



LiveWire (Warrington) CIC

# Safeguarding Policy

## DOCUMENT STATUS

Document Ref	LW-HR-SG	Version	V8
Policy Lead	Locklynne Hall	Approved by Management Team	
Approved by: sub-committee Board Trustees		Union consulted	
Implemented from		Review date	Annual

Document Control Information

Change History		
Version	Date	Details of changes
V2	10/02/17	<ul style="list-style-type: none"> <li>• 2.3 moved to 2.4</li> <li>• New 2.3 to confirm quarterly safeguarding meeting</li> <li>• 5.2 included that PS has a list of job titles which require a DBS</li> <li>• 11.2 confirmation that line manager should ensure DBS clearance during the PRD process</li> <li>• 13.2 addition confirming members of a review panel</li> </ul>
V3	30/04/2018	<ul style="list-style-type: none"> <li>• 4.3 Clarified wording re Safeguarding training for customer facing staff every three years</li> <li>• 9.3 removed. Existing employees who have to attend the Foreign and Commonwealth Office no longer eligible to claim expenses</li> <li>• All references to DBS rechecks removed</li> <li>• Job titles updated, e.g., HR Officer replaced with HR Advisor</li> <li>• The constitution of the Review Panel updated</li> </ul>
V 4	03/04/2019	<ul style="list-style-type: none"> <li>• Safeguarding Flowchart; inserted the instruction that the Out Of Hours management team need to be informed of safeguarding alert and are to be contacted by phone OOH.</li> <li>• Minor cosmetics, grammar, spelling.</li> </ul>
V 5	28/04/21	<ul style="list-style-type: none"> <li>• References to LiveWire Liverpool including logo removed</li> <li>• Pg 18 James Birdsey's details replaced with "Emma Hutchinson"</li> </ul>
V 6	15/06/21	<ul style="list-style-type: none"> <li>- 2.2: Scheduling annual review of Policy</li> <li>- 2.4: Manager Director inserted as a safeguarding lead</li> <li>- 2.5: Working Together 2018 high level guidance added</li> <li>- 2.5 GDPR, what information is appropriate to share / and who to share it with.</li> <li>- 7.2 Acknowledgement that there are various different types of abuse that will be explained and explored on mandatory safeguarding training.</li> <li>- 19.3 What data to capture</li> <li>- 20: Safeguarding Training for Trustees</li> </ul>

V7	June 2022	- Immaterial changes e.g. grammatical throughout
V7.1	28/06/23	- 2.4: Emma Hutchinson removed as an operational lead for safeguarding
V8	09/08/23	- Annual Review - 19.3: Cheryl Siddall included as a Safeguarding Contact

If you require this policy in an alternative format please email [peoplesolutions@livewirewarrington.org](mailto:peoplesolutions@livewirewarrington.org) or telephone 01925 625330

## Contents

### Contents

1.	INTRODUCTION	3
2.	SCOPE	3
3.	AIMS	4
4.	RECRUITMENT AND SELECTION	4
5.	JOBS REQUIRING CLEARANCE	6
6.	REGULATED ACTIVITY	6
7.	ASSESSMENT AND SELECTION PROCESS	7
8.	THE PRE-EMPLOYMENT CHECKING PROCESS	8
9.	OVERSEAS CHECKS	10
10.	PORTABILITY	11
11.	CHECKING AND RE-CHECKING OF EXISTING EMPLOYEES	11
12.	AGENCY WORKER	12
13.	POSITIVE DISCLOSURES	12
14.	NOTIFICATION RELATING TO A CURRENT EMPLOYEE	14
15.	REFERRALS TO THE DBS	15
16.	RECORD KEEPING	15
17.	CLIENT ORGANISATIONS AND INDIVIDUAL PROVIDERS	16
18.	GUIDANCE FOR WORKING WITH CHILDREN, YOUNG PEOPLE AND ADULTS WHO ARE CONSIDERED VULNERABLE	16

19.	DEALING WITH SAFEGUARDING CONCERNS	17
20.	FURTHER INFORMATION	20

## 1. INTRODUCTION

- 1.1 LiveWire is committed to safeguarding the welfare of children and adults who may be considered vulnerable. This is to ensure that recruitment policies and practices are robust and contain the necessary measures to enable the organisation to employ a workforce that will fulfil its roles and responsibilities with full regard to this commitment.
- 1.2 For clarity, “children” are defined as those under the age of 18. The new definition of regulated activity relating to adults no longer labels adults as ‘vulnerable’; any adult can be considered vulnerable depending on their circumstances or needs at a particular time.

