

WILLOW WOOD SUPPLY LTD's SAFEGUARDING AND CODE OF CONDUCT POLICY

Introduction

WILLOW WOOD SUPPLY LTD follows strict standards to ensure that all Temporary Workers supplied to our Clients are of the highest professional and personal calibre. As part of our standards, we follow Safer Recruitment guidance before placing Temporary Workers into any workplace where Children and Adults at Risk may be present.

We also take seriously any concerns raised regarding our Temporary Workers. This policy gives details of what action we will take when such concerns or allegations are raised with us. These should be raised alongside our Safeguarding Policy. This policy applies to all Temporary Workers who hold an agreement for Work-Finding Services with WILLOW WOOD SUPPLY LTD.

Where a concern or allegation is raised against an Internal Employee, WILLOW WOOD SUPPLY LTD's internal disciplinary process / policy, will be followed.

Any Temporary Worker who wishes to raise a concern regarding their conditions at work (or similar) should do so through the WILLOW WOOD SUPPLY LTD's complaints procedures. Any organisation or service wishing to complain about our services, or the suitability/capacity of any Temporary Worker placed with them should do so under WILLOW WOOD SUPPLY LTD's complaints procedure.

Relevant Legislation and Guidance

The principal legislation and guidance governing this policy is:

- Keeping Children Safe in Education 2022 (Department for Education)
- Working Together to Safeguard Children 2018 (HM Government)
- Social Services and Well-being (Wales) Act 2014
- Local Safeguarding Partners/Arrangements/Local Safeguarding

Adult Board Definitions

Adult at Risk – any person aged 18 years and over, who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

Child or Children - any person under the age of 18.

Client – an organisation, which engages with WILLOW WOOD SUPPLY LTD to purchase Work-Finding Services.

This includes, amongst others:

Schools, Local Authorities, Care Homes, Universities, Parents/Carers and Private Sector organisations.

Internal Employee – is defined to mean a full or part-time employee of WILLOW WOOD SUPPLY LTD.

Service User – is defined to mean Child, Children or Adult at Risk.

Temporary Worker – an individual receiving Work-Finding Services, delivered by WILLOW WOOD SUPPLY LTD.

This includes, amongst others: Teachers, Tutors, Teaching Assistants, Care Assistants, Support Workers and Nurses.

Work-Finding Services – taken to mean recruitment activity, advertising of roles and provision of work-related training, provided by WILLOW WOOD SUPPLY LTD.

Allegations & Misconduct Policy

WILLOW WOOD SUPPLY LTD's policies and procedures ensure that all Temporary Workers understand their responsibility to protect Children and Adults at Risk.

WILLOW WOOD SUPPLY LTD's Code of Conduct outlines the behaviour, duties and standards expected from Temporary Workers, to fulfil this responsibility. Many agencies and organisations play a crucial role in safeguarding Children and Adults at Risk.

These include, but are not limited to:

- Police
- Disclosure and Barring Service (DBS)
- Teaching Regulation Agency / Education Workforce Council
- Social Care
- Local Authority Designated Officer
- Local Authorities
- Schools

Any action necessary to address the welfare of other Children or Adults at Risk should be taken without delay and in a coordinated manner, to prevent the need for further safeguarding in future.

The standard of proof for prosecution is 'beyond reasonable doubt'. The standard of proof for internal procedures and, for discretionary barring consideration by the Disclosure and Barring Service (DBS), is usually the civil standard of 'on the balance of probabilities'.

If criminal procedures are concluded as no further action, this does not automatically mean that regulatory or internal investigation procedures should cease or not be considered. WILLOW WOOD SUPPLY LTD have a legal duty to make a referral to the DBS and other third-party professional bodies if an individual:

- Is dismissed or removed from their role working in regulated activity, following a concern, allegation or harm to a Child or Adult at Risk.
- Leaves their role to avoid an internal investigation following a concern, allegation or harm to a Child or Adult at Risk, and WILLOW WOOD SUPPLY LTD would have terminated the individual's Work-Finding Services based on the evidence obtained.

