



Safeguarding Policy

2. Safeguarding Policy



INTRODUCTION

"Children have the right to be protected from all forms of violence; they must be kept safe from harm, and they must be given proper care by those looking after them." (Article 19: UN Convention on the Rights of the Child.)

The area of safeguarding and child well-being is the central concern of all those who work with and for young people. In recent years there has been an increasing focus on legislation, policies and practices that seek to keep children safe from harm –often off the back of high profile incidents. Within Northern Ireland considerable effort has been invested in the ‘Keeping Safe’ initiative which brings together children and youth agencies from the public, private, voluntary and statutory sectors. Young Enterprise NI welcomes these developments and is committed to supporting such partnerships. This policy is intended to be a comprehensive document that governs how we operate on a daily basis in our work with and for children and young people.

Policy Statement

Young Enterprise NI is committed to protecting the welfare of every person as they participate in Young Enterprise programmes and/or activities. Young Enterprise NI understands its responsibility to comply with legislation and will constantly monitor developments in this field. However, Young Enterprise NI recognises that the best protection for all people participating in our programmes is the vigilance and forethought of staff, freelance trainers and volunteers in preventing circumstances where abuse of trust could occur. To that end, Young Enterprise NI will strive to create a safe and secure environment where young people, volunteers, freelance trainers and staff can work together confidently in mutual respect.

All Young Enterprise programmes are designed to be delivered to groups of young people with the involvement of a centre lead (usually a teacher in a school setting), Young Enterprise staff, freelance trainers and/or volunteers. All are required to abide by the Young Enterprise NI Code of Conduct and, as part of that Code of Conduct, required to notify Young Enterprise NI of any police record, investigation, or other factor which may make that person unsuitable to work with children.

Policy Aim

The aim of the Young Enterprise NI Safeguarding Policy is to promote good practice. We seek to do this by:

- Providing children and young people with appropriate safety and protection whilst in the care of Young Enterprise NI.
- Allowing all staff, freelance trainers and volunteers to make informed and confident responses to specific safeguarding issues.
- Believing that all children, whatever their age, culture, disability, gender, language, racial origin religious beliefs and/or sexual identity have the right to protection from abuse.
- Ensuring all suspicions and allegations of abuse and poor practice will be taken seriously and responded to swiftly and appropriately.
- Ensuring all staff, freelance trainers and volunteers have a responsibility to report concerns to the appropriate officer.
- Adopting safeguarding guidelines through a code of behaviour for staff, freelance trainers and volunteers.
- Sharing information about safeguarding and good practice with children, parents, staff, freelance trainers and volunteers.
- Sharing information about concerns with agencies (e.g. Schools) who need to know and involving parents and children appropriately.
- Following carefully the procedures for recruitment and selection of staff, freelance trainers and volunteers.
- Providing effective management for staff, freelance trainers and volunteers through supervision, support and training.
- Ensuring safety procedures are adhered to.

We are also committed to reviewing our policy and good practice after a maximum of 3 years.

Promoting good practice

All staff, freelance trainers and volunteers should be encouraged to demonstrate exemplary behaviour to promote children welfare and reduce the likelihood of allegations being made. The following are common sense examples of how to create a positive culture and climate.

Good practice means:

- Always working in an open environment (e.g. avoiding private or unobserved situations and encouraging open communication with no secrets).
- Treating all children, young people and vulnerable adults equally, and with respect and dignity.
- Always putting the welfare of each young person first, before winning or achieving goals.
- Maintaining a safe and appropriate distance with young people (e.g. it is not appropriate for staff or volunteers to have an intimate relationship with a child or to share a room with them).
- Building balanced relationships based on mutual trust which empowers children to share in the decision-making process.
- Ensuring that if any form of manual/physical support is required, it should be provided openly and according to guidelines provided by the Keeping Safe initiative. Young people and their parents should always be consulted, and their agreement gained.
- Ensuring that at residential events, adults should not enter children's rooms or invite children into their rooms.
- Being a positive role model - this includes not smoking or drinking alcohol in the company of young people.
- Giving enthusiastic and constructive feedback rather than negative criticism.
- Securing parental consent in writing to act in loco parentis, if the need arises to administer emergency first aid and/or other medical treatment.
- Keeping a written record of any injury that occurs, along with the details of any treatment given.
- Requesting written parental consent if staff, freelance trainers or volunteers are required to transport young people in their cars.

Practices to be avoided

The following should be avoided except in emergencies. If cases arise where these situations are unavoidable it should be with the full knowledge and consent of the teacher in charge or the child's parents. For example, a child sustains an injury and needs to go to hospital, or a parent fails to arrive to pick a child up at the end of a session:

Practices never to be sanctioned

The following should never be sanctioned. You should never:

- Engage in rough, physical or sexually provocative games, including horseplay.
- Share a room with a child.
- Allow or engage in any form of inappropriate touching.
- Allow children to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child, even in fun.
- Reduce a child to tears as a form of control.
- Fail to act upon and record any allegations made by a child.
- do things of a personal nature for children or vulnerable adults, that they can do for themselves

- invite or allow children to stay with you at your home unsupervised.

N.B. It may sometimes be necessary for staff, freelance trainers or volunteers to do things of a personal nature for children, particularly if they are young or have a disability. These tasks should only be carried out with the full understanding and appropriate consent from the teacher in charge. There is a need to be responsive to a person's reactions. If a person is fully dependent on you, talk with him/her about what you are doing and give choices where possible. This is particularly so if you are involved in any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a child to carry out activities. Avoid taking on the responsibility for tasks for which you are not appropriately trained.

Incidents that must be reported/recorded

If any of the following occur you should report this immediately to the appropriate officer and record the incident. You should also ensure the parents of the child are informed and/or the school:

- If you accidentally hurt a student.
- If he/she seems distressed in any manner.
- If a student appears to be sexually aroused by your actions.
- If a student misunderstands or misinterprets something you said or did.

Code of Conduct

Young Enterprise NI expects all staff, freelance trainers and volunteers to behave in an appropriate manner, the full context of which is outlined below.

The purpose of the Code of Conduct is to provide Staff Members, Freelance trainers and Volunteers with clear guidelines as to their standard of behaviour, responsibilities and best practice in fulfilling their obligations to Young Enterprise. The Code is intended to prevent where possible situations which might give rise to disciplinary action including summary dismissal.

- **Staff: Please refer to employee handbook for Code of Conduct**
- **Volunteer: Please refer to Volunteer Code of Conduct**
- **Freelance Trainers: Please refer to Code of Conduct as part of Trainer Heads of Agreement**

Core Safeguarding values

Confidentiality Statement

We at Young Enterprise NI can never promise to keep secrets in relation to safeguarding. However, information of a confidential nature will only be communicated on a "need to know" basis, with the welfare of the child paramount.

Considerations of confidentiality will not be allowed to override the rights of children or young person to be protected from harm.

Safeguarding issues over-ride any other previous statements in other Young Enterprise NI policies that refer to confidentiality.

Principles of Safeguarding (The Children (NI) Order 1995)

Paramountcy

This means that in decisions about a child's upbringing, the child's welfare must be the court's paramount consideration. The court must consider the child's wishes and feelings, and physical, emotional and educational needs. It must also consider whether the child is at risk of harm from witnessing domestic violence.

Parental Responsibility

This means that parents have responsibility to their children rather than rights over them. Issues of parental responsibility include, for example, decisions about education, health and religious upbringing. A mother always has parental responsibility (except when an adoption order is made) as do parents who were married at the time of the child's birth. Where parents were not married at the time of the child's birth, the mother automatically has parental responsibility. In relation to children born after the 15th of April 2002, the father has automatic responsibility when his name is registered on the birth certificate. If his name is not on the birth certificate he can apply to court for parental responsibility or sign a parental responsibility agreement. Since the 15th of April 2002 a step-parent can also now apply for parental responsibility. If a residence order is granted to a family member, for example, a grandparent, parental

responsibility will be automatically granted with the residence order, but this lasts only as long as the parental responsibility lasts.

Prevention

This principle is about preventing children from being abused. It is about the state's obligation to provide support services to keep children safely within their families and to promote their health and welfare.

Partnership

The basis of this principle is that the most effective way of ensuring that a child's needs are met is by working in partnership with children, young people, their parents and carers, where this is possible. This means that all agencies working with children should consult with parents and children throughout the decision-making processes concerning their children and about the type of services provided.

Protection

Trusts have a duty to investigate where a child is at risk of significant harm. This can be because of lack of care or actual abuse.

Participation

A Guardian Ad Litem and Solicitor are appointed for a child who is involved in specified public law proceedings (proceedings about children going into or in care). This is to ensure that children have an effective voice in decisions which affect them. The Children (NI) Order 1995 also established independent visitor schemes for children in care to be established together with an independent complaints' procedure.

Awareness of the Issues

It is important that staff and volunteers have at least a basic knowledge of issues involved with child abuse, understand the general principles of safeguarding and know how to respond to concerns about possible or actual abuse.

Definitions relating to Safeguarding

For clarity, the following definitions apply, as laid down by “The Children’s Order” (NI) 1995, “The Protection of Children and Vulnerable Adults” (NI) Order 2003 and redefined by the ‘Safeguarding Vulnerable Groups (NI) Order 2007’:

1. “adult” means a person who is not a child;
2. “child” means a person under the age of 18;
3. “vulnerable adult” means
 - a) an adult to whom accommodation and nursing or personal care are provided in a residential care home or nursing home;
 - b) an adult to whom any prescribed service is provided in his own home under arrangements made by a domiciliary care agency or a prescribed person; or
 - c) an adult to whom prescribed services are provided by a health services body or at a private hospital
 - d) an adult who receives a service /takes part in activity provided to persons because of:
 - i. Particular age related needs
 - ii. Any form of disability
 - iii. Prescribed physical or mental health problem
 - iv. an adult who is a Direct Payments recipient
 - v. an adult who requires assistance in the conduct of his/her own affairs
4. “the Children Order” means the Children (Northern Ireland) Order 1995
5. ‘Regulated Activity’ involves contact with children and/or vulnerable adults and is:
 - a) of a specified nature frequently or intensively; or
 - b) in a specified place frequently or intensively; or
 - c) a defined position of responsibility e.g. school governor, director of social services, trustees of certain charities; or
 - d) fostering, childminding and day care provision; or
 - e) manager/supervisor of a worker in a regulated position
6. ‘Specified Nature’ Refers to regulated activity which involves contact with children and/or vulnerable adults which is of a specified nature e.g. teaching, training, instruction, care, supervision, advice, guidance, treatment, therapy, transport, moderating a chat room.
7. Frequently or intensively
 - a) Frequently -will be defined as once per month or more
 - b) Intensively – is defined as 3 or more days in any 30 day period, or overnight.
8. A ‘Specified Place’ is limited to:
 - a) School building
 - b) Nursery school

- c) Children's hospital
- d) Young offenders' institution
- e) Children's home
- f) Childcare premises
- g) Residential home
- h) Care home
- i) Nursing home

9. Controlled Activity: There are two strands of controlled activity:

- a) Ancillary support workers in particular settings: Further Education, the Health Service and adult social care settings (e.g. cleaner, caretaker, and receptionist).
- b) Those working for specified organisations with frequent access to health, educational or personal social services records about children or vulnerable adults or those with the access to records of family courts proceedings (e.g. ELBs, HSS, CCEA).

10. Relevant conduct: Relevant Conduct includes:

- a) Conduct which endangers a child or vulnerable adult or if repeated would endanger a child/vulnerable adult.
- b) Conduct involving sexual material relating to children.
- c) Conduct involving sexually explicit images depicting violence
- d) Conduct of a sexual nature involving a vulnerable adult.

11. Disclosure: Disclosure is the name of the process of providing a criminal record report and is divided into three levels. Young Enterprise NI has access to the two highest levels of disclosure:

- a) Enhanced Disclosure – For posts involving regularly caring for, supervising, training or being in sole charge of children, young people or vulnerable adults. The equivalent of Enhanced Disclosure checks will also be carried out on counter-signatories.
- b) Standard Disclosure – For those in management positions and positions of trust, such as local Board Members and Trustees who do not get involved in delivering programmes to our students.

Staff responsible for Safeguarding

The members of staff within Young Enterprise NI who are designated for safeguarding are:

Deborah Lamberton, Safeguarding Officer

Mobile: 078 3780 7204 Email: deborah.lamberton@yeni.co.uk

Jan Donaldson, Safeguarding Officer

Mobile: 07969 561572 Email: jan.donaldson@yeni.co.uk

Role of the Designated Officer

The role of the designated person is to:

- Establish contact with the senior member of Social Services' staff responsible for safeguarding in the organisation's catchment area.
- Provide information and advice on safeguarding within the organisation.
- Ensure that the organisation's safeguarding policy and procedures are followed and particularly to inform Social Services within the appropriate Trust of relevant concerns about individual children.
- Ensure that appropriate information is available at the time of referral and that the referral is confirmed in writing, under confidential cover.
- Liaise with Social Services and other agencies, as appropriate.
- Keep relevant people within the organisation, particularly the head or leader of the organisation, informed about any action taken and any further action required.
- Ensure that an individual case record is maintained of the action taken by the organisation, the liaison with other agencies and the outcome,
- Manage the registration of all staff, freelance trainers and volunteers with Young Enterprise NI on the Access NI database.
- Advise the organisation of safeguarding training needs.

Responsibility

The designated persons are responsible for acting as a source of advice on safeguarding matters, for co-ordinating action within the organisation and for liaising with Health and Social Services Trusts and other agencies about suspected or actual cases of child abuse. See appendix 1 for contact details.

Out of office hours

Given the nature of the work carried out by Young Enterprise Staff, there should also be clear protocol should an incident arise on a residential programme. In this case a member of staff should contact the designated officer and, in their absence, the Chief Executive of the organisation.

Recruitment and Selection

Young Enterprise NI will endeavour to safeguard children by following carefully the procedures for recruitment and selection of staff, freelance trainers and volunteers.

1. Each post within Young Enterprise is clearly described in the job description. The job description is a list of tasks that the staff or volunteers need to perform, and the skills needed for those tasks.
2. Each vacancy, paid and unpaid, will be advertised on the Young Enterprise NI website, online recruitment site, Community NI and via social media.
3. Each applicant will be asked to complete an online application and share their CV. The online application and CV includes personal details, past and current work and any qualifications or skills relevant to the post and the names of two referees (see Reference Request forms).
4. For paid positions, the short-listed candidates will be interviewed by a panel. The panel (minimum 2 people) will consist of line managers and the leadership team.
5. The successful candidate will be offered the position conditional to references, their criminal declaration form (which will not be used until after interview) and relevant Access NI Checks, which includes confirming the identity of the proposed candidate. All posts will be subject to an enhanced check, as they will pass either the regulated or controlled activity descriptions (see definitions section). In the case of overseas candidates, criminal records checks will be carried in accordance with [government guidance](#).
6. Jobs and volunteer positions will be advertised 'Subject to Access NI Checks'.
7. No employee, freelance trainer or volunteer will begin regulated activity until the status has been confirmed— there are no exceptions (unless a circular is received from a government department recommending temporary relaxation).

8. If a candidate is found to be on either of the barred lists, they will be unable to undertake any regulated activity within Young Enterprise NI.

Supervision, Support and Training

Young Enterprise NI is committed to providing effective management for staff and volunteers through supervision, support and training.

Induction

Staff, freelance trainers and volunteers will be provided with a clear induction outlining a code of conduct which they must sign up to. Staff and volunteers will be provided safeguarding training and freelance trainers will be expected to undertake safeguarding training at their own cost.

Probationary Period

New staff appointments will be made initially on probationary contract for a six-month period. In the case of staff on one-year contracts, the probationary period can be less, at the discretion of the Leadership Team.

Reviews of volunteer positions are on-going through supervision and support.

Supervision and Support

Performance Review meetings provide an opportunity for staff to share concerns, anxieties or worries about their work and environment. They may be formal or informal and should include issues of importance and identify training needs for staff. Volunteers and freelance trainers will be supported by a locally appointed staff member for ongoing support and supervision requirements.

Training

The Chief Executive and the Leadership team will identify both individual and organisational training needs. This will include training in policies as appropriate.

Volunteers will also be encouraged to undertake relevant identified training. All staff and volunteers will have a 'Training Log' as part of their personnel file. This will be used to monitor training needs, particularly in relation to Safeguarding. It is expected that all staff, volunteers and board members should regularly update their training. This will be coordinated by the Designated Safeguarding Officer.

Freelance trainers will be expected to undertake Safeguarding Training at their own cost and should provide evidence to Young Enterprise. This is to be provided on a 3-year cycle.

Safeguarding Training

All staff are required to completed Safeguarding training every 5 years or as required by their job role.

Management of Staff and Information

Young Enterprise NI is committed to sharing information about safeguarding and good practice with children, parents, staff, volunteers and statutory authorities.

Children and Young people

Under the UN Convention on the Rights of the Child, children and young people have a Right to Information, especially any information which could make life better and safer for them. Young Enterprise NI will provide young people with information about how, and with whom they can share their concerns, complaints and anxieties within our organisation.

Parents

Parents should be aware at any time of the nature of relationships with the adults of our organisation with whom their children form friendships.

To support this, Young Enterprise NI will:

- Publicise information about activities and events.
- Provide parents with a Young Enterprise NI information leaflet as appropriate
- Send parents a copy of our safeguarding policy if requested
- Inform parents as appropriate of the name of the person to contact in the event of concerns or complaints as required.

Staff, Freelance Trainers & Volunteers

Good information and training will enable our staff and volunteers to know how to deal with the emergencies and safeguarding issues.

Grievance and Complaints Procedure

Should an incident occur where a young person, parent or person external to the organisation wishes to make a complaint about a Young Enterprise staff member, freelance trainer or volunteer, the following process will be employed (grievances relating to inter-staff relations are outlined in the Young Enterprise NI Terms and Conditions of Employment):

1. The first point of contact for any complaint of a Safeguarding nature is to the Designated Officer. If they are unavailable or the complaint relates to them specifically, then the complaint should be directed to another Designated Officer. Any complaint received will receive an initial response within 5 working days, with a full response within 28 days (this may be subject to delays outside of Young Enterprise NI control).
2. If the complaint is escalated to the Chief Executive, they will arrange a meeting with the person who has initiated the complaint. If a resolution to the complaint has not been made at this stage, it will be passed to the Board of Young Enterprise NI (a response will be formulated within 28 working days, again this may be subject to delays outside of Young Enterprise NI control).
3. If a mutually satisfactory decision has not been reached by this stage, the Board reserves the right to a final determination.

IF THE COMPLAINT IS OF SUFFICIENT SERIOUSNESS (E.G A CRIMINAL OFFENCE) THEN THE MATTER WILL BE REFERRED DIRECTLY TO THE POLICE.

General Safety & Management of Activities

To ensure and promote a safe and inclusive environment for young people and children to participate in Young Enterprise activities staff, freelance trainers and volunteers also strive to:

Conduct risk assessments for all activities pertaining to Young Enterprise, each activity to be reviewed on a case-by-case basis to be inclusive of any individuals who may have a disability.

Have a clear and defined anti-bullying code which can be used as framework for addressing any negative behaviour displayed in groups. Young Enterprise believes that bullying can be the cause of different types of abuse to be suffered by children from children.

Transport for Activities

Normal Practice

It would be normal practice that Young Enterprise NI does not organise transport for students, and that this is organised by the schools in a manner compliant with their own policies. However, if this does happen, then the following guidance will apply:

General

Coaches and minibuses are a safer and more effective way of transporting large groups than the use of private vehicles owned by staff, freelance trainers or volunteers. Ideally the transporting of children should be kept to a minimum and reviewed regularly to consider alternatives.

Hired transport

When it is necessary to hire transport, a reputable company should be used, and their insurance cover checked.

Cars

Staff, freelance trainer and volunteers should not, as a general rule, give lifts to any students, unless in the case of an emergency or without prior parental permissions.

Reporting a Concern Procedure

Anyone who becomes suspicious of child abuse must not independently investigate the incident but must immediately report the matter to the Designated Officer. Any independent investigation could well aggravate the situation or 'invalidate' the disclosure. However, disclosure is only one aspect of how someone can become aware of a safeguarding issue – using the guidelines provided, everyone should remain attentive to all possible indicators and utilise incident forms to record any concerns.

Practice

1. If a child makes a 'disclosure' to a staff member, freelance trainer or volunteer, this person must make it clear that someone else will need to be told. Do not promise confidentiality. Do not make any other promises. Do accept the validity of the child's disclosure and try to remain as objective as possible.
2. The person must document the disclosure 'allegations' as soon afterwards as possible to maintain accuracy. Note any 'advice' given to the child. This can be done by contacting the Designated Officer.
3. The person must not ask any specific questions of the child before, during or after the disclosure as this may invalidate any allegations if the questions are of a leading nature.
4. Report immediately to the Designated Officer. The details will then be recorded in the appropriate manner.

Appendix 1: Safeguarding Reporting Chart