## 2. SCOPE

- 2.1 The contents of this document reflect LiveWire’s approach and process for protecting children, young people and adults.
- 2.2 This document, which will be reviewed on an annual basis, outlines LiveWire’s Policy Statement and processes to ensure the safe recruitment and vetting of permanent and temporary staff and volunteers, provides advice for staff and volunteers on how to protect themselves and illustrates the process to follow when a member of staff becomes aware or suspects that abuse or neglect of a child, young person or vulnerable adult occurs.
- 2.3 There will be a quarterly safeguarding review meeting (if required) to discuss any concerns the organisation may have and also to review/adopt any changes in legislation.
- 2.4 Board lead responsibility for Safeguarding is allocated to Alan Guthrie Non Executive Board Member and Chair of the HR & Remuneration Sub Committee. His responsibility is to monitor and review the operation of Safeguarding Procedures in light of operational experience. Locklynne Hall Health and Wellbeing Director is operational leads for Safeguarding.
- 2.5 **Adopted:** ‘Working Together 2018’

<sup>1</sup>Everyone who comes into contact with children and families has a role to play. Safeguarding and promoting the welfare of children is defined for the purposes of Working Together 2018 guidance as:

- Protecting children from maltreatment
- Preventing impairment of children’s mental and physical health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

**Adopted:** General Data Protection Regulation 2018

All employees at LiveWire are aware of relevant data protection principles which allow them to share personal information, as provided for in the Data Protection Act 2018 and the General Data Protection Regulation (GDPR)”.

### **3. AIMS**

- a. The aim of this document is to:
- recognise the need to protect children, young people and vulnerable adults
  - confirm LiveWire’s Duty of Care to its users
  - maintain awareness and ensure appropriate action is taken to safeguard children, young people and adults considered vulnerable.

### **4. RECRUITMENT AND SELECTION**

- 4.1 The process for checking and vetting potential employees is a critical part of the protection process. This aspect of the policy, representing the “mechanical steps” and considerations are published separately as operational guidance notes that are to be followed when recruiting.
- 4.2 This overarching policy and guidance is written with full regard to the outcome of Richard Inquiry 2004, the Protection of Freedoms Act 2012 and the considerations and process as recommended by the Government’s current Disclosure and Barring Service which was established in December 2012.

---

1

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/942454/Working\\_together\\_to\\_safeguard\\_children\\_inter\\_agency\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942454/Working_together_to_safeguard_children_inter_agency_guidance.pdf)

#### 4.3 Statement of intent

LiveWire as an aware employer is committed to safeguarding and protecting the welfare of children and adults who may be considered vulnerable as a high priority. This commitment to robust recruitment, selection and induction procedures extends to organisations and services linked to LiveWire.

As an employer we will

- ensure that all appointments to jobs that include working with children and/or adults who may be considered vulnerable will be subject to an Enhanced Disclosure check
- undertake a 3 year rolling programme for re-checking for jobs that require an Enhanced Disclosure and Children's Barred list check
- ensure that if/when a positive DBS check is received the judgements made are at the appropriate level and there will be a consistent approach
- ensure that customer facing employees undertake safeguarding awareness training every three years
- ensure contractors, sports coaches and those engaged in delivering the aims and objectives of LiveWire are appropriately vetted if required
- ensure that the protection of children and adults who may be considered vulnerable is a pre-condition or clause in any agreement for services or arrangements for services with contacts external to LiveWire.

#### 4.4 LiveWire Policy Statements (Summary)

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, LiveWire complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.

We actively promote equality of opportunity for all with the right mix of talent, skills, and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications, and experience.

Where a Disclosure is to form part of the recruitment process, we require all applicants to provide details of their criminal record at the application stage of the recruitment process.

Where a post is subject to DBS, the post holder must notify their line manager of any convictions incurred whilst employed with LiveWire.

