

Safeguarding Policy



Mission Statement

At Kura we believe that safeguarding children and vulnerable adults is our responsibility. We will do everything in our power to ensure children and vulnerable adults who come into contact with Kura, in any capacity, are safeguarded.

This policy applies to all those who work for and with Kura in any capacity and is based on the following principles:

- the welfare of the child/vulnerable adult is paramount
- a child is anyone under the age of 18
- all children/vulnerable adults, regardless of age, ability, gender, racial heritage, religious belief, sexual orientation, culture or identity, have a right to equal protection from all types of harm or abuse
- any safeguarding concern or allegation of abuse will be taken seriously by Kura and responded to appropriately. Kura recognises this may require a referral to the independent Local Authority Designated Officer (LADO) if an allegation has been made against a bus driver
- we have a commitment to safer recruitment, selection and vetting that include checks into the eligibility and the suitability of all our staff, the coach operators we contract to and their drivers

This policy will be shared with all schools we have contracts with, all of our contractors and can be shared with parents, at their request

The safeguarding policy should be read in conjunction with all other relevant policies and procedures.

The purpose of this policy is to:

- protect children and vulnerable adults
- inform all staff and those we work with of our overarching principles and procedures that guide our approach to safeguarding

If you are unsure what this policy means, or how it relates to you, please contact the Designated Safeguarding Lead.

Scope of the Policy

Kura recognises the importance of safeguarding in the work we do and fully understand our responsibilities.

We have no governing body that sets out requirements of our industry in terms of safeguarding. We want to provide the gold-standard in safeguarding in our industry. We choose to operate to the highest standards.

This policy has been developed in accordance with the principles established by the relevant legislation and statutory guidance, including but not limited to the Children Act 1989 and 2004, the Care Act, 2014, Working Together to Safeguard Children 2018, Keeping Children Safe in Education 2018, the Rehabilitation of Offenders' Act 1974 and General Data Protection Regulation, 2018.

We will treat any breach of this policy very seriously. For those who work for us, failure to follow this policy could lead to disciplinary action, which may ultimately result in dismissal. For those who work with us, we reserve the right to immediately terminate your contract.

Code of Conduct

We expect all staff and all those who work with us, including and most particularly school bus drivers to behave appropriately at all times.

No member of staff, or school bus driver will ever befriend a child outside of their professional role. They will never share, or accept, personal details, become friends with a child on social media, take photographs of a child, or meet them outside of their school bus role.

No member of staff, or school bus driver will ever guarantee confidentiality to a child and if they ever have concerns about a child the member of staff will speak to the designated safeguarding lead. A school bus driver would speak to their coach operator, who in turn would speak to the designated safeguarding lead at Kura.

Safeguarding roles at Kura

All those who work for or with Kura share the responsibility for safeguarding children and vulnerable adults but there are individuals within the company with specific safeguarding responsibilities.

Designated Safeguarding Lead:

David Biszby
Operations Director

Deputy Designated Safeguarding Lead:

David Kenny
Head of Service Delivery

Understanding and recognising abuse

The categories of abuse for children and vulnerable adults are different. In the interests of simplification each of the categories are not set out in this policy (see Appendix Two for further detail).

We define abuse in its widest possible terms i.e. as treatment that causes harm to a child or vulnerable adult. The protection of children and vulnerable adults is our shared responsibility and if you have any concerns a child or vulnerable adult is being maltreated, or you have safeguarding concerns about the behaviour of another member of staff or someone working with or for Kura, do something about it, by following the flow charts set out below.

