

## Safeguarding, Child Protection and Welfare

Amber Guardianships is fully committed to safeguarding and promoting the wellbeing of our students, and we expect all our staff, host families and working partners to share this commitment. We have the following policies and documents in place to safeguard our students. Policy documents are available to all members of staff, homestays and partner schools.

- Anti-Radicalisation Policy-Prevent
- Data Protection Policy and Privacy Notice
- Missing student Policy
- Safer Recruitment Policy
- Bullying including Cyberbully and E Safety Guidelines
- Whistleblowing Policy
- Low Level Concerns
- Allegations against adults/staff

All of these policies are included within this Safeguarding and Child Protection policy. Amber Guardianships policies and handbooks include a publication and review date and are updated annually.

*Keeping Children Safe in Education 2021* The statutory guidance 'Keeping Children Safe in Education' 2021 is available online:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1021914/KCSIE\\_2021\\_September\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1021914/KCSIE_2021_September_guidance.pdf)

Staff have access to this online document and are advised as part of their induction to read Part 1 and Annex A, which provides further information on:

- Children missing from education
- Child criminal exploitation and county lines
- Child sexual exploitation and harmful Sexual Behaviour
- Honour based abuse such as FGM mandatory reporting duty and Forced marriage
- Preventing radicalisation
- Peer on Peer / Child on Child abuse/ Upskirting

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# 1. What are Safeguarding and Child Protection?

The safety and welfare of children, or Child Protection, means protecting children from physical, emotional or sexual abuse or neglect. Amber Guardianships is committed to the protection of all children in its care. Our aim is to ensure

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- protecting children from maltreatment;
- preventing impairment of children’s mental and physical 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.

The purpose of this policy is to provide staff, volunteers and homestays with the framework they need in order to keep children safe and secure whilst they are in our care. The policy also informs parents, agents and partner schools how we will safeguard their children whilst they are in our care.

This policy is based on guidance from *Keeping Children Safe in Education* and *Working Together to Safeguard Children*. It also makes use of guidance from the NSPCC website.

Safeguarding and promoting the welfare of children	<p>is defined as:</p> <ul style="list-style-type: none"> <li>• protecting children from maltreatment.</li> <li>• preventing impairment of children's health or development.</li> <li>• ensuring that children grow up in circumstances consistent with the provision of safe and effective care.</li> <li>• taking action to enable all children to have the best outcomes.</li> </ul>
Child Protection	<p>Is a part of safeguarding and promoting welfare. It refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.</p>

Designated Safeguarding Lead (DSL)	This is the person identified as taking the lead in safeguarding matters in an organisation. This person (and possibly a deputy) will be trained to a higher level.
Prevent	Prevent is the name given to part of the government's strategy to prevent terrorism by reducing the possibility of radicalisation.
Local Safeguarding Partnership (LSP)	Formerly Local Safeguarding Children Board (LSCB) and consisting of the local authority, the clinical commissioning group within the local authority and the chief office of police within the local authority.
LADO	The role of the Local Authority Designated Officer (LADO) is to coordinate all allegations and concerns made against a person who works with children.
Children	'Children' includes everyone under the age of 18.

All staff members are responsible for the students' safeguarding. If you have any concerns on child protection, or if you would like to speak to someone or report a safeguarding issue, please contact our Designated Safeguarding Lead at the Amber Guardianship office on:

### 1.1 Key Safeguarding Contact Details

Role	Name	Telephone Number	Email
Designated Safeguarding Lead (DSL)	Joey Tang	+44 207 7340274 Monday to Friday (9:30-18:30) +44 7939 682757 (24 hours/7 days)	Joey.tang@amberedu.co.uk
Deputy Designated Safeguarding Lead (DDSL)	Louisa Cheung	+44 207 340274 Monday to Friday (9:00-18:00) +44 7534 769764 (24 hours/7 days)	lousia.cheung@amberedu.co.uk



Amber Guardianships 24-Hour emergency contact	Joey Tang  Louisa Cheung	+44 7939 682757  +44 7534 769764	
Local Safeguarding Partner (LSP)	Hammersmith & Fulham, Kensington & Chelsea, Westminster, First Floor, Kensington Town Hall, Hornton Street, London W8	Tel: 07739 315 388	Amber Guardianships DSL liaises with LSP by email and makes them aware of our activities.
LADO	Westminster Access Team	Tel: 020 7641 4000  (Out of hours – 020 7641 6000)  For case consultations or LADO referrals, please phone the Duty Child Protection Advisor in the first instance on  020 7641 7668	LADO@westminster.gov.uk

Other useful telephone numbers:

NSPCC: 0808 800 5000 Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: [help@nspcc.org](mailto:help@nspcc.org).

Child-line: 08001111

## 1.2 Child Protection Principles

The following principles underpin our provisions and practices in relation to safeguarding and child protection:

- Amber Guardianships including homestay and transfer companies will provide a safe and secure environment for all students. All students feel safe, secure and protected from harm;
- All students know who to turn to for help, advice or support, can access services confidentially, quickly and easily and have access to 24-hour support;
- All staff share the responsibility to protect and safeguard our students from harm, remain vigilant in identifying safeguarding and child protection issues and follow policies and procedures relating to

safeguarding and child protection. It includes all staff and agencies. It also applies to those who provide homestay accommodation for our students and third-party homestay providers.

- Students and staff have effective means by which they can raise child protection concerns or report issues.
- Staff have at least one reliable means to contact all students quickly and directly.
- Staff are aware of the medical or learning needs of individual students via the Student Record.
- In cases where the whereabouts of a student under Amber Guardianships are not known or the student is believed to be at risk of harm, procedures to locate the student by the safest and quickest means possible, or secure the safety of the student will be invoked immediately by following the Missing Student policy;
- The company has procedures in place that enable child protection concerns and incidents to be dealt with promptly effectively and in line with relevant legislation.

In pursuit of this aim, Amber Guardianships undertakes the following:

1. Be aware of the systems in our company which support safeguarding, and these should be explained to them as part of staff induction.
2. Receive appropriate safeguarding and child protection training (including online safety) which is regularly updated.
3. All staff should receive safeguarding and child protection updates (including online safety) (for example, via emails, e-bulletins and staff meetings), as required, and at least annually, to provide them with the skills and knowledge to safeguard children effectively;
4. Know the identity of the designated safeguarding lead (and any deputies) and how to contact them. If you have any reason to believe that a child in your care is suffering from any form of abuse or neglect, then please report it immediately in confidence to the DSL or DDSL using the contact details listed in this policy.
5. We promote an environment of trust, openness and clear communication between students, school and Amber Guardianships staff and our Homestays, so that student welfare, safety and pastoral care are our top priorities;
6. We respond to any reported allegation or suspicion of child abuse in accordance with the Amber Guardianships safeguarding procedures;
7. Know what to do if a child tells them they are being abused or neglected. This includes understanding they should never promise a child that they will not tell anyone else about a report of abuse, as this is unlikely to be in the best interests of the child; and,
8. Should be able to reassure all victims that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment, nor should a victim ever be made to feel ashamed for making a report.
9. We ensure that all staff, homestays and agencies offering outsourced services who come into direct contact with students in our care, are recruited using safer recruitment practices;
10. We maintain links with the appropriate agencies that have a statutory responsibility to deal with child welfare and child protection concerns.

Amber Guardianships will ensure:

- Students and parents are given a copy of the Parents Handbook, Student Handbook and the Safeguarding and Child Protection Policy before arrival. The guardian will go through the policies and highlight the main points during our pre-arrival induction with the parents and the students and make sure that they are fully aware.
- All staff receive this document as part of their induction and safeguarding training and ongoing support.
- Regular contact with students to ensure they are safe.
- All staff, homestay and drivers are recruited after AG safer recruitment checks, as well as those roles include teaching, administration and social activities.
- Amber Guardianships Safer Recruitment Policy is reviewed and updated annually.

Amber Guardianships staff must:

- Behave appropriately (actions, dress code, language), work in an open environment, be alert for signs of abuse, maintain a safe, professional distance in all relationships with students, treat young and vulnerable people with dignity and fairly, actively prevent students from accessing any form of inappropriate material, educate students on E-Safety.
- Do not leave any young person alone if he/she is under your supervision.
- Not socialise with young or vulnerable students on occasions when it does not constitute part of your normal duties (on or offline).
- Not use any visual, audio-visual or written material that exposes young people to harm (be it physical, emotional or sexual),
- Not give young or vulnerable people prescription drugs or medication (without their parent's consent), drink alcohol, smoke or use drugs when working with under 18s (nor make jokes with reference to them)

### 1.3 Protect Child from Abuse and Neglect

#### Types of abuse and neglect

**Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

**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 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 from participating in normal social

interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), 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, although 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. The sexual abuse of children by other children is a specific safeguarding issue in education.

**Online Abuse:** All staff should be aware that technology is a significant component in many safeguarding and wellbeing issues. Children are at risk of abuse online as well as face-to-face. In many cases, abuse will take place concurrently via online channels and in daily life. Children can also abuse their peers online, this can take the form of abusive, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography, to those who do not want to receive such content. In all cases, if staff are unsure, they should always speak to the designated safeguarding lead (or deputy).

**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, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

(For specific types of abuse, please see the additional information at the end of this policy).

### **Signs of Abuse and Neglect**

The following information has been taken from the NSPCC website <https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/>

#### **Common signs**

The NSPCC list the following as common signs that there may be something concerning happening in a child's life include:

- unexplained changes in behaviour or personality
- becoming withdrawn
- seeming anxious
- becoming uncharacteristically aggressive
- lacks social skills and has few friends, if any
- poor bond or relationship with a parent
- knowledge of adult issues inappropriate for their age

- running away or going missing
- always choosing to wear clothes which cover their body

These signs don't necessarily mean that a child is being abused, there could be other things happening in their life which are affecting their behaviour – but we can help you to assess the situation.

You may also notice some concerning behaviour from adults who you know have children in their care, which makes you concerned for the child/children's safety and wellbeing.

### **Indicators of Physical Abuse**

Bumps and bruises don't always mean a child is being physically abused. All children have accidents, trips and falls. And there isn't just one sign or symptom to look out for. But it's important to be aware of the signs.

If a child regularly has injuries, there seems to be a pattern to the injuries or the explanation doesn't match the injuries, then this should be reported.

Physical abuse symptoms include:

- bruises
- broken or fractured bones
- burns or scalds
- bite marks

It can also include other injuries and health problems, such as:

- scarring
- the effects of poisoning, such as vomiting, drowsiness or seizures
- breathing problems from drowning, suffocation or poisoning

Head injuries in babies and toddlers can be signs of abuse so it's important to be aware of these.

Visible signs include:

- swelling
- bruising
- fractures
- being extremely sleepy or unconscious
- breathing problems
- seizures
- vomiting
- unusual behaviour, such as being irritable or not feeding properly

### **Indicators of Emotional Abuse**

There might not be any obvious physical signs of emotional abuse or neglect. And a child might not tell anyone what's happening until they reach a 'crisis point'. That's why it's important to look out for signs of how a child is acting.

As children grow up, their emotions change. This means it can be difficult to tell if they're being emotionally abused. But children who are being emotionally abused might:

- Seem to be not confident or lack self-assurance
- struggle to control their emotions
- have difficulty making or maintaining relationships
- act in a way that's inappropriate for their age

The signs of emotional abuse can also be different for children at different ages.

Children might:

- use language you wouldn't expect them to know for their age
- act in a way or know about things you wouldn't expect them to know for their age
- struggle to control their emotions
- have extreme outbursts
- seem isolated from their parents
- lack social skills
- have few or no friends.

### **Indicators of Sexual Abuse**

Knowing the signs of sexual abuse can help give a voice to children. Sometimes children won't understand that what's happening to them is wrong or they might be scared to speak out. Some of the signs you might notice include:

#### **Emotional and Behavioural signs**

- Avoiding being alone with or frightened of people or a person they know
- Language or sexual behaviour you wouldn't expect them to know
- Having nightmares or bed-wetting
- Alcohol or drug misuse
- Self-harm
- Changes in eating habits or developing an eating problem

#### **Physical Signs**

- Bruises
- Bleeding, discharge, pains or soreness in their genital or anal area
- Sexually transmitted infections
- Pregnancy

If a child is being or has been sexually abused online, they might:

- spend a lot more or a lot less time than usual online, texting, gaming or using social media
- seem distant, upset or angry after using the internet or texting
- be secretive about who they're talking to and what they're doing online or on their mobile phone
- have lots of new phone numbers, texts or email addresses on their mobile phone, laptop or tablet
- Children and young people might also drop hints and clues about the abuse

**Honour-based Abuse** All staff should speak to the designated safeguarding lead (or deputy) with regard to any concerns about **female genital mutilation (FGM)**, a procedure where the female genitals are deliberately cut, injured or changed, but there's no medical reason for this to be done) or **Forced Marriage**.

### Indicators of Neglect

Neglect can be really difficult to spot. Having one of the signs doesn't necessarily mean a child is being neglected. But if you notice multiple signs that last for a while, they might show there's a serious problem. Children and young people who are neglected might have:

#### Poor appearance and hygiene

- being smelly or dirty
- being hungry or not given money for food
- having unwashed clothes
- having the wrong clothing, such as no warm clothes in winter

#### Health and development problems

- anaemia
- body issues, such as poor muscle tone or prominent joints
- medical or dental issues
- missed medical appointments, such as for vaccinations
- not given the correct medicines
- poor language or social skills
- regular illness or infections
- repeated accidental injuries, often caused by lack of supervision
- skin issues, such as sores, rashes, flea bites, scabies or ringworm
- thin or swollen tummy
- tiredness
- untreated injuries
- weight or growth issues

#### Housing and family issues

- living in an unsuitable home environment, such as having no heating
- being left alone for a long time
- taking on the role of carer for other family members

#### Change in behaviour

- becoming clingy
- becoming aggressive
- being withdrawn, depressed or anxious
- changes in eating habits
- displaying obsessive behaviour
- finding it hard to concentrate or take part in activities
- missing school
- showing signs of self-harm
- using drugs or alcohol

## 1.4 Specific types of abuse

The following information is taken from *Keeping Children Safe in Education* (2021). Please refer to this document for further details, including additional types of abuse.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1014058/KCSIE\\_2021\\_Part\\_One\\_September.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1014058/KCSIE_2021_Part_One_September.pdf)

### 1.4.1 Peer on peer abuse (child on child)

All staff should be aware that children can abuse other children (often referred to as peer on peer abuse). And that it can happen both inside and outside of school or college and online.

It is important that all staff recognise the indicators and signs of peer on peer abuse, such as:

- absence from school or disengagement from school activities.
- physical injuries.
- mental or emotional health issues.
- becoming withdrawn – lack of self-esteem.
- lack of sleep.
- alcohol or substance misuse.
- changes in behaviour.
- inappropriate behaviour for age.

It is essential that all staff understand the importance of challenging inappropriate behaviours between peers, many of which are listed below, that are actually abusive in nature. Downplaying certain behaviours, for example dismissing sexual harassment as “just banter”, “just having a laugh”, “part of growing up” or “boys being boys” can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

Peer on peer abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- abuse in intimate personal relationships between peers;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;
  - causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
  - consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery).

If staff have any concerns regarding peer on peer abuse they should speak to their designated safeguarding lead (or deputy).



All staff and homestays should be aware that children can abuse other children (often referred to as peer on peer abuse). This is most likely to include, but may not be limited to:

- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence, such as rape, assault by penetration and sexual assault;
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse.

#### **1.4.2 Serious violence**

All staff and homestays should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

#### **1.4.3. Children missing from education**

All staff and homestays should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should contact the student's school or college should they suspect a student is missing from education. The school or college will have a procedure for reporting this absence.

#### **1.4.4. Child sexual exploitation**

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. Like all forms of child sex abuse, child sexual exploitation:

- can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 years old who can legally consent to have sex;

- can still be abused even if the sexual activity appears consensual;
- can include both contact (penetrative and non-penetrative acts) and noncontact sexual activity;
- can take place in person or via technology, or a combination of both;
- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence;
- may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media);
- can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse; and
- is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. Some of the following signs may be indicators of child sexual exploitation:
  - children who appear with unexplained gifts or new possessions;
  - children who associate with other young people involved in exploitation;
  - children who have older boyfriends or girlfriends;
  - children who suffer from sexually transmitted infections or become pregnant;
  - children who suffer from changes in emotional well-being;
  - children who misuse drugs and alcohol;
  - children who go missing for periods of time or regularly come home late; and
  - children who regularly miss school or education or do not take part in education.

#### **1.4.5 Child Criminal Exploitation: county lines**

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, markets and seaside towns. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism should be considered. Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
- can affect any vulnerable adult over the age of 18 years;
- can still be exploitation even if the activity appears consensual;
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
- can be perpetrated by individuals or groups, males or females, and young people or adults; and

- is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources

#### **1.4.6 Honour-based violence (including Female Genital Mutilation and Forced Marriage)**

So-called 'honour-based' violence (including Female Genital Mutilation and Forced Marriage) So-called 'honour-based' violence (HBV) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBV are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

#### **Actions**

If staff have a concern regarding a child that might be at risk of HBV or who has suffered from HBV, they should speak to the designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care. In schools, where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on teachers- if a teacher, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher must report this to the police.