## 5. JOBS REQUIRING CLEARANCE

- 5.1 The organisation identifies and maintains a list of jobs that fall into regulated activity and require a DBS check. The decision as to whether or not a job necessitates clearance requires a consistent, sensible judgement across the organisation and reference to the new definitions of regulated activity as detailed below.
- 5.2 The criteria applies equally to all types of employment, whether or not an established job, such as permanent, temporary, zero hours, volunteer/unpaid and self-employment. People Solutions has a list of job titles which will require a DBS check.

## 6. REGULATED ACTIVITY

- 6.1 The new definition of regulated activity (i.e. work that a barred person must not do) in relation to children comprises, in summary:
- (i) Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/ guidance on well-being, or drive a vehicle only for children;
  - (ii) Work for a limited range of establishments ('specified places'), with opportunity for contact: e.g. schools, children's homes, childcare premises. Not work by supervised volunteers;
  - (iii) Relevant personal care, e.g. washing or dressing; or health care by or supervised by a professional;
  - (iv) Registered childminding; and foster-carers.
- 6.2 Work under (i) or (ii) is regulated activity only if done regularly. "Regularly" is defined in detail in the full guidance note available on the Department for Education website. HM Government provides statutory guidance on supervision of activity that would be regulated activity if unsupervised.
- 6.3 There are six categories of people who will fall within the new definition of regulated activity (and so will anyone who provides day to day management or supervision of those people). A broad outline of these categories is set out below. For more information please see the Safeguarding Vulnerable Groups Act 2006, as amended by the Protection of Freedoms Act 2012.

- providing health care
- providing personal care
- providing social work
- assistance with cash, bills and/or shopping
- assistance in the conduct of a person's own affairs
- conveying (transportation)

Please contact the HR Advisor to discuss any matters relating to whether a position or activity requires DBS clearance.

## **7. ASSESSMENT AND SELECTION PROCESS**

- 7.1 This policy does not seek to replicate LiveWire's guidance on recruitment and selection, which outlines the legislation and best practice on this subject. It is, however, essential that the assessment and selection of candidates for posts working with, or having regular contact with, children or adults who may be considered vulnerable is robust and directly addresses matters relating to the client group in question.
- 7.2 The following checklist provides the minimum essential requirements when recruiting to such positions, including voluntary and unpaid positions as referred to above:
- all shortlisted applicants have face-to-face interviews;
  - applicants are asked specific questions at interview examining attitudes towards children, young people, or adults who may be considered vulnerable (as applicable);
  - there is effective scrutiny of the information provided by applicants, such as references, gaps in employment or educational history;
  - discrepancies and qualifications are checked and followed up;
  - with regard to overseas staff, the same checks will be made as for all other staff, but should additionally include a certificate of good conduct from their home police force or embassy, as well as from other countries where they have worked. DBS disclosures do not detail offences committed abroad
  - applicants receive an induction and appropriate training in safeguarding issues whereby the various descriptions of abuse are explained and explored.
  - applicants' attitudes and behaviour should continue to be monitored and supervised post-appointment



## 8. THE PRE-EMPLOYMENT CHECKING PROCESS

- 8.1 Following the offer and acceptance of employment, employees should not commence working for LiveWire until full clearances have been received and checked by the employer, other than in exceptional circumstances (see below). This relates not only to DBS clearance and barred lists, but also to qualification checks, verification of entitlement to work in the UK (Asylum, Immigration and Nationality Act, 2006) and receipt of satisfactory references. This also applies to internal appointments, in that staff should not transfer to a job requiring DBS clearance, until such clearance and statutory checks have been received.
- 8.2 There would need to be exceptional and justifiable circumstances for employment to commence prior to DBS clearance. Such a decision can only be taken by a Senior Manager following risk assessment. There must be a record of this process and decision, including “sign off” by the Operational Manager to ensure audit and accountability of the judgement. The judgement is an assessment of the risk versus the consequences of the decision. Furthermore, the employee must never commence prior to the submission of their completed disclosure application to the DBS.

