

Last reviewed	March 2024
Next Review Date	March 2025

## **SAFEGUARDING AND WELFARE POLICY**

### **1. INTRODUCTION**

- 1.1 This policy sets out BARBRI's (the "Company") Safeguarding and Welfare Policy. The Company endeavours to ensure all students are treated with respect throughout their studies at the Company. The Company provides an environment where students can work, learn, and develop in a safe environment. The Company aims to safeguard Adults at Risk when they are engaging with staff, students or any other individuals linked with the Company.
- 1.2 The Company does not enrol children and therefore this policy will focus on "Adults at Risk". An Adult at Risk is defined in the Care Act 2014 as someone over 18 years of age who:
- 1.2.1 has needs for care and support;
  - 1.2.2 is experiencing or is at risk of abuse or neglect; and
  - 1.2.3 because of those needs is unable to protect themselves against abuse or neglect or the risk of it.
- 1.3 While the Company is not subject to the provisions of the Care Act 2014, the Company draws broadly on this act to inform its policy on safeguarding Adults at Risk.
- 1.4 Protection under this policy applies to bullying that an identified Adult at Risk linked with the Company might encounter throughout the course of their dealings with the Company. This policy applies to all individuals and related individuals linked with the Company in the workplace, learning environment and at associated events such as meetings, conferences, and social events whether on or off the Company premises. This policy will include all interactions whether online or in person.
- 1.5 All individuals and related individuals of the Company will be expected to comply with this policy. The Company will strive to ensure so far as reasonably possible that Adults at Risk are safeguarded

### **2. SAFEGUARDING PROCESSES**

- 2.1 The Company will ensure that staff engaging with Adults at Risk receive relevant safeguarding training and understand their role and responsibilities.
- 2.2 The Company has appointed Tracy Savage as Safeguarding Officer who will report to the Head of Head of Learning & Product. Tracy Savage can be contacted at [tracy.savage@barbri.com](mailto:tracy.savage@barbri.com) and will be responsible for ensuring that all safeguarding documentation and procedures are up to date and reviewed annually to ensure they meet regulatory requirements and best practice.
- 2.3 The Safeguarding Officer will ensure that all staff are aware of their duties under the safeguarding policy. If required, the Safeguarding Officer should organise safeguarding training for staff who work directly with Adults at Risk or alternatively who hire staff who will work directly with Adults at Risk. The Safeguarding Officer will complete safeguarding training.
- 2.4 The Safeguarding Officer will ensure that there is a clear reporting and escalation route should staff or students become aware of a safeguarding concern.
- 2.5 The Company and / or the Company partners will endeavour to carry out relevant recruitment checks for applicable roles / apprenticeships including but not limited to:

- 2.5.1 DBS checks where lawfully permitted;
  - 2.5.2 Certificates of Good Conduct;
  - 2.5.3 Teacher Prohibition Orders; and
  - 2.5.4 Safeguarding certifications.
- 2.6 Any issues arising from these checks should be resolved before any engagement with Adults at Risk commences.
- 2.7 The Company will ensure that routes to report or escalate safeguarding concerns are clearly signposted, accessible and that any details provided are monitored. The Company will review any safeguarding concerns that are raised and seek specialist guidance and take appropriate action to escalate internally and / or to the relevant external agency as soon as possible. There are organisations signposted in the Company student handbook which direct students and Adults at Risk to organisations that can provide help if required.

## **2 EARLY INTERVENTION / PREVENTATIVE MEASURES**

- 2.1 The Company believes that the best course of action to ensure students successfully complete their studies in the safest manner possible is to put preventative measures in place.
- 2.2 The Company has incorporated the following steps as early intervention or prevention methods in hopes that the students or Adults at Risk can avoid situations that put them at risk:
- 2.2.1.1 The Company Staff are adequately checked via referencing before taking up their role with the Company;
  - 2.2.1.2 the Company has feedback forms that allows students to raise concerns. These surveys are sent out at the beginning and end of the course and any concerns can be raised through these surveys. The Company reviews the feedback and reports any alleged incidents noted in the surveys to the Safeguarding Officer;
  - 2.2.2 Students mainly study online and/or through group sessions. All emails are sent via the CRM, which gives the Company a view on interactions staff have with students. Staff are aware that these mediums can be monitored. In the event, that a person is inclined to engage in inappropriate behaviour, the monitoring of the online mediums may act as a preventative measure from the person acting;
  - 2.2.3 the Company records any live video assessments. This allows the Company access to review and monitor assessors in case any concerns of inappropriate behaviour are brought to the attention of the Company;
  - 2.2.4 all workshops and strategy sessions taking place live are attended by 2 staff members. This provides additional assurance that staff address students appropriately, and also that students engage with each other appropriately.