#### FGM

Comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

#### Forced marriage

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

#### **1.4.7 Domestic Abuse**

The cross-government definition of domestic violence and abuse is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.

The abuse can encompass, but is not limited to:

- psychological;
- physical;
- sexual;
- financial; and
- emotional.

Exposure to domestic abuse and/or violence can have a serious, long-lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result. Domestic abuse affecting young people can also occur within their personal relationships, as well as in the context of their home life.

#### **1.4.8.Up-skirting**

‘Upskirting’ typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is now a criminal offence.

#### **1.4.9.Abuse risk posed to student via Online**

The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm.

The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

- **content:** being exposed to illegal, inappropriate or harmful material; for example, pornography, fake news, racist or radical and extremist views;
- **contact:** being subjected to harmful online interaction with other users; for example commercial advertising as well as adults posing as children or young adults; and
- **conduct:** personal online behaviour that increases the likelihood of, or causes, harm; for example making, sending and receiving explicit images, or online bullying.

Amber Guardianships recognises the risks posed to students online. Further information can be found in the e-safety and bullying (including cyber-bullying) policies.

#### **1.4.10 Mental Health**

All staff should be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Staff should be aware that children who have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, can impact on their mental health, behaviour, and education.

If staff have a mental health concern about a child, immediate action should be taken, following their child protection policy, and speaking to the designated safeguarding lead or a deputy.

## 1.5 Duties of staff and host families

When new staff, volunteers or homestays join Amber Guardianships, they are informed of the safeguarding arrangements in place, the name of the DSL (and DDSL) and how to share concerns with them. Please note that the usual reporting channel is via the DSL, however anyone can make a referral directly to the LSP or LADO. The contact details are included in this document.

### 1.5.1 Actions to be followed if there are concerns about a child or young person

- All staff members and homestays have a duty to identify and respond to suspected / actual abuse or disclosures of abuse. Any member of staff, volunteer or homestays who receives a disclosure or allegation of abuse, or suspects that abuse may have occurred must report it immediately to the DSL (or, in their absence, the DDSL).
- Where there is risk of immediate harm, concerns will be referred immediately by telephone to the LSP
- John Griffin  
Child Protection Adviser  
Telephone: 020 7641 1615  
Email: [jgriffin@westminster.gov.uk](mailto:jgriffin@westminster.gov.uk) or the Police.
- Less urgent concerns or requests for support, including for Early Help, about a concern, or if we are unsure how to respond to, it will be sent by the DSL to the LSP via John Griffin  
Child Protection Adviser  
Telephone: 020 7641 1615  
Email: [jgriffin@westminster.gov.uk](mailto:jgriffin@westminster.gov.uk)
- Where a concern is not seen to reach the threshold for a referral, the DSL will keep the concern on file and will monitor the situation. Should the concern escalate, a referral will be made to the LSP.
- Wherever possible, we will share any safeguarding concerns, or an intention to refer a child to Children's Social Care, with parents or carers. However, we will not do so where it is felt that to do so could place the child at greater risk of harm or impede a criminal investigation. On occasions, it may be necessary to consult with the LSP and/or Police for advice on when to share information with parents / carers.
- If a member of staff or homestay continues to have concerns about a child and feels the situation is not being addressed or does not appear to be improving, the staff member or homestay concerned should press for reconsideration of the case with the designated safeguarding lead.
- If, for any reason, the DSL (or DDSL) is not available, or you do not feel that your concern is being taken seriously, this should not delay appropriate action being taken. Any individual may refer to the LSP or Police where there is suspected or actual risk of harm to a child. The contact details are included at the P.9 of this policy.
- Full records of reports and action taken will be maintained by the DSL and securely stored in a specific safeguarding file.

### 1.6 Allegations of abuse against a member of staff or homestay

- If the allegation is made about a member of the guardianship organisation staff or homestay, the DSL must contact the LADO immediately and follow their advice. Staff **must not** investigate themselves. If the allegation is about the DSL, please contact Alex Leung,

Project Manager, by email: alex.leung@amberedu.com.hk who will contact the LADO and follow the advice as above.

- Amber Guardianships will report promptly to the DBS any person whose services are no longer used for regulated activity because they have caused harm or posed a risk of harm to a child.

## 1.7 How to receive a disclosure from a child or young person

- Reassure the child and listen carefully – it is important that they know you believe them
- Do not say you will not say anything to anyone – in fact you have a duty to disclose this to another person so do not promise confidentiality
- Make sure you take detailed notes, write everything down
- Ask open questions if appropriate, do not lead the conversation to find out what has happened. Use words such as tell me, explain or describe, and allow the student to speak
- Avoid words such as what, why, how when – these will be asked by the relevant agency if appropriate.
- Ensure that you notify the police by calling 999 if you believe that the young person is at immediate or serious risk of harm
- Contact the DSL Joey Tang or DDSL Louisa Cheung as soon as practicable and in any case within 24 hours
- If the disclosure is made out of hours, please use Amber Guardianships emergency phone number 07939682757.

## 1.8 Sharing Safeguarding Information

Information will be shared with guardianship organisation staff, homestays and the school's DSL (of the school that the student attends) who 'need to know'.

The guardianship organisation is required to share information appropriately with parents, students, agents, homestays, schools, local children's services and other external agencies where there is a need to do so.

All staff and homestays must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children and that the Data Protection Act 2018 and General Data Protection Regulations are not a barrier to sharing information where a failure to do so would place a child at risk of harm. There is a lawful basis for child protection concerns to be shared with agencies who have a statutory duty for child protection.

All staff and homestays must be aware that they cannot promise a child to keep secrets which might compromise the child's safety or wellbeing. However, staff and homestays are aware that matters relating to child protection and safeguarding are personal to children and families, in this respect they are confidential and the DSL and DDSL will only disclose information about a child to other members of guardianship organisation staff, homestays or the DSL of the school that the student attends on a need to know basis.

The DSL will always undertake to gain parent/carers consent to refer a child to Social Care unless to do so could put the child at greater risk of harm, or impede a criminal investigation.

## 1.9 Designated Safeguarding Lead

The DSL will take lead responsibility for safeguarding and child protection (including online safety). This will be explicit in the role holder's job description. This person should have the appropriate status and authority within the guardianship organisation to carry out the duties of the post.

The DDSL will be trained to the same standard as the DSL and the role will be explicit in their job description.

The designated safeguarding lead is expected to:

- refer cases of suspected abuse to the local authority children's social care as required;
- support staff and homestays who make referrals to local authority children's social care;
- refer cases to the Channel programme where there is a radicalisation concern as required;
- support staff and homestays who make referrals to the Channel programme;
- refer cases where a crime may have been committed to the Police as required.
- act as a point of contact with the three safeguarding partners;
- liaise with the CEO, Amber Education Group to inform him of issues
- liaise with staff and homestays on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies;
- act as a source of support, advice and expertise for all staff and homestays.
- ensure the guardianship organisation's child protection policies are known, understood and used appropriately;
- ensure the child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with the CEO regarding this;
- ensure the child protection policy is available for all relevant parties.
- link with the safeguarding partner arrangements to make sure staff and homestays are aware of any training opportunities and the latest local policies on local safeguarding arrangements.

### 1.9 Contact Details for the DSL and DDSL

Role	Name	Telephone Number	Email
DSL	Joey Tang	0207 7340274	joey.tang@amberedu.co.uk
DDSL	Louisa Cheung	0207 7340274	louisa.cheung@amberedu.co.uk
24-Hour emergency contact	First contact: Second contact:	07939 682757 07534 769764	

York, Durham and surrounding area	Christine Kwong	07472 459790	christine.kwong@amberedu.co.uk
South of England, Margate, Brighton,	Minqian Li	07510 659302	bobo.li@amberedu.co.uk
Reading and Southeast of England	Louisa Cheung	07534769764	louisa.cheung@amberedu.co.uk
London and Midland and the surrounding area	Joey Tang	07939682757	Joey.tang@amberedu.co.uk

## 1.10 Prevent

Amber Guardianships has a Prevent policy that outlines our procedure for Anti-Radicalisation and Prevent.

### Prevent Lead Contact Details

Role	Name	Telephone Number	Email
Prevent	Louisa Cheung	0207 7340274	louisa.cheung@amberedu.co.uk

### Record keeping

- Amber Guardianships will keep full records of any safeguarding concern reported to them. Safeguarding records will be stored securely and separately to the general student files. These will be stored confidentially by the DSL in a locked cabinet with all hard copies. Only the DSL and DDSL will have access to these files.
- Records will be detailed and accurate. These will include all concerns about a student even if there is no need to make an immediate referral and record the rationale for decisions made and action taken. Copies of any correspondence or notes from conversations with the LSP, school DSL or other external agency will be included in the file.



- Amber Guardianships will ensure that the indication of the existence of the additional child protection file is marked on the student file record. Information will only be shared on a need-to-know basis in order to safeguard the student.
- Amber Guardianships will make staff and homestays aware of the need to keep records securely in line with published procedures.

### **Training and updates**

Amber Guardianships will ensure that all staff and homestays receive training and regular updates that are suitable for their roles. A formal record of all safeguarding training will be kept.

### **DSL and DDSL**

The DSL and DDSL will attend suitable face-to-face training as approved or provided by the NSPCC or Local Safeguarding Partnership. This training will be renewed every two years.

### **Other staff and homestays**

All other members of staff, volunteers and Homestays will receive appropriate safeguarding training to an appropriate basic awareness level (previously referred to as level 1), every three years. This will either be done online or in person. Members of staff, volunteers and Homestays who have already completed suitable safeguarding training for another provider that is still in date will not be required to re-train. In this case the DSL will still need to ensure that the person fully understands Amber Guardianships own procedures for safeguarding.

All staff and homestays will receive regular safeguarding updates, once per year – normally in September. These will be given by the DSL.

## **1.11 Local Safeguarding Partnerships (LSPs)**

Amber Guardianships will liaise with their Local Safeguarding Partnership (LSP) and work in partnership with other agencies in line with *Working Together to Safeguard Children*. Partner schools have their own safeguarding policies. These can be found on their website and will include the contact details for their LSP. Amber Guardianships recognises that if any safeguarding concerns occurred whilst a student was in a homestay that was out of the school county area then a different/additional LSP arrangement would be required as well. In this case, Amber Guardianships will contact the relevant LSP and follow their procedures.

In the event of any contact information difficulties then Amber Guardianships should call the police as they are one of the partners.

The company is aware of how to access local agency contacts; this includes Local Safeguarding Partnerships across the country and how to access locally agreed inter-agency procedures and

guidance. In addition, the company is aware of the non-emergency reporting procedures via the Local Authority's Children's Services relevant to the area or Multi-Agency Safeguarding Hub (MASH), or by telephoning the non-emergency Police number 101. For emergency situations, the company is aware of the need to contact the relevant police force for the area by dialling 999, this includes Wales and Police Scotland.

The company is aware that in **Scotland**, for a non-emergency referral or concern they can contact the local children's social work team. Their contact details can be found on the website of the local authority the child lives in, and in the table below. Alternatively, they can contact the local office of the Scottish Children's Reporter Administration: <https://www.scra.gov.uk/contact-us/>

The company is aware that in **Wales** for a non-emergency referral or concern they can contact the local child protection services.

Amber Guardianships UK's head office is in London, and our guardianship students are spread over different counties. The LSP and LADO contact details can be found on the website for the local authority the child lives in, and on the table below.

### 1.12 Contact Details

Role	Name	Telephone Number	Email
LSP	Hammersmith & Fulham, Kensington & Chelsea, Westminster, First Floor, Kensington Town Hall, Hornton Street, London W8	Tel: 07739 315 388	John Griffin  Child Protection Adviser  Telephone: 020 7641 1615  Email: <a href="mailto:jgriffin@westminster.gov.uk">jgriffin@westminster.gov.uk</a>
LADO	Westminster Access Team	Tel: 020 7641 4000  (Out of hours – 020 7641 6000)	Email:  For case consultations or LADO referrals, please phone the Duty Child Protection Advisor in the first instance on 020 7641 7668 or email <a href="mailto:LADO@westminster.gov.uk">LADO@westminster.gov.uk</a>

#### Contact Details for LSPs and LADOs across the areas that Amber Guardianships operates

Area	Role and Name of contact	Telephone Number	Email
Cambridge	Safeguarding Children Partnership Board	0345 0455203	<a href="mailto:Safeguardingboards@cambridgeshire.gov.uk">Safeguardingboards@cambridgeshire.gov.uk</a>

		Emergency duty team: 01733 234724	
Kent	Kent Safeguarding Children multi-agency partnership	Reporting line: 03000411111	Kscmp@kent.gov.uk
Somerset	SSCP	01823 355803	childrens@somerset.gov.uk
North Yorkshire	NYSCP	01609535123	<a href="mailto:nyscp@northyorks.gov.uk">nyscp@northyorks.gov.uk</a>
West Yorkshire	West Yorkshire Consortium Inter Agency Safeguarding and Child Protection	02476678053	<a href="mailto:info@trixonline.co.uk">info@trixonline.co.uk</a>
Durham	SLP	03000 267979	firstcontact@durham.gov.uk
Lancashire	Lancashire Safeguarding Children Board	03001236720  0300 123 6722(out of hours 5pm-8am)	
Leicester	Leicester Safeguarding Children Partnership Board	0116 4541004 (24 hours)	Das-team@leicester.gov.uk
North Somerset	North Somerset Safeguarding	01275 888808(Monday- Friday 8am-6pm  01454 615165 Out of hours and weekends	
South Wales	South East Wales Safeguarding Children Board (SEWSC)	01495 762200(8:30- 17:00 Monday to Friday	<a href="mailto:Caltorfaen@torfaen.gov.uk">Caltorfaen@torfaen.gov.uk</a>

Details can be found on the Local Authority website. The website below provides a link to all of the LSPs in the country:

<https://www.safecic.co.uk/your-scb-acpc/55-free-downloads-and-safeguarding-links/61-safeguarding-children-board-links>

### **1.13 Liaison with parents/ agents and partner schools**

- The guardianship organisation may be required to share confidential safeguarding information with the DSL of the school or college that the student attends. When a student moves to school or college, safeguarding information may be shared with the DSL of the new school. All schools and colleges have their own safeguarding and child protection policies that outline their procedures. These can be found on their websites.
- Whilst the guardianship organisation will work openly with parents as far as possible, it reserves the right to contact the LSP or the police, without notifying parents if this is believed to be in the child's best interests.
- Amber Guardianships will not usually share safeguarding information with agents unless it is necessary to safeguard the student. In this case information will be provided on a need-to-know basis and on the understanding that it should be kept strictly confidential.

### **1.14 Safeguarding Training**

- Our designated safeguarding lead ensures that all members of staff, and homestays receive appropriate safeguarding training to an appropriate basic awareness level (safeguarding training level one by online course) and will be renewed every three years. We have liaised with our Local Safeguarding Partner (LSP) of Hammersmith & Fulham, Kensington & Chelsea, Westminster about the appropriate source of training.
- DSL liaises with the LSP to make them aware of the activities undertaken by Amber Guardianships via email.
- DSL will contact and liaise as necessary with their counterparts in our partner schools.
- Where there is a safeguarding concern, Amber Guardianships will liaise with the LSP as necessary and ensure all local inter-agency procedures are followed and documented.

## **2. Whistleblowing**

As an employee of Amber Guardianships, you may be the first to realise that there may be something wrong within the organisation. However, you may not express your concerns because you feel that speaking up would be disloyal to colleagues or the organisation. You may also fear harassment or victimisation and think it may be easier to ignore the concern rather than report it.

Amber Guardianships are committed to the highest standards of openness, probity, and accountability. In line with that commitment, we encourage employees, who have serious concerns about any aspect of the guardianship organisation work, to come forward and voice those concerns.

It is recognised that certain cases will have to proceed on a confidential basis. This policy document makes it clear that staff can do so without fear of reprisals. This Whistleblowing Policy is intended to encourage and enable employees of Amber Guardianships, to raise serious concerns within the company rather than overlooking a problem or discussing it externally.

In addition, the policy provides a means for you to raise a concern under the Public Interest Disclosure Act 1998, which provides you with a certain level of legal protection if you wish to raise legitimate concerns.

## 2.1 Policy Statement

Amber Guardianships is committed to the highest standards of transparency, integrity and accountability in the practice of providing guardianship to international students. Concerns about poor practice within Amber Guardianships should usually be dealt with through the Amber Guardianships complaints procedure.. However serious allegations may be raised by following the whistleblowing policy. It is the duty of all staff members of Amber Guardianships and those associated with Amber Guardianships to raise any concerns so that improvements can be made. Raising concerns will not result in reprisals in any form. This policy is intended to provide a means of making serious allegations about standards, conduct, financial irregularity or possible unlawful action in a way that will ensure confidentiality and protect those making such allegations in the reasonable belief that it is in the public interest to do so from being victimised, discriminated against or disadvantaged. This policy does not replace other policies and procedures such as the Amber Guardianships Complaints Procedure. This procedure applies to all Amber Guardianships employees. If an employee has a concern about the conduct of a fellow employee in the working environment (e.g. that they are not treating colleagues with respect) they should raise this with Amber Guardianships Operations Officer Joey Tang, or if that is not possible, with Alex Leung, Project Manager.