### Risk Assessment - Key Questions for Consideration

1. What are the reasons for considering commencement of employment prior to receiving clearance?

*This should not be a natural default position, and should be exceptional and clearly linked to the circumstances identified in response to questions 2 and 3 below.*

2. What would be the consequences to service delivery, of waiting until clearance is received?  
*Again these should be exceptional and have a demonstrable substantial impact on service users. You should be able to demonstrate how you have used effective planning to avoid/minimise this disruption, and clearly show where this has been unavoidable.*

3. If the employee commenced in their role, what would be their normal level of access to Children/adults considered vulnerable?

- i) Unsupervised access one-to-one
- ii) Unsupervised access to a group

*Neither of these would be acceptable arrangements in any circumstances during this "waiting period".*

- iii) Supervised access one-to-one
- iv) Supervised access to a group
- v) no direct access, but based within premises
- vi) no direct access, but access to sensitive and confidential information

*A DBS barred list check must be completed as part of the risk assessment.*

*If an employee does commence employment prior to DBS clearance being received, their access must be supervised at all times. The level of risk declines as the list progresses, however, there continues to be a risk with each of these scenarios.*

4. Has the employee left employment to take up the job?  
The employee themselves runs a risk if they leave existing employment to take up a post that remains subject to clearance. This should be made clear to them.
5. Is there previous satisfactory DBS clearance documentation available?  
*If a previous disclosure/verification of clearance is available, consider how recent it is and whether the employee has continued to work for that employer continuously since then. This does not offer any guarantee of current clearance, however, it may reduce the likelihood of convictions, complaints, investigations, etc., having occurred in the intervening period.*
6. Are the other checks and clearances in place?  
*Again, the existence of other checks and clearances does not eliminate risk, or conclusively verify a candidate's suitability to commence employment. However, a candidate for whom we have verified qualifications, professional registration, reliable references from existing employer, and has provided a complete employment history, etc., is potentially less of a risk than someone for whom we have not yet completed any checks with regard to identity or background, or who has gaps in employment/education history.*

- 8.3 A pro-forma is attached at Appendix 1, to act as an auditable record of the decision made following risk assessment, and should contain the signature of the Senior Manager who is accountable for the decision. This responsibility cannot be delegated.
- 8.4 If a decision is taken to commence an employee prior to receiving DBS clearance, their contract of employment should remain subject to this condition being met. The employee must have completed and submitted their completed disclosure application to the DBS.
- 8.5 As referred to above, robust and reliable supervision arrangements must be put into place during the “waiting period”. The employee must be clearly notified of the supervision arrangements that are in place. The situation must be checked and monitored at least every two weeks. The Senior Manager remains accountable during this time, until the DBS clearance is received, checked and suitability confirmed.
- 8.6 The appointment remains subject to receipt of satisfactory clearances including DBS to enable the individual to undertake the full duties of the job. This will be reviewed on a regular basis.

## **9. OVERSEAS CHECKS**

- 9.1 The Disclosure and Barring Service cannot access overseas criminal records or other relevant information. Therefore if an applicant has resided in any one country (other than the UK) for three months or more, a certificate of good conduct or other references must be obtained from that country.
- 9.2 It is an individual’s responsibility to obtain this certificate and references. The time it takes to obtain such documents varies depending upon the country being applied to. Employment must not commence until the certificate or references have been received and verified.
- 9.3 The Foreign and Commonwealth Office has an overseas information service at [www.fco.gov.uk](http://www.fco.gov.uk) and contact details for various countries can be obtained on the website or telephone: 020 7008 1500.

## 10. PORTABILITY

### 10.1 New employees or volunteers joining LiveWire

It is for an employer to determine whether to accept previously issued DBS checks, i.e. the re-use of a DBS disclosure obtained for a position in one organisation and later used for another position in another organisation.

A disclosure carries no formal period of validity and only reflects information that was available at the time of its issue. As a responsible employer, LiveWire will therefore exercise caution in the portability of disclosures. Portability carries a risk and should only be considered as part of an overall risk assessment process, and reserved for exceptional circumstances.

Further information on the limitations and risks of portability can be obtained from the DBS. Further guidance should be sought from the HR Advisor.

### 10.2 Existing LiveWire employees

Where a current employee takes up a new job role within LiveWire a new DBS check is not required provided that there has been no break in service, a DBS check has previously been obtained at the required level and the new job does not give the employee greater access to children or significantly more responsibility.