Where a concern or allegation is referred, the Local Safeguarding Partner arrangements/Local Safeguarding Adults Board procedures should specify the timescales, actions and procedures for responding to any allegations or concerns raised. Concerns and allegations threshold WILLOW WOOD SUPPLY LTD recognises the importance of ensuring all concerns and allegations are shared responsibly, with the right people and recorded and dealt with appropriately.

This is to facilitate a culture of openness, trust and transparency where the clear values and expected behaviours set out in our Temporary Worker Code of Conduct are constantly lived, monitored and reinforced.

WILLOW WOOD SUPPLY LTD will consider any concerns or allegations, under the following categories:

- Concerns or allegations that may meet the harm threshold.
- Concerns or allegations that do not meet the harm threshold – referred to as 'low-level concerns'.
- Professional conduct concerns.

Concerns and allegations may arise from various sources, including, but not limited to:

- A report from a vulnerable person.
- A concern raised by another adult or professional.
- A complaint by a parent or relative.
- A concern from a non-work-related incident e.g. voluntary work/personal life.

Allegations & Misconduct Policy

Actions following notification of a concern or allegation against a Temporary Worker Any allegation against an individual who works with Children and/or Adults at Risk should be reported immediately to WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer.

WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will:

- Obtain as much information as possible from the Client, organisation or individual reporting the concern or allegation – who, when, time, date, where etc.

- If applicable, obtain the contact details for the Safeguarding Lead/Deputy at the Client or organisation.
- Ask whether the Temporary Worker has been made aware of the concern or allegation.
- Ask whether the Client, organisation or individual is reporting the concern or allegation to the police, LADO (Local Authority Designated Officer), Childrens / Adults Social Care or any other third party.

Where a referral has not been made, and WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer believes the harms threshold may have been met, a referral will be made by WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer to the police and/or LADO or Childrens / Adults Social Care.

Concerns or allegations that may meet the harm threshold

What is the harms threshold

A concern or allegation may be raised against an individual, which suggests that they may be a risk to Children/Adults at Risk.

This is referred to as the 'harms threshold' and includes individuals who may have:

- Behaved in a way that has harmed a Child or Adult at Risk, or may have harmed a Child or Adult at Risk.
- Possibly committed a criminal offence against a Child or Adult at Risk or related to a Child or Adult at Risk.
- Behaved towards a Child or Adult at Risk in a way that indicates he or she may pose a risk of harm.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with a Child or Adult at Risk.

Where concerns are raised about an individual who works with Children and/or Adults at Risk, WILLOW WOOD SUPPLY LTD will assess any potential risk to other Children and/ or Adults at Risk who may have contact with the individual, against whom the allegation has been made. This includes the individual's own Children and family members.

Examples of concerns or allegations which may meet the harms threshold include, but are not limited to:

- Failing to report safeguarding concerns such as Child self-harm or possession of non-age appropriate items (unauthorised medication, vapes, cigarettes, energy drinks).
- Physical and emotional harm.
- Inappropriate phone and/or internet contact.
- Restraint, which is not considered reasonable, proportionate or necessary.

- Inappropriate personal relations.
- Purchasing gifts.

If WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer are in any doubt as to whether the information which has been shared meets the harm threshold, they will consult with the LADO and/or Childrens / Adults Social Care.

Responding to concerns or allegations that may meet the harm threshold

Where a concern or allegation that may meet the harm threshold has been raised, WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will firstly ascertain whether a referral has already been made to the LADO and/or Childrens / Adults Social Care.

Where a referral has not been made, and WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer believes the harm threshold may have been met, a referral will be made by WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer to the police and/or LADO or Childrens / Adults Social Care:

- Within one working day of an allegation or concern being received.
- Straight away in urgent cases.

Should WILLOW WOOD SUPPLY LTD believe a Child or Adult at Risk is at immediate risk of harm, we will contact the police on 999 who can provide an immediate response.

Investigation process When a referral is made to the police, LADO or Childrens / Adults Social Care, WILLOW WOOD SUPPLY LTD will be guided by their process and WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will attend any strategy meetings/discussions.