## 2.2 Aims and Scope of the Policy

This procedure applies to, but is not limited to, allegations about any of the following:

- Conduct which is an offence or breach of the law
- Alleged miscarriage of justice
- Serious Health and Safety risks
- Possible fraud and corruption
- Sexual, physical or verbal abuse, or bullying or intimidation of employees, customers or service users
- Abuse of authority
- Other unethical conduct

## 2.3 Reporting

Amber Guardianships understand that the decision to make an allegation can be a difficult one to make. However, whistle-blowers who make serious allegations in the reasonable belief that it is in the public interest to do so have nothing to fear, because they are doing their duty to those for whom Amber Guardianships is providing a service for international students. Amber Guardianships will take appropriate action to protect a whistle-blower who makes a serious allegation in the reasonable belief that it is in the public interest to do so from any reprisals, harassment or victimisation.

## 2.4. Confidentiality

All allegations will be treated in confidence and every effort will be made not to reveal a whistle-blower's identity unless requested by the whistle-blower. Amber Guardianships will not, without the whistle-blower's consent, disclose the identity of a whistle-blower to anyone other than a person involved in the investigation/allegation. Sometimes the whistle-blower might be asked to give a statement as part of the investigation, in which case their identity may have to be revealed.

## 2.5. Anonymous Allegations

Allegations can be made anonymously. However, this policy encourages you to put your name to your allegation, as concerns expressed anonymously are often much more difficult to investigate. For example, we may need to contact you to obtain further information or verify the details you have already given us.

Anonymous allegations will be considered wherever possible at the discretion of Amber Guardianships. The factors to be taken into account when determining whether an investigation in such a case can proceed would include:

- The seriousness of the issues raised.
- The credibility of the concern-
- The likelihood of confirming the allegation from other, attributable sources.

## 2.6 Qualifying Disclosures

Certain disclosures are prescribed by law as 'qualifying disclosure'.

1. A 'qualifying disclosure' means a disclosure of information that the employee genuinely and reasonably believes is in the public interest and shows that the company has committed a 'relevant failure' by:

- a) committing a criminal offence;
- b) failing to comply with a legal obligation;
- c) a miscarriage of justice;
- d) endangering the health and safety of an individual;
- e) environmental damage; or
- f) concealing any information relating to the above.

2. These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening or is likely to happen. Amber Guardianships will take any complaints you wish to raise relating to the above matters very seriously.

3. The Employment Rights Act 1996 provides protection for workers who 'blow the whistle' where they reasonably believe that some form of illegality, injustice or breach of health and safety has

occurred or is likely to occur. The disclosure must be 'in the public interest'. We encourage you to use the procedure to raise any such concerns.

## 2.7 Untrue Allegations

No disciplinary or other action will be taken against a whistle-blower who makes an allegation in the reasonable belief that it is in the public interest to do so even if the allegation is not substantiated by an investigation. However, disciplinary action may be taken against a whistle-blower who makes an allegation without reasonable belief that it is in the public interest to do so (e.g., making an allegation frivolously, maliciously or for personal gain where there is no element of public interest).

## 2.8 Procedure for making an allegation

1. In the first instance you should report any concerns you have to Harry Lee, the CEO of Amber Education UK Services. ([harrylee@amberedu.com.hk](mailto:harrylee@amberedu.com.hk)) who will treat the matter with the utmost confidence.
2. You may also make a formal representation in writing to the Trustees of AEGIS (the Association for the Education and Guardianship of International Students), c/o Yasemin Wigglesworth, Executive Officer ([info@aegisuk.net](mailto:info@aegisuk.net))
3. The NSPCC have a whistleblowing helpline which is available for staff who do not feel able to raise concerns regarding child protection failures within an organisation. Staff can call 0800 028 0285 between 8am Monday to Friday or can email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk) It is preferable for allegations to be made to, for example, an employee's immediate manager to whom they report. However, this may depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if the whistle-blower believes that management is involved it would be inappropriate to raise it directly with them. The whistle-blower may then make an allegation directly to any of the following:
4. Protect provides a free, confidential advice line for concerned staff to call before whistleblowing. The helpline is 020 3117 2520 and their website is: [www.pcaw.co.uk](http://www.pcaw.co.uk).

## 2.9 Allegation

Whether a written or oral report is made it is important that relevant information is provided including:

The name of the person making the allegation and a contact point.

The background and history of the allegation (giving relevant dates and names and positions of those who may be in a position to have contributed to the allegation);

The specific reason for the allegation.

Although someone making an allegation will not be expected to prove the truth of any allegations, they will need to provide information to the person they have reported to, to establish that there are reasonable grounds for the allegation.

## 2.10 Action on receipt of an allegation

On receipt of an allegation, Joey Tang, Operations Manager will record details of the allegation gathering as much information as possible, (within 5 working days of receipt of the allegation) including:

- The record of the allegation:

- The acknowledgement of the allegation;

- Any documents supplied by the whistle-blower

The investigator will ask the whistle-blower for their preferred means of communication and contact details and use these for all communications with the whistle-blower in order to preserve confidentiality.

If the allegation relates to fraud, potential fraud or other financial irregularity Harry Lee, the CEO of Amber Education Ltd, will be informed within 5 working days of receipt of the allegation. Harry Lee will determine whether the allegation should be investigated and the method of investigation.

If the allegation discloses evidence of a criminal offence it will immediately be reported to Harry Lee, CEO of Amber Education Ltd. and a decision will be made as to whether to inform the Police or appropriate authorities.

## 2.11 Timetable

An acknowledgement of the allegation in writing within 10 working days with:

- An indication of how Amber Guardianships propose to deal with the matter

- An estimate of how long it will take to provide a final response

- An indication of whether any initial enquiries have been made

- Information on whistle-blower support mechanisms

- Indication whether further investigations will take place and if not, why not

Where the allegation has been made internally and anonymously, obviously Amber Guardianships will be unable to communicate what action has been taken.

## 2.12 Support

Amber Guardianships will take steps to minimise any difficulties which may be experienced as a result of making an allegation. For instance, if a whistle-blower is required to give evidence in criminal or disciplinary proceedings Amber Guardianships will arrange for them to receive advice about the procedure and advise on the support mechanisms that are available.

Amber Guardianships accepts that whistle-blowers need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform those making allegations of the outcome of any investigation.



## 2.13 Responsibility for the procedure

Joey Tang, Operations Manager of Amber Guardianships has overall responsibility for the operation of this procedure and for determining the administrative processes to be followed and the format of the records to be kept.

### Monitoring

A Register will record the following details:

- The name and status (e.g. employee) of the whistle-blower.
- The date on which the allegation was received
- The nature of the allegation
- Details of the person who received the allegation
- Whether the allegation is to be investigated and, if yes, by whom
- The outcome of the investigation
- Any other relevant details

The Register will be confidential and only available for inspection by Harry Lee, the CEO of Amber Education UK Services.

Further information and advice can be found here: <https://www.gov.uk/whistleblowing>

## 3. Low-Level Concerns Policy

The statutory guidance *Keeping Children Safe in Education (KCSIE) 2021* includes new guidance for guardianships in England on dealing with low-level concerns about the behaviour of staff, homestays, volunteers and contractors.

Amber Guardianships have a low-level concern policy and procedure that outlines how Amber Guardianships deal with low-level concerns. This is part of Amber Guardianships' overall safeguarding and child protection policies and procedures. It is closely linked to the code of conduct for staff and homestays.

There are clear processes in place for sharing and responding to any concerns about an adult's behaviour, no matter how small. A concern can still be significant even if it does not meet the threshold of harm.

### 3.1 What is a low-level concern?

A low-level concern is any concern that an adult has acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work

- doesn't meet the threshold of harm or is not considered serious enough for Amber Guardianships to refer to the local authority.

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:

- being over friendly with children
- having favourites
- adults taking photographs of children on their mobile phone
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating or offensive language.

### **3.2 Why does Amber Guardianships need to respond to low-level concerns?**

The safety and wellbeing of students in our care are dependent on the vigilance of all our staff and their prompt communication to Joey Tang, the DSL or Harry Lee, CEO of Amber Guardianships of any concerns, no matter how small, about any conduct by an adult which causes you to doubt that adult's suitability to work with or have access to children. All references in this section to "adult" should be interpreted as meaning any adult, including staff, volunteers, homestays, visitors to homestay families, school staff and other adults who work with our organisation, unless otherwise stated. Amber Guardianships is conscious of its duty of care to students and will always act, including if alerted to the possibility of abuse arising from situations or persons outside our care. The notification and prompt handling of all concerns about adults is fundamental to safeguarding students. It helps to identify and prevent abuse and to protect adults against misunderstandings or misinterpretations. It also encourages openness, trust and transparency and it clarifies expected behaviours.

Those raising concerns or reporting allegations in good faith will always be supported, and adults in respect of whom concerns or allegations have been raised will not suffer any detriment unless the concern or allegation is found to be substantiated. We are a 'telling' organisation. If you are concerned about the behaviour or actions of any adult, speak to Joey Tang, the DSL or Harry Lee, the CEO of Amber Guardianships.

Low-level concerns often act as puzzle pieces that lead to a bigger picture of the events occurring within AG. Therefore, it is critical that all concerns are recorded to prevent the future harm and exploitation of the students within AG. Dealing with these concerns effectively also protects those working in AG from potential false allegations or misunderstandings.

Having clear procedures for responding to low-level concerns is part of creating a culture of openness and trust. It helps ensure that adults consistently model the guardianships' values and helps keep children safe. It will also protect adults working in school from potential false allegations or misunderstandings.

### 3.21 What Amber Guardianships do?

Amber Guardianships should ensure all our staff and homestays understand:

- what constitutes appropriate and inappropriate behaviour
- what a low-level concern is
- the importance of sharing low-level concerns
- how to report any concerns
- the process for recording, reviewing and responding to concerns.

Amber guardianships ensure that staff understand the importance of reporting any low-level concerns that they may have. We introduce a mechanism whereby lower-level concerns are shared with a designated safeguarding lead in accordance with our safeguarding policy. The following aspects are essential:

- Clarity: the policy should be clear and set out what adults should do if they have a low-level concern.
- Investigation: how Amber Guardianships will investigate and record such concerns.
- Implementation: the way in which the policy is communicated to staff.
- Training and communication: designed training that is engaged from staff and helps to achieve the policy's objectives.
- Reporting lines: All concerns should be reported to DSL, or the DDSL if DSL is absent. If the concerns are raised towards the DSL, the matter should be reported to the Project Manager.

*KCSIE* requires us to retain a copy of all substantiated, unsubstantiated or false allegations on a staff member's personnel file but to refer only to substantiated allegations in references.

- Oversight and review: Amber Guardianships regularly reviews low-level concerns to ensure that the concerns are being handled appropriately and proportionately, that no concerns meet the threshold of an allegation, and that any subtle patterns of behaviour are spotted. Getting these points right should create a solid foundation for a transparent culture in which all concerns are shared openly and acted on appropriately. By contrast it can be hard to retrieve a situation if these areas are not considered carefully at the outset.

### 3.3 Responding to a Low-Level Concern

Low-Level concern is part of the AG code of conduct for our staff and homestays. All staff and Homestays must behave responsibly and professionally in all dealings with students and specifically with those for whom they have a duty of care. All staff and Homestays must follow the procedures set out in our 'Staff and Homestay Code of Conduct'. Staff and Homestays should always avoid behaviour which might be misinterpreted by others. As a result of their knowledge, position and/or the authority invested in their role, all adults working with children and young people are in positions of trust in relation to the young people in their care. A relationship between a member of staff or Homestay and

a student cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people and all members of staff and Homestays have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Staff and Homestays should note that it is an offence for a person aged 18 or over and in a position of trust to touch a child in a sexual way or have a sexual relationship with a child, even if the relationship is consensual. A position of trust could arise even if the member of staff does not directly work with the student.

The DSL will in the first instance satisfy themselves that it is a low-level concern and should not be reclassified as a higher level concern/allegation and dealt with under the appropriate procedure below. The circumstances in which a low-level concern might be reclassified are where:

- the threshold is met for a higher-level concern/allegation
  - there is a pattern of low-level concerns which collectively amount to a higher-level concern/allegation or
  - there is other information which when taken into account leads to a higher-level concern/allegation.
- Where the Headmaster is in any doubt whatsoever, advice will be sought from the LADO, if necessary, on a 'no-names' basis. Having established that the concern is low-level, the DSL will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. If the concern has been raised via a third party, the DSL should collect as much evidence as possible by speaking:
- directly to the person who raised the concern, unless it has been raised anonymously;
  - to the individual involved and any witnesses.

The information collected will help them to categorise the type of behaviour and determine what further action may need to be taken. All of this needs to be recorded along with the rationale for their decisions and action taken.

Most low-level concerns by their very nature are likely to be minor and will be dealt with by means of management guidance, training etc. In dealing with a low-level concern with a member of staff, this will be approached in a sensitive and proportionate way. In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised. Details of the concern will be recorded along with the rationale for decisions and action taken. Any conversation with a member of staff following a concern will include being clear with the individual as to why their behaviour is concerning, problematic or inappropriate, what change is required in their behaviour, enquiring what, if any, support they might need in order to achieve and maintain that, and being clear about the consequences if they fail to reach the required standard or repeat the behaviour in question. Ongoing and transparent monitoring of the individual's behaviour may be appropriate.

An action plan or risk assessment may be required. Some concerns may trigger Amber Guardianships' disciplinary, grievance or whistleblowing procedures, which will be followed where appropriate.

- Monitoring of Low-Level Concerns DSL will securely retain confidential files on low-level concerns. A central log will be shared and monitored by Amber Guardianships Senior management Team on a monthly basis to ensure that all such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified.

A record will be kept of this review within Senior Management Minutes. No record will be made of the concern on the individual's personnel file (and no mention made in job references) unless either:

- the concern (or group of concerns) has been reclassified as a higher-level concern, or
- The concern (or group of concerns) is sufficiently serious to result in formal action under the Amber Guardianships, grievance, capability or disciplinary procedure.

## **Low-Level Concern (Self Reporting)**

Low-Level Concerns about an adult

From time to time an individual may find him/herself in a situation which might appear compromising to others or which could be misconstrued. Equally, an individual may for whatever reason have behaved in a manner which on reflection he/she considers falls below the standard set out in the Code of Conduct. Self-reporting in these circumstances is encouraged as it demonstrates both awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived. As such, the guardianship organisation sees self-reporting of low-level concerns as an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

From time to time an individual may notice behaviour or actions in others which leave them concerned. These are behaviours or actions which fall short of a formal allegation of abuse. These tend to be behaviours which indicate that our Code of Conduct has not been met. Any such concerns can be dealt with as a Low-Level Concern.

### **What should I do if I have one?**

Where a low-level concern exists it should be reported to the DSL or to Harry Lee, the CEO of Amber Guardianships as soon as reasonably possible and, in any event, within 24 hours of becoming aware of it (where the concern relates to a particular incident).

### **How will my low-level concern be handled?**

The DSL will discuss all low-level concerns she receives with Harry Lee as soon as possible and in any event within 24 hours of becoming aware of it. Harry Lee will, in the first instance, satisfy himself that it is a low-level concern and should not be reclassified as an allegation and dealt with under the appropriate procedure (outlined later in this document). The circumstances in which a low-level concern might be reclassified as an allegation are where:

- the threshold is met for an allegation
- there is a pattern of low-level concerns which collectively amount to an allegation or
- there is other information which when taken into account leads to an allegation.

Where Harry Lee is in any doubt whatsoever, advice will be sought from the LADO, if necessary on a no-names basis. Having established that the concern is low-level, the DSL or Harry Lee as appropriate will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. Most low-level concerns by their very nature are likely to be minor and will be dealt with by means of management guidance, training etc.

### **What records will be kept?**

Where a low-level concern has been communicated, a confidential record will be kept in a central file which logs all low-level concerns. This is necessary to enable any patterns to be identified.

However, no record will be made of the concern on the individual's personnel file (and no mention made in job references) unless either:

a) the concern (or group of concerns) has been reclassified as an allegation as above; or Safeguarding and Child Protection Policy and Procedure

b) the concern (or group of concerns) is sufficiently serious to result in formal action under the guardianship organisation's grievance, capability or disciplinary procedure.

### Contact Details

Name: Harry Lee, CEO Amber Guardianships

Phone/email: [harrylee@amberedu.com.hk](mailto:harrylee@amberedu.com.hk)

### Designated lead for safeguarding and child protection

Name: Joey Tang

Phone/email: 07939 682757, [joey.tang@amberedu.co.uk](mailto:joey.tang@amberedu.co.uk)

### Further References

*Department for Education, Keeping Children Safe in Education 2021*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1007260/Keeping\\_children\\_safe\\_in\\_education\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007260/Keeping_children_safe_in_education_2021.pdf)

*Working together to Safeguard Children. Statutory guidance on inter-agency working to safeguard and promote the welfare of children.*

<https://www.gov.uk/government/publications/working-together-to-safeguard-children>

## 3.4 Report form: *9.Appendix 4:Low-Level Concern form*

# 4. Anti-radicalisation / Prevent Duty

## 4.1 Policy Statement

Amber Guardianships recognise that children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harm and abuse, protecting children from this risk should be a part of a schools' or colleges' safeguarding approach.