## 11. CHECKING AND RE-CHECKING OF EXISTING EMPLOYEES

11.1 There are various elements to the process of checking and re-checking existing employees. LiveWire has determined that the following will apply:

- all existing employees who transfer from a job that does not require clearance, to one that does, will be subject to an enhanced DBS
- any employee who has been subject to an enhanced disclosure and a check against the Children's Barred list, but where that disclosure is now more than three years old, should be rechecked.
- a rolling programme is in place to capture all re-checking, as described at (ii) above, at three-yearly intervals
- a Senior Manager may deem at any time that an employee should be subject to an enhanced DBS check, provided that they can justify that the employee has "given cause for concern" and is employed in a position that requires a DBS check.

11.2 Line Managers will be responsible for ensuring that all DBS checks are up to date and should liaise with the HR Officer. The following process will be followed:

- People Solutions will inform an employee's line manager three months prior to expiry when a DBS is due to be renewed.
- The need to have an up to date clearance should be raised with the employee during their PRD.
- The manager must ensure that the employee completes and returns the DBS form within four weeks of notification.
- If the form is not returned prior to the expiry date of the old DBS then an assessment will be made as to whether a further risk assessment is required or whether that employee will not be allowed to work until the form is completed.
- Employees are responsible for ensuring that a DBS form is completed when required, failure to do so may result in suspension from work and suspension of pay whilst the check is pending.

## **12. AGENCY WORKER**

12.1 Although it is the responsibility of the supplier agency to undertake the DBS check, it is the Line Manager's responsibility to check with that agency that the DBS is clear and that they have seen evidence of identification.

12.2 If the DBS check has a positive trace then this will need to go through the same process as any other potential employee.

## **13. POSITIVE DISCLOSURES**

13.1 The term "positive disclosure" refers to a disclosure containing information relating to convictions, cautions, reprimands, etc., plus "soft information" relating to non-convictions, but which police forces deem relevant. If a positive disclosure is received for an employee who has already commenced work, the individual should be immediately withdrawn from duties pending further enquiries.

13.2 It is essential a consistent process for considering such disclosures and for making subsequent judgements regarding an applicant's suitability for employment. Therefore all positive disclosures will be considered by a 'Review Panel'.

13.3 The Review Panel will consist of a Safeguarding lead, one member of SMT and one member of the SMT Support Team.

13.4 The following key stages must occur in the process:

- Positive disclosure is received by People Solutions
- The Review Panel meet to review the positive disclosure. At least two out of the three people on the panel must be present to make any decisions.
- If offences were not declared, this will automatically warrant an interview with the applicant.
- Judgements at this stage will often err on the side of caution.
- If the Review Panel recommends that the offence(s) is not sufficiently serious to warrant an interview, the decision to employ will be signed off by the Panel.
- If it is judged that an interview is necessary, or that further information is required from the individual concerned, this should be undertaken by an appropriate manager with advice from the HR Advisor.
- The meeting is an essential part of the process, as it is necessary to verify that the information contained on the disclosure does indeed relate to the individual concerned.
- This verification must be sought prior to any judgements being made. There have been occasions where DBS system errors have occurred and information supplied has been wrongly attributed to individuals.

13.5 The disclosure should be discussed with the prospective employee. The discussion will aid the decision-making process, and should broadly focus around the following:

- The seriousness and nature of the offence(s)
- The nature of the appointment
- Length of time since the offence(s) occurred
- Number and pattern of offences
- The applicant's age at the time, circumstances/explanation
- Concealment of offences at application stage
- Degree of remorse

13.6 Based upon the findings of the interview, the Review Panel will undertake a risk assessment with regard to the suitability of the employee.

13.7 Judgements regarding suitability are not wholly confined to the disclosure revealing offences against children or adults considered vulnerable.

13.8 Other types of offences may render a prospective employee unsuitable. In addition to convictions or cautions, this may also include having harmed or placed children or adults considered vulnerable at risk of harm; or having exhibited behaviour, which leads to the belief that there may be a child or adult who may be considered vulnerable at risk of harm in the future.

- 13.9 There should be a clear record made of the decision, bearing the judgement and signatures of those attending the Review Panel (see appendix 2 for Panel Assessment Form). This judgement should not contain details of the offences.