It is the responsibility of the Local Authority to ensure that there are appropriate arrangements in place to effectively liaise with the police and other agencies, to monitor the progress of cases and ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

When instructed by the police, LADO or Childrens / Adults Social Care, WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will conduct either a fact-finding exercise or their own internal investigation.

WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will gather as much evidence as possible including:

- Witness statements, either directly or through the Client/organisation, from the individual(s) who raised the concern (unless raised anonymously).
- Statements directly from the individual subject to the concern or allegation raised.

- Any other supporting evidence.

Where a third party organisation takes the lead in investigating the allegation, WILLOW WOOD SUPPLY LTD will use its best endeavours to assist with that investigation, including attending meetings and sharing relevant information. WILLOW WOOD SUPPLY LTD do, however, reserve the right to conduct our own investigation where we are not satisfied with the outcome of the investigation; where we either believe that a Temporary Worker has been unfairly treated; that legislation or guidance has not been followed; or where we continue to have concerns about the suitability of the Temporary Worker to work with Children/Adults at Risk.

Investigation outcome

Once all evidence has been gathered and reviewed, WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will report back to the police, LADO or Childrens / Adults Social Care for the concern or allegation to be concluded under the following outcomes:

- Substantiated — there is sufficient identifiable evidence to prove the allegation. • False — there is sufficient evidence to disprove the allegation.
- Malicious — there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false.
- Unfounded — there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances.
- Unsubstantiated — this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

Following the investigation outcome, WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will determine whether/what further action may need to be taken. This includes, but is not limited to:

- Whether the allegation or concern can be rectified by way of further training or support.
- Whether the allegation or concern needs to be referred to the police, LADO and/or Childrens / Adults Social Care as the harm threshold may have been met.
- Whether the Temporary Worker's Work-Finding Services should be terminated.
- Whether a referral should be made to the DBS and other professional bodies.
- Whether the allegation or concern should be disclosed as part of any third-party reference.

Concerns or allegations that do not meet the harm threshold - 'low-level concerns'

What is a 'low-level concern'

A low-level concern is any concern, no matter how small and even if no more than a 'nagging doubt', that an individual may have acted in a way that:

- Is inconsistent with WILLOW WOOD SUPPLY LTD's Code of Conduct, including inappropriate conduct outside of work.
- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO and/or Childrens / Adults Social Care.

Low-level concerns are part of a spectrum of behaviour. This includes:

- Inadvertent or thoughtless behaviour.
- Behaviour that might be considered inappropriate depending on the circumstances.
- Behaviour which is intended to enable abuse.

Examples of such behaviour could include, but are not limited to:

- Being over friendly with Children, Adults at Risk, Service Users' and/or other professionals.
- Having favourites.
- Taking photographs of Children, Adults at Risk, Service Users' and/or other professionals on their mobile phone, contrary to policy.
- Engaging with Children, Adults at Risk or Service Users' on a one-to-one basis in a secluded area or behind a closed door.

If WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer are in any doubt as to whether the information which has been shared as a low-level concern in fact meets the harm threshold, they will consult with the LADO and/or Childrens / Adults Social Care.

Responding to low-level concerns

Where a low-level concern does not meet the threshold to be managed by the LADO and/or Childrens / Adults Social Care, WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will conduct their own internal investigation. Investigation process WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will gather as much evidence as possible including:

- Witness statements, either directly or through the Client/organisation, from the individual(s) who raised the concern (unless raised anonymously).
- Statements directly from the individual subject to the concern or allegation raised.
- Any other supporting evidence.

Investigation outcome Once all evidence has been gathered and reviewed, WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will conclude the investigation under the following outcomes:

- Substantiated — there is sufficient identifiable evidence to prove the allegation. • False — there is sufficient evidence to disprove the allegation.
- Malicious — there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false.
- Unfounded — there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances.
- Unsubstantiated — this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

Following the investigation outcome, WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will determine whether/what further action may need to be taken. This includes, but is not limited to:

- Whether the allegation or concern can be rectified by way of further training or support. • Whether the allegation or concern needs to be referred to the police, LADO and/or Childrens / Adults Social Care as the harm threshold may have been met.
- Whether the Temporary Worker's Work-Finding Services should be terminated.
- Whether a referral should be made to the DBS and other professional bodies.

