

SAFEGUARDING POLICY



Gyrfa Cymru
Careers Wales

Career Choices Dewis Gyrfa Ltd (CCDG), trading as Gyrfa Cymru Careers Wales, is a wholly owned subsidiary of the Welsh Government that was formed on 1 April 2013 for the purpose of providing independent, impartial and bilingual Careers Information, Advice and Guidance (CIAG) service in Wales. Throughout this policy CCDG is referenced by its trading name.

POLICY STATEMENT

Careers Wales provides a variety of opportunities for children, young people and adults to participate in career advice, guidance and related activities.

Careers Wales recognises its responsibility to safeguard children, young people and adults at risk who use its services. Everyone who has contact with children, young people and adults at risk has a role to play in safeguarding and promoting their welfare. Careers Wales is committed to establishing and maintaining a culture that allows its employees to recognise and report concerns.

The policy has been prepared to comply with the relevant legislation in Wales. The [Social Services and Wellbeing \(Wales\) Act 2014](#) provides the legal framework for improving the well-being of people in Wales who need care and support and is supported by other relevant legislation including, but not limited to, the Children Acts 1989 and 2004; the Human Rights Act 1998, the Safeguarding Vulnerable Groups Act 2006; the Equality Act 2010, the Protection of Freedoms Act 2012; the Counter Terrorism and Security Act 2015; the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015; Modern Slavery Act 2015; Data Protection Act 2018 and the General Data Protection Regulation (GDPR).]

Careers Wales will comply with the Wales Safeguarding Procedures, Keeping Learners Safe as well as local procedures produced by the Regional Safeguarding Boards (LSCB) in Wales.

The response to coronavirus (COVID-19) pandemic has dramatically changed our lives. Both adults and children in Wales face very real and pressing challenges to their health and well-being. During this time, Careers Wales may deliver its services remotely or by distanced contact and in doing so will comply with Welsh Government's '[Stay Safe. Safe Learning'](#) programme guidance.

This policy also takes into consideration Careers Wales' responsibility in relation its duty within the Prevent Strategy in relation to the protection of individuals who are at risk of being exposed to extremism.

PRINCIPLES OF THE POLICY

The overall aim of this policy is to protect and promote the welfare and well-being of children, young people and adults at risk who Careers Wales employees come into contact with.

Discrimination in all its forms is not be acceptable and everyone who comes into contact with Careers Wales employees will be treated with dignity and respect, in accordance with the Equality Act 2010 and [Careers Wales' Dignity and Respect policy](#).

This policy will support Careers Wales employees in safeguarding the welfare of children, young people and adults with whom they work and in safeguarding themselves against allegations.

This policy encourages employees to raise any concerns regarding Safeguarding to the Designated Senior Persons, the Director of Delivery and Development and if the matter remains unresolved, employees are referred to the [Career Wales' Whistleblowing Policy](#).

Careers Wales recognises that:

- Safeguarding and welfare of its Users is paramount and takes precedence over all other considerations.
- It has an obligation to promote the health, safety and welfare of its employees and has a responsibility to ensure that safeguarding disclosures, allegations/concerns are dealt with in a fair, consistent and timely manner and in accordance with statutory guidance.
- All issues relating to online safeguarding should be dealt with in the same way as face-to-face interaction and contact with children, young people and adults at risk.

Where Careers Wales receives a safeguarding disclosure, allegation or concern relating to an employee, this will be dealt with in accordance with the Careers Wales Safeguarding Procedure. Careers Wales will ensure that there is appropriate support, information and advice for all those affected during this process. The relevant Local Authority Designated Officer for Safeguarding (LADO) will advise on action to take; through direction by the Police/Social Services, at the earliest opportunity and without prejudicing an investigation, the member of staff should be informed of the allegations.

Any employee subject to the allegation (and the whistle-blower) should be given access to independent support services if they so wish. Where an investigation is not pursued, Careers Wales may determine to instigate disciplinary action

Careers Wales must notify the Welsh Government and the Disclosure and Barring Service when an employee is dismissed on grounds of misconduct or resigns in circumstances which would have led to dismissal.