#### **14. NOTIFICATION RELATING TO A CURRENT EMPLOYEE**

14.1 The following will occur relating to a current employee:

- If an employee comes into contact with the criminal justice system as a suspect or offender, they are required to advise their line manager as soon as possible. The manager will treat this sensitive information as strictly confidential, if this has to be disclosed to another party, they will maintain confidentiality.
- Once the manager has been informed they will need to inform the Management Team Safeguarding lead in order that the Review Panel can consider the nature of the offence and determine whether this affects the employee's duties.
- The Panel will need to decide:
  - if the employment can continue (if it cannot the Disciplinary Procedure should be followed);
  - whether suspension from work may be appropriate
  - to remove some or all of the duties of the exempt job
  - if the employee can continue to work unsupervised
  - if the employee should be re-deployed temporarily
- A written record should be made of the steps taken in response to the information, the decision made and who has made the decision.
- If the employee fails to notify their line manager and this later comes to the manager's attention this may lead to disciplinary action being taken against the employee for failing to inform the designated manager (Refer to the Company's Disciplinary Procedure).
- If an allegation is made that an employee is 'a risk to children' it will require immediate, confidential investigation. Managers should remember that at this stage only an allegation has been made or a rumour has been started and they should not jump to conclusions or form an opinion. Objectivity and confidentiality is important.

## 15. REFERRALS TO THE DBS

- 15.1 Following the implementation of the Protection of Freedoms Act 2012, the legal duty to share information remains and will continue to do so in the future. Employers are required to notify the DBS of relevant information so that individuals who pose a threat to vulnerable groups can be identified and barred from working with these groups.
- 15.2 A referral to the DBS must be made if a person ceases to work for the Company because they have either harmed a child or an adult considered vulnerable, or placed them at risk of harm or have resigned prior to the completion of an investigation following an allegation

Referral forms can be obtained from the DBS website

<http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/services/dbs-referrals/>

Advice must be sought from the HR Advisor before making a referral to the DBS.

## 16. RECORD KEEPING

- People Solutions will maintain a single, central record of all DBS checks.
- There is a requirement to request full details of DBS checks carried out on staff supplied through an agency and the need for the Company to keep a record that checks have been verified, when and by whom.
- Information disclosed as part of a DBS check must be treated as confidential. The disclosure must be kept in secure conditions and must be destroyed, by secure means, as soon as it is no longer needed. It should not normally be kept more than six months after the decision is taken.
- However, before the disclosure is destroyed, records need to be kept detailing the date the disclosure was obtained, the level of the disclosure and the unique reference number.
- The HR Advisor will also record the judgement and decision reached by the Review Panel.



## 17. CLIENT ORGANISATIONS AND INDIVIDUAL PROVIDERS

- 17.1 The Company takes measures to ensure that client organisations and individual providers, e.g. coaches are aware of their obligations under the DBS Code of Practice and that they adhere to this policy and associated practices when working with the organisation.

## 18. GUIDANCE FOR WORKING WITH CHILDREN, YOUNG PEOPLE AND ADULTS WHO ARE CONSIDERED VULNERABLE

- 18.1 Those working for LiveWire are in a position of trust and must act in an appropriate manner at all times. As a result, those working for LiveWire must always consider how an action or activity may be different from the way it is intended to the way it is perceived.

- 18.2 The following list, although not exhaustive, provides some guidelines on good practice for working with children, young people and adults who are considered vulnerable.

18.3 Climate and environment

- always work in an open, safe and transparent way, e.g. colleagues and other adults must always know about the work you are doing with children
- respect children, young people and adults at all times; be aware of showing favouritism, disapproval or prejudice is not acceptable to the organisation
- always try to meet in a work setting; if it is necessary to meet children or young people somewhere else make sure it is with their parent's or carer's knowledge and consent
- Care should be taken in changing rooms to ensure that the appropriate ratios and gender of staff are present to supervise children and that children are safeguarded from members of the public
- When supervising children avoid physical contact unless it is essential, e.g.
  - o to develop a swimming skill or technique
  - o to treat an injury
  - o to prevent an injury
  - o to meet the requirement of the activity (e.g. Lifesaving)
  - o to lift or manually support a child with disabilities

- 18.4 In these circumstances the adult should explain the reason for the physical contact to the child. Unless the situation is an emergency the child should be asked for permission before any physical contact is made.