Professional Conduct Concerns

What is a professional conduct concern

WILLOW WOOD SUPPLY LTD's Code of Conduct outlines the behaviour, duties and standards expected from Temporary Workers.

Breaches of WILLOW WOOD SUPPLY LTD's Code of Conduct which are considered to be professional conduct concerns include, but are not limited to:

- Persistent lateness.
- Failure to adhere to Client policies or procedures.
- Failure to complete reports, logs and report concerns.
- Inappropriate behaviour – swearing, smoking/vaping in the presence of a Child and/or Adult at Risk. • Using inappropriate language.
- Shouting and using aggressive behaviour.

If WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer are in any doubt as to whether the information which has been shared as a professional conduct concern in fact meets the harm or low-level concern thresholds, they will consult with the LADO and/or Childrens / Adults Social Care.

Responding to professional conduct concern

Where a professional conduct concern is raised, WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will conduct their own internal investigation.

Investigation process

WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will gather as much evidence as possible including:

- Witness statements, either directly or through the Client/organisation, from the individual(s) who raised the concern (unless raised anonymously).
- Statements directly from the individual subject to the concern or allegation raised.
- Any other supporting evidence.

Investigation outcome

Once all evidence has been gathered and reviewed, WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will conclude the investigation under the following outcomes:

- Substantiated — there is sufficient identifiable evidence to prove the allegation. • False — there is sufficient evidence to disprove the allegation.
- Malicious — there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false.
- Unfounded — there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances.
- Unsubstantiated — this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

Following the investigation outcome, WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will determine whether/what further action may need to be taken.

This includes, but is not limited to:

- Whether the allegation or concern can be rectified by way of further training or support.
- Whether the allegation or concern needs to be referred to the police, LADO and/or Childrens / Adults Social Care as the harm threshold may have been met.
- Whether the Temporary Worker's Work-Finding Services should be terminated.
- Whether a referral should be made to the DBS and other professional bodies.
- Whether the allegation or concern should be disclosed as part of any third-party reference.

Historical concerns and allegations

Any concern or allegation which arises in relation to historical abuse by a Temporary Worker, will be responded to in the same way as any current concern. In such cases, WILLOW WOOD SUPPLY LTD understand it is imperative to ascertain whether the individual concerned is still working with Children and/or Adults at Risk and, if so, will inform the LADO and/or Childrens / Adults Social Care and the individuals current employer/organisation.

Supporting those involved

WILLOW WOOD SUPPLY LTD acknowledge our duty of care to our Temporary Workers and understand the allegations / concerns process is likely to be a very stressful experience for the individual and, potentially, their family members. Whilst any concern or allegation is being investigated and until the outcome is decided, Temporary Workers against whom there is an allegation, will always be treated fairly and respectfully, helped to understand the concerns expressed and processes involved, and supported through the process.

WILLOW WOOD SUPPLY LTD will encourage Temporary Workers to reach out to their GP or union, if they are a member of one, if they require support.

Timescales

WILLOW WOOD SUPPLY LTD will keep Temporary Workers informed and up to date throughout the concerns and allegations process, unless doing so would compromise a criminal investigation or place a Child or Adult at Risk, at likely risk of harm.

WILLOW WOOD SUPPLY LTD acknowledges it is in everyone's interest to resolve cases as quickly as possible and every effort will be made to manage cases to avoid any unnecessary delay however, some cases will take longer because of their specific nature, complexity and other third party involvement.

Confidentiality and information sharing

Every effort will be made by WILLOW WOOD SUPPLY LTD to maintain confidentiality whilst a concern or allegation is being investigated/considered. WILLOW WOOD SUPPLY LTD will advise Temporary Workers to maintain confidentiality and ask them not to discuss or contact any Client, Service User and / or other WILLOW WOOD SUPPLY LTD Temporary Workers.