## **3. SCOPE**

- 3.1 The Company will endeavour to deal with safeguarding issues internally through the processes set out in its Bullying and Harassment policy and Procedure documents but acknowledges that it may be appropriate in certain circumstances to report safeguarding concerns about Adults at Risk to a range of external agencies.

3.2 The Company recognises that Adults at Risk can be at risk of bullying, harassment and sexual violence as set out in the Bullying and Harassment Policy and Procedure documents. The Company also recognises that vulnerable adults are at risk of being drawn into extremist ideologies which can lead to a risk of radicalisation. The Company recognises its duty under the Counter Terrorism and Security Act 2015 to have due regard when exercising its functions to the need to prevent people from being drawn into terrorism. The Company considers the risk of being drawn into extremist ideologies and radicalisation to be a significant safeguarding concern.

3.3 The Company understands that the rights of Adults at Risk are protected to enable them to live in safety, free from abuse and neglect. To further this the Company will consider the wellbeing of the Adult at Risk in deciding on any disciplinary action. Consideration will be given to the person's views, wishes, feelings and beliefs, for example when considering whether to refer concerns to statutory bodies or when seeking support from charitable organisations. However, Adults at Risk can have complex interpersonal relationships and may be ambivalent, unclear, or unrealistic about their personal circumstances and may not fully appreciate potential risks to their safety or well-being and therefore it may not always be possible to fully defer to their wishes when seeking the best way forward.

#### **4. ADULTS AT RISK**

4.1 The Company endeavours to ensure all Adults at Risk, whatever their age, gender, disability, racial origin, religion, marital status or sexual orientation, have the right to protection from abuse and a right to be safe in the activities that they, or their parents and carers, choose. When working with an Adult at Risk, the Company will ensure that:

4.2 the person is listened to, and their views taken seriously;

4.3 all interventions are centred on the Adult at Risk; and

4.4 staff are aware of how issues of race, gender, disability, culture, sexuality, and age impact on an individual's life experiences and how these issues affect their understanding of, and response to, keeping Adults at Risk safe.

4.5 Abuse can take different forms and includes physical abuse, sexual abuse, emotional abuse as well as neglect and bullying and can be in the form of online or offline abuse. Abuse can have serious and long-term effects in terms of development, health and well-being including self-esteem and self-image.

4.6 The Company recognises Adults at Risk may have additional requirements and may be sensitive to certain behaviours. The Company endeavours to:

4.6.1 use positive and appropriate language;

4.6.2 avoid swearing and derogatory language; and

4.6.3 challenge inappropriate language and never address sexually suggestive jokes or comments to any person.

4.7 To ensure Adults at Risk remain safe, Company staff and individuals should not:

4.7.1 share their personal contact details or connect with individuals on any personal level e.g., social media;

4.7.2 invite or allow an Adult at Risk into their home;

4.7.3 transport an Adult at Risk alone in a car;

4.7.4 arrange online meetings with an Adult at Risk which are not related to their studies;

4.7.5 enter an Adult at Risk's home unless a responsible adult is present; or

4.7.6 use sarcasm in contentious situations.

4.8 If an Adult at Risk develops an infatuation or a staff member believes they are developing an infatuation, the Company encourages individuals to inform the Safeguarding Officer as soon as possible.

## **5. BEHAVIOURS THAT MAY CAUSE CONCERN**

5.1 When providing a safe environment for Adults at Risk, there are certain behaviours that should raise concern. Concerning behaviours that should be reported to the Safeguarding Officer include but are not limited to:

5.1.1 witnessing an incident where an Adult at Risk is harmed or abused;

5.1.2 an Adult at Risk disclosing or hinting at abuse or harm;

5.1.3 an Adult at Risk displaying worrying behaviours or appearances, e.g., injuries, signs of distress such as uncharacteristic lack of self-care, showing fear, anxiety, withdrawal or depression;

5.1.4 witnessing worrying behaviour from another member of staff or student towards an Adult at Risk;

5.1.5 An Adult at Risk expressing extreme views about another section of society.

5.2 If any of the behaviours listed or other worrying behaviours arise, the concerned individual should report to the Safeguarding Officer as soon as possible, regardless of their own opinion on the gravity of the circumstances they have witnessed.