18.5 If children have disabilities they and their carers need to be involved in deciding what assistance should be offered and the child should be treated with dignity and respect.

18.6 Personal behaviour

- staff should consider their appearance and dress appropriately for the task
- staff should consider the appropriateness of their language
- if it is necessary to comfort a child, young person or vulnerable adult who has become distressed it is important that this is done in a way which is both age appropriate and respects personal space; avoid being over-familiar

18.7 Communication and contact

- do not agree to keep any information relating to the harm of a child or young person confidential; the procedures for reporting concerns outlined at section 19 should be followed
- the focus of any relationship through work must always remain on the work; never allow this to develop that into a friendship or relationship
- do not exchange personal contact details, like phone numbers and email addresses met through work
- do not engage with children and young people met through work on social networking sites, e.g. Facebook
- do not offer to transport a child or young person alone in a car. In unavoidable circumstances ensure other responsible adults have been informed and a record is made of the circumstance.

## 19. DEALING WITH SAFEGUARDING CONCERNS

19.1 Any child, young person or adult anywhere can be abused at any time. Children and adults with disabilities are especially vulnerable. Abuse can be committed by anyone – adults or children. Appendix 4 illustrates the process to follow for safeguarding alert.

19.2 Do's and don'ts and what to capture:

**Do**

- listen to the child/young person /adult
- inform the line manager immediately
- act fast

- share any worries with Adult or Children and Young People’s social care services, the Police or the NSPCC – they are there to help you
- continue to offer the child/young person or adult support

**Don’t:**

- put it off
- press the child/young person or adult for explanations
- make assumptions or “judge”
- leave it to someone else to help the child/young person/adult
- be afraid to voice concerns; the child/young person/adult may need urgent protection and help
- tell the parents or adult if sexual abuse is suspected; follow the procedure as laid out in Appendix 4

**Capture on Incident Report Form**

- Write down the account factually without adding any bias e.g.
- Name
- DOB
- Date, time, venue
- What happened?
- What is the evidence?
- What steps you’ve taken to minimize harm

19.3 Questions and raising a concern

Should you have any questions or queries concerning the operation of this policy and safeguarding issues in general you may contact LiveWire’s Safeguarding Representatives, Locklynne Hall on 07816 854928 or Cheryl Siddall on 07824 710098.

<b>If there is concern about a child or young person</b>	<b>Call Warrington Duty and Assessment Team 9am – 5pm Monday - Friday</b>	
	<b>01925 443400</b>	out of hours call 01925 444400
<b>If there is concern about an adult</b>	<b>Call Warrington Access to Social Care Team 9am – 5pm Monday - Friday</b>	
	<b>01925 444239</b>	out of hours call 01925 444400

## 20. FURTHER INFORMATION

DBS Customer Services Information Line 0870 90 90 811

Useful websites [www.homeoffice.gov.uk/agencies-public-bodies/dbs/](http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/)  
[www.direct.gov.uk](http://www.direct.gov.uk) [www.education.gov.uk](http://www.education.gov.uk)  
[www.ofsted.gov.uk](http://www.ofsted.gov.uk)

The Safeguarding Children and Safer Recruitment in Education document can be found at the following link:

<https://www.education.gov.uk/publications/standard/publicationdetail/page1/DFES-04217-2006>

Office of the Children's Commissioner Safeguarding Policy Handbook

[http://www.childrenscommissioner.gov.uk/content/publications/content\\_682](http://www.childrenscommissioner.gov.uk/content/publications/content_682)

### Related LiveWire Policies

- Code of conduct
- Equality and diversity
- Recruitment and selection

### Training for Trustees:

<https://learning.Safeguarding children training courses | NSPCC Learningnspcc.org.uk/training/our-elearning-courses>

**RISK ASSESSMENT - CONSIDERATION OF COMMENCEMENT OF EMPLOYMENT PRIOR TO DBS CLEARANCE**

Name of prospective employee:		Name of Senior Manager:	
Proposed Job Title:		Date of Risk Assessment:	
Organisation/area of work:			

