



## ESF Safeguarding Adults, Children and Young People Policy

### England and Wales

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## Summary Table

<b>Policy Title</b>	015b ESF Safeguarding Adults, Children and Young People Policy (England and Wales)		
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## Document History

Date	Document Version	Document Revision Description	Document Author	Approved By
17/01/2023	1	ESF Logo requirement added – new issue policy	Derek Meier	

## 1. Introduction

Maximus has a duty to ensure that appropriate policies and supporting procedures and guidelines are in place to comply with legislations, enabling children, young people and vulnerable (at risk) adults are kept safe.

This policy describes the management systems and processes in place to create and maintain a safe welcoming and supportive environment for all individuals where they can succeed and feel secure.

This policy will provide the assurances that the Executive Board meets its legal requirements to safeguarding by providing a transparent organisational approach to safeguarding and the protection of children, young people, and vulnerable adults at risk.

This policy should be read in conjunction with the E-Safety Policy and refer to additional relevant organisation policies and procedures such as E-Safety Policy, Information Security Policies, Whistle Blowing and Disciplinary Policies.

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## 2. Purpose

The purpose of this policy is to:

- Ensure that safety and wellbeing of children, young people and vulnerable (at risk) adults when accessing Maximus services.
- Provide the overarching principles that guides our approach to safeguarding individuals.
- Ensure that a clear and effective robust safeguarding incident reporting procedure is in place which is communicated across the business and to individuals who access our services.
- Ensure that, as an organisation, we operate in line with our values and within current legislation.

## 3. Scope

- This policy applies to all persons who have authorised access to all Maximus services in England and Wales.
- This includes those providing services on behalf of the organisation such as service delivery partners, casual workers and agency staff, consultants, contractors, and volunteers. This also includes parents/carers or visitors.

## 4. Definitions

Term	Definition
<b>Adult</b>	An individual who is over the 18 years of age.
<b>Child / Young Person</b>	An individual who has not reached 18 years of age.
<b>Vulnerable (at risk) Adult</b>	An individual who, for any reason, may be unable to take care of themselves or protect themselves against significant harm or exploitation.
<b>DBS</b>	Disclosure and Barring Service.
<b>Regulated Activity</b>	<p>Refers to certain roles carried out by applicants in relation to children and vulnerable adults. It covers various types of activities which, by their nature, would entitle an individual to an enhanced DBS check with applicable barred lists e.g.:</p> <ul style="list-style-type: none"> <li>• Unsupervised activities: teaching, training, instruction, caring for or supervising children/young people, or providing advice, guidance on well-being, or driving a vehicle only for children/young people</li> <li>• Work for a limited range of “establishments” with opportunity for contact e.g., schools, children’s homes, childcare premises (this does not include work by supervised volunteers)</li> <li>• Relevant personal care e.g., washing or dressing, or health care by or supervised by a professional</li> <li>• Registered childminding and foster – carers</li> </ul>
<b>Safeguarding and Types of Abuse</b>	<p>Safeguarding and Types of Abuse: the organisation approach to ensure the protection of children, young people and Vulnerable (at risk) adults of the following, but not limited to, types of abuse:</p> <ul style="list-style-type: none"> <li>• <b>Physical Abuse:</b> Assault, Scalding, Burning, inappropriate or unlawful use of restraint.</li> <li>• <b>Psychological/ Emotional Abuse:</b> Intimidation, humiliation, enforced isolation, cyber bullying.</li> </ul>

- **Sexual Abuse:** Rape or sexual assault, inappropriate touching, non –consensual sexual activity.
- **Discrimination:** Unequal treatment based on age, disability, race, religion, or sexual orientation.
- **Financial Abuse:** Preventing a person from accessing their own money, theft of money or possessions.
- **Neglect:** Failure to provide or allow access to food, shelter, clothing, personal or medical care.
- **Self–Neglect:** Poor personal hygiene, malnutrition, unkempt appearance.
- **Modern Slavery:** Isolation from community, lack of personal effects or identification documents, signs of physical or emotional abuse.
- **Domestic Abuse:** Coercive or threatening behaviour, this includes “honour- based violence.
- **Organisational or Institutional Abuse:** Discouraging visits or involvement with family or friends, lack of leadership and supervision.
- **Radicalisation:** An individual is targeted to support extremist ideologies associated with terrorist groups.

## 5. Safeguarding Children and Young People

Safeguarding and promoting the welfare and wellbeing of children is defined as:

- Protecting children from maltreatment.
- Preventing impairment of children’s health or development.
- Ensuring children experience safe and effective care.
- Taking action to enable children to have the best outcomes.

The main types of abuse that children and young people can experience are:

- **Physical Abuse:** Intentionally causing physical harm to a child or young person. It also includes fabricating the symptoms of an illness or causing a child to become unwell.
- **Emotional Abuse:** Involves the continual emotional mistreatment of a child, also called psychological abuse. Emotional abuse can involve deliberately trying to

scare, humiliate, isolate, or ignore a child. 'Active' emotional abuse can include things like 'bullying' and 'passive' emotional abuse could take the forms of ignoring or displaying distinct lack of emotion. Emotional abuse is impacting on children and young people witnessing domestic abuse.

- **Neglect:** The continuous failure to meet a young person or child's basic needs and the most common form of child abuse. A child might be left hungry or dirty, or without proper clothing, shelter, supervision, or health care. Types of neglect are physical, emotional, educational, and medical.
- **Sexual Abuse:** Children are sexually exploited for money, power, or status e.g., forced sexual activity. Young People and Children may not be aware of the abuse, or what they are experiencing is abuse or that it is wrong. Sexual abuse can be through the following two ways:
  - **Contact:** The abuser makes physical contact with a young person or a child
  - **Non-Contact:** A young person or child is abused without being touched by the abuser either in person or online.
- **Online Abuse:** Being online is an integral part of children and young people's lives. Social media, online games, websites, and apps can be accessed through mobile phones, computers, laptops, and tablets. The use of technology has become a significant component of many safeguarding issues, such as: child sexual /criminal exploitation /serious youth violence/radicalisation, sexual predation, and cyber-bullying.

## Child Protection Plan

- **Child Protection** is a term used to describe the activity that is undertaken to protect specific children who are suffering or likely to suffer significant harm.
- **Child Protection Plan** is completed by the local authority and sets out the action of how the child can be kept safe and what support needs are required to ensure improvements.

A child protection plan may include children and young people who have been assessed as vulnerable by education of local authorities, including those receiving support from children's social services, or those at risk of becoming NEET (not in employment, education, or training), and young carers. It is the organisation's duty to ensure that any identified actions are supported to ensure continuous improvement for the children or young person's situation.

## 6. Core Safeguarding Obligations

Maximus has both statutory and contractual obligations to safeguarding to meet the requirements of:

- The Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- The Care Act 2014 (updated in 2016)
- Mental Capacity Act 2005



- Equality Act 2010
- The Prevent Agenda
- Children's Act 1989 and 2004 to be read in conjunction with Working together to Safeguard Children (July 2018)

## 7. Disclosure and Barring Service

Refer to [Disclosure and Barring Service guidelines](#) for guidance and support

- The Disclosure and Barring Service (DBS) which covers England and Wales maintain lists of individuals who are barred from working with children, young people and vulnerable (at risk) adults.
- It is a criminal offence to knowingly allow a barred individual to work in a regulated activity with children, young people, or vulnerable adults (at risk).
- Where a role involves conducting regulated activities with children, young people and vulnerable (at risk) adults, we will apply for an enhanced DBS check, which includes information held on the DBS barred lists.
- When an employee in a regulated activity has resigned or been dismissed, or would have or could have been dismissed because of potential harm to a child, young person or vulnerable (at risk) adult, Maximus has a duty to refer this information to the DBS.

## 8. Safer Recruitment

### A. Recruitment and Selection

- All job offers must be made subject to the necessary checks and wherever reasonably practicable all relevant checks should be completed prior to appointment to the role (internal or external).
- Where a role is identified as involving regulated activity with vulnerable (at risk) group the successful applicant will be asked to undergo an enhanced check to include a check of the appropriate barred list.
- The DBS will send the certificate to the applicant, and we will request to view the document.
- Under no circumstances will we ask for a barred list check unless the role involves regulated activity with vulnerable (at risk) individuals; to do so for any other roles would be a criminal offence.
- If the successful applicant refuses to undergo an enhanced DBS and barred list checks, they will not be appointed to the role.

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- As part of the induction process, new starters will be made aware of the organisation's safeguarding arrangements and will provide the necessary safeguarding training.
- Prior to the engagement of partners, casual workers, agency staff, consultants, contractors and volunteers, confirmation of an enhanced DBS and barred list checks must be provided if they are to be involved in regulated activity.

## **B. Checks of Existing Employees**

- All employees in job roles involving regulated activity with vulnerable (at risk) groups will be subject to an enhanced DBS and barred list check.
- Where a new role is created or a role changed to involve regulated activity, HR should be notified, and an enhanced DBS and barred list check must be completed.
- A refusal to undergo an enhanced DBS and barred list check, if required, may result in the employee being unable to continue in the role.
- Under no circumstances will the organisation request for a barred list check, unless the role involves regulated activity with vulnerable (at risk) groups; to do so for any other role would be a criminal offence.

## **C. Placing Participants with Third Party Organisations**

- We will take reasonable steps to safeguard individuals placed with third party employers, whilst recognising that the overall responsibility for safeguarding rests with the host employer.
- We will ensure the third-party employer is aware of the procedure to follow if a safeguarding issue is identified in the workplace.
- We will proactively seek regular feedback to monitor the success of the placement which will allow the customer to raise any safeguarding concerns with us.

## **9. Safeguarding - Colleague Responsibilities**

- Ensure that you understand this policy and have successfully completed the safeguarding e-learning module annually.
- Always promote and follow the organisation's mission and values, including professionalism in the use of their own technology.
- Support and encourage children, young people and adults accessing our services to behave in a way that keeps them safe and shows respect for others

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- Maintain a transparent and professional relationship with participants who access our services which stand up to scrutiny. Take care never to place yourself in a situation which may result in your integrity being questioned e.g., by entering a personal relationship with a customer.
- It is best practice not to engage socially with individuals who access the services; colleagues must not place themselves in a position in which there could be allegations of misconduct or abuse.
- Do not undertake regulated activities in relation to a child, young person or vulnerable (at risk) adult unless this is a necessary part of your role and you have passed an enhanced DBS check, including the information held on the DBS barred lists.
- Ensure individuals who access our services are aware that there will be a zero tolerance in relation to any forms of abuse.
- Inform your line manager of any criminal charges or convictions committed outside of working hours.
- Report any safeguarding concerns in accordance with safeguarding reporting procedures.

## 10. Designated Safeguarding Officer Responsibilities

- Have clear and robust safeguarding policy and procedures in place for responding to any safeguarding concerns.
- Ensure processes are aligned to current legislation, statutory and other guidance with regards to safeguarding children, young people and vulnerable (at risk) adults.
- To ensure that there is a mechanism to safeguarding concern with partner organisations and those who provide services on our behalf.
- Making sure that responses take the needs of the person experiencing abuse, any bystanders, and the whole organisation into account
- Design and implementation of high-quality safeguarding training to designated safeguarding advocates
- To consult with business managers to ensure that colleagues have completed the annual safeguarding training and are fully informed of safeguarding responsibilities.



- Collaborating with safeguarding advocates across the business to raise awareness of safeguarding concerns and to take the appropriate action
- To take the lead role in safeguarding concerns and reporting to the UK Head of Quality, Safety and Risk Management on a monthly basis, identifying trends and risks

## 11. Resolving Safeguarding Concerns

- A safeguarding concern is when you believe a child, young person or vulnerable (at risk) adult or colleague is at risk, or has been subjected to harm, damage, or abuse.
- All colleagues are expected to report any safeguarding concerns at the earliest opportunity without fear of repercussion.
- To help recognise the signs of potential abuse and respond appropriately to the vulnerable (at risk) individual making an allegation of abuse, please refer to the guidance with the Safeguarding Policy and Procedure guidance.
- We will do our utmost to maintain confidentiality when dealing with safeguarding concerns by informing only those parties who need to know.
- We will escalate certain safeguarding to one or more of the following as appropriate, DBS, Social Services, and the police. This will depend on the safeguarding concern and the nature of the disclosure. Contractual arrangements may mean it is appropriate to report safeguarding concerns to the relevant prime or sub- contract provider. This can be conducted by the line manager or the HR Business Partner (in relation to colleagues), a Safeguarding Advocate (in relation to customers).
- An Executive Board member will be notified prior to involving relevant authorities.

## 12. Safeguarding concerns about Participants who access our services

If the concern relates directly to a participant, you should refer the matter to your line manager and the designated safeguarding advocate in your area. The Safeguarding Advocate will provide advice, guidance and action required. All Safeguarding concerns will be escalated to the Designated Safeguarding Officer who will monitor and, when appropriate, authorise closure of the safeguarding incident.

## 13. Safeguarding Concerns regarding Colleagues

- If the matter refers to a work colleague, you should report any concerns to your line manager who is expected to take prompt action. If you do not feel able to discuss

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your concerns with your line manager and/or the concern relates to your line manager, you should escalate your concern to the manager's superior or contact HR.

- Should a designated safeguarding advocate become aware of a safeguarding concern relating to a colleague, they will refer the matter to HR.
- Following an informal discussion with you about your concerns relating to a work colleague, your line manager will evaluate the information and conduct an initial investigation, if necessary to determine the appropriate course of action. This may include seeking advice from HR.
- If, following an initial investigation, the manager believes that this is a safeguarding concern, they will contact HR for advice and guidance on next steps. A disciplinary investigation will be necessary in accordance with the organisation's disciplinary policy; the colleague may be suspended during the investigation.
- If you believe your safeguarding concern has not been properly addressed by your line manager, you should escalate this to your managers, line manager or contact HR.
- You can raise an anonymous concern via the whistleblowing hotline which is available from Monday – Friday, 8a.m.-5p.m. and can be contacted by telephone: 0808 250 5049 option 2 or via e-mail: [HRsolutions@maximusuk.co.uk](mailto:HRsolutions@maximusuk.co.uk)
- Such concerns will be investigated whilst making every effort to keep your identity secret, although it may make it more difficult to conduct a proper investigation.
- For concerns of bullying and harassment, please refer to the company's Anti-Bullying and Harassment Policy.
- Safeguarding concerns from external parties, including customers should be raised.
- Via email [safeguarding@maximusuk.co.uk](mailto:safeguarding@maximusuk.co.uk)

## 14. Complaints from External Parties

- Complaints from external parties including customers should be raised via email to [qualitymatters@remploy.co.uk](mailto:qualitymatters@remploy.co.uk) or [Quality@maximusuk.co.uk](mailto:Quality@maximusuk.co.uk)
- Participants will be advised of this process during their initial interview with the organisation.



## 15. Training and Awareness

- We will ensure colleagues and volunteers receive appropriate training and ongoing awareness. All customer facing colleagues are required to complete safeguarding mandatory training via an e-learning module as part of the induction process; colleagues are expected to repeat the e-learning annually. Prevent e-learning is also available and mandatory for any educational contracts or any colleagues who work with customers under the age of 18.
- In addition, safeguarding workshops are delivered across all regions as appropriate to support front line staff to provide awareness of safeguarding issues and the confidence to identify signs and signals of any safeguarding concerns.
- Designated safeguarding advocates will receive specialist face-to-face safeguarding training in addition to the completion of formal accredited Safeguarding Training.