DEFINITIONS

For the purpose of this policy, the following definitions apply:

- The term 'employee' applies to all full-time and part-time, permanent or temporary Careers Wales employees and also covers agency staff, and those on placement with Careers Wales
- The term 'relevant employees' applies to all employees who are expected to have unsupervised contact with young people or adults
- Regulated activity is activity involving relevant contact with children or adults and is of a specified nature on a frequent, intensive (3 or more days in any 30-day period)/ overnight basis
- 'Volunteers' are representatives from local business and community agencies who are identified by Careers Wales to support activities with young people in centres of learning

For the purpose of this policy the following definitions apply:

- A child or young person is any person below the age of 18
- A child or young person at risk is an individual under the age of 18 years who is experiencing or is at risk of abuse, neglect or other kinds of harm; and who has needs for care and support (whether or not the local authority is meeting any of those needs)
- An adult at risk is an individual 18 and over who:

1. Is experiencing or is at risk of abuse or neglect,
2. Has needs for care and support (whether or not the authority is meeting any of those needs), and
3. As a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

The use of the term 'at risk' means that actual abuse or neglect does not need to occur so that early interventions and help to protect a child or adult at risk should be considered to prevent actual abuse and neglect.

Careers Wales recognises that the Mental Capacity Act 2005 (MCA) is designed to promote and safeguard decision-making within a legal framework and is underpinned by five key principles. The MCA protects and empowers people to make decisions for themselves wherever possible and applies to people aged 16 and over. Every person, subject to the MCA, has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise.

APPLICATION OF THE POLICY

This policy applies equally to children, young people and adults at risk.

Careers Wales has in place a 'Code of Conduct - Standards in Public Life' which all employees are expected to follow. Under this Code, Careers Wales expects all employees to protect the children, young people and adults with whom they are working by reporting concerns promptly. A failure to do so will be an act of omission on the employee's part. The Social Services and Wellbeing (Wales) Act 2014 places a duty on relevant partners of a local authority to report children and adults when there are concerns that they are 'at risk of harm'.

Information Sharing - Effective sharing and exchange of relevant information between professionals is essential to safeguard children, young people and adults.

- Employees must not guarantee confidentiality to anyone who discloses abuse
- It should be noted that in certain circumstances full disclosure may be ordered by a judge or ombudsman
- Professionals in attendance at any meetings held as part of the adult protection process should sign up to and adhere to the meeting's confidentiality statement

For details, see [Social Services and Wellbeing \(Wales\) Act 2014: Working Together to Safeguard People – Information Sharing to Safeguard Children and Adults \(July 2019\)](#)

<https://gov.wales/sites/default/files/publications/2019-05/working-together-to-safeguard-people-volume-5-handling-individual-cases-to-protect-children-at-risk.pdf>

<https://gov.wales/sites/default/files/publications/2019-06/volume-6-handling-individual-cases-to-protect-adults-at-risk.pdf>

Keeping Learners Safe – Guidance

Our work in learning settings is delivered in the context of the most recent guidance -

<https://gov.wales/sites/default/files/publications/2020-10/keeping-learners-safe-the-role-of-local-authorities-governing-bodies-and-proprietors-of-independent-schools-under-the-education-act.pdf>

The purpose of this guidance is to help all education settings ensure they have effective safeguarding systems in place. It sets out the responsibilities of local authorities, governing bodies of all maintained schools (references to schools throughout the document also apply to pupil referral units), further education institutions (referred to as colleges in this guidance from this point forward) and proprietors of independent schools, to have arrangements for exercising their functions to safeguard and promote the well-being of children in Wales. The guidance is also relevant for agencies that supply staff to the education sector, contractors who work in education establishments responsible for under-18s, as well as other providers of education and training for those under 18. In addition, the guidance is also relevant for ITE Partnerships who are required to ensure that all student teachers are provided with specified periods of school experience for schooled training¹.

ROLES AND RESPONSIBILITIES

(Further details are provided in the Safeguarding procedures)

Careers Wales recognises that the statutory responsibility for the welfare of children and adults is that of the relevant Local Authority Social Services Department and the Regional Safeguarding Boards for children and adults at risk.