RECORD OF FINDINGS – Should be completed in conjunction with the risk assessment key questions contain within the section on the pre-employment checking process (section 9)

<u>Reasons for considering commencement of employment prior to receiving clearance:</u>	<u>Consequences to service delivery, of waiting for clearance:</u>	<u>Level of access during “waiting period”:</u>
---	--	---

<u>Supervision arrangements during “waiting period” and any other control measures:</u>	<u>Pre-employment checklist:</u> Has barred lists been checked            Y / N	<u>Previous DBS clearance:</u>  Is a previous disclosure available?    Y / N Has it been seen by you?                Y / N
	Has the employee left employment? Y / N	What is its date?  _____ (See section on ‘Portability’ within Policy)
	Medical clearance received?            Y / N	
	Asylum & Immigration check completed? Y / N	
	Qualifications verified?                 Y / N	
	Professional Registration complete? Y / N	
	References                                    Y / N	
	Satisfied with general background and employment history checks            Y / N	

**Assessment of Risk following control measures:**

HIGH

MEDIUM

LOW

**Options:**

- 1) This prospective employee will not commence work prior to satisfactory clearances.
- 2) Following risk assessment, I have determined that the above named may commence employment with the identified control measures. I undertake to personally review this situation at intervals of no less than every two weeks.

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Review Dates:** \_\_\_\_\_

STRICTLY CONFIDENTIAL

**DBS DISCLOSURES**

Disclosure No.: \_\_\_\_\_ Date obtained: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Proposed position: \_\_\_\_\_

Status (employed, self-employed, voluntary, etc.): \_\_\_\_\_

Organisation/work area: \_\_\_\_\_

**Interview date:** \_\_\_\_\_ **Interviewed by:** \_\_\_\_\_

*Brief details of interview - focus upon applicant's response, and the judgements you made (see checklist in Positive disclosure section), rather than disclosing details of the offences*

**Please confirm whether the above named person is approved to be employed in the position stated above. It is crucial to note that this approval to proceed is isolated to this position and the circumstances as judged by the Review Panel. This judgement is therefore not transferable to other recruitment decisions.**

**Proceed**

**Not Proceed**

Signed:

Name:

Job Title:

Date:

Signed:

Name:

Job title:

Date

DOCUMENTS RELATING TO CONVICTIONS MUST BE RETURNED TO the HR OFFICER FOR CONFIDENTIAL STORAGE PENDING ANY APPEAL AND FOR SECURE DISPOSAL THEREAFTER.

**THIS TRACE MUST BE KEPT SAFE AND NOT DISCLOSED TO A THIRD PARTY**



### **Portability of DBS criminal record checks**

This guidance applies to employees moving job roles within the Company.

It is a legal requirement that individuals working in regulated activity with children or adults considered to be vulnerable are DBS checked. DBS checks are a vital safeguarding tool and the Company is committed to ensuring that our HR policies and practices are robust.

Where an applicant or a volunteer has a DBS certificate in place that has been undertaken by LiveWire (Warrington) CIC or Culture Warrington and which meets certain criteria, then it may be 'Portable'. 'Portability' reduces the costs of unnecessary DBS checks, but the requirement that certain robust criteria are met ensures safeguarding is maintained.

The following criteria must be satisfied:

- The individual must be able to present their original full DBS certificate (employers are required to comply with the DBS code of practice which requires the disposal of certificates within 6 months of their issue date)
- The DBS check must have been carried out by LiveWire (Warrington) CIC or Culture Warrington as the Business Unit
- The 'Date of issue' must be less than three years old
- The 'Position applied for' on the DBS certificate must be for contact with the same client group (children or adults considered to be vulnerable) and have the relevant Barred List check/s
- The DBS certificate presented by the individual does not contain information relating to convictions, cautions, reprimands, etc. or 'soft information' from the police (referred to as a 'positive disclosure'). Should the disclosure contain information, the individual will be required to complete a new DBS application

Where a volunteer is moving to paid employment a new DBS check will be required.

The DBS has an Update Service which the applicant can subscribe to and potentially re-use their DBS certificate. The service is free of charge for volunteers but there is a charge for everyone else.

## Process for managing safeguarding

