

SAFEGUARDING REFERRAL PROCEDURE



Policy Group: Health & Safety and Environment

Effective: September 2024

Approved: The Safeguarding Board

Responsible Officer: Steve Williams, Head of Risk

Next Renew Date: September 2025

Ref no: 2.8.1



GUIDANCE

Vision

Transform lives through learning

Values



PASSIONATE - We are passionate about inspiring young people, adults and our Purple People to be their best and we take pride in creating a positive learning environment to fulfil their potential.



UNSTOPPABLE - We are unstoppable in our quest for the pursuit of excellence. We are dedicated and resilient to develop ourselves and our learners.



RIGHT - We treat each other with respect and strive to do the right thing through insight, inclusion, honesty, growth and trustworthiness.



PARTNERSHIPS - We support the people surrounding us in our everyday lives, building effective partnerships with businesses, learners and all stakeholders where we can pass on our knowledge and skills to help them meet their goals.



LEARNERS - Learners are at the centre of everything we do and we are driven to provide life-changing and life-long learning for them.



EMPOWERED - We encourage our Purple People to be independent and autonomous to maximise their goals surpassing their barriers and targets. Feel it, believe it, live it.

Tone of voice

Our tone of voice takes its direct influence from our core values. We are passionate about people and learners and are driven to get the best out of everyone by understanding them. We are caring and supportive, as well as being determined and striving for growth. We talk with purpose and enthusiasm in a way that connects and empowers people.

Innovation is at the heart of Learning Curve Group and we're always thinking about what's next!

SUMMARY CHANGES

Date	Page	Details of Amendments
August 2021	Whole document	Extracted information from our previous safeguarding policy to form a standalone procedure to streamline information and make them more user friendly
June 2021	Whole document	Review as part of integration and SG Team Changes
August 2022	Whole document	Review and ensure align with any new legislative requirements and KCSIE 2022
January 2023	Appendix 1	Contacts Update
May 2023	Appendix 1	Contacts Update
August 2023	Whole document	Annual Review. Ensure align with any legislative changes/updates and guidance from KCSIE 2023.
December 2023	Appendix 1	Contacts Update
September 2024	Whole document review	Review and ensure align with any new legislative requirements and KCSIE 2024

INTRODUCTION

Learning Curve Group (LCG) is one of the largest national training providers in the UK, providing education and training nationally. All companies within the LCG family uphold the same company Vision, Mission and Core Values and follow our group policies and procedures.

This procedure forms part of our Safeguarding framework and is in place to ensure that anybody who has cause to come into contact with any of our learners, young people or adults at risk knows what is expected of them and can safeguard others.

Applies to

Staff, Associates, Volunteers, Delivery Partners (for the purpose of this procedure we will use the term staff). We are committed to safeguarding and promoting the welfare of children and vulnerable adults and expect all staff to share this commitment.

Who is responsible for Safeguarding and protecting Children and Vulnerable Adults from abuse? Both are everyone's business, and it is essential you understand your role. We all have a Duty of Care to our learners.

Reason for procedure

Everyone has the right to be protected against risk to their safety, health and well-being and everyone has the responsibility to safeguard others against such risks. The purpose of this procedure and associated policies is to ensure that we respond in a measured and supportive manner to reports or suspicions of abuse.

Context

- All complaints, allegations or suspicions of abuse must be taken seriously, and all colleagues must adopt a 'could happen here approach'.
- Absolute promises of confidentiality must not be given as the matter may develop in such a way that these might not be able to be honoured. This must be made clear at the outset to the individual who is making the disclosure, with reassurance that they are doing the right thing and information will only be passed on to those who need to know this to safeguard them and others.
- If the complaint/allegation comes directly from a child, young person or adult, questions should be kept to a minimum necessary to understand what is being alleged. Leading questions must also be avoided.

This policy and procedure do not form part of your terms and conditions of employment and can be changed at any time as we deem appropriate.

PROCEDURE

If a member of staff has any concerns about a learner's welfare, they should act on them immediately. To contact the Safeguarding team, and record on the LCG safeguarding system MyConcern. If urgent, please call 01388 777129 and request to speak with a Senior DSL or the Strategic Safeguarding Officer.

