



**ENGLISH-SPEAKING UNION**

discovering voices

**Safeguarding Policy and Procedures for those  
interacting with the charity;**

**Additional protections for Children, Young  
People and Adults at Risk**

Last Review Date	Type of Review	Approved	Next Review Date
08/04/24	Update	Board	01/09/24

## **Contact information:**

### **ESU Designated Safeguarding Lead:**

Gavin Illsley (he/him)

*Head of Innovation*

[gavin.illsley@esu.org](mailto:gavin.illsley@esu.org)

0207 5291568

07795 075466

### **ESU Deputy Designated Safeguarding Leads:**

Cait Lees (she/her)

*Head of Education Operations*

<mailto:cait.lees@esu.org>

0207 5291564

Thomas Kirkham (he/him)

*Senior Branch and Volunteer Officer*

[thomas.kirkham@esu.org](mailto:thomas.kirkham@esu.org)

0207 5291591

### **ESU Designated Board Member:**

Stephen Purcell

[sfwpurcell@gmail.com](mailto:sfwpurcell@gmail.com)

Referrals involving children should be made to the *Local Authority Designated Officer or equivalent*, representing the area in which the child lives.

A complete list of Safeguarding Children Boards in the UK can be found here:

<http://www.safecic.co.uk/your-scb-acpc/55-free-downloads-and-safeguarding-links/61-safeguarding-children-board-links?eprivacy=1>

### **Westminster Local Authority Designated Officer (LADO):**

[LADO@westminster.gov.uk](mailto:LADO@westminster.gov.uk)

020 76417668

Other Useful Contacts may be found at the end of this policy document in Appendix 7.

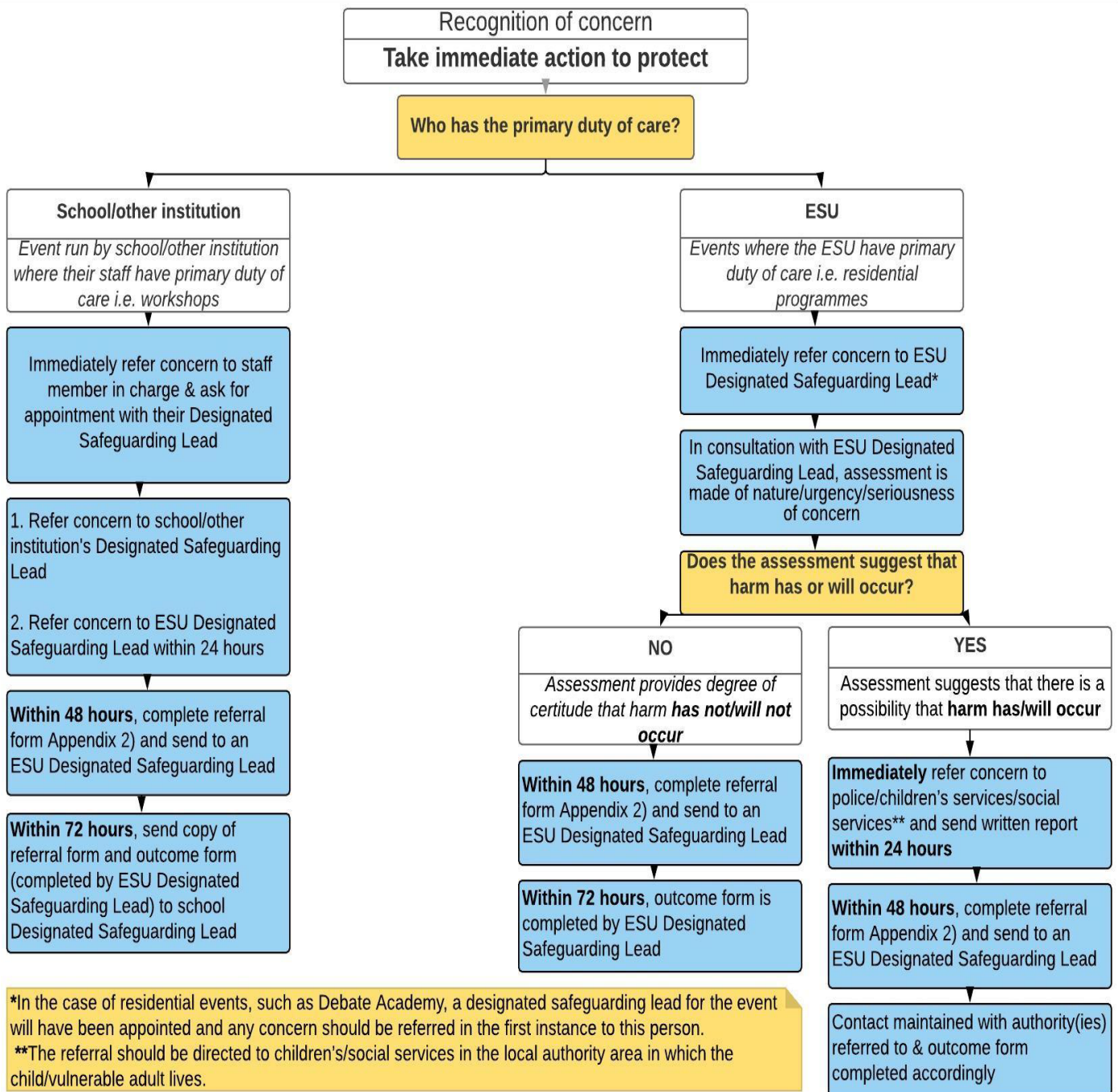
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### Amendments

The following table of amendments have been made since the previous edition (11/10/2023)

[No updates required]

Page Number	Section	Update



\*In the case of residential events, such as Debate Academy, a designated safeguarding lead for the event will have been appointed and any concern should be referred in the first instance to this person.

\*\*The referral should be directed to children's/social services in the local authority area in which the child/vulnerable adult lives.

Click on any of the section titles below to take you to the corresponding page.

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## SECTION 1: SAFEGUARDING POLICY

### Introduction

The English-Speaking Union believes every child should be able to make their voice heard. We believe that the ability to progress and to thrive in life relies on oracy - speaking and listening - skills, which are not currently a prominent part of the school curriculum. Our debate, public speaking and cultural exchange programmes help young people to engage with the world, to speak more confidently and to listen to and understand different points of view. These skills improve young people's attainment, emotional intelligence and social skills, helping them to live their lives to the fullest.

The English-Speaking Union seeks to protect the safety of everyone who comes in contact with the charity. It acknowledges particular additional responsibilities to all children, young people and adults at risk who come into contact with the charity. It recognises the risk of abuse transcends social boundaries and economic privilege and is based on the inequality of power between different parties. Learning from previous high-profile cases in the education and charity sectors has clearly indicated that those who would seek to abuse in organisational settings will be accomplished at avoiding boundaries and manipulating those who would ordinarily provide a barrier to inappropriate behaviour and abuse.

Therefore, the English-Speaking Union will:

- **PROMOTE** the well-being of children and adults through a culture of shared responsibility for safeguarding.
- **PREVENT** harm through full compliance with Safeguarding Policy and Procedures and the creation of a culture of informed vigilance.
- **PROTECT** through responding effectively when safeguarding concerns arise.

All staff, members and volunteers have a role to play and must be proactive in developing understanding of safe practice and their personal responsibilities towards the beneficiaries of the charity and each other. The ESU acknowledges its responsibility to protect staff and volunteers from harm and to create a positive and safe working environment in which every individual is respected for their contribution.

### Diversity Statement

The English-Speaking Union offers activities to support the development of children and young people so that all may achieve their full potential and become active participants in the global community. The charity seeks to provide equality of opportunity to all regardless of age, gender, race, disability, sexual orientation, belief or gender reassignment. Everyone has the right to protection from abuse and to be treated no less favourably than others irrespective of any personal or protected characteristic. The charity will take positive action, where proportionate, to deal with disadvantages faced

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as a result of protected characteristics.

## **Status of the Policy and Procedures**

This document sets out the policy, procedures and guidance relating to safeguarding within the English-Speaking Union. The provisions outlined are informed by current legislation and accepted good practice from within the organisation, statutory agencies and other community organisations with safeguarding responsibilities.

The policy and procedures contained in this document are required practice for employees, members and volunteers undertaking activities on behalf of the charity. The provisions apply whether interaction is in person, via digital communication or in written form.

## **Review and Revision**

This policy will be subject to review and revision on a six-monthly basis by the Designated Safeguarding Leads as well as when there are changes to significant legislation or guidance linked to safeguarding responsibilities. Any changes that are required will be considered and approved by the Senior Management Team. At least once a year, the board of governors will review the policy and approve the document for the following 12 months. It is expected that any significant change of procedure or addition will be discussed with the designated board member and reported by the Designated Safeguarding Lead to the Audit and Risk Committee where it has a significant impact on the management of safeguarding risk.

The English-Speaking Union promotes a continuous development approach to safeguarding. Therefore, after every event staff, volunteers and participants are encouraged to reflect how things can be improved and this applies particularly to the safeguarding of beneficiaries, staff, volunteers and members. In each and every case, the Safeguarding Leads will review the circumstances, consider any learning that may be gained from what happened and propose changes to policy and practice that may be required.