## 4.2 Legislation

Counter Terrorism strategy is the UK government's strategy to respond to the threat of domestic and international extremism, and the steps that need to be taken to protect the public. The strategy aims to reduce the risk to the UK and our assets overseas, so that people can go about their lives freely and with confidence. Contest is split into four strands:

**PREVENT** – to stop people becoming terrorists or supporting terrorism

**PROTECT** – to strengthen our protection against terrorist attacks

**PURSUE** - to stop terrorist attacks

**PREPARE**- when an attack cannot be stopped to mitigate its impact

The Prevent strategy has the three following objectives:

1. Challenging terrorist ideology by working closely with other local and national agencies and partners, including our communities;
2. Supporting vulnerable individuals through intervention projects;
3. Work closely with institutions where risks may occur such as education, prisons and health.

This duty is passed onto schools in the statutory guidance *Keeping Children Safe in Education 2021* which states that protecting children from the risk of radicalisation (i.e. the process where someone is led to adopt extreme political, social and religious ideals and aspirations), should be seen as part of schools' and colleges' wider safeguarding duties, and is similar in nature to protecting children from other forms of harm and abuse:

- Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- Terrorism is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

Amber Guardianships staff and homestays should be alert to changes in reports of changes in children's behaviour which could indicate that they may need help or protection. Staff and homestays are encouraged to use their judgement in identifying children who may be at risk of radicalisation and to report any concerns to the Prevent Lead Louisa Cheung. This may result in the Prevent Lead making a referral to the Channel programme.

### 4.3 Objective

- Amber Guardianships ensure that all staff and host families are committed to safeguarding and promoting the welfare of our students. We recognise that safeguarding against radicalisation is no different from safeguarding against any other vulnerability.
- That all our staff and host families should uphold and promote the fundamental principles of British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs.
- Copies of our anti-radicalisation policy are given to our staff, all students, parents/agents, volunteers, homestay and partner schools. We will go through the relevant parts of the policy with them to ensure that the contents are understood.
- Staff members are expected to have a general understanding of the risks affecting children and young people, how to identify individual children who may be at risk of radicalisation and what to do to support them. This policy outlines a clear procedure for protecting children at risk of radicalisation.
- The policy will be reviewed annually and then updated as necessary. Any changes will be notified immediately to all students, parents/agents, members of staff, volunteers, homestays and partner schools.
- Amber Guardianships understands that the Prevent duty builds on existing partnerships for example with schools, parents and Local Safeguarding Partnerships. This policy considers the need for effective engagement with partners who are in key positions to spot signs of radicalisation (where this would not expose the child to further risk) and the need to be able to offer assistance and advice to those who raise concerns, and who require signposting to the right support mechanism.

Amber Guardianships has a Prevent Lead who is responsible for dealing with any concerns in relation to radicalisation:

### 4.4 Prevent Lead Contact Details

Role	Name	Telephone Number/s	Email
24-hour emergency contact	Louisa Cheung	07534 769764	<a href="mailto:louisa.cheung@amberedu.co.uk">louisa.cheung@amberedu.co.uk</a>

- Amber Guardianships Prevent Lead undertakes 'Prevent' awareness training and is able to provide advice and support to other members of staff on protecting children from the risk of radicalisation.
- Amber Guardianships understands the importance of awareness training for staff and homestays to identify children at risk of being drawn into terrorism and to challenge extremist ideas (i.e. extreme political or religious views). Staff and homestay training needs



are assessed internally with the Prevent Lead and DSL being the point of advice and support for staff, with regular safeguarding updates being circulated.

- Amber Guardianships ensures that staff and homestays have an awareness of the advice offered to schools by the Department for Education on the Prevent duty. The Government has launched the 'educate against hate' website which provides information, tools and resources needed to recognise and address extremism and radicalisation in children and young people.

## 4.5 Recognising risks and vulnerabilities of radicalisation

### Definitions

Radicalisation is defined as the act or process of making a person more radical or favouring extreme or fundamental changes in political, economic or social conditions, institutions or habits of the mind. Extremism is defined as the holding of extreme political or religious views.

Children and young people can be drawn into violence or exposed to messages of extremist groups by many means, including family or friends' influences, direct contact with extremist groups of organisations, and through the internet.

### Factors that make a student susceptible to adopting extremist views

The risk of radicalisation may be combined with other vulnerabilities including:

**Identity Crisis** – Distance from cultural/religious heritage and uncomfortable with their place in the society around them;

**Personal Crisis** – Family tensions; sense of isolation; adolescence; low self-esteem; disassociating from existing friendship group and becoming involved with a new and different group of friends; searching for answers to questions about identity, faith and belonging;

**Personal Circumstances** – Migration; local community tensions; events affecting country or region of origin; alienation from UK values; having a sense of grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy;

**Unmet Aspirations** – Perceptions of injustice; feeling of failure; rejection of civic life;

**Criminality** – Experiences of imprisonment; poor resettlement / reintegration; previous involvement with criminal groups.

### Potential risk indicators include:

- Use of inappropriate language
- Possession of violent extremist literature or accessing extremist websites
- Behavioural changes
- The expression of extremist views

- Advocating violent actions and means
- Association with known extremists
- Articulating support for violent extremist causes or leaders
- Using extremist views to explain personal disadvantage
- Joining or seeking to join extremist organisations
- Seeking to recruit others to an extremist ideology.

Some children may be at risk due to living with or being in direct contact with known extremists.

Amber Guardianships will assess the specific risks of radicalisation for the students in our care and review this risk assessment at least annually.

#### **4.6 Signs or Behaviour Cause Concern**

There are several signs or behaviours that may cause staff concern which would require them to use their professional judgement to determine whether a response is needed. Staff will need to take into consideration how reliable or significant signs are and whether there are other factors or issues that could indicate vulnerability.

What staff might see or hear:

- Graffiti symbols, writing or artwork promoting extremist messages or images.
- Students accessing extremist material online, including through social networking sites.
- Parents', consultants', schools', host families' and/or guardians' reports of changes in behaviour, friendship or actions and requests for assistance, hostility towards former associates and family.
- Student voicing opinions drawn from extremist ideologies and narratives.
- Use of extremist or 'hate' terms to exclude others or incite violence.
- Possession of extremist literature: possession of material regarding weapons, explosives or military training.

#### **4.7 Liaise with Schools**

When the schools which the students are enrolled within pick up on irregular radical behaviour, they should at first inform the parents, and then the guardians. The school will monitor the student closely, involving the head of school and the boarding house head as well. Disclosures and concerns can be reported to Amber Guardianships' staff in relation to our own students, and also in relation to other children and young people who our students may be in contact with.

#### **4.8 Awareness Training for Staff and Homestays**

The following sites provide online training for staff and homestays who can regularly self-brief on how to identify children and young people who are at risk of radicalisation and extremism. Staff are

expected to use these tools annually to complement the safeguarding training provided by Amber Guardianships provided by the company.

Online Course:

Home Office Prevent eLearning, three packages are currently available:

#### **Prevent Awareness**

This offers an introduction to the Prevent duty, and explains how it aims to safeguard vulnerable people from being radicalised to supporting terrorism or becoming terrorists themselves.

<http://www.elearning.prevent.homeoffice.gov.uk>

#### **Prevent Referrals**

This package builds on the Prevent awareness eLearning training. It is designed to make sure that when we share a concern that a vulnerable individual may be being radicalised, that the referral is robust, informed and with good intention, and that the response to that concern is considered, and proportionate.

<https://www.elearning.prevent.homeoffice.gov.uk/preventreferrals>

#### **Channel Awareness**

This training package is for anyone who may be asked to contribute to, sit on, or even run a Channel Panel. It is aimed at all levels, from a professional asked to input and attend for the first time, to a member of staff new to their role and organising a panel meeting.

<https://www.elearning.prevent.homeoffice.gov.uk/channelawareness>

Government website with advice offered to schools: <http://educateagainsthate.com/>

Supplementary reading:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/439598/prevent-dutydepartmental-advice-v6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-dutydepartmental-advice-v6.pdf)

### **4.9 Amber's Role**

As radicalisation and extremism are forms of child abuse, Amber Guardianships is aware of the duty to report cases or concerns in line with the company's Safeguarding and Child Protection Policy. The Prevent Lead will make a report to the police or the anti-terrorist hotline on 0800 789 321 for potential terrorist or extremist activity. Non-urgent concerns will be reported by the Prevent Lead to the Prevent Single Point of Contact within the relevant police force:

Email: [prevent@westminster.gov.uk](mailto:prevent@westminster.gov.uk)

Telephone: 0781 705 4759

Staff should be aware that anonymous reports of suspicious activity can be reported through Crimestoppers on 0800 555 111 or via police force websites. Anonymous reports of potential terrorist or extremist activity can also be made to the anti-terrorist hotline on 0800 789 321.

### Host families' Role

- Wherever possible the host family should look out for the student's racist or extremist views or behaviour. This could be in the form of hate-related graffiti, radicalisation views expressed through discussions.
- The host family should record any minor incident on an incident report. This report will be given to their direct manager where they will be dealt with and filed in the student's personal file.
- The host family should report any major concerns. If the host family feels that there are signs that the student's behaviour or views could be an indicator of their vulnerability to radicalisation or extremism, the Safeguarding Policy procedure should be followed.

### 4.10 Reporting

1. Amber Guardianships staff member receives a report about a child or young person displaying indicators of radicalisation from a student, member of staff at a school, parent, homestay or other source by face to face disclosure, email or telephone call, or staff member develops concerns that a child or young person is displaying possible indicators or radicalisation.
2. Amber Guardianships staff member adheres to the Safeguarding and Child Protection Policy including contemporaneously recording the disclosure in the most appropriate format (using the Tell Explain Describe model if the information is being given by a student), or reporting their concerns in writing to the Prevent Lead, Louisa Cheung, [louisa.cheung@amberedu.co.uk](mailto:louisa.cheung@amberedu.co.uk), Tel: 07534 769 764
3. The record of the disclosure is reported verbally as soon as practicable to the Prevent Lead.
4. The staff member must submit a written record of the disclosure or concern to the DSL Joey Tang, [joey.tang@amberedu.co.uk](mailto:joey.tang@amberedu.co.uk), Tel: 07939682757
5. The Prevent Lead will hold an emergency strategy meeting to discuss the incident, assess the alleged threat and risk to the child, implement an action plan and continue to review the situation until a resolution has been achieved. The meeting will be recorded with timed and dated entries within an incident Record to record all actions and updates.
7. The incident will be referred to a statutory agency for further review where this is a necessary, relevant and proportionate course of action where a child or young person may be at risk of suffering significant harm or in need of support.
8. Ensure that the exact words of the young person are used in the report and not the interpretation or understanding of those words by a member of the host family.

#### Prevent Lead will:

Take any further steps needed to ensure the immediate safety of the student, which may include the relocation of student, relocation of staff, calling in of additional staff and/or suspension of staff. (If it is judged to be necessary to suspend a member of staff, the staff member being suspended must be told in person where possible, by the CEO, reminded of the conditions of suspension and immediately escorted from the premises).

Amber Guardianships' 24 hours/7 days helpline for students, parents, member of staff, volunteers, homestays and partner school to report any radicalisation concern:

Louisa Cheung

Prevent / Deputy Designated Safeguarding Lead: +44 7534 769 764

**If the issues relate to staff:**

During office hours call the Local Authority Designated Officer (LADO, Westminster Access Team)

Tel: 020 7641 4000 (Out of hours – 020 7641 6000)

Email: [AccesstoChildrensServices@westminster.gov.uk](mailto:AccesstoChildrensServices@westminster.gov.uk)

**If the issues relate to a student:**

- Inform the Police if immediate intervention is necessary, i.e. if a member of staff or visitor refuses to leave the site or evidence from a crime scene needs securing.
- The Department for Education has dedicated a telephone helpline (020 7340 7264) to enable staff and governors to raise concerns relating to extremism directly.
- Set up a folder, to contain a tracker form, and all incident reports and documents relating to the referral.
- Tell the guardian who will inform the students' parents, unless there is good reason to delay doing so (e.g. family member is subject of concern). Before contacting parents, check the student's file to ensure this course of action is in line with the student's legal status.
- Log and file copies of all reports in a confidential child protection file. The file will be retained in the London office. A file note needs to go into the student's file.
- If the matter relates to a member of staff, the files need to be transferred to the data protection officer for filing.

## 5. Safer Recruitment Policy

### 5.1 Policy Statement

Amber Guardianships have a safer recruitment policy in place to ensure that the company is committed to safeguarding and promoting the welfare of children and young people at all times while they are under our care.

Amber Guardianships adhere to the principles of the statutory 'Safer Recruitment' guidance for schools, and the National Society for the Prevention of Cruelty to Children (NSPCC) 'Safer Recruitment' advice.

Amber Guardianships follow the Association for the Education and Guardianship of International Students (AEGIS) guidelines as part of an on-going accreditation process. This is to ensure our students receive the highest standards of homestay and care while under our guardianship.

Amber Guardianships is aware of additional sources of advice and guidance for the standards required for homestay recruitment including the British Council (Homestay Guidelines and Codes of Practice), and the Department for Education Boarding Schools National Minimum Standards (April 2015).

This policy complies with the Department for Education *Keeping Children Safe in Education 2021*. Amber Guardianships have a rigorous process for recruiting staff and homestays in accordance with the principles of 'Safer Recruitment'. This is from point of advertisement to post induction, with on-going monitoring and safeguarding reviews.

The Safer Recruitment policy aims to help to deter, reject, or identify people who might abuse children, or are otherwise unsuited to work with them. At every stage of the process, Amber Guardianships commitment to safeguarding and promoting the welfare of children is highlighted.

## 5.2 Guidance

Safer recruitment of staff in Amber Guardianships is the first step to safeguarding and promoting the welfare of children in education. As an employer, the company expects all staff and volunteers, and host families to share this commitment.

The Aims of this policy are:

- To ensure that Amber Guardianships meets the commitment to safeguarding and promoting the welfare of children and young people, by carrying out all necessary pre-employment checks as part of the Safer Recruitment process.
- To ensure that the best possible members of staff and homestays are recruited on their abilities and suitability for the advertised role in line with relevant legislation, recommendations and guidance.
- To ensure that no applicant is treated unfairly on any grounds including race, colour, nationality, ethnicity or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age. The recruitment and selection process should ensure the identification of the person best suited to the advertised role based on the applicant's abilities, qualifications, experience and merit as measured against the job description and person specification. If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant, they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.
- Providing effective management for all adults through recruitment policies, supervision, support and training.
- Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with this policy.

## 5.3 Roles and Responsibilities

It is the responsibility of the direct Manager (Operations Officer), project manager and the CEO involved in recruitment to:

- Ensure that Amber Guardianships operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at Amber Guardianships.
- Monitor contractors' and agencies' compliance with this document.
- Promote welfare of students at every stage of the procedure.
- To ensure that all staff, volunteers and homestays to be issued with a relevant DBS or disclosure

Amber Guardianships direct manager has the responsibility for recruitment who will arrange the first stage interviews. The direct manager and guardian coordinator have completed the course of Safer Recruitment, by The Vital Skills Training. The training will be refreshed every 3 years.

The second stage will be with the project manager and the CEO of Amber Educations UK Services. The final decision will rest with the CEO.

For volunteers or host family recruitment, the project manager will not be involved, and the matter will be given to the guardian to arrange the appointments and the direct managers to follow the recruitment policy and be able to make the decision of employment.

## 5.4 Recruitment and Selection Procedure for Staff

### Advertising

- Amber Guardianships plan the recruitment exercise to ensure that the recruitment panel are clear about the qualities, qualifications and experience needed by the successful candidate and whether there are any particular matters that need to be mentioned in the advertisement for the post. This is in order to prevent unwanted applications or ultimately an unsuitable appointment.
- The job and person specification for each role form part of the pack will be sent to prospective candidates, and set out the extent that the role involves working with children and young people, and the safeguarding responsibility involved.
- Advertisements for roles make Amber Guardianships commitment to safeguarding clear by including the following statement: “Amber Guardianships is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share in this commitment”, and reference to the responsibility for safeguarding and promoting the welfare of children in the job descriptions.
- Amber Guardianships advertisements also include the requirement for each applicant to obtain an enhanced Disclosure and Barring Service check from original identification documents and, where relevant, documents to prove their right to work in the UK. The advertisements also include details of the post, payments and qualities required to fulfil the role.
- Amber Guardianships do not accept curriculum vitae (CV’s) drawn up by the applicant without an accompanying application form being submitted. This is because a CV presents only the information the applicant wishes to present and may omit relevant details. The application form details the safeguarding mission statement, the requirement for an applicant to have an enhanced DBS and for references to be sought prior to interview where possible. Completed application forms and accompanying CV’s are stored securely on a confidential computer drive by the Operations Officer.
- The Operations Officer maintains the bank of job adverts securely and confidentially. This includes ensuring the job description makes reference to the responsibility for safeguarding and promoting the welfare of children. The details are circulated via online advertising organisations which require applicants to submit expressions of interest together with their CV to the company.

### How it works

- As a subsidiary, Amber Guardianships will advertise all vacancies under the name of Amber Education Services UK Ltd. on [www.indeed.co.uk](http://www.indeed.co.uk) to meet the right candidates.
- Our recruitment advertising & applicant's information contain a prominent safeguarding statement, making it clear to prospective candidates from the outset.
- All vacancies will include the enhanced DBS check which is required for the safeguarding of the children we look after at Amber Guardianships. Followed up with contact with two referees whose details are requested on the application form. Once the checks are complete, the enhanced DBS will send a certificate (the DBS certificate) to the applicant. The applicant must show the original DBS certificate to Amber Guardianships before they take up the post or as soon as practically possible afterwards.