All concerns must be acted upon and categorised within the safeguarding categories or prevent concern, including if well-being support request. If the disclosure comes directly from the learner, then careful questioning must be undertaken, considering the four 'R's:

- **Recognise** – the signs and indications of abuse
- **Respond** – as soon as possible
- **Record** – everything you have heard, what was said, or any actions seen
- **Refer** – to the designated person

Responding to Concerns

When dealing with safeguarding concerns, a person-centred approach should be adopted and in the case of adult safeguarding concerns the six principles as outlined in the Care Act 2014² should be followed which are empowerment, prevention, proportionality, protection, partnership, and accountability.

We ensure and emphasise that everyone in the organisation understands and knows how to share any concerns immediately with Designated Safeguarding Leads (DSLs) across the Group. All staff get given access to our reporting system, which is LCG MyConcern after induction, ensuring safeguarding they become part of the safeguarding culture from day one, reiterating it is everyone's responsibility to safeguard learners. Remember, if a child or adult at risk tells you about abuse that happened a long time ago or some time has lapsed since it last occurred (historical concern), it does not make it any less real and distressing for the child or vulnerable adult and should still be recorded with any advice and guidance given or actions taken.

Abuse can be historic and relate to incidents that happened a long time ago. They must still be referred on to the DSL as per this procedure to see if any further support may be required via MyConcern.

Allegations against a tutor/instructor who is no longer working for LCG should be referred to HR Director and this will then be passed onto the police. Historical allegations of abuse should also be referred to the police or confirmed from any previous disclosures that referrals have been made by other agencies involved.

Making a Referral

A safeguarding referral should be made in respect of allegations that an employee, volunteer, subcontract partner, or contractor has:

- Behaved in a way that has harmed, or may harm, a child or vulnerable adult
- Possibly committed a criminal offense against, or related to, a child or vulnerable adult
- Behaved towards a child or adult at risk in a way that indicated that are unsuitable to work with children or adults at risk

¹ [Care Act 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

Where you have concerns you should report these concerns to the DSL team via MyConcern and if urgent contact your DSL immediately, detailing your concerns

If the referral is urgent, please call 01388 777 129 and ask for to speak to the Head of Risk or one of the Senior Safeguarding Leads. If the allegations are about an employee, then the Director of People will also be notified.

Colleagues should be mindful that an allegation may involve another child/children/young person(s) and if a child has been involved, contact your DSL as the welfare of the child being accused is equally paramount at this time.

The DSL will ensure that the member of staff reporting the incident/concern is reassured that their concerns are being appropriately addressed and that they have access to staff support, if needed.

If a child or adult at risk chooses to disclose, you should never:

- Take photographs of injuries, unless informed to do so by the safeguarding team or other agencies, and only if injuries are visible on arms, face neck – any other location of injuries should be done by professional such as Police, medical practitioners.
- Examine marks or injuries solely to assess whether they may have been caused by abuse (although there may be a need to give appropriate First Aid if required)
- Investigate or probe, aiming to prove or disprove possible abuse
- Make promises to the individual about confidentiality or keeping secrets
- Assume that someone else will take necessary action
- Jump to conclusions or react in any way to what the individual is disclosing
- Speculate or accuse anybody
- Confront another person (adult or child) allegedly involved
- Offer opinions about what is being said or about the persons allegedly involved
- Forget to record what you have been told – what may seem insignificant to you could be extremely important in supporting external agencies to decide whether abuse has occurred or is indeed likely to occur
- Remember: *if any step in the process is not recorded, then it is assumed that it did not happen!*
- Fail to pass the information on to the designated safeguarding team
- Ask the individual to sign a written copy of the disclosure or a statement

Where the learner at risk has communication difficulties or uses alternative/augmented communication systems, you may need to take extra care to ensure that signs of abuse and neglect are identified and interpreted correctly, but concerns should be reported in the same manner as for other children or vulnerable adults.

If young person or adult has personal needs, their requirements should be discussed prior to commencement of program and additional support plan implemented. We will respect personal privacy and dignity, ensuring that young people and adults are supported in meeting their own physical care needs, wherever this is possible.