The designated board member and Senior Management Team will encourage an open and honest culture of ongoing review and development in safeguarding practice.

## **Related Policies**

The following policies support the development of safeguarding practice and accountability in the organisation:

Complaints policy <https://www.esu.org/wp-content/uploads/2021/12/ESU-Complaints-Policy-08-12-21.pdf>

Whistleblowing policy <https://www.esu.org/wp-content/uploads/2021/12/ESU-Whistleblowing-policy-08-12-21.pdf>

Privacy Policy [www.esu.org/wp-content/uploads/2019/07/Privacy-Policy.pdf](http://www.esu.org/wp-content/uploads/2019/07/Privacy-Policy.pdf)

## Commitments

The ESU makes the following commitments regarding safeguarding everyone who comes into contact with the charity:

1. Where safeguarding concerns are raised, all parties will be treated fairly and with respect.
2. Swift action will be taken to explore the concern, and obtain and record relevant information, in accordance with policy, legislation, statutory guidance and best practice.
3. The ESU will work in close partnership with statutory agencies and other organisations: seeking advice, where appropriate and actively supporting investigations and assessments.
4. Where appropriate, the reporting of abuse, misconduct or serious incidents to statutory authorities including the Charity Commission and the Disclosure and Barring Service will be undertaken with transparency and diligence.
5. Information will be shared in relation to a concern where it is legitimate, proportionate and necessary to manage a safeguarding risk and in compliance with legislation and statutory guidance.
6. Staff, volunteers and trustees will be provided with safeguarding training appropriate to their role, to equip them with the confidence and skills they need to recognise, respond and promote safe practice.
7. DBS checks will be undertaken at an appropriate level for all roles where it is legitimate to do so and, in particular, where there is direct contact with children and/or vulnerable adults.
8. The ESU will apply safe recruitment practice to all appointment processes related to staff, trustees and volunteers who seek to undertake roles within the charity.
9. A proactive risk assessment and management approach will be taken in relation to activities and issues at all levels of the organisation. This will include the maintenance of an organisational risk register.



10. Safeguarding policy and procedures will be promoted via briefings, digital material, one-to-one training and communications on a regular basis.
11. The charity will ensure that the beneficiaries of the charity, parents and carers are able to access information about safeguarding policies and procedures.

## Legislative Framework

The English-Speaking Union safeguarding policy and procedures have been developed with reference to the following key legislation, statutory guidance and best practice:

The Human Rights Act 1998	In particular: Article 8 Respect for Private and family life, home and correspondence. Article 9 Freedom of thought, belief and religion Article 10 Freedom of expression
The UN Convention on the Rights of the Child	All children and young people under 18 should enjoy range of rights including: <ul style="list-style-type: none"> <li>• the right to education to achieve their full potential</li> <li>• the right to play and recreation</li> <li>• the right to respect for privacy and family life</li> <li>• the right to freedom of expression</li> <li>• freedom of thought, conscience and religion</li> </ul> without discrimination on grounds of disability, sex, race, age, religious belief, ethnic or social origin, gender or sexual orientation, and whatever they live or receive care.
Keeping Children Safe in Education (2023)	Statutory guidance in relation to safeguarding in educational settings. The ESU is not an educational establishment but seeks to follow the statutory guidance as best practice for a charity providing educational activities.
Working Together to Safeguard Children 2018	Statutory guidance for inter-agency working to safeguard and promote the welfare of children including requirements for the provision of arrangements to respond to issues of abuse, neglect and concern.
The Care Act Statutory Guidance (2018)	<a href="http://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance">www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance</a>
The Equality Act 2010	Legislation to protects children, young people and adults against discrimination, harassment and victimisation in relation to housing,

	education, clubs, the provision of services and work.
Serious Crime Act 2015	Includes offences relating to child cruelty, sexual communication with a child and female genital mutilation (FGM) and coercive or controlling behaviour in an intimate or family relationship.
The General Data Protection Regulation	Regulates the processing of personal, special category and criminal data relating to living individuals and makes provision for the sharing and holding of information about safeguarding concerns.
The Data Protection Act 2018	Provides an exemption to the GDPR restrictions for the processing of data without consent for safeguarding purposes and investigation by statutory agencies.
Information Sharing: Advice for Practitioners Providing Safeguarding Services (2018)	Government guidance providing information about the legitimate sharing of data for safeguarding purposes.
Safeguarding Adults: sharing information (2019)	Social Care Institute for Excellence guidance
Charity Commission guidance: Safeguarding and protecting people for charities and trustees	Charity Commission guidance

## Roles and Responsibilities

The Safeguarding Policy and Procedures of the English-Speaking Union are fully endorsed by the Director-General and Senior Management Team.

The ESU board of governors has overall responsibility for the oversight of safeguarding and will be kept informed of developments and issues by the Director-General or a nominated Safeguarding Lead at each board meeting. Trustees will be given appropriate training to gain awareness of their responsibilities. There is a designated board member for safeguarding who works closely with the Safeguarding Leads to provide strategic leadership and support to ensure the organisation places safeguarding at the heart of its educational work.

The Charity Commission is the independent regulator of charities in England and Wales. It is the responsibility of the trustees to ensure that a serious incident report is provided to the Charity Commission about serious safeguarding matters. This may be produced and submitted by the Senior Management Team, but is the responsibility of the trustees to ensure that information is accurate and sufficient.

There is a designated lead for safeguarding with at least two deputies to cover absence. There is active progression planning in place to ensure that sufficient trained and experienced safeguarding staff are available on a continuous basis.

The ESU recognises that effective safeguarding practice is developed by the contribution of those from a wide range of professional and volunteer backgrounds relevant to the activities of the charity. Designated Safeguarding Leads will have prior experience in a relevant field and should have completed appropriate training, prior to taking up the role.

Relevant experience may include:

- Safeguarding in educational settings, social care or public protection
- Equity and pastoral roles in competitive public speaking and debating
- Human resources and complaints management
- Previous experience as Safeguarding Leads in the not-for-profit sector
- Paid or volunteer youth work

The Designated Safeguarding Leads work together with the support of Branch Chairs and branch safeguarding officers to deliver the following activities:

- Implementation of safeguarding policy and procedures
- Organisation of appropriate training provision and skills updates
- Oversight of safer recruitment processes
- Promotion of good practice and continuous professional development in safeguarding
- Management of reported safeguarding concerns
- Provision of relevant and timely advice to staff, volunteers and leaders within the organisation
- Ensuring staff, members and volunteers understand that everyone has a responsibility to safeguarding at ESU events
- Creating and supporting safeguarding structures at large events such as Debate Academy
- Support of programme leads and event organisers in carrying out risk assessment

### **Safeguarding Adults at Risk**

Adult Safeguarding is defined in the Care Act Statutory Guidance (2018) as:

*...protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse and neglect, while at the same time making sure that the adult's well-being is promoted, including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.*

An adult may be at risk due to a variety of circumstances, which may be temporary or permanent. This could include physical impairment or learning disabilities. Temporary issues may place someone at greater risk of abuse such as bereavement, addiction, dementia, relationship breakdown, homelessness or unemployment. Adults may be at risk during times of difficulty and stress. Consideration should also be given to carers who may also be at risk. Each case should be considered individually, and no assumption made that a person is at risk in all areas of their life.

An 'adult at risk' is defined as an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs)
- Is experiencing, or at risk of, experiencing abuse or neglect
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse and neglect

### **Aims of Adult Safeguarding**

The aims of adult at risk safeguarding are to:

- Prevent harm to those at risk
- Investigate instances of alleged or suspected harm
- Enable individuals to make choices about their lives
- Work in collaboration with providers to identify and investigate the risk of harm
- Prevent through appropriate policy and practices, monitoring of compliance, training and guidance

### **Adult Safeguarding Principles**

The following key principles apply to adult safeguarding within the ESU, dealing with both adults at risk and all adults who come into contact with the charity:

#### **1. Empowerment**

Adults at risk will be supported and encouraged to take an active part in decision-making with informed consent, wherever possible.

#### **2. Prevention**

Promotion of safeguarding policies and procedures and accessible materials, supported by appropriate training will allow everyone to understand what abuse looks like and how to seek help.

#### **3. Proportionality**

Careful consideration of the impact of any safeguarding risk and the proportionality of any action taken will be made with reference to individuals, the wider community and the charity.

#### **4. Protection**

The ESU will respond promptly and take effective action to protect those at risk or

suffering abuse.

**5. Partnership**

The ESU is committed to working in effective partnership with local services and communities.

**6. Accountability**

The charity will follow clear procedures and maintain appropriate records of all concerns.

**7. Respect**

Interactions between adults in relation to safeguarding are underpinned by due regard for the feelings, wishes, or rights of others.

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## SECTION 2: SAFEGUARDING PROCEDURES

### Responding to Safeguarding Concerns

Given the wide-ranging nature of our work, ESU staff and members will come into contact with children and adults at risk in various settings and contexts. Risk assessment and planning is done to understand each programme's specific context and mitigate risk as far as possible.

Despite the varying contexts, there is a single consideration that should be borne in mind at all times: if any person's actions, behaviour or words create any kind of concern that harm to a child(ren) or an adult(s) at risk has occurred, may occur or will occur, **action to protect must be taken**.