Suspension

Suspension will not be automatic when a concern or allegation is received and all options to avoid suspension will be considered prior to taking this step. Suspension will be considered by WILLOW WOOD SUPPLY LTD when:

- There is concern that a Child/Adult at Risk is suffering or likely to suffer abuse or neglect.
- The allegation has resulted in an investigation by the police.
- The allegation is so serious there may be grounds for dismissal.

Although those involved in the investigation can discuss views on suspension, only WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer will make this final decision.

If WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer are uncertain whether an individual should be suspended, they will consult with the LADO and/or Childrens / Adults Social Care.

Termination of Work-Finding Services

Wherever possible a conclusion to any investigation should be achieved, even if the Temporary Worker:

- Does not cooperate with the investigation.
- Terminates their Work-Finding Service before the process has been completed.

In cases where the criteria for referral are met, WILLOW WOOD SUPPLY LTD has a duty to refer an individual to the Disclosure and Barring Service and other professional bodies.

Agreements that enable the Temporary Worker to resign with no disciplinary action and provision of future references will not be made. Where WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer suspends an individual from work with Children/Adults at Risk (or would have, had the individual not left first) because they pose a risk of harm, a referral will be made to the Disclosure and Barring Service and / or other professional bodies.

Referral to the Disclosure and Barring Service and other professional bodies

Where concerns or allegations that may meet the harm threshold are substantiated, in observance with our legal responsibilities, WILLOW WOOD SUPPLY LTD will report the individual to the DBS and other professional bodies where appropriate.

If WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer is uncertain whether a referral should be made, they will consult with the LADO and/or Childrens / Adults Social Care, the DBS and / or other professional bodies.

Record keeping

All concerns and allegations will be recorded on the Temporary Worker's record and will include the following:

- Details of the concern or allegation raised
- The context in which the concern or allegation arose
- Evidence gathered and considered.
- Details of any meetings, including minutes.
- Any action taken.
- Details of any referrals made (if applicable).
- The name of the individual, Client and/or organisation sharing their concerns (unless the individual has asked to remain anonymous).

All records will be stored confidentially in accordance with WILLOW WOOD SUPPLY LTD's Record Retention Policy and will be reviewed to identify patterns of concerning, problematic or inappropriate behaviour.

References

Concerns or allegations that may meet the harm threshold

Cases in which a concern or allegation that may meet the harm threshold has been determined as substantiated, will be included in any third party references.

Cases in which a concern or allegation that may meet the harm threshold has been determined to be false, unfounded, unsubstantiated or malicious, will not be included in any third party references.

Concerns or allegations that do not meet the harm threshold – referred to as 'low-level concerns'. Cases in which a concern or allegation does not meet the harm threshold ('low-level concerns') will not be included in any third party references, regardless of outcome.

Professional conduct concerns

Cases in which a concern or allegation is deemed to be a professional conduct concern, will be considered on a case by case basis and included as part of any third party reference, should WILLOW WOOD SUPPLY LTD's Designated Safeguarding Lead/Officer consider it necessary.

Lesson learning

At the conclusion of any investigation, WILLOW WOOD SUPPLY LTD, the LADO and/or Childrens / Adults Social Care and any other relevant parties, should undertake a review of the case. This will ascertain whether there are any necessary actions required to improve procedures or practice, in relation to the circumstances which led to the concern or allegation. The process of investigating the concern or allegation will also be evaluated to decide if there are also recommendations for improvements.

Where changes to policy are identified and recommended, these will be implemented and communicated by WILLOW WOOD SUPPLY LTD as soon as possible. WILLOW WOOD SUPPLY LTD will give consideration as to how lessons learned can best be communicated to both Temporary Workers and Internal Employees – whether this be by internal communication, supervision, internal meetings or training events.

This policy will be enforced by WILLOW WOOD SUPPLY LTD's CEO, Managing Director, Operations Directors, Head of Compliance & Safeguarding, Head of HR and Data Protection Officer.

This policy is subject to change to updates and necessary.

It is the responsibility of each Temporary Worker to keep themselves up to date with any additional versions.