If it is determined by the DSL that the concern is not a safeguarding one but rather the learner needs support services, then this should be discussed with the learner and with the parents for young people under the age of 18 or if an adult classed as a vulnerable adult.

A referral for a child in need of local authority services requires parental consent unless doing so would place further harm on the child.

The DSL is responsible for following up any referrals made to social care teams to ensure that action has been taken. This should be done within 3 working days of having made the referral if social care has not been back to the DSL to confirm their actions. A record of actions being taken must be made by the DSL on LCG MyConcern.

If there is concern that the action is not sufficient to safeguard the Learner, then the DSL must discuss with a Senior DSL and escalate, if necessary, with social care or the police if believed the Child may be in harm. The safeguarding team under local authority will have procedures to follow in this instance.

Abuse Requiring Immediate Response

If you suspect there is a risk of abuse or a danger to life, you must contact the DSL immediately. If medical attention or the police as emergency action is required, then:

- The emergency services should be contacted on 999 immediately. The DSL team should be informed without delay
- The DSL team should contact the relevant social care and/or police service (contact numbers are up to date on KIN)
- The DSL must consider if it is safe for the child or adult at risk to return home or to a potential abusive situation, seeking advice from social care or police, as required
- Managers in the police or social care agencies will then advise about how to proceed to ensure immediate wellbeing of the child or vulnerable adult
- The child or adult at risk should remain with staff if they are in immediate danger or in need of medical attention

All colleagues have access to a copy of the Safeguarding and Prevent Policy and associated procedures which are accessible on Purple People. they will also be displayed at relevant sites where contract activities will be undertaken.

If no action has been taken after 48 hours and a high risk of potential harm to the young person, the Lead DSL team member involved should utilize the escalation process with the social care team under the respective local authority.

Employees must also be aware that if they feel the referral has not been dealt with, no action has been taken, or that senior management of social care team is trying to disregard the referral, they should follow the procedures as set out in the Whistleblowing Policy.

External Notification

The need to refer allegations or concerns about possible risk posed by employees, volunteers, or contractors to the designated Local Authority Person (formerly LADO) is a requirement, as detailed in the government guidance Working Together to Safeguard Children (2018).

Note: If you suspect child trafficking is taking place, your DSL must be informed immediately, if DSL away then escalate to the Senior Safeguarding Team, and they will contact the Police or the Child Exploitation and Online Protection Centre (CEOP) to implement urgent steps to protect the child/children in question.

Whilst the local authority and institution have primary duties in respect of safeguarding, the Secretary of State (SoS) has a general duty to promote the wellbeing of children in England under section 7 of the Children and Young Persons Act 2008 and within Wales Education (Wales) Act 2014 have legislative requirements and expectations of the Social Services Wellbeing (Wales) Act 2014 and Working Together to Safeguard People guidance.

The Education Acts stipulates the role of local authorities, governing bodies and proprietors along with further education institutions. ESFA's role, within England and under Welsh Assembly Government (WAG) contracts for Wales and Educational Workforce Council (Wales) is to provide assurance to the Government, in meeting their general duty, that the right organisations are taking action to keep all learners safe.

We must inform ESFA or EWC if we are subject of an investigation by the local authority or the police relating to funded learners, in such circumstances the Chief Executive (or senior designated safeguarding lead) should email enquiries.EFA@education.gov.uk.

ESFA will need to know the name of the institution, the nature of the incident and confirmation that it is, or is scheduled to be, investigated by the local authority and/or the Police. If a referral has been made to the Disclosure and Barring Service, we are required to inform the ESFA and EWC

Talking to Parents/Carers

In most cases, it is good practice to be open and honest from the outset with parents/carers about concerns and any action that we intend to take. A parents' handbook will be accessible for all parents and will contain information and guidance on Safeguarding, including a link to our policy. When a referral is to be made, the DSL will make all reasonable efforts to ensure parents/carers are informed. However, an inability to inform parents/carers should not prevent a referral being made. Consideration will be given with regards to not informing parents/carers when a learner at risk expresses a wish that they are not informed at this stage.

There are cases where this would not be good practice for the staff and DSL to discuss concerns with parents/carers before referral. In these cases, arrangements for discussing concerns with parents/carers should be agreed in advance with social care and/or the Police.