### Identifying Abuse and Neglect

The English-Speaking Union recognises that abuse may take place in many subtle and complex forms which can be difficult to recognise. Safeguarding training and the promotion of information about types of abuse and potential signs may enhance confidence in those working with children, young people and adults at risk. However, any concern relating to a child, young person or adult at risk should be raised with a Designated Safeguarding Lead or nominated event safeguarding officer at the earliest point.

Some of the scenarios where ESU staff and volunteers work with children or adults at risk are outlined below:

- *ESU staff or volunteer members working with students in schools on teaching programmes*
- *ESU staff, members or volunteers judging at ESU competitions*
- *ESU staff working with students at residential programmes such as Debate Academy*
- *ESU appointed coaches working with students in selection processes, training programmes & competitions*

In some of these scenarios, there may be present teachers, carers, parents or others who have a primary duty of care. In such circumstances, this may mean that a situation which gives rise for concern is responded to in a slightly different way but the overriding guidance that **action to protect must be taken** remains.

ESU staff and volunteers have the right to challenge any actions or failure to act by Designated Safeguarding Leads, if they believe that children or adults at risk maybe harmed by this situation. This right to challenge acts or omissions by the Designated

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Safeguarding Leads includes the right to make a direct referral to an external authority.

**Urgent response to safeguard a child, young person or adult at risk**

The person receiving the information will need to assess whether the subject of the concern is at risk of immediate harm, and if so, take any immediate action necessary to safeguard them including contacting statutory authorities such as police, medical care, child or adult services. An ESU Designated Safeguarding Lead or nominated event lead should be advised as soon as possible of any immediate action taken.

**Risk Assessment**

In all situations, consideration of the following risks should be reviewed regularly in regard to the circumstances of any concern raised:

- Risks to the person who has experienced the behaviour or action leading to the concern
- Risk to other members of vulnerable groups involved with the activity or event
- Risks to the person believed to be responsible for the issue and their family
- Risk of loss of information/records/evidence
- Risk to the reputation of the ESU



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### **Safeguarding concerns about ESU staff, members and volunteers**

Where a safeguarding concern is raised about the conduct or practice of an employee, member or volunteer in relation to adults at risk, children and young people or safeguarding practice, the first action should be to make the situation safe. This may require removal of the alleged perpetrator from the role, location or event or immediate intervention by statutory agencies.

Even in cases of less significant harm, the alleged perpetrator **should never be ‘given the benefit of the doubt’** and referral of the circumstances should take place in the same way that other safeguarding incidents are reported.

Low-level concerns, and those which do not meet the harm threshold are also important. Codes of conduct and behaviour policies should reflect this. Where such issues occur, effective and appropriate action will be taken.

### **Reporting concerns about ESU staff, members and volunteers**

Any staff member, member, volunteer or anyone else who has concerns about an ESU representative, should in the first instance contact the Designated Safeguarding Lead, Deputy Designated Safeguarding Lead, designated board member or Director-General and pass on their concern.

Those who work with children, young people and vulnerable adults at risk as part of the English-Speaking Union should expect that any safeguarding concern will be explored with diligence and fairness. Appropriate support will be given to all parties during the course of the response to the concern.

### **Management of concerns about ESU staff, members, and volunteers**

On receiving a concern of this nature, sufficient information will be obtained to gain an understanding of the issue and the circumstances and to allow an action plan to be agreed. The designated board member for safeguarding and the Director-General will be informed and provide oversight and guidance throughout the management of the situation with other members of the Senior Management Team and/or board of governors, as required.

Where the concern relates to an employee, an HR representative will be part of that process. Guidance may be sought from the Local Authority Designated Officer or equivalent party. Children or Adult Social Care may become involved. If at any point, there is reasonable cause to suspect that a criminal offence has been committed, the police will be contacted. All serious safeguarding incidents will be reported to the Charity Commission.

The person who is the subject of the concern will be informed of the circumstances at the earliest opportunity and with sufficient information to understand the nature of the concern. However, where statutory agencies are involved, this will not take place until, it is confirmed that any disclosure will not impact a criminal investigation or put a party at risk. When the information is shared with the subject of a concern, a safeguarding privacy notice should be provided.

### **Referral to the Disclosure and Barring Service**

There is a legal requirement for employers to make a referral to the Disclosure and Barring Service where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child/adult at risk; or if a person otherwise poses a risk of harm to a child/adult at risk).

A referral to the Disclosure and Barring Service will be undertaken where the complaint is substantiated and any one of the following circumstances apply:

- The person is dismissed
- ESU ceases to use the person's services
- The person resigns or otherwise ceases to provide their services

If the person is an employee, member or volunteer of the ESU, the Designated Safeguarding Lead will ensure the referral is undertaken. If the issue relates to someone employed by another organisation, the Designated Safeguarding Lead will make contact with the lead safeguarding officer from that organisation to ensure that sufficient information is provided for the referral and there is clarity about who will submit the report.

### **Return to Work**

Where it is decided on the conclusion of a case that a person who has been suspended can return to work, an HR representative should consider how best to facilitate that. Most people will benefit from some help and support to return to work after a stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate.

### **Safeguarding at ESU events**

Events run by the ESU vary in nature, scale and location and, as such, safeguarding needs at these should be considered through individual risk assessments, which should be carried out on all occasions. These notes are intended for general guidance to inform these risk assessments.

The ESU recognises that when a young person is away from their usual context and is encouraged to express themselves during activities, they may share concerns about personal situations unrelated to the event. Children and young people from a wide range of backgrounds, countries and home situations engage with ESU activities. Therefore, it is important that those who work with them on behalf of the charity have a good understanding of the types of abuse outlined in Appendix 1. Concerns which do not meet the definitions of abuse, including mental health problems, may also require safeguarding action.

In all circumstances, the staff and volunteers of the ESU will listen with empathy and provide support, guidance and assistance to young people who raise such issues. Children and young people should never be made to feel ashamed or that they are creating a problem by reporting concerns.

Safeguarding Leads should always be consulted to ensure that an opportunity is not missed to address a young person's concerns.

For activities directly delivered by ESU staff in school settings, we require that a member of school staff is present throughout the session. This is to further safeguard the children/young people and ESU staff member. Schools booking such activity will be made aware of this requirement at the point of confirmation, and asked to adhere to our booking Terms & Conditions covering this stipulation.

### **Photography, sound recordings and video**

As stated in Appendix 5, parental permission must be obtained for the taking of photographs or the making of sound recordings or videos of children participating in our events and/or of the adults in the space or audience who may be captured as part of the recording and that these must be taken/recorded on an ESU device or official ESU Zoom account, stored securely and will be for the sole use of the ESU for publicity/training purposes, as outlined in the consents given.

Attendees at events (both online and in person) should therefore be informed that any other photography/videoing/sound recording is not permitted, and signs reporting that photography/videography is taking place. Anybody being seen not following this guidance, should be politely asked to desist. Event organisers may wish to place signs reminding attendees of this guidance. Any adult who does not wish to be captured on photos or videos should be informed to let a member of ESU staff know, who will place them out of sight of video or camera equipment and ensure that their likeness is not used in any materials

### **Child on child abuse**

Bullying and abuse of children and young people by others of their own age group has the potential to cause serious harm. Event-specific policies should be in place to address the risk of this at all ESU-run events. This should include where appropriate, awareness of the risks regarding phone and tablet usage and consideration of policies to mitigate these.

### **Toilet facilities**

Whenever possible, separate toilet facilities should be provided for adults and children (most schools will have such segregated facilities) and these should be indicated to participants and attendees and appropriate signage provided. If this is not possible, teachers or adults accompanying groups of children should be made aware of the situation, so that, if they wish to do so, they are able to arrange accompanied use of the toilets by children. Transgender people should be able to use the facilities of their preferred gender. If they are not comfortable with using these facilities, then we will endeavour to ensure an accessible toilet is available.

### **Dartmouth House events**

Due to Dartmouth House's function as a members' club and event venue, as well a location for educational events, adults who have not been subject to safer recruitment may well be in attendance in the House during educational events. In order to mitigate the risks associated with this, teacher/adults accompanying children should be informed of the situation, so that they can ensure their charges have adequate levels of supervision. In particular teachers/adults should be made aware that separate toilet facilities for children are not available. Groups of children attending the event should also be informed of the spaces in which the event is occurring and that they may not enter other parts of the building unsupervised and without permission.