Safeguarding within Careers Wales is the ultimate responsibility of the Senior Management Team.

The Director of Delivery and Development will be the Designated Senior Officer and lead on behalf of the Senior Management Team and the CCDG Board and will be accountable for Safeguarding matters.

The senior management team has responsibility for ensuring that this policy and associated procedures are adhered to.

Team Managers will deal with immediate referrals and involve their line Manager as noted in the procedures.

All Careers Wales employees are expected to be aware of this policy and apply it in practice.

It is everyone's duty to conduct themselves in a manner which safeguards and promotes the welfare of children and adults at risk. This also protects them against false allegations and misconduct.

Careers Wales does not expect employees to become experts in identifying harm, abuse and neglect the Categories of abuse listed are illustrative. Employees should be aware of the [definitions of harm, abuse and neglect in the Social Services and Well-being Act \(Wales\) 2014](#),

CATEGORIES OF ABUSE

The following is a non-exhaustive list of examples for each of the categories of harm, abuse and neglect which Careers Wales has identified:

- **Physical abuse** is the deliberate use of physical force that may result in bodily injury, physical pain or impairment. Physical harm may also be caused when a caregiver fabricates or induces illness in an individual whom they are looking after. This also covers Female Genital Mutilation.

- **Sexual abuse** involves forcing or enticing a young person or adult to take part in direct or indirect sexual activities to which they are unwilling or unable to give informed consent, or which they do not fully comprehend, or which violates the social taboos of family roles, for example, incest. The activities may involve physical contact, including penetrative or non-penetrative acts.
- **Emotional or psychological abuse** is the willful, and sometimes persistent, ill treatment of a young person or adult resulting in mental suffering. It may involve conveying to a young person or adult that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on them. It may involve causing them frequently to feel frightened or in danger, for example by witnessing domestic abuse within the home, or being bullied, or the exploitation or corruption of young person or adults. Some level of emotional abuse is involved in all types of ill treatment of a child or adult, though it may occur alone.
- **Financial or material abuse** is any theft or misuse of a child/young person's or adult's money, property or resources. It may involve coercion and/or intimidation and may include e.g. limiting access to money or other resources or by forcing financial responsibility onto the child, young person or adult by a person in a position of, or expectation of trust to a child, young person or adult.
- **Neglect** is the persistent failure to meet a young person or adult's basic physical and/or psychological need, likely to result in the serious impairment of their health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect them from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, their basic emotional needs. In addition, neglect may occur during pregnancy as a result of maternal substance misuse.

Other forms of abuse

Careers Wales is committed to protecting and promoting the welfare of children, young people and adults at risk by informing Social Services if the following is identified during the course of its work:

- **Discrimination and Hate Crime.** This may be a feature of any form of abuse of a child, young person or adult but can also be motivated because of their age, gender reassignment, sex, race (including ethnic or national origin, colour or nationality), disability, pregnancy and maternity, sexual orientation, religion or belief (including lack of belief.)
- **Domestic Abuse.** This can occur in domestic relationships and can have a traumatic and sometimes life-threatening effect on an individual.
- **Forced Marriage.** This is defined as a marriage conducted without the valid consent of both parties to the marriage and duress is involved.

In respect to Safeguarding individuals at risk of extreme points of view, Careers Wales in line with its Prevent strategy, see appendix 1, assumes the same approach as safeguarding in other contexts. It is acknowledged that any individual, from any section of society, not linked to any racial, ethnic or social group can be open to being influenced by individuals or groups who hold extreme points of view. For safeguarding related to extreme points of view Careers Wales employees should seek support from the Channel Panels where they exist.

Careers Wales should consult with the relevant Local Authority Designated Officer if they are concerned about whether a specific matter is a safeguarding concern.

RECRUITMENT AND VETTING

Careers Wales has in place [Recruitment and Selection Policy and Procedures](#) including vetting procedures that comply with the Welsh Government's guidelines (issued from time to time) and will take all reasonable precautions to avoid the appointment of unsuitable persons to posts that will have contact with young people or adults.