- Discussion would put a learner at risk of significant harm
- Discussion would impede a police investigation or social work enquiry. E.g., FGM or forced marriage
- Sexual abuse is expected
- Organised multiple abuse is suspected
- The fabrication of an illness is suspected
- Contacting parents/carers would place you or others at risk
- It is not possible to contact parents/carers without causing undue delay in making the referral

In each case the DSL must make a reasoned judgement and record the decision they reach. Where further guidance is needed, contact should be made with the Designated Local Authority Person, relevant social care department or police.

Record Keeping and Information Security

Well kept records are essential in situations where it is suspected or believed that a learner may be at risk from harm. Records should state who was present, the time, date, and place. Records should be factual, state exactly what was said, observed or alleged this is captured on LCG MyConcern.

Records must also be stored, retrieved, and destroyed within current Data Protection laws and our robust Data and Information Security requirements.

Employees, volunteers, Subcontract Partners, and contractors must be aware that documents regarding an individual that we hold may be subject to a Freedom of Information request under the Freedom of Information Act. Under the Act, individuals have the right to access their own records, unless the situation is covered by the following exemptions:

- Information that would be likely to prejudice the prevention and detection of a crime, or the capture or prosecution of an offender
- Information held for the purpose of social work where disclosure would be likely to prejudice the work, by causing serious harm to the physical or mental health or condition of the data subject or another person

Records are kept for the time required legally and/or contractually by the various government Commissioners and there is a robust storage, retrieval and disposal process and system in place. Records in relation to a safeguarding concern about a child should be kept for 7 years, unless a minimum time is specified contracts held by us.

The exception to this would be where there are legal proceedings involved in regard to child protection and it is best to seek legal advice about how long to retain records for.

Where a request for information sharing is made, the DSL and Senior Management would decide as to whether they are able to share the information and, if necessary, would seek relevant legal advice and advice from other bodies such as the NSPCC and ChildLine. All decisions taken about information sharing are expected to keep the safety of the learner at risk of central and paramount importance.

The use of LCG MyConcern for reporting all safeguarding concerns is accessible for all LCG staff and associates involved with learners on courses or attend academies.

Learners and their parents/carers are made aware of the need for us and/or delivery partners to hold information relating to them, what will be held, how it will be held, how long it may be held, who might have access to it and how it will be used.

All concerns and incidents are reported onto senior management level and lessons learnt in how these were dealt with are discussed. Where appropriate, procedures are revised.

MyConcern is a secure safeguarding system and only allocated staff allocated will have access.

If wishing to raise a safeguarding concern and external to LCG for example a parent, learner or member of the public please emails the safeguarding team who will follow up and support the reporting and actioning the concern.

Email to: safeguarding@learningcurvegroup.co.uk

³ MyConcern Safeguarding system will be rolled out to the group from Oct 2022

RELATED POLICIES AND PROCEDURES

Group 2

Safeguarding Policy

Prevent, Duty Channel Referral Procedure

Keeping Learners Safe in Practice Procedure

Types of Safeguarding Themes - Guidance

Preventing Radicalisation and Extremism Policy

DEFINITIONS

Abuse - The violation of an individual's human rights. It can be a single act or repeated acts. It can be physical, sexual, or emotional. It also includes acts of neglect or an omission to act. Refer to the Safeguarding Policy and Types of Safeguarding Themes – Guidance for more detail on types of abuse.

Welfare - The health and happiness of a person or group

Child - Any person up to the age of 18

Allegation - A claim or assertion that someone has done something illegal or wrong, typically one made without proof

Bullying - Seek to harm, intimidate, or coerce someone perceived as vulnerable

Refer to

APPENDIX 1 TO 2.8 SAFEGUARDING POLICY

Strategic Safeguarding Officer and Senior Designated Safeguarding Leads for Learning Curve Group held on Purple People Group 2 Policies & Procedures .

If you have any concerns, contact the safeguarding leads, or use the email below. Learners should also be made aware of this email address.

The Safeguarding e-mail address: safeguarding@learningcurvegroup.co.uk or use our Safeguarding app, which can be found by searching Learning Curve Group in both the Apple and Google store.