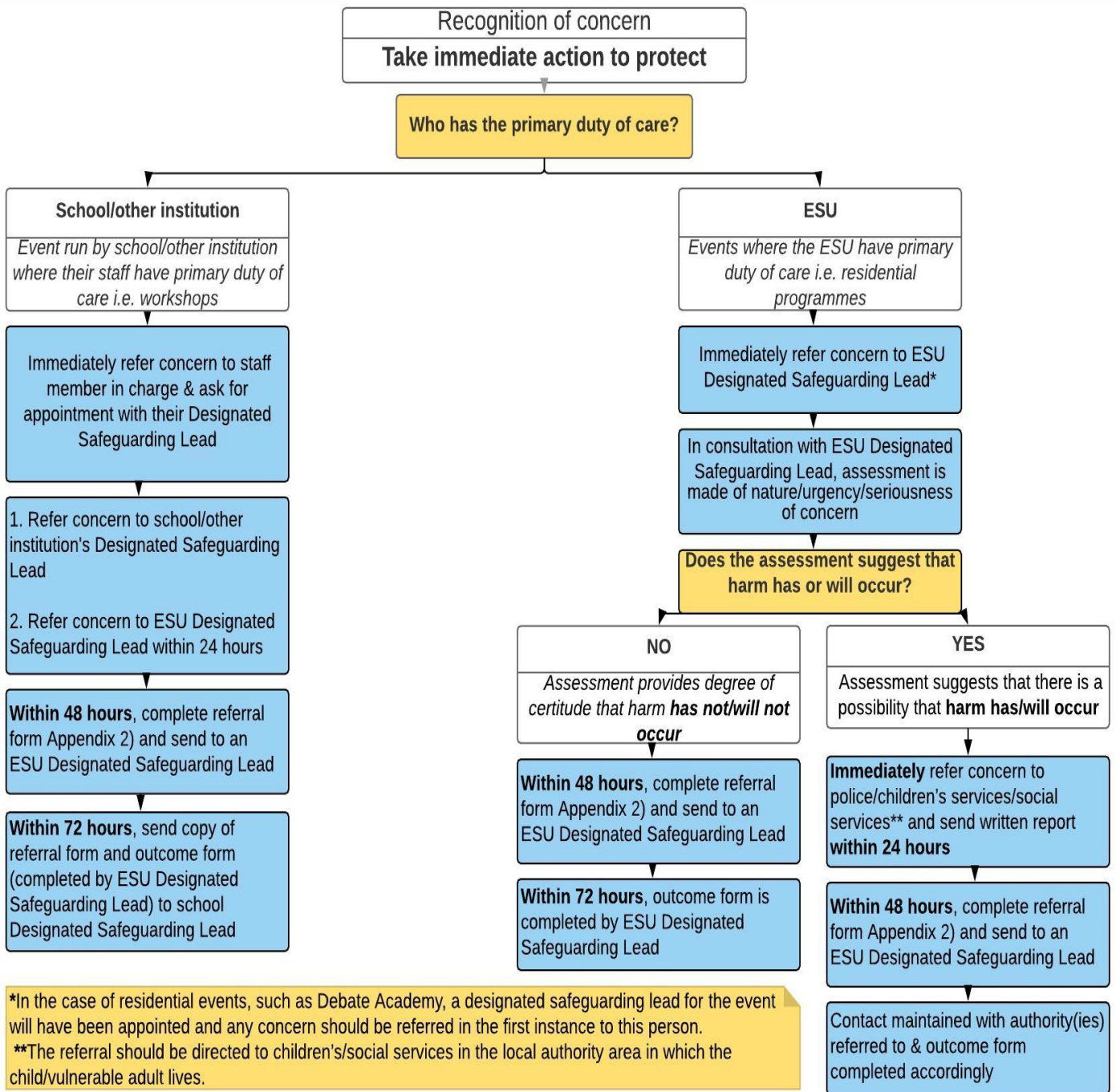
### **Safeguarding at events outside the UK**

Due to the nature of our work ESU staff, members and volunteers may be working in countries with different laws and procedures related to safeguarding. In such cases, referral pathways may vary.

When attending international events, nominated team or group leaders should work with the Designated Safeguarding Leads to ensure they are aware of safeguarding arrangements at the event, including any processes for reporting concerns. They should also be aware of any local arrangements relating to responding to safeguarding issues.

Any activities should be risk assessed and contingency plans put in place so that there is an agreed response in case of a safeguarding or other concern. Where the event includes children or young people, parents and carers should be advised in writing of such provisions and provided with relevant contact numbers.

The flow chart below maps out referral pathways, which should be used as guidance for ESU staff, members and volunteers in the case of safeguarding concerns at home and abroad.



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## SECTION 3: INFORMATION MANAGEMENT

The General Data Protection Regulation (GDPR) and Data Protection Act (2018) outline the rights of individuals regarding information that is held and used by organisations.

Many of the provisions which were previously within the Data Protection Act 1998 are also present within GDPR and new Data Protection Act but the requirements for transparency have been increased, along with the sanctions for failing to comply. It is important that everyone within the organisation understands their responsibilities under GDPR and complies with its requirements.

### Key Terms

**Personal Data** is any information relating to an identified or identifiable living person, This could include details such as names, dates of birth and addresses or contained within information provided about a safeguarding concern. On occasions, anonymised information about a specific situation is communicated between parties. This will still be personal data if it is possible to identify the individual through the circumstances.

### Special Categories of Personal Data

- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- The processing of genetic data
- Biometric identity data
- Health information
- Sex life
- Sexual orientation

Safeguarding concerns are very likely to include personal and special category personal data.

**Criminal Offence Data** is designated under a separate category with additional requirements relating to its processing. This is information relating to criminal allegations, proceedings or convictions.

### Data Processing

Personal and special category personal data must be processed in the following way:

- Fairly
- Transparently
- For a specified, explicit and legitimate purpose
- Limited to what is necessary
- Accurately & where necessary kept up to date
- For no longer than necessary for the specific purpose
- Securely

Undertaking the following activities will help to ensure compliance with the principles



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of data protection in safeguarding work:

- Taking time to understand policies and procedures which address data protection
- Being prepared to explain an individual's rights under GDPR if they raise questions during safeguarding processes
- Providing privacy notices that clearly explain the lawful basis for processing and provide details of the data subject's rights
- Ensuring that inaccurate data can be corrected promptly
- Following information provided in this Safeguarding Policy and Procedures about storing, retention and sharing of data
- Reviewing practice to ensure that the retention of information is actively managed and time frames for retaining material are followed

### **Access to Data and Information about Processing**

Parties whose data forms part of a safeguarding record should be provided with a privacy notice explaining their data rights and the way the organisation will process their information. This will be issued as soon as possible after a safeguarding issue comes to light. However, this may be delayed if an investigation or the safety of any party is likely to be affected by the provision of a notice. The Designated Lead will ensure that privacy notices have been provided to relevant parties.

The subject of the data can also request information about the data held about them via a subject access request. Information may be redacted in certain circumstances to protect those at risk from disclosure. Advice should be taken from the Designated Safeguarding Lead, prior to any material being sent to someone whose recording includes information about a safeguarding concern.

The subject of the data can also request information about the data held about them via a subject access request. Information may be redacted in certain circumstances to protect those at risk from disclosure. Advice should be taken from the Designated Safeguarding Lead, prior to any material being sent to someone whose recording includes information about a safeguarding concern.

See Data Protection Policy for further details on the ESU website.

Where personal data is required to be processed in conjunction with safeguarding action according to this policy, the processing activity must be undertaken in accordance with our data protection policy.

Data protection is not a barrier to sharing concerns about a child or an individual at risk. ESU should make a note in the safeguarding report of any express wish not to share the information but not let this prevent from sharing such data. If you have any concerns about information sharing, contact the NSPCC helpline for advice.

For guidance on information sharing, see:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721581/Information\\_sharing\\_advice\\_practitioners\\_safeguarding\\_services.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf)

The reliance on consent as a lawful basis is not always appropriate for the following reasons:

- consent to the processing cannot be given by the data subject;
- the controller cannot reasonably be expected to obtain the consent of the data subject to the processing;
- the processing must be carried out without the consent of the data subject because obtaining the consent of the data subject would prejudice the provision of the protection mentioned (safeguarding if children and individual at risk; safeguarding of economic well-being of certain individuals)

In the circumstances mentioned above, in order to comply with our duty of care and safeguarding, we would process information raising safeguarding concerns and share them with relevant authorities when required, under the following lawful basis:

- a. Where an individual's life may be at risk we may process the data according to the UK GDPR Article 6(d) and GDPR Article 9 (c) where such processing is vital to the individual's life
- b. Where an individual or child is at risk - UK GDPR Article 6(f) legitimate interest, Article 9(g), substantial public interest, DPA 2018 Schedule 1, Part 2 paragraph 18 Safeguarding of children and of individuals at risk
- c. Where an individual is at economic risk - UK GDPR Article 6(f) legitimate interest, Article 9(g), substantial public interest, DPA 2018 Schedule 1, Part 2 paragraph 18 Safeguarding of economic well-being of certain individuals

Where the lawful basis is either b or c above, an Appropriate Policy Document is required, which has been completed by ESU.

Data subjects' rights and other UK GDPR provisions may be restricted when concerning personal data processed in the circumstances described above. Restrictions on the data subjects' rights may be permitted by the exceptions included in the articles of the individual rights (UK GDPR) or by one of the exemptions included between Schedule 2 and 4 of the DPA 2018. Examples of exemptions that might apply in the circumstances of safeguarding are the following:

- Schedule 2, Part 1, paragraph 2 (crime and taxation)
- Schedule 2, Part 3 (right of others)
- Schedule 3 - Part 5 (child abuse data)

Exceptions and exemptions are applied on a case by case basis.

Records of such processing are kept to account for the action taken. The principles of the UK GDPR will be observed at all times.

## Data Security

The ESU stores all safeguarding related records in a secure area of the data storage system, which can only be accessed by Designated Safeguarding Leads and trustees with safeguarding roles. Branch officers are expected to secure all personal and special category data with equal care.



Provision is made for the regular back-up of all safeguarding data which contains sensitive, special category and/or criminal data. Any device on which this information is stored should be regularly virus checked.

Where special category and criminal data is being sent via email, an encrypted system should be used or a password applied to the document. The password should be provided to the recipient by a different means than the original email.

The management of safeguarding issues is recorded in line with the agreed casework standards for such cases.

## Retention of Records

The following timescales apply for the retention of records:

Record	Retention Period
Records relating to the management of safeguarding concerns (non-employee)	7 years. This includes allegations that were not fully substantiated.
Records relating to the management of safeguarding concerns found to be malicious	Not retained if conclusive evidence has been documented of malicious nature of the allegation.
Employees personnel file record of concerns about work with children or adults at risk	To retirement age or 10 years, whichever is longer
DBS Certificates	Maximum 6 months or until conclusion or recruitment decision
DBS: certificate number level of check date of check workforce outcome decision	6 years after cessation of employment

*Adapted from NSPCC: Child Protection Records Retention & Storage Guidelines, July 2021*

## Information Sharing

The following information about information sharing is extracted from HM Government Guidance:

1. The safety and welfare of a child or an adult should always be the primary consideration. General Data Protection Regulation (GDPR) and human rights law are not barriers to justified information sharing to prevent or respond to the risk of abuse and neglect. There are specific exemptions contained within the Data Protection Act 2018 to provide for the disclosure of information to address safeguarding risks relating to children, young people and vulnerable adults. Where there is concern that a child may be suffering or is likely to suffer significant harm then information must be shared. Likewise, where there are concerns about the safety of an adult, their welfare takes precedence and information must be shared where a crime is suspected.
2. Adults have a right to independence, choice and self-determination including control over information about themselves. In the context of adult safeguarding, their rights can be overridden in certain circumstances.

3. Seek advice if you are concerned about whether you should share information or not.
4. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
5. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk.
6. The legitimate basis for processing data without consent for investigations or inquiries conducted by statutory agencies such as police, adult or children's services is that it is in the substantive public interest for the prevention or detection of an unlawful act in accordance with the Data Protection Act 2018, Schedule 1, Part 2 (10).
7. The legitimate basis for processing relating to the management of safeguarding concerns is that it is in the substantive public interest and necessary for the protection of an under 18 or an over 18 at risk from neglect, physical or emotional harm in accordance with the Data Protection Act 2018, Schedule 1, Part 2 (18).

This includes specific individuals and groups of a type of individual (e.g. children or adults at risk). If it suspected with reasonable cause that the individual needs care and support, is at risk from neglect, physical, mental or emotional harm and as a result of those needs is unable to protect themselves from the harm, they are considered to be at risk for this legislation. Information can be shared without consent.

8. On occasion, concerns are raised that information sharing about safeguarding issues is a breach of the subject's human rights. Information Sharing for Practitioners (2018) provides the following guidance:

*The provisions of the Human Rights Act and the common law duty of confidence must be balanced against the effect on children or individuals at risk, if information is not shared. Welfare of a vulnerable party is the most important thing and the need for disclosure should be considered on both a case-by-case and ongoing basis.*

9. Consider safety and well-being. Base your information-sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.

Ensure that the information you share is:

- Necessary for the purpose for which you are sharing it



- Shared only with those individuals who need to have it
- Accurate and up-to-date
- Shared in a timely fashion, and via a secure means

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## SECTION 4: SAFER RECRUITMENT POLICY

As part of the ESU's commitment to safeguarding, it is essential that in employing staff or engaging volunteers to work with children or adults at risk, a consistent approach and rigorous standards are applied to the recruitment and selection processes. This is to ensure that everything possible is done to ensure that staff have appropriate skills, experience and training.

The purpose of safer recruitment is ultimately to:

1. **Deter:** From the beginning of the recruitment process, it is important to send the right message that the ESU has a rigorous recruitment process and does not tolerate any form of abuse. Wording in adverts and recruitment information must aim to deter potential abusers.
2. **Identify and Reject:** It will not always be possible to deter potential abusers. Therefore, careful planning for the interview and selection stage can assist in determining suitability for the role.
3. **Prevent and Reject:** There are no guarantees that even the most robust safer recruitment process will prevent an inappropriate appointment. However, this does not mean it is too late to act. Ensuring that comprehensive induction and probation processes are in place, together with appropriate policies and procedures, raising awareness through staff training and generally developing and maintaining a safe culture within the organisation will all help to prevent abuse or identify potential abusers.

### Overview of safer recruiting processes

#### 1. ADVERTISEMENT

The job advertisement provides potential applicants with their first impression of the organisation. An important part of the message of the advert is to inform anyone viewing it that the organisation is fully committed to safeguarding and protecting the welfare of children and young people. In these circumstances, all ESU advertisements include a statement to the effect that: *"The ESU is committed to safeguarding and promoting the welfare of children and young people. Therefore, we expect all employees to share this commitment. All appointments are subject to satisfactory pre-employment checks, including a satisfactory Basic/Enhanced (as appropriate to role) Disclosure & Barring Service Disclosure."*

#### Job description and person specification

For those roles which involve contact with children or adults at risk, job descriptions should include, where appropriate, the extent of the post holder's contact with them and, in line with the ESU's commitment to the health, safety and welfare of children, the general responsibility for safeguarding.

Person specifications will include statements to the following effect:

*Applicants called for interview should note that the interview itself (and/or any additional tasks to be performed, if applicable) will, as appropriate to the role, explore issues relating to the safeguarding and promoting the welfare of children.*

## 2. APPLICATION

A suitably structured, pre-defined application form is used for recruitment to all posts; CVs alone will not be accepted. Application forms are employer-led, requiring specific information from all applicants whereas CVs are left to the discretion of individual applicants and contain only information that they choose to provide. The use of application forms will help to ensure that detailed information, critical to the recruitment process, can be gathered from all applicants in a consistent format.

In addition to other areas, in relation specifically to safer recruiting practices, ESU application forms used for all **external recruitment** include, and will require an applicant to provide, the following information:

- Present (or last) employment and reason for leaving
- Full history since leaving school - education, employment and any voluntary work, as well as explanation of any gaps
- Details of appropriate referees (see also 'References' below)
- A personal statement addressing the criteria set out in the person specification (including suitability to work with children)
- Explanation that the post is exempt from the provisions of Section 4 (2) of the Rehabilitation of Offenders Act 1974 by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and the requirement for a 'self-disclosure' - a signed declaration of any unspent and relevant spent criminal offences
- The requirement for a signed declaration that all information provided is true

For roles which do not involve regulated activity, and do not have significant contact with young people and/or vulnerable adults, a full application form may be accepted after the initial shortlisting and interview stage.

This must be done with advance agreement of the safeguarding leads, and there must be an opportunity between the submission of an application form and the offer of a job to allow issues and discrepancies to be questioned.

ESU members and volunteers seeking to carry out roles with regular access to children will be required to complete an application form in order to provide personal details, details of previous employment, voluntary work and other activities, general information about their reasons for applying for voluntary work and a signed declaration about any criminal record, a declaration to meet childcare disqualification requirements under the Childcare Act 2006 (where relevant), and declaration to confirm the accuracy of information provided.

Completed application forms of ESU members and volunteers selected to carry out roles with regular access to children will be kept on file and will sit alongside the Branch Register to provide complementary detail. The ESU Designated Safeguarding Leads and/or Senior Officer, Branches & Volunteering can provide support to branches in this area.

### 3. SHORT-LISTING

Short-listing will be conducted by two or more members of the interview panel. It will always be carried out by at least two people.

The criteria used for short-listing will be based on the person specification and job description applicable to the post. This will ensure that the process includes criteria specific to working with children as well as other essential requirements for carrying out the specific duties of the post. Those carrying out the short-listing process will, as appropriate:

- To ensure consistency, assess each application against the criteria, including criteria specific to working with children - use of a grid is recommended for this purpose
- Take time to properly scrutinise the applications
- Consider whether each application is fully completed - if not, it may be returned to the applicant or discarded from the process
- Highlight any gaps (in employment etc.) to be explored further should the candidate be long/shortlisted
- Look for evidence provided against the criteria set out in the person specification and the job description
- Apply the long-/short-listing criteria equally
- Consider, where appropriate, carrying out an online search as part of their due diligence. Short-listed candidates should be informed that online searches may be carried out.

### 4. INTERVIEW

In all interviews, it is an essential requirement to question applicants about the job requirements and relevant understanding/awareness of safeguarding issues, to explore any gaps, issues or inconsistencies with the application and to assess interaction and responsiveness.

#### **Interview panel**

The recruitment and selection process will be carried out by two or more people. The interview itself should be carried out face to face, rather than via videoconferencing or telephone, where possible.

Panel members will be appropriately trained or briefed. **At least one member of the Panel will have successfully completed safer recruitment training.**

Wherever possible, all Panel members will be involved throughout all stages of the recruitment and selection process but, in any event, a Panel member trained in safer recruitment will be involved throughout.

