initially assessing an incident, liaising with centres/informants to establish facts, collating all information in relation to an incident ensuring confidentiality at all times, keeping the Safeguard Lead informed throughout the process.

It is the responsibility of the **Safeguarding Lead** to:

- Assess the incident, and all factual information in relation to the incident in its entirety, where there is an unsatisfactory response from a centre, or there is a need for escalating a safeguarding incident to authorities (e.g. social services and/or police) the Safeguarding Lead will assume responsibility for the process.

#### ESB Joint Venture Responsibilities

Where joint venture agreements exist, the partner agency is solely responsible for the conduct of its employees and contractors, and managing a potential incident in accordance with their own laws, if not UK based.

#### ESB Approved Centre Responsibilities

Approved ESB centres are responsible for:

- Appointing their own Safeguarding Lead/Safeguarding Coordinator.
- Generating and maintaining their own safeguarding policy and procedure.

In the event that a safeguarding incident occurs at one of ESB's approved centres, the centre must cooperate fully with the investigation, by liaising with the Safeguarding Coordinator/Safeguarding Lead at ESB Head Office, as per the requirements of this policy, and, as per their signed Centre Agreement:

- *Section 5.3 Right of access, records, people and premises.*
- *Section 5.9 Compliance with legislation, policies, procedures, handbooks and guidance documentation.*

#### If an allegation is made against an ESB trustee, employee or contractor working on behalf of ESB.

In the event that ESB receives an allegation against an ESB trustee, employee or contractor in any of the above formats, the information must be relayed to Safeguarding Coordinator, and the HR Manager in the strictest confidence. An allegation could arrive in the form of an email, a formal complaint or a telephone call, in which case, the Safeguarding Coordinator and the HR Manager will need to be informed in confidence. It is the responsibility of the Safeguarding Coordinator, the HR Manager and the Safeguarding Lead to take immediate action to independently investigate the allegations, establish the facts, and take the

necessary action in line with the Disciplinary Procedure for employees, or, contractual agreements for trustees or external contractors.

**Good practice when working with children, young people and vulnerable adults**

- Always work in an open environment avoiding private or unobserved situations and encouraging open communication.
- Adopt a relaxed, informal and friendly atmosphere.
- Listen to what children, young people and vulnerable adults say.
- Treat all children and vulnerable adults equally with respect and dignity.
- Always put the welfare of each child, young people and vulnerable adult first.
- Maintain a safe and appropriate distance with children, young people and vulnerable adults.
- Be an excellent role model.
- Keep an appropriate physical and professional distance.
- Be aware of the effect that your words and actions may have.

You should **NEVER:**

- Spend excessive amounts of time alone with children, young people vulnerable adults without being in the presence of other adults.
- Stray from the examination structure.
- Conduct unsupervised activities.
- Ask for unnecessary requirements to fulfil the requirements of the examination.
- Say anything that might make a child, young person, or vulnerable adult feel uncomfortable.
- Act in a manner that is overly familiar with a child, young person or vulnerable adult.
- Say anything that could be interpreted as aggressive, hostile or impatient.
- Be drawn into personal conversations or introducing personal subjects.
- Sit or stand too close to a child, young person or vulnerable adult i.e. invading their personal space.
- Stand over a child, young person or vulnerable adult i.e. making them feel pressured.
- Exchange personal contact details.
- Take, or upload photographs or video footage of examinations, on personal social media accounts, such as Twitter, Facebook, Instagram, or any other social media platforms where photographs and video footage can be shared, viewed and accessed by the public, without prior consent being obtained as per ESBs [Photography and Contributions Policy](#).
- Allow or engage in any form of inappropriate touching.
- Allow children, young people or vulnerable adults to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child, young person or vulnerable adult, even in the context of a joke.
- Reduce a child, young person, or vulnerable adult to tears as a form of control.
- Allow allegations made by a child, young person or vulnerable adult to go unchallenged, unrecorded or not acted upon.
- Promise a child, young person or vulnerable adult that their confidences will be kept secret.

**Appendix 1.  
How to report, and manage a  
Safeguarding Incident**

Informant to document the incident accurately, detailing as much information as possible onto the **Safeguarding Incident Form (Appendix 2, page 6)**

Email the form to [Sue.Roberts@esbuk.org](mailto:Sue.Roberts@esbuk.org)  
**ESB Safeguarding Coordinator** (Customer Experience Manager)  
 Ensure the email subject states **'IN CONFIDENCE'**  
 Do not cc, or bcc, anybody else into the email.

The **Safeguarding Coordinator** will store the incident form in a secure, password protected folder on ESBs' computer system.

The **Safeguarding Coordinator** will review the incident form and assess the severity of the incident notifying the **ESB Safeguarding Lead (CEO)** within **1 working day**.

The **Safeguarding Coordinator** may liaise with the informant, and responsible safeguarding personnel at the centre where the incident took place to:

- Establish more details/confirm facts
- Establish and record what action the centre has taken/ plan to take since the incident occurred.

The **Safeguarding Coordinator** has reviewed the incident and all correspondence, and is **satisfied** with:

- Centre communication relation to the incident
- The timeframe in which the incident has been investigated /action taken.
- The centre investigation report
- Centre corrective/preventative action taken is commensurate to the severity of the incident.

The **Safeguarding Coordinator** must present all incident information, centre investigation report, centre corrective and preventative actions to **Safeguarding Lead** for final review/ approval.

The **Safeguarding Lead** is in agreement that the centre response and actions are satisfactory, **no further action is required/no need for authorities to be informed**. Full details of the incident and all correspondence in relation to the incident is stored electronically in a restricted access file.

The **Safeguarding Lead** is in unsatisfied with either:

- The centre investigation/ response
- Turnaround time.
- Action taken.
- Outcome for the affected vulnerable person

**Further action required.**

The **Safeguarding Coordinator** has reviewed the incident, assessed centre correspondence and is **unsatisfied** as either:

- The centre is unresponsive
- The centre hasn't responded within an acceptable timeframe
- Unsatisfactory centre investigation report
- Unsatisfactory corrective/preventative actions taken (incommensurate with the severity of the incident)

**Safeguarding Coordinator** must escalate to **Safeguarding Lead** for further action.

**Safeguarding Lead** will liaise with the Safeguarding personnel the centre regarding the unsatisfactory handling of the incident

The centre has now provided a satisfactory incident report, & corrective preventative actions. No further action. Full details of the incident and all correspondence in relation to the incident is stored electronically in a restricted access file.

**Safeguarding Lead** remains unsatisfied with the centre response/ must escalate the incident to the authorities all correspondence will be noted & stored electronically (restricted)

**Safeguarding lead** to complete the Safeguarding Incident Form and store in the electronic (restricted access) file on the system.

Appendix 2

**Safeguarding Incident Form**

Complete the form and return to: **Safeguarding Coordinator (Customer Experience Manager)** via email [Sue.Roberts@esbuk.org](mailto:Sue.Roberts@esbuk.org)

**CONFIDENTIAL**

Name of ESB employee / trustee/ contractor who is reporting the incident:

Daytime telephone number

Email address:

Name of child/young person/vulnerable adult (learner):

Centre name **and** exam booking number:

Date incident was discovered:

How was incident discovered? *(please give as much detail as possible)*

Details of incident/concerns raised *(please give as much detail as possible)*

Date reported to Safeguarding Coordinator:

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**Official Use: For the use of ESB only. To be completed by the CEO (Safeguarding Lead)**

Action taken/reported to (centre/police/local child protection agency/social services)

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**CEO Signature:** ..... **Date:** .....