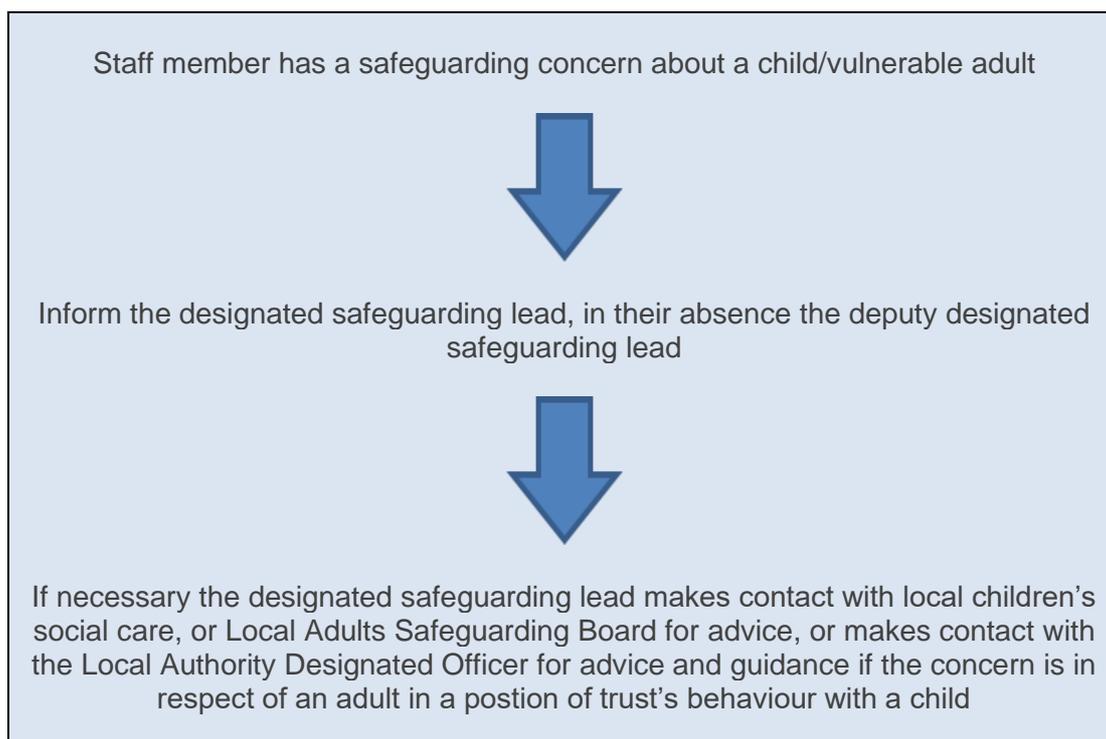
Remember

It is better to err on the side of caution and get it wrong than do nothing and then something happens to that child/vulnerable adult.

The reporting process

If you have a safeguarding concern about a child or vulnerable adult or wish to express a concern about a member of staff, or equivalent, possibly abusing a child or adult – **follow the flowchart**

What to do if you have a safeguarding concern



Escalating Concerns

It is important to note that if you raise a safeguarding concern or pass on an allegation, you have a responsibility to ensure your concern is addressed to your satisfaction.

Therefore, if you feel that your concern has not been addressed to your satisfaction you should escalate the matter to the Chief Executive Officer of Kura. If your concern has still not been addressed to your satisfaction contact Windsor and Maidenhead Safeguarding Children Board <https://www.wamlscb.org>

Legal issues

Information Sharing & Confidentiality

Information should always be shared if you think a child or vulnerable adult is suffering, or likely to suffer, abuse.

The protection of children and vulnerable adults takes precedence over other legal rights. Please be assured that as long as information is shared in an appropriate manner and in good faith, the law will protect you. You should ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and shared promptly.

For further guidance see the statutory guidance on information sharing
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419628/Information_sharing_advice_safeguarding_practitioners.pdf

Finally

The safeguarding policy will be reviewed, approved and endorsed by the board annually or when legislation changes

Appendix One

Definitions

“Safeguarding” and “Child Protection”

In terms of adults The Care Act 2014 defines adult safeguarding as “protecting a person’s right to live safely, free from abuse and neglect”. There are more categories of abuse with adults than there are with children. With adults the categories are physical abuse, emotional/ psychological abuse, financial abuse, sexual abuse, organisational abuse, neglect, discriminatory abuse, domestic violence, modern slavery and self-neglect.

In terms of children, the definition of safeguarding is broader and is set out in “*Working Together to Safeguard Children 2018 - A guide to inter-agency working to safeguard and promote the welfare of children*”. This is the statutory guidance that sets out the legislative requirements and expectations of individual services to safeguard and promote the welfare of children.

Working Together to Safeguard Children 2018 does not separate safeguarding and promoting the welfare of children. This is the definition:

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

Separate to safeguarding children is “child protection”. Child protection is defined in the Children Act 1989 as where there is “reasonable cause to suspect a child is suffering, or is likely to suffer, significant harm”. The Children Act 1989 introduced significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children. Physical abuse, sexual abuse, emotional abuse and neglect are all categories of significant harm. Harm is defined as the ill treatment or impairment of health and development.