For the purpose of this policy, all relevant (those who work directly with individuals) employees (employed directly by Careers Wales) are required to apply for an 'enhanced disclosure' and where appropriate a 'barred list check' in accordance with the Disclosure and Barring Service (DBS) procedures; this applies to new members of staff or to employees changing role within Careers Wales, who were not subject to an enhanced disclosure at the time of their original appointment. Even if the new member of staff has recently had a disclosure from a previous employer or from a current secondary employer, a new disclosure is required. The Career Wales HR process determines which roles need DBS checks on the basis of the relevance of the work under DBS definitions. The relevant Director will be the final decision maker.

Checks will be completed at time of appointment and then on a 3-year rolling cycle. Checks will be carried out earlier if the member of staff has a break in service of 3 months or more, when an employee returns to work following an extended sickness or maternity absence or if there are grounds for concern about the person's suitability to work with young people or adults. The Careers Wales HR process determines which roles need DBS checks on the basis of the relevance of the work under DBS definitions of Regulated Activity. The relevant Director will be the final decision maker.

Until an enhanced disclosure and any other checks have been processed and cleared by Careers Wales, employees must not undertake unsupervised work with clients in any situation.

Career Wales' Discipline and Grievance policy states:

In certain circumstances, e.g. child protection related dismissals, the dismissal may fall within the statutory duty to report the employees conduct to the Safeguarding Authorities. In such cases the Police and Social Services may also report the matter to the Safeguarding Authority and their investigations will take precedence over any Company investigation.

Careers Wales also has a statutory duty to report the dismissed employee to the Disclosure and Barring Service DBS. <https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs>

TRAINING FOR CAREERS WALES EMPLOYEES

All Careers Wales employees who are expected to have unsupervised contact with young people and adults will receive appropriate training on safeguarding issues including guidance on the identification of indications of abuse and how to make a referral. This training will be undertaken on a 3-year rolling programme and will be monitored by the appropriate Directorate leading on Learning and Development. It will include content on how employees should deal with safeguarding related to the Prevent strategy.

Careers Wales is committed to ensuring that managers and employees receive appropriate safeguarding training in accordance with the appropriate level. Managers need to also be familiar with whistle-blowing procedures, discipline and grievance and the relevant legislation. Careers Wales employees will be trained to be aware of the potential signs of extremist views and behaviours.

- New employees, who join Career Wales, will receive induction training on recognising and responding to abuse if it is appropriate to their role.
- All employees who will be working on a one-to-one basis with children, young people and adults will receive level 2 awareness, recognition and referral training.
- Team Managers and all line Managers will receive level 3 training relating to their roles and responsibilities.

Depending on the role of the individual and following the company's checklist via HR other employees may be required to receive this training.

Refresher and update training should be undertaken by all employees listed above at intervals of no more than three years. This training should draw on findings from new research, best practice and learning from experience, locally and nationally. It will be adapted according to the role/responsibilities of the groups of employees.

Team Managers and their line managers will be given updates if there are changes to legislation as and when required and will otherwise be provided with update training every three years. This will be monitored by the Director for Delivery and Development in collaboration with the Head of People Development.

OTHER GROUPS/INDIVIDUALS WHO WORK WITH CAREERS WALES

Any volunteers/speakers who are identified by Careers Wales to support its work in centres of learning, Careers Wales should adhere to the centre's own safeguarding procedures. No volunteers/speakers should undertake unsupervised activities with groups of learners.

Employers participating in work experience placements will not usually require DBS checks. If Careers Wales identifies employers who offer work experiences to support its work with learners who are below minimum school leaving age the guidelines outlined on the HSE website will be adhered to. www.hse.gov.uk/youngpeople/workexperience

If Careers Wales provides placement activities for college and university students who are undertaking a guidance qualification, students who are likely to have one to one contact with children, young people or adults at risk will be required to present their DBS enhanced disclosure before the placement can commence. These enhanced disclosures should not pre-date the course application date.

Individuals undertaking work shadowing of Careers Wales employees must always be supervised and not have one to one access to young people or adults even if they have a current DBS check.

Careers Wales does not subcontract any of its remitted work with clients to third party providers.

Quality assurance and evaluation providers may in some instances be required to demonstrate that they have safeguarding processes in place if they are undertaking any unsupervised work with individuals (e.g. focus groups). Other contracted work is unlikely to include unsupervised work with individuals.