5.3 Concerned individuals should record incidents of behaviour which may cause concern which they observe including times and dates. More details on taking a record are set out below.

## **6. ADVISING STUDENTS WHO REPORT ABUSE**

6.1 If a student reports or mentions abuse, individuals should follow these guidelines:

6.1.1 listen and be supportive, not question them;

6.1.2 not stop a student who is freely recalling significant events, and not push them to tell more than they wish;

6.1.3 make it clear at the earliest possible moment that it may be necessary to pass on information to staff in other agencies who may be able to help. Not promise confidentiality. It is an obligation to share information relating to abuse or neglect;

6.1.4 write an account of the conversation immediately after the conversation ends, as close to verbatim as possible. Put the date and timings on it and mention anyone else who was present. Then sign the record, and give it to the Safeguarding Officer, who will contact the relevant agencies if appropriate;

6.1.5 react in a calm and considered way but show concern;

6.1.6 tell them that it is right for them to share this information and that they are not responsible for what has happened;

6.1.7 take what they have said seriously;

- 6.1.8 only ask questions to ascertain whether there is a concern, but not interrogate them. Refrain from asking leading questions;
- 6.1.9 offer reassurance that the problem will be investigated as soon as possible to seek appropriate solutions and provide help, where possible and appropriate.
- 6.1.10 if it is an Adult at Risk reporting an incident, consider their mental capacity to give consent. If it is considered that they have capacity, try to gain their consent for information to be passed on. Noting here, that it is a requirement to pass on the information regardless of whether you have consent or not; and
- 6.1.11 make a comprehensive record of what is said and done immediately and send all original notes to the Safeguarding Officer.

## **7. RECORDING REPORTS OF ABUSE / BULLYING**

7.1 The record should include:

- 7.1.1 a verbatim record of the Adult at Risks account of what occurred in their own words (this could be used in court so needs to be as accurate as possible);
- 7.1.2 details of the nature of the allegation or concern;
- 7.1.3 a description of any injury; and
- 7.1.4 dates, times, or places and any other information.

7.2 The incident should then be reported immediately to the Safeguarding Officer who will take appropriate action in accordance with their training. The Safeguarding Officer will complete a safeguarding referral form contained in Appendix 1 of this policy.

7.3 Any individual making a report, should note that it is not their role to investigate disclosures, allegations or information about harm or abuse of Adult at Risks, or risk to them. This is the role of Social Services (and / or the police).

## **8. TERRORISM**

8.1 The Company is committed to protecting freedom of speech and academic freedom, and to preventing people from being drawn into terrorism. Prevent is one part of the Government's strategy to target the threat of terrorism and extremism. This policy outlines the Company's commitment to preventing people from being drawn into terrorism. In doing so it recognises that terrorism can be associated with a range of ideologies.

8.2 The policy is written with reference to the Counter Terrorism and Security Act 2015, the Equality Act 2010, the Human Rights Act 1998, the Data Protection Act 2018, and the Freedom of Information Act 2000. The Counter Terrorism and Security Act 2015 places a duty on educational institutions to have due regard to the need to prevent people from being drawn into terrorism. The Act also notes that organisations must seek to balance this duty with their commitment to freedom of speech and the importance of academic freedom.

## **9. EMERGENCY SUPPORT**

9.1 If a Adult at Risk is perceived to be at serious risk of immediate harm on or off Company premises, the relevant emergency services should be called immediately.

If a member of staff has a safeguarding concern or has received a disclosure in relation to an Adult at Risk and are not certain what to do, they should contact the Safeguarding Officer.

## **10. STORING RECORDS**

10.1 Any causes for concern in respect of an Adult at Risk should be reported immediately to the Safeguarding Officer who will hold the record securely in Company's CRM database. Where the concern is referred to an appropriate authority, the report will be retained for 6 years after the last contact with the Adult at Risk. In all other cases, the record will be retained for 3 years after the concern was recorded.

10.2 Any allegation of abuse against a member of staff should be reported immediately to the Safeguarding Officer, who will hold the record securely, pending investigation of the allegation. The Safeguarding Officer will carry out an investigation and agree any follow up course of action with the HR Manager and the Managing Director of the Company in accordance with the processes set out in the Bullying and Harassment Policy and Procedure documents.