## 5.5 Application Forms

On receipt of expressions of interest and accompanying CV's, the DSL will screen initial submissions, and the application form will be sent to applicants who have the potential to meet the requirements of the job specification and person specification. Amber Guardianships' application form requires the candidate to write their address, contact details, work experience, references and disclosure of criminal records. All applicants will be made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS service.

The Application Form for all posts obtains:

- full identifying details of the applicant including current and former names, date of birth, current address and National Insurance number;
- a statement of any academic and/or vocational qualifications that the applicant has obtained, relevant to the position for which s/he is applying, with details of the awarding body and date of award;
- a full history, in chronological order, since leaving secondary education, including periods of any post-secondary education/training, part-time and voluntary work as well as full time employment, with start and end dates along with explanations for periods not in employment, education or training and reasons for leaving employment;
- a declaration of any family or close relationship to existing employees or employers;
- details of referees. One referee should be the applicant's current or most recent employer. Normally, two referees should be sufficient. N.B. Where an applicant who is not currently working with children has done so in the past it is important that a reference is also obtained from the employer by whom the person was most recently employed with regard to their work with children. The form should make it clear that references will not be accepted from relatives or from people writing solely in the capacity of friends, and that references may be sought from previous employers on short listed candidates for information to verify particular experience or qualifications, before interview; and
- a statement of the personal qualities and experience that the applicant believes are relevant to his/her suitability for the post advertised and how s/he meets the person specification



## 5.6 Job Descriptions and Person Specifications

The Person Specification is supplementary information to the job description and lists essential and desirable criteria for the post, including experience, competencies and qualities that the successful candidate should be able to demonstrate. The Person Specification should explain how these requirements will be tested and assessed during the selection process. This document will be reviewed by the DSL to ensure compliance with the Safer Recruitment guidance.

### Person Specifications

The Person Specification will explain that the interview will explore issues relating to safeguarding and promoting the welfare of children including:

- motivation to work with children;
- ability to form and maintain appropriate relationships and personal boundaries with children;
- emotional resilience “in working with challenging behaviours”; and
- explain that if the applicant is short-listed any relevant issues arising from his/her references will be taken up at interview.
- A job description is a key document in the recruitment process and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role.
- The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities, and expertise that are required to do the job.
- Please note that Amber Guardianships will not ask questions about health or medical fitness prior to any offer of employment being made.
- Any discrepancies or anomalies will be followed up. Direct contact by phone will be undertaken with each referee to verify the reference.

## 5.7 The Application Information Pack

In addition to the application form, an information pack is sent to applicants. The pack will contain:

- The application Form
- The job description and person specification
- Requirement to complete an enhanced DBS Disclosure
- Amber Guardianships will seek references and may approach previous employers for information and verification of experience or qualifications
- Child Protection Policy statement
- a statement of the terms and conditions relating to the post
- Information about the applicant’s current employer being contacted and asked about any disciplinary offences or relevant information relating to children, where the applicant is currently working with children on a paid or voluntary basis (including expired offences).

## 5.8 Scrutinising and shortlisting applications

Two members of staff (Operations Officer and Project Manager) are responsible for scrutinising applications and shortlisting candidates. Operations Officer is Safer Recruitment trained.

All applications are checked to ensure they are fully and properly completed, that the information is consistent, does not contain any discrepancies and to ensure that any gaps in employment are identified.

As per the Safer Recruitment guidance, incomplete application forms will not be accepted and will be returned to the applicant for completion.

Any gaps in employment will be noted and considered during the shortlisting process. In addition, reasons for any repeated changes of employment without a clear career or salary progression, or a mid-career move from a permanent post to supply teaching or temporary work will also be explored and verified.

All applicants will be assessed equally against the criteria contained in the person specification without exception or variation and without unlawful discrimination.

## 5.9 References

- Amber Guardianships seek references from each application to obtain objective and factual information to support appointment decisions. References will always be sought and obtained directly from the referee with comments requested on work, professional competence and personal qualities.
- Referees are asked to comment on the applicant's suitability to work with children, to outline any concerns about the applicant with children or any disciplinary details.
- 'To whom it may concern' references are not accepted by Amber Guardianships to reduce the risk of making an appointment decision on a forged reference.
- Where (due to operational need) a reference is secured over the telephone, the reference must be obtained in writing to provide a record of the information obtained from the referee.
- Amber Guardianships does not accept open references, testimonials or references from relatives.
- Referees will also be asked to confirm that the person is suitable to work with students. For example, the applicant does not support terrorism or any form of "extremism".
- Any offer of employment will always be conditional on the receipt of satisfactory references.
- References should always be obtained in writing and telephone contact made to verify the reference where possible.
- Once the references have been received, Amber will verify the source of the reference. If concerns are raised within the reference, Amber will telephone the referee, and ask further questions to ensure the applicant meets Amber's safer recruitment guideline. The call will be recorded and will be retained on file for the duration of contract.
- Amber will ensure that information provided in references is not contradictory or incomplete. On receipt, references will be checked to ensure that all specific questions have been answered satisfactorily.
- Amber will contact the referee to provide further clarification as appropriate, if the answers are vague or if insufficient information is provided. Amber will ensure the consistency and accuracy of the information provided by the candidates on their application form. Any discrepancies should be taken up with the candidates.
- Amber requests and follows up on two written references from people who have known the candidate for a minimum of two years. For staff and/or volunteers, one of these references should be from the current or most recent employer. If this is their first job, at least one reference should be from a professional person. Referees may not be related to the employee.

For homestays, at least one of these references should ideally be from a professional person and referees may not be related to the primary carer. Once the references have been received, the guardianship organisation is required to verify the source of the reference.

- The references should be retained on file for the duration of contract/employment and then an agreed period of time afterward, normally 5 -7 years. The guardianship organisation is required to check that information provided in references is not contradictory or incomplete. On receipt, references should be checked to ensure that all specific questions have been answered satisfactorily. The referee should be contacted to provide further clarification as appropriate, for example if the answers are vague or if insufficient information is provided. They should also be compared for consistency with the information provided by the candidate on their application form. Any discrepancies should be taken up with the candidate.

## 5.10 Interviews

The interview will be conducted by at least two people who will have a meeting before the interview to agree the required standard for the role, consider the issues to be explored with each candidate and how the interview will be conducted. At least one of the two people on the interview panel must be Safer Recruitment trained.

Two interviewers allow for one interviewer to observe and assess the candidate while the other interviewer makes notes using the pre-planned competency-based question set. This reduces the possibility of any dispute about what was said or asked during the interview.

The panel will agree the questions they will ask candidates during the interview, the issues that may have been identified in the application form and references that may need exploring. This should include:

- the candidate's attitude toward children;
- their ability to support the authority or establishment's agenda for safeguarding and promoting the welfare of children;
- gaps in the candidate's employment history;
- concerns or discrepancies arising from the information provided by the candidate and/or a reference; and
- the panel should also ask the candidate if they wish to declare anything in light of the requirement for an enhanced DBS check

The panel will record the interview on the Amber Guardianships Interview Form.

If, for whatever reason, references are not obtained before the interview, the candidate should also be asked at interview if there is anything they wish to declare or discuss in light of the questions that have been (or will be) put to their referees. It is vital that the references are obtained and scrutinised before a person's appointment is confirmed and before they start work.

The interview process will ask the candidate to produce original documentation of any educational or professional qualifications that are necessary or relevant to the post. If the candidate is not able to produce the certificates, written confirmation of his or her relevant qualifications must be obtained from the awarding body.

A copy of the documents used to verify the candidate's identity, right to work in the UK and qualifications must be kept for the personnel file. These should be checked, signed and dated by the verifier. Confirmation that these documents have been inspected should be recorded on the recruitment form.

Detailed notes must be kept of all staff and homestay interviews.

### **Amber Guardianships Interview Process: In Practice**

- The first interview is a face to face interview at the office in London. The interview has at least two on a panel, with each interview panel containing one person (The Office Manager), who has been trained in Safer Recruitment. Once successful, the second interview will be conducted via Skype with the Senior Leadership Team in Hong Kong.
- Decide all questions in advance and don't veer from these unless it requires confirmation, clarification or further detail on a point, e.g. gaps in employment history and having relevant paperwork to hand.
- Apply the same interview practice with all interviewees including internal candidates.
- Make notes on each candidate's responses.
- Avoid telephone interviews - for overseas candidates consider the option of video conferencing.
- Explore discrepancies between information provided by a candidate and that of a referee.
- Confirm the candidate understands that an offer of employment will depend upon successful legal, medical and enhanced DBS checks, i.e. identity, professional status etc. - ask if the candidate has anything they wish to declare.
- Any information related to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process if it has not been disclosed on the application form.
- All applicants who are invited to an interview will be required to bring evidence of their identity, right to work in the UK without restrictions, and proof of address. Only original documents will be accepted, and photocopies will be taken. Unsuccessful applicant documents will be destroyed six months after the recruitment programme.

## **5.11 Appointment Process**

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- The agreement of a mutually acceptable start date and the signing of a contract incorporating the Amber Guardianships' standard terms and conditions of employment.
- Verification of the applicant's identity (where that has not previously been verified).
- References: Normally two references are required, provided one is the current or most recent employer. If an applicant is not currently working with children but has done so in the past, an additional reference should be obtained from that employer. Relatives and friends should be precluded as referees as they are unlikely to be objective and there is no way of verifying the accuracy of such information.
- References should be sought before the interview so that any gaps may be identified and at interview— this would be particularly important when interviewing candidates from abroad.

- It may be useful to establish a reference pro-forma, remembering that if an applicant is currently working with children on either a paid or a voluntary basis their current employer.
- Where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the Amber Guardianships considers to be satisfactory.
- Confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing services at Amber Guardianships, taking part in the management of an independent Amber Guardianships or working in a position which involves regular contact with children.
- Verification of the candidate's mental and physical fitness to carry out their work responsibilities and sign the AG Medical Declaration Form.
- Verification of the applicant's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then we will follow advice on the GOV.UK website.
- Verification of a candidate's identity. Identification checking guidelines can be found on the GOV.UK website, to obtain an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity)-
- Any further checks which are necessary as a result of the applicant having lived or worked outside of the UK-
- Verification of professional qualifications which the company deems as a requirement for the post. Whether a position amounts to "regulated activity" must therefore, be considered by the company in order to decide which checks are appropriate. It is however likely that in nearly all cases Amber Guardianships will be able to carry out an enhanced DBS check.
- A personal file checklist will be used to track, and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files.
- Where the candidate is found to be disqualified from working with children by a court; or an applicant has provided false information in, or in support of, his or her application; or there are serious concerns about an applicant's suitability to work with children, the facts must be reported to the police and/or the Disclosure and Barring Service by the DSL.

### **DBS and previous conviction**

Where a DBS certificate (for a member of staff, homestay or homestay family member) lists a previous conviction, the guardianship organisation must complete a risk assessment to determine whether the member of staff is suitable to work with children, or if the homestay would be suitable to host students. If the guardianship organisation is in any doubt as to whether or not an individual is suitable to host students, they should seek guidance from the homestay's Local Authority.

The addition of the following Advisory point: Guardianship organisations are advised to contact the homestay's Local Authority to check whether they are aware of any concerns that may affect their suitability to act as a host for students, regardless of the length of stay. They should inform candidates that this check may be undertaken at the application stage and gain their written consent for such checks to be taken out.

## 5.12 New staff Induction

All new members of staff will receive an induction programme, regardless of previous experience. The induction will give an overview of the organisation, Amber Guardianships' mission statement and ethos, and the structure and services provided, policy and procedure training, details of the support available for individuals in their new role, confirmation of the Staff Code of Conduct, and provides opportunities for new staff members to discuss any issues or concerns through one to one meetings with the Operations Officer.

They should understand their roles in the organisation, together with identifying and reporting abuse, and confidentiality issues.

The content and nature of the induction will vary according to the role and previous experience of the new member of staff, however, it will always include the safeguarding policy, staff and homestay code of conduct, how to report concerns, whistle-blowing policy and with whom they should discuss any concerns about their role or responsibilities. The programme will contain Level 1 Safeguarding and Child Protection Training.

The line manager of the newly appointed staff member will report any concerns or issues about a person's ability or suitability for the role at the outset, and address these immediately.

All staff will:

- Sign the 'Staff code of conduct'
- Be given a staff handbook
- Familiarise themselves with safeguarding policies.

## 5.13 Maintaining a safer Culture

Amber Guardianships recognises the need for continued awareness of safeguarding issues. Staff receive appropriate training and induction to ensure that they understand their roles and responsibilities and are confident in carrying them out. Staff receive regular safeguarding and child protection updates from DSL. Staff, parents, students and partners are encouraged to report any issues or concerns about the safety or welfare of children, and that they will be listened to and taken seriously.

## 5.14 Host family employment

### 5.14.1 Amber Guardianships Direct Homestay

Amber Guardianships will do Safeguarding checks before placing a student in the host family. We need to facilitate several checks on the people normally in your household.

- **Enhanced DBS check**

Anyone aged 16 years or older who normally lives in your home needs to have an Enhanced DBS (Disclosure & Barring Service) check facilitated and paid for by Amber Guardianships to comply with the Safeguarding Vulnerable Groups Act, 2006. This includes anyone who would have regular contact with our students whilst they are staying with you. These checks are updated at least every 3 years but if your circumstances change (a new member of your family moves in, a householder is no

longer employed, a new baby arrives and building work in your house therefore you do not have available room) within that time frame you must inform us.

It is not possible to host any other paying guests or run a Bed & Breakfast facility whilst looking after Amber Guardianships' students.

We will carry out the same DBS checks on any regular overnight visitors.

- Two written references

Amber Guardianships will request and follow up on 2 written references from people who have known the primary carer in the host family for at least 2 years; this further supports our safeguarding principles. Reference requirements are the same as for our staff recruitment.

- Right to work in the UK

We also check the primary carer's right to work in the UK along with their identity. You need to provide your passport or birth certificates and we will record these details.

We also need your permission to have a copy of the following document to be retained by Amber Guardianships and record the date this check took place. ID details will be taken and kept safe with the data protection officer.

- Safeguarding and Child Protection certificate Level One

- Landlord Gas Safety Certificate

- Insurance certificate(s)

Amber Guardianships will ensure that all homestays are aware of the need to ascertain the adequacy of their home insurance in respect of hosting international students. We have to inform the homestay that the insured (homeowner) should declare all facts to the insurer in order to

- obtain the right cover and
- obtain the right premium

We will check the insurance certificate the homestay provides to us to ensure that the proper insurance is in place.

### **Host Family Profile and Contact**

We ask all members of the host family to complete a self-declaration form and ask you to provide details about all members of your household who may be present when students are staying with you. We then collate these details to produce a short profile with photographs of the host family which we send out in advance to students and parents.

Amber will provide a short profile including the photo of the homestay host which will be sent to students and parents. We will also send the main contact details to the parents and local coordinator in case of emergency.

### **Formal Agreement**

All host families working with Amber Guardianships will be provided with a Host Family Contract. If a host family decides to terminate their work or Amber Guardianships wishes to terminate the agreement, details of the processes can be found in the contract.

## **Declaration**

All members of homestay aged 16+ to complete a self-declaration and a signed medical declaration form.

## **Health & Safety Assessment**

Before pairing up students with homestays, Amber Guardianships carries out the following Health & Safety checks on your property:

- Minimum of one smoke alarm per storey
- Carbon monoxide alarm in any room containing a gas, liquid or solid fuel burning appliance
- Annual gas safety check undertaken by a Gas Safe registered engineer
- Safe electrical systems
- Accessible routes out of the house in case of a fire
- Fire-fighting equipment, if provided, is suitably serviced
- Fire guards in use when open fires are lit
- Matches & lighters are safely stored
- Basic First Aid kit is available
- Safe storage of any prescription medication
- Appropriate storage of alcohol
- Awareness of basic food hygiene for meal preparation
- Safe storage of food
- Adequate home insurance to cover students staying (this should not increase your premium)
- If CCTV is present, written proof that Information Commissioner's Office (ICO) guidelines have been followed

## **Visits and Inspections**

Amber Guardianships will revisit each host family at least once a year to offer support and to recheck the points above at a mutually convenient time. Suitable notice will always be given.

The DP and Deputy DP of Amber Guardianships will be in charge of the health and safety assessment checks and provide adequate training in Risk Assessment to all host families

Risk Assessment will be reviewed annually. The written record of this work will be kept in the Amber office UK shared docs and a copy given to the data protection officer.

## **Vehicle Checks**

Some of our host families are willing to collect and return students to their school at the beginning and end of their stay and we encourage them to do this if it's practical. Similarly, they may wish to transport the student to and from the airport at the start and end of the school holidays. The host will inform us if this is the case. If not, we arrange for the students to be transported using one of



our drivers or a taxi. If the hosts are using their car to transport students, even if only during their stay with the host, the host needs to provide Amber Guardianships with a copy of the fully comprehensive car insurance, prove that the host has informed their insurance providers that they are using the car for business purposes, and a copy of their current MOT certificate if applicable.

Amber Guardianships will inform the student's school of the driver's name, contact telephone number, and the car registration. Our guardian will monitor the student's journey via WeChat and WhatsApp with the students until they arrive safely at their destinations.

#### **5.14.2 Host family from Third-Party Host Provider**

As our guardianship students are spread around the UK, Amber Guardianships uses some third-party host family providers.

- In order to ask the third-party homestay provider to release the details of the homestay to Amber Guardianships, they have to assign the family to the student first. Amber Guardianships will obtain the host family profile, a description and pictures of the house, including bedroom, living room, bathroom, study, pet, etc, and the postcode.
- On receipt of the homestay details, Amber Guardianships coordinator then assesses the area where the family is based, visits in person if the homestay is nearby, alternatively Safeguarding Lead Joey Tang and Deputy Safeguarding Lead Lousia Cheung would conduct a home visit. (Recorded). During this visit, which lasts a minimum of 1 hour, we will:
  - ask the host to show us the enhanced DBS, we will record the certificate number.
  - ask the host to show us the passport to ensure that the host has the right to work in the UK.
  - conduct a healthy and safety assessment as listed above as the same as to check our direct host, to see the student's room and bathroom arrangements, have evidence of the host family members' enhanced DBS checks etc. We will ask the host to show us the enhanced DBS and Passport.
- As the homestay arrangement is through a third party, Amber Guardianships do not have a homestay contract. However, Amber Guardianships takes full responsibility for all arrangements e.g. if there was a problem with the homestay Amber would be the main point of contact to resolve the issue.
- Due to GDPR, references for the homestay main carer are not available to us.
- The host third party provider signs Amber Guardianships declaration form in order to confirm that there is a contract in place between the homestay and the provider, and that satisfactory references have been received.
- During Amber Guardianships' interviews with the homestays, we will double check with the main carer that there is a contract in place, that they provided enhanced DBS certificate, Passport, two referees, landlord Gas Safety Certificate and insurance details to the homestay provider and that the company carried out the checks it claims to do.

#### **5.14.3 Safeguarding**

Amber Guardianships is fully committed to safeguarding and promoting the wellbeing of our students and we expect all our staff, host families and working partners to share this commitment. We have the following policies and documents in place to safeguard our students and host.

Our safeguarding Lead will go through the company policies and related documents with the host during the home visit. All policies will be updated annually and will email the host with the update information.

Hosts should have Safeguarding training Level one (online training course is accepted and have a certificate to prove the date of taking the course. Training should be renewed every 3 years and is updated annually by Amber Guardianships. Amber Guardianships updates the record annually.

Documents include:

- Child Protection and Safeguarding Policy
- Prevent/Anti-Radicalisation Policy
- Missing Student Policy
- Anti-Bullying and Cyberbullying Policy
- Online Safety and Sexting Policy
- Whistleblowing Policy
- Data Protection and Privacy Policy
- Safer Recruitment Policy
- Privacy Policy
- Complaints Policy
- Emergency Contingency Policy
  
- Low-level Concern Policy

**Host family will receive a copy of these documents, and our Staff and Homestay Code of Conduct.**

Reference:

*Keeping Children Safe in Education 2021*

#### **5.14.4 Information on the Host Family**

Amber will gather full details on all homestay members either permanently resident or temporarily living away from home. These details should include the following:

- Full Names
- Date of Birth
- Sex
- Occupation
- Interests and hobbies
- Religion (if applicable)
- Smoker/non-smoker, if so inside/outside the property
- Any dietary patterns followed by members of the homestay if they will affect the

student

- any other regular visitors to the household such as extended family members and visitors and to record if they stay overnight with the homestay or not.
- gather information from the homestay about any pets or animals kept by the homestay.

Amber Guardianships does not recruit host families through advertisement. Our host families are introduced by host family providers, or self-recommended. If the potential candidates are in the appropriate area, we will start the recruitment process.

### **Application Form and Application Pack**

Applicants must be over 25 years of age and be suitable to work with children.

On receipt of the confirmation that the potential candidate is interested in becoming a host family, we will send the homestay form which obtains relevant details for the role. The form requires the applicant to confirm that they are not disqualified from working with children, or subject to any sanctions imposed by a regulatory body and has no convictions, cautions or bind overs, or have attached details of their record in a sealed envelope marked 'Confidential' and sent to head Office for review.

Instructions on the form include explanatory notes about completing the form, links to the job description and person specification, Amber Guardianships Safeguarding and Child Protection Policy and a statement of the terms and conditions relating to the post.

The Application Form outlines the requirement for the applicants (including members of the homestay aged 16 and over and other temporary residents to complete an enhanced Disclosure and Barring Service check. The applicant will be required to provide evidence (i.e. original documents) of their identification to the staff interviewer during the initial inspection for verification.

Enhanced DBS checks are required for all members of the homestay aged 16 and over and any other temporary resident. Enhanced DBS checks are not required for non-Amber Guardianships students being hosted by the family i.e. under 18 and at a boarding school or language school.

### **The Job Description and Person Specification**

Amber Guardianships DSL will review the job description to ensure compliance with the Safer Recruitment guidance and confirmation that the main duties and responsibilities are outlined. This will include the responsibility for safeguarding the students that the homestay is responsible for.

The Person Specification is supplementary information to the job description and essential and desirable criteria (for example qualifications, experience, competences and qualities) for the post. This document will be reviewed by the DSL to ensure compliance with the Safer Recruitment guidance.

### **References**

- Homestay references for the primary carer/s are requested prior to interview. This is to obtain objective and factual information to support appointment decisions. As a minimum, one personal and one professional reference must be obtained for each primary carer, or one professional reference for each primary carer with one joint personal reference. The homestay must provide written permission to confirm these references can be sought.

- When the application form is submitted the applicant must nominate referees who they have known in a professional and personal capacity, with the personal referee having known the applicant for a minimum of two years. When the details are submitted online, a reference is automatically sent directly to these referees with a unique login which allows them to fill in and submit a reference form.
- Referees are asked to comment on work, professional competence and personal qualities. Referees are asked to comment on the applicant's suitability to work with children, to outline any concerns about the applicant with children or any disciplinary details.
- References which are submitted online are reviewed to ensure we have obtained independent professional and character references that answer specific questions. This helps to assess an applicant's suitability to work with children and follow up on any concerns.
- Amber Guardianships does not accept references which are provided by the applicant, or open references and testimonials i.e. "To whom it may concern". This reduces the risk of making an appointment decision on a forged reference.
- Where (due to operational need) a reference is secured over the telephone in the first instance a record must be made of the telephone reference. Following this initial record, the reference must be obtained in writing as soon as practicable to provide a record of the information obtained from the referee.
- Any offer of employment will always be conditional on the receipt of satisfactory references.
- References should always be obtained in writing and telephone contact made to verify the reference.

### **Host Family Home Visit**

All host families are visited and assessed before Amber Guardianships places the student. Revisits take place annually and further monitoring takes place by checking student evaluations where any concerns may be addressed by an interim visit.

The invitation for the initial visit and interview should stress that the successful candidate will need to be checked thoroughly in terms of identification and the completion of an enhanced DBS check. This will require the candidate to provide to the interviewer documentary evidence of their identity (for example current driving licence, passport, full birth certificate, plus documents for example a recent utility bill or financial statement that shows the candidate's full name and address). Where a candidate has changed their name, full documentation must be provided detailing the previous name and current name.

The homestay applicant is advised and given instructions on how to prepare for the identification and enhanced Disclosure and Barring Service Check during the visit.

During the initial visit, the staff member interviews the applicants face to face to confirm suitability for the role and suitability to work with children.

The staff interviewer inspects the house, garden and car which will be used to transport students and secures photographs of the property (including individual rooms).

The staff interviewer is encouraged to discuss the homestay's previous employment history and experience, and to note any indications that the primary carers may not have the health and/or physical capacity for the role, together with the applicant's right to work in the UK where

appropriate. The interviewer must check and verify the documents used to verify an applicant's identity, right to work in the UK and/or qualifications (where appropriate), as per the instructions on Access Personal Checking Services (APCS) Ltd.

### **Scope of the interview**

The interviewer should assess and evaluate the applicant's suitability for being an Amber Guardianships homestay, their motivation for working with children and young people, and their ability to support the company's aims and principles. There is scope on the visit form to record this detail which should be submitted to the Head Office for assessment.

The interviewer is encouraged to ask the applicants aged 16 or over in the homestay if they wish to declare anything in light of the requirement for an Enhanced DBS disclosure.

Where references have not been returned to Head Office before an interview, the prospective homestay can be asked at interview if there is anything they wish to declare or discuss in light of the questions that have been or will be put to their referees.

### **Conditional Offer of Appointment and enhanced DBS Checks**

The successful applicants will be conditionally accepted pending references, proof of identification, proof of right to work in the UK (if appropriate), an enhanced DBS check, verification of qualifications where they are a requirement of the post and the completion of any probationary period.

### **Post Appointment: Induction**

Newly appointed homestays are provided with a Homestay Handbook which contains guidance and advice for the role of homestay. The Safeguarding and Child Protection Policy is also made available to the homestay, as is Level 1 Child Protection Training.

Homestays have on-going support from Amber Guardianships staff and their Local Coordinator, regardless of their experience of the homestay role.

### **On-going training and monitoring**

Amber Guardianships homestays receive newsletters containing updates and safeguarding news. This is to ensure that guidance is regularly being circulated and homestays have continual access to Level 1 Safeguarding Training and regular NSPCC Safeguarding and Child Protection updates.

The homestay's initial visits and annual revisit process provides Amber Guardianships with the infrastructure to continually monitor the quality of homestays. These visits check that the highest standards are afforded to our students.

### **Monitoring and Review**

Monitoring both the recruitment process and induction arrangements will allow for future recruitment practices to be better informed.

The reviews should cover:

- staff turnover and reasons for leaving;
- exit interviews;
- attendance of new recruits at child protection training.

### **Host family Provider**

Amber Guardianships uses direct Host Families and third-party host family providers from time to time. However, the interview process still applies before we place our student to the host.

### **Record**

Amber Guardianships will keep the detailed notes of all staff and homestay interviews. We will use a single central record to store all safer recruitment checks in one place. Interviewers should be made aware that interviewees will have a right to request access to their interview notes.

## **5.16 The Rehabilitation of Offenders Act 1974**

- The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with or having access to students. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position at Amber Guardianships.
- DBS (Disclosure and Barring Service) Certificate. Amber Guardianships applies for an enhanced disclosure from the DBS and a check of all positions at Amber Guardianships which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006. The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children.
- It is Amber Guardianships' policy that the DBS disclosure must be obtained before the commencement of employment of any new employee.
- It is Amber Guardianships' policy to re-check employee's DBS Certificates every three years and, in addition, any employee that takes leave for more than three months (i.e.: maternity leave, career break, etc) must be re-checked before they can return to work.
- Members of staff at Amber Guardianships are aware of their obligation to inform the HR Department in Hong Kong of any cautions or convictions that arise between these checks taking place.
- DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

## 6. Data Protection Policy

### 6.1 Policy Statement

This policy is a guideline for all Amber Guardianships staff working with children and young people to demonstrate how information about students is appropriately shared between parents, homestays, staff and schools.

In order to comply with all statutory requirements of :

The Data Protection Act 1998 (“the Act”)

The Freedom of Information Act 2000

General Data Protection Regulation 2018

Amber Guardianships will handle and protect all information in line with data protection principles set out in the Act. Under the Act, anyone processing data must comply with the eight principles of good practice for data protection, as detailed below:

- Fairly and lawfully processed;
- Processed for limited purposes;
- Adequate, relevant and not excessive in relation to the purpose(s) for which they are processed;
- Accurate and kept up to date;
- Not kept longer than necessary;
- Processed in accordance with the data subject’s rights under the Act;
- Secure and protected. Appropriate technical and organisational measures are in place to protect data from unauthorised or unlawful processing and from accidental loss, damage or destruction;
- Not be transferred to a country or territory outside of the European Economic Area (EEA) unless we can be assured there is an adequate level of protection for the rights and freedoms of the data subjects.

Amber Guardianships take all reasonable steps to ensure the accuracy and confidentiality of such information. Amber Guardianships needs to gather and use certain information about individuals. These can be parents, students, agents, homestays, suppliers, business contacts, employees and other people the guardianship organisation has a relationship with or may need to contact.

This policy describes how this personal data must be collected, handled and stored to the meet the Amber Guardianships data protection standards, and to comply with the legislation.

This Amber Guardianships Data Protection Policy applies to personal data as defined by the Act – that is, data from which a living individual can be identified, either from data alone, or from that data and other information that is held by the data controller. This includes information held on computer, paper files, photographs etc.

This data protection policy ensures Amber Guardianships:

- Complies with data protection law and follows good practice;
- Protects the rights of staff, parents, students, homestays and partners (such as schools);
- Is open about how it stores and processes individual's data;
- Protects itself from the risk of data breach.

## 6.2 Staff guidelines

- Personal data should not be shared informally – it should not be sent by email – this form of communication is not secure;
- Personal data must be encrypted before being transferred electronically. Amber Guardianships uses an email server called Network Solutions. Transport Layer Security (TLS) is the protocol used by Amber Guardianships email system – a type of end-to-end encryption, which provides internet security over a computer network, which aims for privacy and data integrity between two communicating computer applications. Amber Guardianships uses TLS to encrypt and protect email traffic in transit. Without the TLS, emails cannot be accessed by Amber Guardianships. TLS is handled by the server and the software (for instance, Outlook). Webmail is the way to access Amber Guardianships emails outside of Outlook or other email client/software. Only people with access details are permitted to access the Amber Guardianships webmail system. The webmail is password protected, and this needs to be a specific strength to work;
- Employees should not save copies of personal data to their own computers/laptops –personal data should always be accessed and updated via the central copy of any data – the Amber Guardianships server;
- Employees should keep all data secure, taking sensible precautions and following these guidelines;
- Strong passwords must be used, and never shared;
- Personal data should not be disclosed to unauthorised people, either within Amber Guardianships or externally;
- Data should be regularly reviewed and updated if found to be out of date. If no longer required, it should be deleted and/or disposed of;
- When not in use, paper format data or files (for instance, DBS applications) should be kept in a locked drawer or filing cabinet;
- Employees should make sure paper and printouts are not left where unauthorised people could see them, for instance, on a printer;
- Data printouts should be shredded and disposed of securely when no longer required;
- When working with personal data, employees should ensure computer/laptop screens are always locked when left unattended;
- Where data is stored electronically, it must be protected from unauthorised access, accidental deletion and malicious hacking attempts;
- If data is stored on removable media (for instance, a CD or USB), these should be encrypted and kept locked away securely when not in use;
- Data should only be stored on designated drives and servers, and/or approved cloud computing services;
- Data should be backed up frequently, and backups should be tested regularly;



- All servers and computers containing data should be protected by approved security software and a firewall;
- Personal data should never be saved directly to laptops or other mobile devices like smart phones or tablets, unless encrypted.

Amber Guardianships may collect and process the following examples of data:

- Full name [including title, forename(s), family name];
- Job title;
- Contact information (for example, current home/business address, telephone numbers, email addresses, website address);
- Qualifications/experience;
- Date of birth;
- Information relevant to HR (for example: C.V.s, interview notes, referee details, ID);
- Student medical details;
- Copies of students' passport, Visa and BRP;
- DBS reference number;
- School name and personnel;
- School year group;
- Main language for correspondence;
- Level of guardianship service provided;
- Date of last visit for student (at homestay);
- Whether private fostering assessment has been undertaken by the Local Authority;
- Details of venues (name, location, address, contact details);
- Feedback forms;
- Photographs (for example, students, staff, homestays).

Amber Guardianships may use/process this information to:

- Carry out our obligations arising from any contracts/ agreements entered into by you and us;
- Contact parents, students, homestays and schools;
- Undertake administrative functions (for example, HR, contact referees);
- Process DBS applications;
- Compile marketing lists (e.g. for newsletter and conferences);
- Handle complaints;
- Conduct research;
- Share anonymous details with 3rd parties for the purpose of obtaining professional advice;
- Understand people's views and opinions (for example, via feedback forms);
- Send out information that Amber Guardianships thinks might be of interest to others;
- Improve our services;
- Comply with legal and regulatory obligations;
- As part of the accreditation process, Amber Guardianships is required to send the AEGIS office a copy of the contact details for all their homestays, partner schools and parents. They will also provide the names of the students. This data is held securely by AEGIS and is destroyed once the inspection process is finished.

### 6.3 Storing data

Any physical documents that arrive are scanned and stored onto Amber Guardianships computer network, whilst the originals are shredded immediately.

Any other information not stored in the form of a document image, e.g. information given during online application, is stored in our computer network.

### 6.4 Retention period of information

For students, our retention period is the entirety of the time a student is under our guardianship plus 7 years from leaving, as all records are integrated within our accounting information.

For host families, all supplied information is stored on our computer network.

The host family information is also integrated in the same way as the students' information, and therefore needs to be held for a minimum of 7 years.

After 7 years of inactivity, the data held for students and host families will be deleted.

Infringement – Amber Guardianships has a duty to protect your data. If you believe there has been a breach of data protection, we suggest first contact our Data Protection Officer Joey Tang, email: [joey.tang@amberedu.co.uk](mailto:joey.tang@amberedu.co.uk). If you are unsatisfied with the outcome of our internal investigation, please contact the Information Commissioner's Office (ICO):

Helpline: +44 303 123 1113

Head office: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

### 6.5 The Information Commissioner's Office

Amber Guardianships is a subsidiary company of Amber Education UK Services Ltd. Amber Education Services UK is registered with the information commissioner's office.

The Information Commissioner's Office (ICO) is "the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals" (ICO website). It is responsible for administering the provisions of the Data Protection Act 1998; the Freedom of Information Act 2000; and the General Data Protection Regulation 2018.

The Act requires every data controller who is processing personal information to register with the ICO (unless exempt). Amber Guardianships is registered with the ICO as a data controller, last renewed date was 8<sup>th</sup> May 2021. (Reference number: ZA519848). Registration expires: 12/05/2022.

The ICO publishes a Register of data controllers on their website, on which Amber Education UK Services Ltd is listed.

Data used for applications handling should only be possessed by the guardian and the guardian coordinator in charge of the student, and the data controller.

This policy applies to the main office of Amber Guardianships, all staff and volunteers of Amber Guardianships, and all homestays and other people working on behalf of Amber Guardianships. The scope of the policy applies to all data held by Amber Guardianships relating to identifiable individuals. Everyone who works for Amber Guardianships has responsibility for ensuring data is collected, stored and handled appropriately – all must ensure personal data is handled and processed in line with this policy and data protection principles.

The Data Protection Officer is Joey Tang (joey.tang@amberedu.co.uk).

The Data protection Officer is responsible for:

- Keeping Data Controller Harry Lee, CEO of Amber Education Ltd, updated about data protection responsibilities, risks and issues – in the form of an annual report;
- Reviewing all data protection procedures and policies;
- Arranging data protection training if required;
- Handling data protection queries from those working for and with Amber Guardianships;
- Dealing with requests from individuals relating to the data Amber Guardianships holds about them;
- Assisting with any agreements with third parties that may handle sensitive data;
- Working with Amber Guardianships IT contractors to ensure that all systems, services and equipment used for storing data meet acceptable security standards, including ensuring regular checks, scans and updates to ensure security hardware and software are functioning properly.

## 6.6 Data protection Training

- Amber Guardianships administrative Staffs have GDPR training ([www.highspeedtraining.co.uk](http://www.highspeedtraining.co.uk) or Vital Skills Training). All new employees will be provided GDPR training as part of their induction programme.
- All employees shall receive a refresher of relevant training at least every twelve months or following a material change in data protection law or regulation.

## 6.7 Protecting information

Amber Guardianships has appropriate technical and organisational measures in place to protect data. Paper files are locked away securely and electronic files are protected by access rights (strong passwords as mentioned are used) set at a server level. All electronic files are backed up every workday (excluding weekends).

All staff and homestays aware of the need to keep records securely in line with published procedures.

## 6.8 Data accuracy

The law requires Amber Guardianships to take reasonable steps to ensure data is kept accurate and up to date. It is the responsibility of all employees and people working with Amber Guardianships, who work with data, to take reasonable steps to ensure it is kept accurate and as up to date as possible.

- Data should be held in as few places as necessary. Staff should not create any unnecessary additional data sets.
- Staff should take every opportunity to ensure data is updated.
- Any data inaccuracies should be corrected as soon as discovered, for instance if a staff can no longer be reached on their stored telephone number, this should be removed from the database).

## 6.9 Data protection risks

This policy helps to protect Amber Guardianships from data security risks including:

- Breaches of confidentiality, for instance: information being given out inappropriately.
- Failure to offer choice, for instance: all individuals should be free to choose how the company uses data relating to them.
- Reputational damage, for instance: the company could suffer if hackers successfully gained access to sensitive data.

## 6.10 Accessing your information

Under the Act, an individual is entitled to ask Amber Guardianships:

- For a copy of the personal information held by Amber Guardianships
- For any inaccuracies to be corrected
- How to gain access to such data
- How they are meeting their data protection obligations

Such requests are known as 'Subject access requests'. Such requests should be made via email to Amber Guardianships data controller: Harry Lee (Harrylee@amberedu.com.hk)

Postal requests should be submitted to:

Amber Education UK Services Ltd.

2<sup>nd</sup> Floor, Kingsland House, 122-124 Regent Street, London, W1B 5SA. UK.

The data controller will aim to provide the relevant data within 14 working days. The data controller will always verify the identity of anyone making a subject access request before handing over any information.

## 6.11 Sharing personal information

In certain circumstances, the Data Protection Act allows personal data to be disclosed to law enforcement agencies without the consent of the data subject. Under these circumstances, Amber will disclose requested data.

If on the rare occasion, we need to share data, we will only use data anonymously.

If personal information is shared, it will be done so in line with the Act. You are entitled to know why and how we are sharing your personal information and the organisation or individual receiving your personal information will be required to protect your information in line with the Act.

## **6.12 Providing information**

Amber Guardianships aims to ensure that individuals are aware that their data is being processed and that they understand:

- How the data is being used.
- How to exercise their rights.

To these ends, a copy of this policy which sets out how data relating to individuals is used by Amber Guardianships can be available on request.

## **6.13 Use of the child's image**

Sharing photographs and images of children on social media or other online platforms carries potential risks. Amber Guardianships has a detailed set of procedures as seen below to explain how to use images of children and young people in publications, on websites and on social networking sites, and what actions we take to keep children safe.

Amber Guardianships will ensure children, parents, staff and volunteers understand the policy statement and know how photographs and films taken can be shared more safely.

### **Seeking consent to share images of children and young people**

Children should always be consulted about the use of their images and give consent to it being used. They must be aware that a photo or video is being taken and understand what the image is going to be used for. For students 18+, Amber Guardianships will ask them how they feel about the image being shared online and record this on a written consent form.

For young people under 18, Amber Guardianships will also get parental consent to use an image. Make sure parents and carers are aware of the child's photography and filming policy statement. Our staff will ask them to sign a written consent form.

Keep a record of the written consent that parents, carers and children have given for images being used.

### **Storing images securely**

Images or video recordings of children must be kept securely. Hard copies of images should be kept in a locked drawer and electronic images should be kept in a protected folder with restricted access.

Images should not be stored on unencrypted portable equipment such as laptops, memory sticks and mobile phones.

Never use personal equipment to take photos and/or recordings of children on behalf of the school or organisation. Only use cameras or devices belonging to the organisation.

Organisations that store and use photographs to identify children and adults for official purposes, such as identity cards, should ensure that they are complying with the legal requirements for handling personal information.

If Amber Guardianships' staff has concerns about a child or young person's image which has been shared online, or if a child or young person needs confidential help and advice after an image of them has been shared online, we will contact Childline.

For help for children and young people, call Childline: 0800 1111

For help for adult concerned a child, call NSPCC helpline: 08088005000

## 6.14 Information Sharing: Practical Reporting Lines

Amber Guardianships share information appropriately with parents, students, agents, homestays, schools, local children's services and other external agencies where there is a need to do so. The removal of the previous Standard 2.

Amber Guardianships' reporting lines show information sharing between parents, students, homestays, schools and other external agencies.

### Travel and Holiday Plans

1. Communicate with the school so that arrangements can be made for each individual student's case.
2. Communicate with the Host Family or School Accommodation to either provide lodgings or not during a period of holiday.
3. Communicate with Amber Guardianships' guardian coordinator to make relevant travel arrangements and ensure that the arrangements meet UK Safeguarding requirements.
4. The Guardian coordinator may discuss with Designated Safeguarding Lead should they have any concerns. All holiday plans will be checked with both the Student and the Parent to ensure clear confirmation of information, and also to collect relevant parental authorisation if required.

### Academic Concern

1. School report will be translated by guardian and send to parents.
2. Discuss concerns with the school and appropriate teachers to gain best understanding of School Reports.
3. If additional tutoring or private lessons are booked, selected information from School Reports would be passed onto the Tutor to ensure that lessons are tailored to the students' needs.
4. If Safeguarding concerns are raised, they will inform the Designated Safeguarding Lead Parents and Students will be sent a copy of the school report (either in English or Chinese as appropriate) and any Academic Concerns would be discussed with all parties to resolve.

### Health

Amber Guardianships has close communications with house parents. If they have any concerns regarding the student's health, mental and academic developments and contact us, Amber

Guardianships will inform the student's parents as soon as possible. Amber Guardianships will make urgent visits to the student if parents have any concern and make a request for this.

#### Reporting Lines on Urgent Matter

1. Communicate-with the Designated Safeguarding Lead of the School, if appropriate.
2. Communicate with the Host Family/Accommodation only if the situation may need to be monitored within a home environment.
3. Communicate via confidential Cause for Concern to the Designated Safeguarding Lead of Amber Guardianships who may communicate with LSP for additional information or support. If it is considered in the best interest of the child, information on urgent welfare matters may also be communicated to Parents, Local Safeguarding Children Partnership or other Public Services.

#### Emergency

Students have Amber Guardianships' emergency contact, by which the students are able to access 24hours/7 days urgent help.

#### Information Sharing in the event of Child Abuse

All our staff should be alert to any signs and/or triggers of child abuse and neglect. (See the Amber Safeguarding and Child Protection policy). Abuse (emotional, physical and sexual) and neglect can be present in many different forms. Indicators of abuse and neglect may be difficult to spot. Children may disclose abuse, in which case the decision to share information is clear, as actions must be taken to respond to the disclosure. In other cases, for example neglect, the indicators may be more subtle and appear over time. In these cases, decisions about what information to share, and when, will be more difficult to judge.

The potential for children to be sexually exploited for money, power, and individuals should adopt an open and inquiring mind to what may be the underlying reasons for behavioural changes in children of all ages. If our staff has concerns about a child's safety or welfare, they should share the information with the local authority's children's social care, National Society for the Prevention of Cruelty to Children (NSPCC) and/or the police, in line with local procedures.

Security of information sharing must always be considered and should be proportionate to the sensitivity of the information and the circumstances. If it is thought that a crime has been committed and/or a child is at immediate risk, the police should be notified immediately.

### **6.15 Law related to Data Protection Policy**

UK organisations that process personal data are currently bound by two laws: the [EU GDPR](#) and the [UK DPA \(Data Protection Act\) 2018](#). Both laws continue to apply until the end of the transition period of Brexit.

#### **Data protection law after 31 December 2020: will the GDPR apply in the UK after Brexit?**

The EU GDPR will no longer apply directly in the UK at the end of the transition period (31 December 2020). However, UK organisations must still comply with its requirements after this point.

First, the DPA 2018 enacts the EU GDPR's requirements in UK law. Second, the UK government has issued a statutory instrument – [the Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019](#) – which amends the DPA 2018 and merges it with the requirements of the EU GDPR to form a data protection regime that will work in a UK context after Brexit.

This new regime will be known as 'the UK GDPR'.

There is very little material difference between the EU GDPR and the proposed UK GDPR, so organisations that process personal data should continue to comply with the requirements of the EU GDPR.

### **The Data Protection Act 1998**

EU Directives lay down certain results that must be achieved but each Member State is free to decide how to transpose directives into national laws. EU directives are addressed to each member states, and are not legally binding for individuals in principle. The member states must transpose the directive into internal law – Acts. Directive 95/46/EC on the protection of personal data had to be transposed by the end of 1998, when it became now as The Data Protection Act 1998.

The Act protects individuals' rights concerning information about them held on computer and in any Amber Guardianships personnel files and databases. These rules apply regardless of whether data is stored electronically, on paper or other materials.

To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

### **The Freedom of Information Act 2000**

The Freedom of Information Act 2000 provides public access to information held by public authorities, in two ways:

- public authorities are obliged to publish certain information about their activities; and
- members of the public are entitled to request information from public authorities.

### **General Data Protection Regulation 2018**

Regulations have binding legal force throughout every Member State and enter into force on a set date in all the EU Member States. The General Data Protection Regulation (GDPR) (EU) 2016/679 is a regulation in EU law on data protection and privacy for all individuals within the European Union.

GDPR replaces the 1995 Data Protection Directive (Directive 95/46/EC) -The Data Protection Act 1998. Although the key principles of data privacy still hold true to the previous directive, many changes have been proposed to the regulatory policies.

The GDPR places greater emphasis on the documentation that data controllers must demonstrate their accountability. Compliance requires organisations to review their approach to governance and how they manage data protection as a corporate issue.



## 6.16 Further information

If you have any questions about this policy, please contact the Data Controller at Amber Guardianships via email at [harrylee@amberedu.com.hk](mailto:harrylee@amberedu.com.hk), or Data Protection Officer Joey Tang, [joey.tang@amberedu.co.uk](mailto:joey.tang@amberedu.co.uk)

or by post at:

Amber Education Services UK Ltd.

2<sup>nd</sup> Floor, Kingsland House, 122-124 Regent Street, London, W1B 5SA. UK.

# 7. Privacy Notice

Amber Guardianships takes your privacy extremely seriously; we are committed to protecting and respecting your privacy. This policy explains what, how, and why of the information we collect from you, including when you visit our website. It also explains the specific ways we use and disclose any information.

## 7.1 Who are we?

Amber Guardianships is under Amber Education Service UK Ltd. Our register office address is:

**Kingsland House 2nd Floor, Kingsland House, 122-124 Regent Street, London, United Kingdom, W1B 5SA**

## 7.2 How do we collect information from you?

We obtain information about you when you use our website, when you contact us and when you apply to work with us or use our services.

## 7.3 What type of information is collected from you?

The personal information we collect might include your name, address, contact details, email address, IP address, information regarding which Amber Guardianships webpages you have accessed and when.

We will collect sensitive details about our employees, homestay, students and parents. This might include proof of ID, dates of birth and addresses etc.

## 7.4 How is your information used by Amber Guardianships?

Amber Guardianships may use your information to:

- Carry out our obligations arising from any contracts/ agreements entered into by you and us.
- Help us improve our services and target our audience more effectively.
- Send you details of forthcoming events and training which we feel would be of interest to you.

## 7.5 Why does Amber Guardianships collect your information?

- To enable us to undertake our job.
- For safer recruitment purposes.

## 7.6 Who will your information be shared with?

- Amber Guardianships will never share your information with any third party, without your prior consent. The exception to this is where there is a safeguarding concern which results in the need to share information with external agencies, the police or the DSL in schools.
- Amber Guardianships will share information on a 'need to know' basis with their staff, homestays, students, parents/ agents and schools.
- Amber Guardianships is seeking membership of AEGIS. As part of the accreditation process, Amber Guardianships is required to send the AEGIS office a copy of the contact details for all their homestays, partner schools and parents. They will also provide the names of the students. This data is held securely by AEGIS and is destroyed once the inspection process is finished.
- Please be aware that as part of the accreditation/ re-accreditation process, AEGIS uses a third party survey software company such as Survey Monkey to create and run professional online surveys. Survey Monkey's privacy policy can be found here: <https://www.surveymonkey.com/mp/legal/privacy-policy/> Amber Guardianships will be required to send homestays, parents, students and schools a link to a questionnaire
- Amber Guardianships never sells lists or email addresses.

## 7.7 How will Amber Guardianships privacy information be provided?

- orally
- in writing

## 7.8 Information We Collect

In operating our website, we may collect and process the following data about you:

Details of your visits to our website and the resources that you access, including, but not limited to, traffic data, location data, weblogs and other communication data.

Information provided to us when you communicate with us for any reason.

## 7.9 Use of Your Information

The information that we collect and store relating to you is primarily used to enable us to provide our services to you. In addition, we may use the information for the following purposes:

- To provide you with information requested from us, relating to our products or services.

- To provide information on other products which we feel may be of interest to you, where you have consented to receive such information.
- To meet our contractual commitments to you.
- To notify you about any changes to our website, such as improvements or service/product changes, that may affect our service.

If you are an existing client, we may contact you with information about services similar to those which were the subject of a previous sale to you.

Further, we may use your data, or permit selected third parties to use your data, so that you can be provided with information about unrelated goods and services which we consider may be of interest to you. We or they may contact you about these goods and services by any of the methods that you consented at the time your information was collected.

If you are a new client, we will only contact you or allow third parties to contact you only when you have provided consent and only by those means you provided consent for.

If you do not want us to use your data for us or third parties you will have the opportunity to withhold your consent to this when you provide your details to us on the form on which we collect your data.

## **7.10 Storing Your Personal Data**

Data that is provided to us is stored on our secure servers. Details relating to any transactions entered into on our site will be encrypted to ensure its safety.

The transmission of information via the internet is not completely secure and therefore we cannot guarantee the security of data sent to us electronically and transmission of such data is therefore entirely at your own risk. Where we have given you (or where you have chosen) a password so that you can access certain parts of our site, you are responsible for keeping this password confidential.

## **7.11 Disclosing Your Information**

Where applicable, we may disclose your personal information to any member of our group. This includes, where applicable, our subsidiaries, our holding company and its other subsidiaries (if any).

We may also disclose your personal information to third party:

- Where we sell any or all of our business and/or our assets to a third party.
- Where we are legally required to disclose your information.
- To assist fraud protection and minimise credit risk.
- If you are applying as a host family, the information Amber Guardianships collects will be used to create a host family profile and will only be shared with relevant parties in relation to hosting students.
- In processing your application and as part of our Safer Recruitment policy, we will need to share your information with a third-party agency called Ucheck and Access Personal Checking Services Ltd (APCS). We use APCS to undertake enhanced DBS checks as an essential part of our screening process. The information Ucheck and APCS gather is also

handled in accordance with the Data Protection Act 1998 and the General Data Protection Regulation 2018.

## 7.12 Third Party Links

You might find links to third party websites on our website. These websites should have their own privacy policies which you should check. We do not accept any responsibility or liability for their policies whatsoever as we have no control over them.

## 7.13 Access Information

The Data Protection Act 1998 and General Data Protection Regulation 2018 give you the right to:

- Access and obtain a copy of your data on request
- Require the organisation to change incorrect or incomplete data
- Require the organisation to delete or stop processing your data
- Choose to remove your consent for us to process your data
- Object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact us using the details below:

Joey Tang, Data Protection Officer, [joey.tang@amberedu.co.uk](mailto:joey.tang@amberedu.co.uk),

## 7.14 Use of Cookies by Amber Guardianships Website

Similar to other commercial websites, the Amber Education Services UK website [www.amberedu.co.uk](http://www.amberedu.co.uk) uses a technology called "cookies" and web server logs to collect information about how our website is used. A cookie is a very small text document, which often includes an anonymous unique identifier. When you visit a website, that site asks your computer for permission to store this file in a part of your hard drive specifically designated for cookies. Information gathered through cookies and web server logs may include the date and time of visits, the pages viewed, time spent at our website, and the websites visited just before and just after our website. Cookies, in conjunction with our web server's log files, allow us to calculate the aggregate number of people visiting our website and which parts of the website are most popular. This helps us gather feedback so that we can improve our website and better serve our customers. Cookies do not allow us to gather any personal information about you. We use 'session' cookies which enable you to carry information across pages of the website and avoid having to re-enter information. Session cookies enable us to compile statistics that help us to understand how the website is being used and to improve its structure. We also use 'persistent' cookies which remain in the cookies file of your browser for longer and help us to recognise you as a unique visitor to the website, tailoring the content of certain areas of the website to offer you content that matches your preferred interests. You can refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting you may be unable to access certain parts of the website.

## 7.15 Search engine

Our website search is powered by Google Translate. The Member Search is a custom search against the internal database. Google's privacy policies can be found here:

<https://policies.google.com/terms> Security and performance. Amber Guardianships does not use any third-party service to help maintain the security and performance of our website, only the service that Network Solution offers with regards to hosting – see Email section below. IP addresses of visitors are taken when people are on our website, as mentioned in the Cookies section above.

## 7.16 People who email us

Amber Guardianships monitors any emails sent to us, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send is within the bounds of the law. Amber Guardianships uses an email server called Network Solution. Transport Layer Security (TLS) is the protocol used by Amber Guardianships' email system – a type of end-to-end encryption, which provides internet security over a computer network, which aims for privacy and data integrity between two communicating computer applications. Amber Guardianships uses TLS to encrypt and protect email traffic in transit. Without TLS, emails cannot be accessed by Amber Guardianships. TLS is handled by the server and the software (for instance, Outlook). Webmail is the way to access Amber Guardianships emails outside of Outlook or other email client/software. Only people with access details are permitted to access the Amber Guardianships webmail system. The webmail is password protected, and this needs to be a specific strength to work.

## 7.17 People who contact us via social media

We also communicate with parents and students via WeChat and WhatsApp:

WeChat's privacy policy can be found here [https://www.wechat.com/en/privacy\\_policy.html](https://www.wechat.com/en/privacy_policy.html)

WhatsApp's privacy policy can be found here: <https://www.whatsapp.com/privacy>

## 7.18 People who call us

When you call Amber Guardianships, we do not collect any Calling Line Identification (CLI) information. Our telephone lines are with British Telecom. Their privacy notice can be found at: <https://www.bt.com/privacy-policy/>

## 7.19 People who make a complaint to us

When we receive a complaint from a person, we make up a file containing the details of the complaint. This normally contains the identity of the complainant and any other individuals involved in the complaint. We will only use the personal information we collect to process the complaint. From time to time, we may compile and publish statistics showing information such as the number of complaints we receive, but not in a form which identifies anyone. We usually have to disclose the complainant's identity to whoever the complaint is about. This is inevitable where, for example, the accuracy of a person's record is in dispute. If a complainant does not want information identifying

him or her to be disclosed, we will try to respect that. However, it may not be possible to handle a complaint on an anonymous basis. We will keep personal information contained in complaint files for 2 years, from closure. It will be retained in a secure environment and access to it will be restricted according to the 'need to know' principle. Similarly, where enquiries are submitted to us, we will only use the information supplied to us to deal with the enquiry and any subsequent issues.

## **7.20 People who use the services of Amber Guardianships**

We never use a third party to deal with any information requests. All requests are handled in-house. Any provided contact details are only used to provide the requested information, or other closely related purposes. For example, we might use such information about people who requested information about Amber Guardianships in order to send them information about our services. However, when people receive this information, they have an option to unsubscribe.

## **7.21 Job applicants, current and former Amber Guardianships employees**

Amber Guardianships is the data controller for the information you provide during the process unless otherwise stated. Amber Guardianships occasionally uses third party Recruitment Agencies to assist in collating applicants, such as Indeed. Such a third-party recruitment agency would assist in our recruitment service.

## **7.22 What will we do with the information you provide to us?**

All of the information you provide during the recruitment process will only be used for the purpose of progressing your application, or to fulfil legal or regulatory requirements if necessary. We will not share any of the information you provide during the recruitment process with any third parties for marketing purposes or store any of your information outside of the European Economic Area. The information you provide will be held securely by us whether the information is in electronic or physical format. We will use the contact details you provide to us to contact you to progress your application. We will use the other information you provide to assess your suitability for the role you have applied for.

## **7.23 What information do we ask for, and why?**

We do not collect more information than we need to fulfil our stated purposes and will not retain it for longer than is necessary. The information we ask for is used to assess your suitability for employment. You don't have to provide what we ask for, but it might affect your application if you do not.

## **7.24 Application stage**

Amber Guardianships will ask for a covering letter and curriculum vitae/ application form. We may also ask that applicants complete an equal opportunities questionnaire (Equal Opportunities is not mandatory information – if you do not provide it, it will not affect your application). Equal Opportunity information will not be made available to any staff outside of the recruitment team in a way which can identify you. Any information you do provide will be used only to produce and monitor equal opportunities statistics. When recruiting it is important that our practices are non-discriminatory and fair to all by adhering to the principles underpinning equality of opportunity

which are covered in the United Kingdom by the Equality Act 2010 (<https://www.gov.uk/guidance/equality-act-2010-guidance>). In asking for applicants to provide us with a covering letter and curriculum vitae/ application form, we will be requesting personal details including name and contact details. We will also ask you about your previous work experience, education, referees and for answers to questions relevant to the role you have applied for. Staff involved in the recruitment process will have access to this information. As an alternative to paper applications, Amber Guardianships may use online recruitment application forms, if so, the above still applies. Shortlisting Staff involved in the recruitment process will create a shortlist of applicants to call for interview, based on the requirements of the post, in order to select the right candidate for the job.

## **7.25 Assessments**

Amber Guardianships might ask you to participate in tests, and/or to attend an interview – or a combination of these. Information will be generated by you and by us. For example, you might complete a written test or we might take interview notes. This information is held by Amber Guardianships. If you are unsuccessful following assessment for the position you have applied for, we may ask if you would like your details to be retained in our talent pool for a period of 1 year – a non-statutory recommended retention period. If you say yes, we would proactively contact you should any further suitable vacancies arise within this time period.

## **7.26 Conditional offer**

If Amber Guardianships makes a conditional offer of employment, we may ask you for information so that we can carry out pre-employment checks. You must successfully complete pre-employment checks to progress to a final offer. We are required to confirm the identity of our staff, their right to work in the United Kingdom and seek assurance as to their trustworthiness, integrity and reliability. You may therefore be required to provide:

- Proof of your identity and right to work in the UK– you will be asked to attend our office with original documents e.g. passport, we will take copies. Such copies will be kept for 6 years beyond the end of your period of work with Amber Guardianships, in line with statutory recommended retention periods.
- Proof of your qualifications – if applicable, you will be asked to attend our office with original documents, we will take copies. Such copies will be kept for 6 years beyond the end of your period of work with Amber Guardianships.
- We will contact your referees, using the details you provide in your application, directly to obtain references.

## **7.27 Start date**

If we make a final offer which is accepted, we will also ask you for the following:

- Bank details – to process salary payments;
- Emergency contact details – so we know who to contact in case you have an emergency at work;
- Details required enabling you to join our pension scheme (where applicable);

- Once employment commences (where applicable), we will ask you to complete an application for a Basic Criminal Record check via the Disclosure and Barring Service;
- Amber Guardianships' Code of Conduct requires all staff to declare if they have any potential conflicts of interest.

## **7.27 How long is the information retained for?**

If you are successful, the information you provide during the application process will be retained by us as part of your employee file for the duration of your employment plus 6 years following the end of your employment. This includes your criminal records declaration, fitness to work, records of any security checks, references, and equal opportunities information. The 6-year time limit refers to the timeframe in which legal proceedings must be commenced as laid down under the Limitation Act 1980. Thus, where documents may be relevant to a contractual claim, it is recommended that these be retained for at least the corresponding 6-year limitation period. If you are unsuccessful at any stage of the process, the information you have provided until that point, will be retained for one year (a recommended (non-statutory) retention period), from the closure of the campaign. This includes equal opportunities information, and any information generated throughout the assessment process, for example interview notes.

## **7.28 How do we make decisions about recruitment?**

Final recruitment decisions are made by the recruitment team. All of the information gathered during the application process is taken into account. You are able to ask about decisions made about your application by emailing: [joey.tang@amberedu.co.uk](mailto:joey.tang@amberedu.co.uk).

### **Your rights Under the Data Protection Act 1998 and subsequent legislation (such as GDPR, 2018)**

You have rights as an individual which you can exercise in relation to the information we hold about you.

## **7.29 Complaints or queries**

Amber Guardianships tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to inform us if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures. If you would like to make a complaint about the way we have processed your personal information, you can contact us at [joey.tang@amberedu.co.uk](mailto:joey.tang@amberedu.co.uk).

## **7.30 Access to personal information**

Amber Guardianships tries to be as open as it can be in terms of giving people access to their personal information. Individuals can find out if we hold any personal information by making a 'subject access request' under the Data Protection Act 1998 and subsequent legislation. If we do hold information about you, we will:

- give you a description of it;
- tell you why we are holding it;



- tell you who it could be disclosed to; and
- let you have a copy of the information in an intelligible form.

If you agree, we will try to deal with your request informally, for example by providing you with the specific information you need over the telephone. If we do hold information about you, you can ask us to correct any mistakes.

### **7.31 Disclosure of personal information**

We will not disclose personal data without consent. However, when we investigate a complaint, for example, we will need to share personal information with the organisation concerned and with other relevant bodies.

### **7.32 How to contact us**

To make a request to Amber Guardianships for any personal information we may hold, or for a copy of our privacy notice, please write to:

Joey Tang,

Amber Guardianships

2<sup>nd</sup> Floor, Kingsland House,

122-124 Regent Street,

London W1B 5SA

Infringement – Amber Guardianships has a duty to protect your data. If you believe there has been a breach of data protection, we suggest first contact our Data Protection Officer:

[mei.poon@amberedu.co.uk](mailto:mei.poon@amberedu.co.uk)

If you are unsatisfied with the outcome of our internal investigation, please contact the Information Commissioner's Office (ICO):

Helpline: +44 303 123 1113

Head office: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

## ● 8. Absent/Missing Student Policy

### 8.1 Aims of the Policy

This policy is designed to be implemented in cases where students are believed to be absent or missing from the care of Amber Guardianships. The purpose of the policy is to locate the student by the safest and fastest means possible.

Amber Guardianships is committed to safeguarding and promoting the welfare of children and young people.

The aim of the Policy is to:

- Determine the cause for a student's absence.
- Locate the student as quickly as possible.
- Ensure the student's safety.
- Avoid raising unnecessary alarms.
- Ensure that as far as possible, investigations remain confidential in order to protect the privacy of the student.

Amber Guardianships' adoption of distinct definitions to determine whether someone is missing or absent is in accordance with the National Policing Improvement Agency 'Guidance on the Management, Recording and Investigation of Missing Persons 2010'.

The benefits of this policy are that all reports of missing/absent people will be recorded. The policy provides a model and framework for response and dealings with incidents dependent on the risk posed, and encourages partnership working with other agencies to reduce the number of recorded incidents of missing or absent people.

This policy is applicable to all staff members who may become involved in the initial stages of a report of a missing child or young person.

Amber Guardianships will respond immediately to any reports of missing and/or absent persons. Every report includes risk assessment so that those who are vulnerable or represent a high risk will be immediately identified. This process shall be on-going, dynamic and supervised in each and every case with a focus on locating the person safely and mitigating any risk posed to others. Where criminality is associated with either the initial disappearance or subsequent harbouring of those who wish to remain absent, this will be reported to the police.

### 8.2 Definitions

The following definitions have been agreed with Children's Services and included within the Local Safeguarding Children Board protocols:

- **Absent** – a child or young person is not at a place where they are expected or required to be and there is no apparent risk.
- **Missing** – a child or young person whose whereabouts cannot be established and where the circumstances are out of character, or the context suggests the person may be subject of crime or at risk of harm to themselves or another.

### 8.3 Prevention

In order to minimise the risk of children and young people going missing whilst under the care of Amber Guardianships (for example at half term, exeat or during a suspension/expulsion) we put the following measures in place as far as is practical:

- Ensure premises that children and young people in our care are staying at when not at school (for example when staying with a Homestay) are secure and take steps to prevent unauthorised persons entering these premises.
- Ensure that children and young people are appropriately supervised according to their age when visiting unfamiliar areas.
- Assess-a child and young person’s stage of development to ensure that the required level of supervision is in place.
- Educate children and young people in our care about how to keep safe.
- Advise children and young people about what to do if they find themselves lost.
- With appropriate parental consent, have an up-to-date photograph of each child and young person under Amber Guardianship’s care.

### 8.4 Guidance

Unexplained student absences or other situations affecting student safety should be reported to Amber Guardianships immediately. Specifically, for the host family, should a student we have booked in not arrive within 2 hours of when the host family is expecting them, or the student staying with the host family does not return home more than 2 hours as planned (during night time no longer than one hour after the curfew time elapses), it is the host family’s duty to report this matter to Amber Guardianships immediately.

If after efforts to call the students via their mobile are without success, the homestay must call us on the:

- Designated Safeguarding Lead: Joey Tang +44 79 3968 2757 (24 hours/7 days)
- Deputy Designated Safeguarding Lead: Lousia Cheung +44 75 3476 9764 (24 hours/7days)
- Office Number: +44 20 7734 0274 (Monday to Friday, 9:30-18:30)

and we will take all necessary actions to locate the student.

### 8.5 Procedure

The senior member of staff on duty at the time of the report is responsible for ensuring the completion of all the necessary stages of the following procedure upon the report of an unauthorised absence or missing student. It is important to remain calm and to follow the appropriate steps without delay.

This workflow applies when a young person is absent (they are not where they are supposed to be but there is no apparent risk) or when they are missing (unexpected and uncharacteristic absence which causes concern for their safety). It applies when they are under the care of Amber Guardianships during journeys around the UK organised by us or at a homestay.

The DSL Joey Tang or Deputy DSL Louisa Cheung, shall manage any cases of absent or missing children or young people, and as such all reports must be brought to the attention of the DSL or Deputy DSL.

If a child or young person goes missing out of hours and receives a report then the on duty manger is responsible for ensuring the completion of the initial reasonable enquiries where a student is absent/missing during an event (for example half term, exeat or during a suspension/expulsion) which will include:

- if appropriate, reviewing the flight and transfer details (with communication to the airline and transfer company to confirm transport arrangements for the student)
- WeChatting/WhatsApp/ texting, emailing or phoning the student (leaving a message if no answer) asking them to make contact with the on duty member of staff and repeating this contact every 30 minutes
- texting, emailing and phoning the house parent to collate any relevant information about the whereabouts of the student – this is only possible if the houseparent is at school.
- WeChatting/WhatsApp, emailing and phoning the parent to collate any relevant information about the whereabouts of the student
- texting, emailing and phoning the homestay to collate any relevant information about the whereabouts of the student
- texting, emailing and phoning local coordinator to collate any relevant information about the whereabouts of the student, along with any contact details we may not be aware of
- review of information held on file which may indicate friends or associates who the student may be with.

Any member of staff or homestay may report a child or young person as absent or missing to the police where they have genuine concerns for their safety.

Following a risk assessment, the receiving police force will record a report of absence or missing where there are grounds to do so. In cases of missing children or young people, the police will work cooperatively with Children’s Social Care staff during any enquiry.

The DSL is responsible for ensuring the school is informed of any report made to the police of an absent or missing child or young person, as the school retains the overall duty of care. The school should be updated with any developments as they should know the whereabouts of the student at all times, especially those on visas.

DSL is responsible for ensuring that the parents/agent are informed of any report made to the police of an absent or missing child or young person. The parents/agent should be regularly updated (recommended a minimum of every 4 hours) with any developments. This is to ensure that they are fully informed as to the situation involving their son or daughter.

All missing person reports are to be reviewed by DSL Joey Tang, Operations Manager as soon as practicable with subsequent on-going daily review until the incident is resolved.

### Procedure to follow upon report of a missing student

Joey Tang, