

# Safeguarding policy and procedures

## MAXIMUS Training Safeguarding policy and procedures 2018/19

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# Safeguarding policy and procedures

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# Safeguarding policy and procedures

## 1. Introduction

- 1.1 We are committed to safeguarding practices which protect our vulnerable (at risk) employees and learners from potential harm, damage or abuse.
- 1.2 Given the nature of our business in providing learning and employment support for disadvantaged people, some of whom may be vulnerable (at risk) adults, we recognise the need for support and protection procedures to ensure legal compliance, contractual compliance and to provide an environment where our learners can succeed and feel secure.
- 1.3 This policy does not form part of any employee's contract of employment and may be amended by the company at any time.
- 1.4 This policy is owned by the HRBP; however, the safeguarding of learners is the responsibility of the MAXIMUS Training team.
- 1.5 The safety of learners is paramount, and this policy details our approach for promoting and ensuring that all learners are protected from harm and abuse both at home and at work. In our approach to safeguarding we will work together with our learners to identify their individual needs, ensuring that their safety, wellbeing and differences are given prominence at all times. We will ensure designated staff are suitably qualified to deal with any issues relating to safeguarding and will ensure that any action required, will be dealt with in line with legislative requirements and government recommendations.

## 2. Policy statement

- 2.1 We are fully committed to the values and practices of safeguarding. It is therefore the responsibility of everyone, involved in the learner journey to ensure their safety and wellbeing is met at all times. This includes protecting them from incidents of bullying, harassment and any form of abuse as detailed within the policy. We have a duty of care to safeguard all young people and vulnerable adults who work, learn and complete work experience placements both on and away from their premises. Respond to concerns raised by learners and staff members in incidents where they disclose information. All children, young people and vulnerable adults have a right to be protected, and the needs of those who may be particularly vulnerable must be taken into account.

Through our commitment we will:

- Ensure every individual is treated with respect in an environment that is free from, harm and discrimination
- Conduct Health and Safety assessments on the premises of all employers receiving government funding to ensure they are demonstrating safe working practices.
- Work with learners, employers and other agencies to promote a safe and healthy culture.

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- Develop partnerships to proactively protect children, young people and vulnerable adults from harm and abuse
- Train staff to the appropriate level to ensure they have a clear understanding of personal safety and good safeguarding practices
- Work with learners to promote their own personal health, wellbeing and safety including their safety on the internet
- Provide learners with confidential advice, guidance and support for a range of issues that they may face
- Ensure that all employees working with learners complete a self declaration at the application stage, to indicate they are suitable to work with vulnerable groups
- Conduct DBS checks on all members of the management team and employee's engaging with learners. These records will be held on in accordance Data Protection legislation and reviewed in accordance with government recommendations.

Learners will also be entitled to:

- The right to make a disclosure to any member of staff and know that the disclosure will be dealt with appropriately by the designated Safeguarding Officer, in line with our policies and procedures.
- Learn in an environment free from bullying or harassment.
- Be made aware of some of the basic principles of safer learning and safeguarding relevant to the programme they are completing.
- Be made aware of how to access support on personal issues from within MAXIMUS or from outside agencies.
- Be provided with up-to-date information for issues relating to Health and Safety, Safeguarding and Equality and Diversity.
- Allow learners the opportunity to provide feedback on how they feel MAXIMUS promotes and maintains wellbeing and personal safety.
- Learn about interpersonal and communication skills that promote and establish a welcoming, safe and respectful environment.

## 3. Scope

- 3.1 This policy covers all MAXIMUS Training employees.
- 3.2 Those providing services on our behalf such as service delivery partners, casual workers and agency staff, contractors and volunteers are expected to abide by this policy.
- 3.3 The Safeguarding Vulnerable Groups Act 2006, amended by the Protection of Freedoms Act 2012 applies to England, Wales, and to some extent, Northern Ireland.

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## 4. Definitions

4.1 Safeguarding – our approach to ensure we protect our vulnerable (at risk) employees and learners from potential harm, damage or abuse.

4.1.1 Safeguarding can cover many aspects such as protecting vulnerable (at risk) adults from:

- Another person or people
- Neglect eg. failing to protect them from physical harm or danger, or failing to ensure access to appropriate medical care or treatment
- Physical abuse eg. hitting, shaking, burning/scalding, inappropriate restraint
- Psychological/emotional abuse eg. intimidation, humiliation, verbal abuse, harassment
- Sexual abuse eg. forcing someone to take part in sexual activities, sexual physical contact, looking at/producing pornography, watching sexual activities
- Discrimination
- Victimisation
- Exploitation eg. financial or material abuse
- Crime
- Institutional abuse eg. inadequate care or support, systematic poor practice, inability to make choices or decisions.

4.2 Designated safeguarding lead (DSL) – a person with expert knowledge of safeguarding, responsible for developing and promoting best safeguarding practice in the company and a source of advice and support in relation to learners.

4.2.1 Designated safeguarding leads for MAXIMUS Training are:

Mick Harris,  
07702 158257

Wendy Lees,  
07733 301373

Melissa Gardiner,  
07900 928139

4.3 Vulnerable adult (adult at risk) – someone aged 18 or above who needs regulated activities to be provided on their behalf at that particular time.

4.4 Regulated activity – in relation to vulnerable (at risk) adults these activities include:

- The provision of assistance with general household matters to an adult namely cash, bills or shopping
- Transporting adults where this is necessary because of their age, illness or disability; this does not include friends or family or taxi drivers
- Activities that include the provision of healthcare to an adult by or under the supervision of a healthcare professional

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- The provision of relevant personal care to an adult eg. physical assistance with, prompting of, or training or instruction in relation to, eating, drinking, toileting, washing and dressing
- The conduct of an adult's affairs eg. through the power of attorney.

4.4.1 There is no requirement for the activity to be carried out a number of times for it to be regulated activity.

4.4.2 Activities that involve the day-to-day management or supervision of persons carrying out the above activities are also regulated activities.

4.4.3 Regulated activities do not include family or personal arrangements.

## 5. Our Core Safeguarding Obligations

5.1 We have both statutory and contractual obligations in relation to safeguarding in order to meet the requirements of:

- The Safeguarding Vulnerable Groups Act 2006
- The Protection of Freedoms Act 2012
- The Care Act 2014
- Mental Capacity Act 2005
- Ofsted inspection requirements
- The PREVENT Agenda

5.2 The Disclosure and Barring Service (DBS) which covers England and Wales maintains lists of people barred from working with children or vulnerable (at risk) adults. See [www.gov.uk/government/organisations/disclosure-and-barring-service](http://www.gov.uk/government/organisations/disclosure-and-barring-service).

5.3 It is a criminal offence to knowingly allow a barred individual to work in a regulated activity with children or vulnerable (at risk) adults.

5.4 Where a role involves carrying out regulated activities with vulnerable (at risk) adults, we will apply for an enhanced DBS check, which includes information held on the DBS barred lists.

5.5 Where an employee in a regulated activity has resigned or been dismissed, or would have or could have been dismissed, because he or she has harmed or may harm a child or vulnerable (at risk) adult, we have a duty to refer this information to the DBS.

5.6 Ofsted requires us to follow its Common Inspection Framework. See <https://www.gov.uk/government/publications/common-inspection-framework-education-skills-and-early-years-from-september-2015>. As part of the framework we are expected to consider whether our policies and procedures are effective to ensure the safeguarding of vulnerable (at risk) groups. We are expected to develop plans to make any necessary improvement and maintain our current status.

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## 6. Colleague Responsibilities

- 6.1 You should ensure that you understand this policy and have successfully completed the safeguarding e-learning module as a minimum every 2 years (refer to section 6.9).
- 6.2 You must always maintain a transparent and professional relationship with learners which stands up to scrutiny. You should take care never to place yourself in a situation which may result in your integrity being questioned e.g. by entering into a personal relationship with a learner.
- 6.3 You should not undertake regulated activities in relation to a child or vulnerable (at risk) adult unless this is necessary as part of your role and you have passed an enhanced DBS check, including the information held on the DBS barred lists.
- 6.4 You should inform your line manager of any criminal charges or convictions.
- 6.5 You should report any safeguarding concerns at the earliest opportunity (refer to sections 6.5 – 6.8).

## 7. Safeguarding Procedures

- 7.1 We will review and assess our Safeguarding Policy and Procedures annually to assess whether they are effective to ensure the safeguarding of vulnerable (at risk) groups. We will put together plans to make improvements as necessary
- 7.2 Recruitment and Selection
  - 7.2.1 All job offers must be made subject to the necessary checks and where reasonably practicable all relevant checks should be completed prior to appointment in the role (internal or external).
  - 7.2.2 Where pre-employment checks take a long time to complete, it may be possible to appoint the applicant prior to the checks by providing stringent safeguards e.g. constant supervision for the period.
  - 7.2.3 Where a role is identified as having regulated activity with vulnerable (at risk) groups (see section 3.4), the successful applicant will be asked to undergo an enhanced check to include a check of the appropriate barred list.
  - 7.2.4 The DBS will send the certificate to the applicant and we will ask to see it.
  - 7.2.5 Under no circumstances will we ask for a barred list check unless the role involves regulated activity with vulnerable (at risk) groups; to do so for any other roles would be a criminal offence.
  - 7.2.6 Where the successful applicant refuses to undergo an enhanced DBS and barred list check, they will not be appointed to the role.

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- 7.2.7 As part of the induction process, new starts will be made aware of the company's safeguarding arrangements and provided with the necessary training.
- 7.2.8 Prior to the engagement of service delivery partners, casual workers and agency staff, consultants, contractors and volunteers, confirmation of an enhanced DBS and barred list check must be provided if they are to be involved in regulated activity.
- 7.3 Checks of existing employees**
- 7.3.1 All employees in job roles involving regulated activity with vulnerable (at risk) groups will be subject to an enhanced DBS and barred list check.
- 7.3.2 Where a new role is created or a role changed to involve regulated activity with vulnerable (at risk) groups, HR should be notified, and an enhanced DBS and barred list check must be completed.
- 7.3.3 A refusal to undergo an enhanced DBS and barred list check, if required, may result in the employee being unable to continue in the role.
- 7.3.4 Under no circumstances will we ask for a barred list check unless the role involves regulated activity with vulnerable (at risk) groups; to do so for any other roles would be a criminal offence.
- 7.4 Placing learners with third parties**
- 7.4.1 We will take all reasonable steps to safeguard learners placed with third parties (such as sub-contractors) whilst recognising that overall responsibility for safeguarding rests with the third party.
- 7.4.2 We will ensure the third party is aware of the procedure to follow if a safeguarding issue arises.
- 7.4.3 We will proactively seek regular feedback to monitor the success of the placement of a learner with a third party, allowing the learner to raise any safeguarding concerns with us.
- 7.5 Resolving concerns**
- 7.5.1 A safeguarding concern is when you believe a vulnerable (at risk) colleague or learner is at risk of, or has been subjected to harm, danger or abuse.
- 7.5.2 All colleagues are expected to report any safeguarding concerns at the earliest opportunity and without fear of repercussion.
- 7.5.3 To help recognise the signs of potential abuse and respond appropriately to a vulnerable (at risk) person making an allegation of abuse, please refer to the Guidance Materials.
- 7.5.4 We will do our utmost to maintain confidentiality when dealing with safeguarding concerns by informing only those parties who need to know.
- 7.5.5 We will escalate certain safeguarding concerns to one or more of the following as appropriate; DBS, Social Services, and the police. This will depend on what the safeguarding concern is and the nature of the disclosures. Contractual arrangements may mean it is appropriate to

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report safeguarding concerns to the relevant prime or sub-contract provider. This can be carried out by the line manager or the HR Business Partner (in relation to colleagues), a DSL (in relation to learners) or a member of the Quality and Compliance Team (in relation to prime/sub-contractors).

7.5.6 A member of the MAXIMUS UK board will be notified prior to involving the relevant authorities.

## 7.6 Concerns about learners

7.6.1 If the concern relates directly to a learner, you should refer the matter to the DSL who will provide advice and guidance on the action required.

## 7.7 Concerns about colleagues

7.7.1 If the matter refers to a work colleague, you should report any concerns to your line manager who is expected to take prompt action. If you do not feel able to discuss your concerns with your line manager and/or the concern relates to your line manager, you should discuss your concerns with your manager's manager, another manager or contact HR.

7.7.2 Should a DSL become aware of a safeguarding concern relating to a colleague, they will refer the matter to HR.

7.7.3 Following an informal discussion with you about your concern relating to a work colleague, your line manager will evaluate the information and conduct an initial investigation if necessary, to determine the appropriate course of action. This may include seeking advice from HR.

7.7.4 If, following an initial investigation the manager believes there is a safeguarding concern they will contact HR for advice and guidance on the next steps. A disciplinary investigation will be necessary in accordance with the company's disciplinary policy; the colleague may be suspended during the investigation.

7.7.5 If you believe your safeguarding concern has not been properly addressed by your line manager, you should escalate this to your line manager's manager, another manager or contact HR.

7.7.6 You can raise an anonymous concern via the Whistleblowing Hotline which is available Monday – Friday, 8am – 5pm and can be contacted by phone: 0808 250 5049 option 2 or via email: [HRsolutions@maximusuk.co.uk](mailto:HRsolutions@maximusuk.co.uk).

7.7.7 Such concerns will be investigated whilst making every effort to keep your identity secret, although it may be more difficult to conduct a proper investigation.

7.7.8 For concerns of bullying and harassment please refer to the company's Anti-Bullying and Harassment Policy.

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## 7.8 Training and awareness

- 7.8.1 We will ensure all employees receive appropriate training and ongoing awareness. All learner facing colleagues are required to complete mandatory safeguarding training via an e-learning module as part of the induction process. This includes safeguarding for adults and children, if applicable. Colleagues are expected to repeat the e-learning every two years. PREVENT e-learning is also mandatory for all MAXIMUS Training colleagues.
- 7.8.2 In addition safeguarding workshops are delivered across all regions as appropriate to support front line staff identify safeguarding whilst giving them the confidence and awareness of signs and signals of any safeguarding concerns.
- 7.8.3 DSL's receive specialist safeguarding learning.
- 7.8.4 We will ensure our policy and procedures are made readily accessible and available in a variety of formats.