### 5. OFFER OF EMPLOYMENT

Any job offer made must be conditional as it will be subject to a variety of pre-employment checks and other conditions. Some checks will apply to all potential new employees, others will apply only to certain categories of employee.

- **Two satisfactory references;** one of which should be the current or most recent employer
- **The prospective employee not at any time being barred;** either totally or to a limited extent, from employment or work involving regular contact with children, young persons or other vulnerable people, nor to any other relevant prohibition or restriction being applied to your employment
- **Proof of identity;** normally from current photographic ID and proof of address except where, in exceptional circumstances, none is available
- A satisfactory **Enhanced DBS Disclosure with Barred List** for the existence and content of any criminal record. Where cautions or convictions have been recorded, a risk assessment will be carried out by the Designated Safeguarding Lead to determine suitability for the role

### References

References are an important part of the process of gathering as much information as possible about potential new recruits. Two references will always be obtained directly from the referees, testimonials from applicants will not be accepted.

Reference requests will be made by requiring the completion of a standard questionnaire and accompanied by the relevant job description. The use of a questionnaire helps to ensure that the prospective employer has the opportunity to obtain information in respect of all areas essential to the role. A letter from a referee may not cover all areas or provide all relevant information that the prospective employer requires. In either case the referees should be asked about the applicant's suitability to work with children (and adults at risk, where relevant) and details about any expired warnings that relate to the safety and welfare or behaviour towards children or young people.

### 'Regulated activity' and level of check

As an organisation providing 'Regulated Activity' in relation to children, young people and adults at risk, the ESU has specific responsibilities for carrying out appropriate pre-employment checks when recruiting paid and unpaid employees. This will include an Enhanced DBS Disclosure with Barred List where appropriate.

There will be occasions where other representatives of the ESU (e.g. members and volunteers) have access to children when carrying out an activity, however this may not be classed as *regulated activity* if they are 'adequately supervised'.

It is therefore necessary to define whether members and volunteers with access to children are being 'adequately supervised'. In line with this, the table below outlines various scenarios typical of work ESU members or volunteers may do with children, and provides guidance as to whether such activities should be regarded as 'regulated' or not.

Type of activity	Regulated Activity?	Level of background check required
Judging at competition	No	None*



Teaching or coaching children alongside teacher at school	No	None*
Teaching or coaching children in or outside school with no continuous supervisory presence	Yes	Enhanced DBS Disclosure with Barred List check

\*Unless such contact with children can be defined as frequent or regular (i.e. three instances within 30 days), in which case an Enhanced DBS Disclosure Without a Barred List Check should be obtained.

The Safeguarding team will publish a schedule outlining all roles and the level and frequency of checks that are required for them. Records must be kept to ensure that checks are repeated in a timely manner as required by this schedule. Where external parties require confirmation of DBS status this record will be used to respond.

## 6. INDUCTION & PROBATION

Induction is an extension of the recruitment process. Good recruitment and selection procedures help to ensure that the best person is appointed, but it is equally important to induct the employee properly on commencement of their role.

The general induction programme will also include, for all, information on professional standards and boundaries in respect of child protection and safeguarding and promoting the health, safety and welfare of children. Reference will be made to relevant statutory requirements and/or local guidance in these areas.

New members of staff will be required to meet with the Designated Safeguarding Lead within **one week** of starting the role to ensure they understand the policy and reporting procedures.

The importance of adhering to ESU policies and procedures in these and all other areas will also be emphasised. All employees will be required to read and adhere to the ESU Code of Conduct for engagement with children and sign an agreement to confirm their understanding and adherence of this (Appendix 4).

All ESU employees are subject to a probation period (as outlined in their contract of employment) which allows for ongoing monitoring and practical observation, where necessary.

## VOLUNTEERS

Children and adults at risk will see ESU volunteers within a school or other educational service in the same way as its other employees. They will not know that they are unpaid and will assume they are safe and trustworthy, just like anyone else within their educational environment. Therefore, volunteers should also be subject to a checking process and all volunteers, regardless of their level of engagement, will undergo basic



safeguarding awareness raising and will have to confirm that they have read and understood the ESUs safeguarding policy at a minimum.

If a member or volunteer is likely to have an on-going role that includes regular contact with children or adults at risk, then a similar recruitment and selection process will be applied as would be used to recruit an employee. The process will be presented in a less formal manner, but the principles of safer recruitment are the same. In these cases, the recruitment process will include:

- Provision of information about the ESU's commitment to the safeguarding of children and adults at risk
- The requirement to complete an application form specially designed for volunteers
- Obtaining references
- A face-to-face interview
- Where the individual is deemed to be in 'regulated activity', an Enhanced DBS Disclosure with Barred List OR where the individual will be adequately supervised and, therefore, not in regulated activity, an Enhanced DBS Disclosure without Barred List (see above, 'Regulated Activity')
- Where relevant, a check to ensure that they are not disqualified under childcare disqualification requirements set out in the Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009
- Required to read and adhere to the ESU Code of Conduct for engagement with children and sign an agreement to confirm their understanding and adherence of this (Appendix 4).
- Any other checks considered to be relevant to the role

Volunteers will also be provided with an appropriate induction.

Some other roles will require DBS checks, based on the details of the role and the activities undertaken by the individual. The Designated Safeguarding Leads in collaboration with the Senior Officer, Branches & Volunteering will produce a schedule of requirements explaining what checks are required and why.

### **Branch register**

Each branch must ensure that a record is kept of all members or volunteers with access to children through their ESU activities. Where all such contact is through a centrally administered programme, ensuring that all such individuals complete the relevant paperwork is sufficient to meet this requirement.

Where a branch is engaged in other work directly with schools or young people, a branch register of individuals and their activity **must be kept, and shared with the ESU Safeguarding team**. The format of this register is provided below. It is the responsibility of the Branch Chairs to ensure that this register is kept up to date. The ESU Designated Safeguarding Leads and/or Board member with responsibility for safeguarding will check these registers on a regular and ongoing basis, and at least once per year for all branches.

Branch Register of Members/Volunteers with Access to Children Through ESU Activities							
Name of member/volunteer	Description of Activity	Supervised or unsupervised (provide detail)	Regulated Activity? (yes or no)	Frequency /regularity of access to children (provide detail)	Level of background check required	DBS Disclosure certificate number and issue date	Volunteer Code of Conduct signed?

Branch Chairs and Members must feel supported in the maintenance of this register and to this end, they should feel free to consult with the ESU Designated Safeguarding Lead if they have any questions, uncertainties or doubts. Similarly, the Senior Officer, Branches & Volunteering is available to Chairs to provide support in the maintenance of the register.

## Appendix 1: Recognising Abuse

### Forms and Signs of Abuse in Children and Young People

#### Physical abuse

A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Concern may be raised by the following circumstances:

- Bruising in unusual places, patterns or shapes
- Burns and scalds, especially in significant shapes (e.g. iron or cigarette end)
- Adult human bite marks
- Serious injury where there is a lack of, or an inconsistent explanation
- Untreated injuries
- Unusual fractures

Children may be:

- Unusually fearful with adults
- Unnaturally compliant with their parents/ carers
- Wearing clothes that cover up their arms and legs
- Reluctant to talk about or refuse to discuss any injuries, or fearful of medical help
- aggressive towards others.

*Working Together to Safeguard Children 2018*

#### Emotional abuse

The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Concern may be raised by the following circumstances:

- 
- Behaviour extremes: children may be overactive or withdrawn
  - Lacking in confidence or self-worth
  - Lack of concentration
  - Physical symptoms without an apparent cause
  - Difficulty in trusting adults or very anxious to please adults
  - Reluctance to go home; fear of parents being contacted
  - Socially isolated
  - Behaviour that expresses anxiety (e.g. rocking, hair-twisting or thumb sucking)
  - Self-harming behaviour
  - Substance misuse
  - Sleep and/or eating disorders
  - School non-attendance
  - Running away

### *Working Together to Safeguard Children 2018*

#### **Neglect**

The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
  - Protect a child from physical and emotional harm or danger
  - Ensure adequate supervision (including the use of inadequate care-givers)
  - Ensure access to appropriate medical care or treatment.
- It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Concern may be raised by the following circumstances:

- Children whose personal hygiene and state of clothing is poor
- Children who are constantly hungry and frequently tired
- Developmental delay
- Low self-esteem
- Socially isolated
- Poor skin tone and hair tone
- Untreated medical problems
- Failure to thrive with no medical reason
- Poor concentration
- Frequent accidents and/or accidental injuries
- Eating disorders
- Begging and stealing

### *Working Together to Safeguard Children 2018*

#### **Sexual abuse**

Involves forcing or enticing a child or young person to take part in sexual activities, not

necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Concern may be raised by the following circumstances:

- Changes in behaviour - a child may start being aggressive, withdrawn, clingy, have difficulties sleeping or start wetting the bed
- Avoiding the abuser - the child may dislike or seem afraid of a particular person and try to avoid spending time alone with them
- Sexually inappropriate behaviour - children who have been abused may behave in sexually inappropriate ways or use sexually explicit language
- Physical problems - the child may develop health problems, including soreness in the genital and anal areas or sexually transmitted infections or they may become pregnant
- Problems at school - an abused child may have difficulty concentrating and learning and their grades may start to drop
- Giving clues - children may also drop hints and clues that the abuse is happening without revealing it outright

*Working Together to Safeguard Children 2018*

### **Child on child abuse**

Bullying and abuse of children and young people by others of their own age group has the potential to cause serious harm. This may include:

- Bullying (including cyberbullying)
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- Sexual violence
- Sexual harassment including sexual comments, remarks, jokes and online harassment
- Upskirting which involves taking a picture under a person's clothing without them knowing
- Sexting
- Initiation rituals and violence

*Adapted from Keeping Children Safe in Education, 2019*

### **Child Criminal Exploitation**

This occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18. The victim may have been criminally exploited even if the activity appears consensual. Child

Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology. The term, 'county lines' describes gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phones. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

*Criminal Exploitation of Children and Vulnerable Adults: County Lines Guidance 2018*

### **Child Sexual Exploitation**

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

*Taken from Working Together to Safeguard Children 2018*

### **Extremism**

This is the vocal or active opposition to fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups. This may take place via a wide range of sources including community and social media.

*Keeping Children Safe in Education 2019*

### **Forced Marriage**

A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Forcing a person into a marriage is a crime in England and Wales. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example).

*Keeping Children Safe in Education 2019*

### **Domestic abuse**

Includes any incident of threatening behaviour, violence or abuse (psychological, sexual, financial or emotional) between adults or young people, who are or have been intimate partners, family members or extended family members, regardless of gender or sexuality.

*Taken from Working Together to Safeguard Children 2015*

### **So-called 'honour-based' violence (including Female Genital Mutilation and Forced Marriage)**

So-called ‘honour-based’ violence (HBV) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving “honour” often involves a wider network of family or community pressure and can include multiple perpetrators.

### *Keeping Children Safe in Education 2019*

#### **Abuse using social media**

Online abuse and any type of abuse that happens on the web, whether through social networks, playing online games or using mobile phones, children and young people may experience cyber bullying, grooming, sexual abuse, sexual exploitation or emotional abuse.

### *NSPCC Website Definition June 2016*

#### **Child trafficking**

Trafficking is where children and young people tricked, forced or persuaded to leave their homes and are moved or transported and then exploited, forced to work or sold. Children are trafficked for:

- sexual exploitation
- benefit fraud
- forced marriage
- domestic slavery like cleaning, cooking and childcare
- forced labour in factories or agriculture
- committing crimes, like begging, theft, working on cannabis farms or moving drugs.

Trafficked children experience many types of abuse and neglect. Traffickers use physical, sexual and emotional abuse as a form of control. Children and young people are also likely to be physically and emotionally neglected and may be sexually exploited.

### *NSPCC Website Definition, 2019*

## **Forms and Signs of Abuse in Adults at Risk**

#### **Physical abuse**

The non-accidental infliction of physical force which results in pain, injury or impairment. This may include hitting, assault, slapping, pushing, pinching, kicking, hair-pulling, punching, forcing someone, inappropriate restraint, physical sanction, incorrect moving or handling technique which cause distress, isolation, confinement, avoidable deterioration of health, misuse of prescribed medication.

*Care and Support Statutory Guidance, Issued under the Care Act 2014* (Department of Health)

#### **Sexual abuse**

The involvement of an adult with care and support needs in sexual activities or relationships without informed or valid consent. This may involve offensive or inappropriate language (including sexual innuendo and sexual teasing), inappropriate



looking, inflicting pornography on an individual, inappropriate touching, masturbation in public, indecent exposure, coercion into an activity, rape or sexual assault, photography, online and social media abuse.

### **Psychological/emotional abuse**

Behaviour that has a harmful effect on an adult's emotional health or development. This can include scolding or treating like a child, making a person feel ashamed of involuntary behaviour, blaming someone for attitudes or actions or events beyond their control, use of silence, humiliation, bullying, harassment, verbal abuse intimidation, controlling behaviour or efforts to create over-dependence, lack of privacy or dignity, deprivation of social contact, threats to withdraw help and support, denial of cultural and spiritual needs, denial of choice or failing to respond to emotional needs.

### **Financial/material abuse**

The denial of access of the individual to money, property, possessions, valuables or inheritance, or improper use of funds via omission, exploitation or extortion through threats. Although financial abuse can occur in isolation where there are other forms of abuse occurring, financial abuse is also likely.

*Care and Support Statutory Guidance, Issued under the Care Act 2014* (Department of Health). This includes misuse, embezzlement or theft, or misappropriation of a person's money, property, possessions or benefits. Refusing a person access to their own money, property or possessions, failing to account properly for money property or possessions or applying pressure in connection to wills, property and inheritance, or applying duress to a person in order to secure a loan will also be relevant behaviours.

### **Neglect and acts of omission**

The repeated withholding of adequate care which results in the adult's basic needs not being met. It can be intentional or unintentional and includes acts of omission.

This may include denial of educational, social, religious, cultural or recreational needs, lack of adequate heating, lighting, food or fluids. The inappropriate use of medication, lack of attention to hygiene, toe and fingernails or teeth could also be included.

### **Self-neglect**

This has to be balanced with an individual's wish to make decisions for themselves, where they have capacity to do so.

### **Discriminatory abuse**

This exists when values, beliefs or culture result in the misuse of power that denies opportunities to some individuals or groups.

### ***Equalities Act 2010***

### **Institutional abuse**

This includes neglect and poor practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's home. This may range from one-off incidents to ongoing ill treatment. It can be through neglect or poor professional practice or a result of the structure, policies, processes and practices within an organisation.



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*Care and Support Statutory Guidance, Issued under the Care Act 2014 (Department of Health)*

### **Modern Slavery**

Modern Slavery is as serious crime which involves the exploitation of vulnerable people for criminal gain. It includes slavery, servitude, forced and compulsory labour and human trafficking. For adult victims, there will be some element of coercion involved, such as threats, use of force, deception, or abuse of power. For example, perpetrators may:

- Find out personal information about the victim and then use threats against their family in order to manipulate and control the victim.
- Use the victim's fears about their immigration status to control them.
- Deceive them with false promises of legitimate jobs.

Victims may appear to give consent, but in reality they have little ability to leave the exploitative situation.

*Modern Slavery Awareness Booklet, Home Office 2017*

### **Case studies**

[Case example - Psychological abuse](#)

[Case example - Neglect](#)

[Case example - Financial abuse](#)

[Case example - Domestic violence](#)

[Case example - Discriminatory abuse](#)

[Case example - Modern Slavery](#)

[General case studies](#)

## Appendix 2: ESU Safeguarding Concern Report Form

Name(s) & date of birth of affected person(s):	
Time and date of incident:	
Where the incident happened:	
Name & role of person reporting:	
Name & role of person reported to:	
Any other notes relating to this:	
Details of incident (please be as descriptive as possible including dates and times of separate incidents):	
Details of Action Taken (please be as specific as possible including dates and times):	
Comments from ESU staff present (if applicable):	
Action Points (ESU Staff use):	
Resolution (ESU Staff Use):	

Signature of Referrer:

Date:

If the incident has been reported to a safeguarding agency, a copy of this form must be sent to the agency within 24 hours of the initial report.

Remember to maintain confidentiality (on a need to know basis) and only share information if it will protect the child, young person or adult at risk. Do not discuss the incident with anyone, other than those who need to know.

### Appendix 3: Safeguarding Case Record

For Completion by Designated Safeguarding Lead					
Project or Programme:					
Date and time:					
Action taken (including dates and times of any separate events):					
Outcome of Process:					
Date of Case Conference/Strategy Meeting (Minutes to be attached where permitted):					
Protection Plan:					
Attachment included:      Yes              No					
Investigation carried out by:	Police	Social Services / Children's Services	Joint Investigation	Head of Department / Director	Designated Safeguarding Lead
Signed by:					

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## **Appendix 4: Code of conduct for those working with young people**

### **Code of Conduct for Staff, Members & Volunteers Working with Young People**

The development and delivery of ESU projects and programmes bring our full-time employees, part-time and ad-hoc workers, members and volunteers into contact with children (under 18 years of age) in many different contexts. In line with schools and other organisations which work with children, a code of conduct for engagement is necessary to ensure best practice and compliance with statutory requirements.

#### **Email communication**

As a general rule, ESU representatives should seek to avoid direct email correspondence with children, rather contacting them through their school or via their parents, as appropriate. In any case where this is not possible, official ESU accounts should be used with a Designated Safeguarding Lead copied in; email communication via private email accounts is not permitted in any circumstance.

#### **Telephone communication**

ESU representatives should not make one-to-one contact with children using telephonic or internet-based calling platforms, other than in exceptional circumstances; in such cases, details of the call should be logged. Conference calling facilities may be used to facilitate group communication.

#### **Messaging programme or app communication**

ESU representatives (including but not limited to staff and volunteers) should not make one-to-one contact with children using messaging apps such as Whatsapp, SnapChat or similar, other than in exceptional circumstances; in such cases, details of the event should be logged.

Due to the difficulty of auditing messages these options should only be used if no suitable alternative is available, and should never overlap with personal adult accounts or other comms. The ESU Safeguarding team must be made aware immediately if any such communications do occur.

#### **Facebook/Twitter/WhatsApp/Instagram and other similar social media forums or online games**

ESU staff, members and volunteers should not become friends, connections or followers of any children through their own personal social media accounts, such as Facebook, Twitter, Instagram, LinkedIn and others.

ESU staff, members and volunteers should not accept friend or contact requests from children through their own personal social media accounts, such as Facebook, Twitter, Instagram and others. If such a request is received from a child, the request should be refused, blocked and this information should be recorded and passed on to a Designated Safeguarding Lead.

This guidance does not apply to official ESU social media accounts, as long as there is compliance with platform standards and policies including age restrictions. Direct messaging to children from the personal social media and messaging accounts belonging to ESU staff, members and volunteers is not allowed.

If appropriate, a closed Facebook group or WhatsApp group (using an ESU account/ phone number) may be set up to facilitate communication between ESU representatives and groups of more than one participant in a programme or project.

### **Meetings with young people**

One-to-one private meetings between ESU representatives and children should be avoided. This includes judges giving individual feedback at the end of competitions; another adult should be present, ideally from the pupil's school or a parent/carer and should take place in a public setting.

If, in exceptional circumstances, a child needs to speak confidentially with an ESU representative, this should take place in a public place or in sight and hearing of a suitable ESU member of staff and they should be made aware of the situation. If a child discloses any information, which leads to a safeguarding concerns, these should be passed on immediately to the ESU Designated Safeguarding Lead.

Similarly, other than in an emergency, ESU representatives should not offer or give lifts to children or young people without an other adult present, parental permission and appropriate confirmation that the vehicle is insured and roadworthy.

### **Data protection and photograph permission**

ESU staff, members and volunteers should not take photos/videos/sound recordings of children unless a) parental permission has been given and b) you are using an ESU registered device.

You must also not disclose the first name, last name or location of any young person online or in written form where there is a risk of outsider obtaining access to this information without specific written consent for this.

Parental/carer permission can be obtained by using the specified form (Appendix 5). If parental permission is not obtained or declined for any students at an event, a way of identifying these children should be used (possibly stickers on their clothes).

Images from an event should be saved in a unique folder in an official ESU database (with event name and date) and all permission forms associated with those images should be scanned and saved in the same folder.

### **Residential Programmes**

The nature of the International Public Speaking Competition (IPSC) and Debate Academy lends itself to a quick development of interaction among mentors and children. Whilst establishing a good relationship with students is an element of successful coaching, it is

important to remember the boundaries of that relationship and to stay within your role. If in doubt, contact ESU staff.

### **When a Young Person Confides in You**

It is possible that a child confides in you or asks you for personal guidance. You should remain a good listener, but you cannot promise confidentiality. After your conversation, record the content of the conversation on the ESU safeguarding incident form and discuss this with an ESU member of staff who will advise on next steps.

*Note: This code of conduct is intended as general guidance for any staff/members/volunteers representing the ESU and coming into contact with children. Some of our activity requires more specific guidance because of the nature of the work being carried out and, in these cases, separate and additional guidance is provided by the project manager.*

Name:

Date

Signature:

## Appendix 5: Sound, Photography and Video Recording Parental/Carer Permission Slip

### Sound, Photography and Video Recording Parental/Carer Permission Slip

INSERT PROGRAMME TITLE

The English-Speaking Union is an educational charity and membership organisation dedicated to helping young people to realise their potential through giving them the skills and confidence in communication to articulate their ideas and share them with others. Your child will be involved in the ESU programme detailed above.

In order to engage more young people in our work, it is extremely useful for us to be able to gather photographs, sound clips, quotes and videos from our events. We may also live-stream certain high-profile public events. These will be used for educational and training purposes, and ESU promotional materials, including partnership promotions, social media, online and printed materials, and press. Our normal policy is to use a child's first name and the name of their school to label a picture and to share no other information.

If you give consent for the ESU to use photographs, quotes, videos and sound clips of your child, along with their first name and name of school, for the purposes outlined above, please complete and return this form to your child's school, so it can be passed on to the ESU.

To understand how we process your personal data and to know your rights, please read our privacy notice on the website.

*I consent to the use of photographs, quotes, video, and sound clips of*

**Full name of child:**.....

**Name and address of child's school:**.....

.....

For some use, such as celebrating the success of winners, it is useful to use the full name of children. If you are also happy for appropriate use of their full name, please check this box:

☐

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

**Print name:**..... **Relationship to child:**.....



## Appendix 6: Safeguarding Training Cycle

<u>Who</u>	<u>What</u>	<u>How</u>	<u>Regularity</u>
Designated Safeguarding Leads	Designated safeguarding lead training	External course	Every 2 years (as defined by KCSiE)
Designated Safeguarding Leads/HR manager	Safer recruitment	External course	Every 2 years
Full time employees and 'remote' workers	ESU safeguarding policy and procedures, Keeping Children Safe in Education	Training with Designated Safeguarding Lead	Induction (with annual refresher)
	Child Protection	Children Protection Level 2 (online course)	Induction
Branch Chairs (or delegated safeguarding representative)	ESU safeguarding policy and procedures, Keeping Children Safe in Education	Training with Designated Safeguarding Lead	Upon appointment (ongoing updates through monthly newsletters)
	Child Protection	Children Protection Level 2 (online course)	Upon appointment
ESU Volunteers who have regular contact with children/adults at risk	ESU safeguarding policy and procedures, Keeping Children Safe in Education	Training with Branch safeguarding representative/Designated Safeguarding Lead/Programme-specific representative (e.g. Helen Bamber Foundation), as appropriate	Induction (with ongoing updates through monthly newsletters)
Board members	ESU safeguarding policy and procedures, Keeping Children Safe in Education	Training with Designated Board representative (Safeguarding)	Upon appointment (with ongoing updates from Designated Board representative (Safeguarding))

## Appendix 7: Additional Sources of Support and Guidance

### Information and Support Sources in relation to Child Protection

#### **Child Exploitation Online Protection (CEOP):**

<https://www.ceop.police.uk/ceop-reporting/>

CEOP is a law enforcement agency and which works to keep children and young people safe from sexual exploitation and abuse.

#### **NSPCC:**

<https://www.nspcc.org.uk/>

Wide range of guidance and support in relation to child protection

#### **CHILDLINE:**

<https://www.childline.org.uk/>

0800 1111

Reporting line and email for children and young people to raise concerns

### Information and Support Sources in relation to Adults at Risk:

#### **The Samaritans**

<https://www.samaritans.org/how-we-can-help/contact-samaritan/jo@samaritans.org>

116 123

#### **English National Domestic Violence Helpline:**

[www.nationaldomesticviolencehelpline.org.uk](http://www.nationaldomesticviolencehelpline.org.uk)

0808 2000 247

#### **Wales Domestic Abuse Helpline**

[www.allwaleshelpline.org.uk](http://www.allwaleshelpline.org.uk)

0808 80 10 800

#### **Rape Crisis (England and Wales)**

[www.rapecrisis.org](http://www.rapecrisis.org)

0808 802 9999

#### **Mencap**

Support and reporting for those with learning disabilities

<https://www.mencap.org.uk/advice-and-support/safeguarding/safeguarding-adults>

<mailto:helpline@mencap.org.uk>

#### **Action on Elder Abuse**

<https://www.elderabuse.org.uk/>

080 8808 8141

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## Appendix 8: Procedure of online rounds

The below explains what steps we are taking to make participation in ESU competitions online as secure as in person.

All heats will be password-protected Zoom meetings. The details, including the password, will be shared with participating teachers and ESU representatives between 12-48 hours prior to the event. These may be shared with participating students as needed, and we would ask that these details not be shared with others without prior approval to avoid possible disruption. If at any time the organisers deem it necessary, more restrictive audience access policies may be put in place.

All heats will be run from centrally-owned ESU Zoom accounts, with ESU staff overseeing all access and security protocols surrounding account access. Judges and heat organisers will be given access for the duration of the heat only. Account details, passcodes and password will be changed regularly.

Participants may be accessing the meeting using different accounts - we would encourage these to be school/official accounts where available but understand that personal accounts may need to be used in some circumstances.

All participants should clearly label themselves with their name, role and affiliation. The ESU may remove individuals from calls who do not meet this standard without further warning. Furthermore, any misuse of the chat feature may result in immediate removal without warning, and any obscene, offensive or irrelevant/inappropriate participation will also result in immediate removal to safeguard all participants.

Participants may be accessing heats from a variety of devices. We would encourage the use of school devices where practical but understand that circumstances may dictate otherwise. We encourage all participants to consider all digital security precautions that are relevant to them. Schools are responsible for following their own online safeguarding and security processes both for devices and young people participating in online activities.

For a variety of reasons participants may be unable or unwilling to appear on camera. Reasonable efforts will be made to accommodate this, and to minimise disadvantage to participants in this position, however this cannot be guaranteed and any adaptations must be agreed with the ESU in advance of the heat(s).

Recording of performances by third parties is strictly forbidden. Any use of external software or devices to record will be considered a serious breach of safeguarding rules, and the individual involved will immediately be removed from the online environment and banned from all future ESU activities, online or in-person.