In simple terms, safeguarding is the overall well-being of the child and every professional and every organisation is responsible for the safeguarding of children. Within that there is child protection, when it is thought a child is either being maltreated or is at risk of maltreatment.

Age of a Child

A child becomes an adult in law at 18 in the UK, this is inline with the United Nations Convention on the Rights of the Child. Many people use the term “young people” but there is no legal definition for the age of a “young person”. 16 and 17 year olds are children, in legal terms.

Vulnerable Adult

An adult at risk is defined by the Care Act 2014 as a person 18 and over who;

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

There is a significant difference between the terms “adult”, “adult at risk” and “vulnerable adult”. Adults are allowed to make unwise choices and adults can choose if they want to keep any information about them confidential. Adults, including adults at risk and vulnerable adults can choose not to press charges against an individual who may have assaulted them. These choices can only be overridden by agencies such as the police and social care if it is believed the adult did not have the mental capacity to make the decision in the first place.

Local Authority Designated Officer (LADO)

The role of the LADO is set out in Working Together to Safeguard Children 2018 and is governed by the local authorities duties under section 11 of the Children Act 2004.

The LADO must be contacted within one working day in respect of all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

There may be up to three strands in the consideration of an allegation:

- a police investigation of a possible criminal offence;
- enquiries and assessment by children’s social care about whether a child is in need of protection or in need of services;
- consideration by an employer of disciplinary action in respect of the individual.

Regulated Activity

The new definition of regulated activity in relation to children comprises, in summary:

- i. unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/ guidance on well-being, or drive a vehicle only for children;
- ii. work for a limited range of establishments (‘specified places’), with opportunity for contact: e.g. schools, children’s homes, childcare premises. Not work by supervised volunteers;

Work under (i) or (ii) is regulated activity only if done regularly¹

The definition of Regulated Activity for adults defines the activities provided to any adult as those which, if any adult requires them, will mean that the adult will be considered vulnerable at that particular time. These activities are: the provision of healthcare, personal care, and/or social work; assistance with general household

¹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550197/Regulated_activity_in_relation_to_children.pdf

matters and/or in the conduct of the adult's own affairs; and/or an adult who is conveyed to, from, or between places, where they receive healthcare, relevant personal care or social work because of their age, illness or disability.

The position of trustee of a vulnerable groups' or children's charity is not a regulated activity in itself. It is only if trustees have close contact with these vulnerable beneficiaries that they would fall within the scope of regulated activity and be eligible to obtain an enhanced DBS check and barred list check. A trustee of a charity who no longer falls within the definition of regulated activity would be eligible to obtain an enhanced DBS check (but without a barred list check)².

² <https://www.gov.uk/government/publications/safeguarding-children-and-young-people/safeguarding-children-and-young-people#endnote>

Appendix Two

Categories of Abuse

Child Abuse

The categories of abuse of children are set out in the statutory guidance *Working Together to Safeguard Children 2018* and are as follows:

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.

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 cyber bullying), 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.

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.

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.

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:

1. provide adequate food, clothing and shelter(including exclusion from home or abandonment)
2. protect a child from physical and emotional harm or danger
3. ensure adequate supervision (including the use of inadequate care- givers)
4. ensure access to appropriate medical care or treatment

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Although not specifically a category of abuse extremism is something we are very aware of at X. As set out in *Working Together to Safeguard Children 2018* "Extremism goes beyond terrorism and includes people who target the vulnerable – including the young – by seeking to sow division between communities on the basis of race, faith or denomination; justify discrimination towards women and girls; persuade others that minorities are inferior; or argue against the primacy of democracy and the rule of law in our society. Extremism is defined in the Counter Extremism Strategy 2015 as the vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. We also regard calls for the death of members of our armed forces as extremist".

Adult Abuse

There are ten categories of abuse for adults:

- Physical abuse
- Domestic violence or abuse
- Sexual abuse
- Psychological or emotional abuse
- Financial or material abuse
- Modern slavery
- Discriminatory abuse
- Organisational or institutional abuse
- Neglect or acts of omission
- Self-neglect

For details of types of each kind of abuse and possible indicators, see the following link: <https://www.scie.org.uk/safeguarding/adults/introduction/types-and-indicators-of-abuse>