USE OF PHOTOGRAPHS AND DIGITAL IMAGES OF CHILDREN AND YOUNG PEOPLE

Careers Wales has in place procedures on the use of photographs and images of young people to avoid their misuse on websites and in other publications. Careers Wales employees and anyone acting on behalf of Careers Wales in this context must conform with these procedures.

POLICY REVIEW

This policy will be reviewed by Careers Wales annually or more frequently following the introduction of new legislation or guidance from Welsh Government. This responsibility sits with the Director for Delivery and Development in consultation with relevant Heads of.

Appendix 1

Vulnerability due to extreme points of view

Careers Wales acknowledges its duty to protect individuals from any form of extreme points of view or ideology which may lead to the harming of self or others. The definition of extreme points of view is 'a set of ideas which could justify vilification or violence against individuals, groups or self'.

Vulnerability is being capable of being injured, difficult to defend, open to moral or ideological attack.

The Prevent strategy is part of a counter-terrorism strategy CONTEST. The aim is to reduce the threat to the UK from terrorism by stopping people from becoming terrorists or supporting terrorists. It includes non-violent extremism and is aimed at intervening individuals from moving into extremist groups. Employees engaged with individuals will need to know how to identify extremism, how to refer concerns and obtain support for those exposed and at risk of harm from these views.

Extremism is defined in the HM Government 2011 Prevent strategy as:

'vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs'

Non-violent extremism is as above but not accompanied by violence.

Appendix 2 Relevant documentation.

Careers Wales Policies and procedures:

Safeguarding Procedures
Whistle Blowing Policy
Dignity and Respect Policy
Recruitment and Selection Policy and Procedures
Disclosure and Barring Procedures
Discipline and Grievance Policy
Code of Conduct - Standards in Public Life Policy
PREVENT Strategy

Careers Wales forms:

Taking photographs
SVG1 Referral form (2016)

Legislation:

- Human Rights Act 1998
- Children's Act 1989 and 2004
- Mental Capacity Act 2005
- Safeguarding Vulnerable Groups Act 2006 (amended by the Protection of Freedom Act 2012)
- Equality Act 2010
- Rights of Children and Young Persons (Wales) Measure 2011
- Counter Terrorism and Security Act 2015
- Social Services and Well Being (Wales) Act 2014
- Well Being of Future Generations (Wales) Act 2015
- Modern Slavery Act 2015
- Violence Against Women, Domestic Abuse and Sexual Violence Act (Wales) 2015

Statutory guidance:

- Keeping learners safe (2015)
- Revised PREVENT duty guidance: for England and Wales (2019)
- Channel Duty Guidance Protecting Vulnerable people from being drawn into terrorism (2015)
- National Action Plan to tackle Child Exploitation (Wales) (2016)
- Working Together to Safeguard People, volume 1 – Introduction and Overview
- Working Together to Safeguard People: volume 2: Child Practice Reviews
- Working Together to Safeguard People: volume 3: Adult Practice Reviews
- Working Together to Safeguard People volume 5 – Handling Individual Cases to Protect Children at risk
- Working Together to Safeguard People volume 6 – Handling Individual Cases to Protect Adults at risk

Useful guidance

- Wales Safeguarding Procedures 2019
- Working Together to Safeguard People: Information sharing to safeguard children
- Working Together to Safeguard People: Information Sharing to Safeguard Children and Adults factsheet
- Stay Safe. Stay Learning: Continuity of learning policy statement
- Stay Safe. Stay Learning: Supporting the education system
- Live-streaming safeguarding principles and practice for education practitioners
- Disclosure & Barring Service: Regulated activity with children in Wales
- Disclosure & Barring Service: Regulated activity with adults in Wales

This policy was re-drafted by the Director of Delivery and Development in 2020. In reviewing this policy, the following were consulted and provided inputs and feedback.

Organisation	Representatives	
Chief Executive	Nikki Lawrence	
SMT	Heads	
Blake Morgan	Solicitors	
External support	Claire Sharp (Senior Training Officer)	Children in Wales

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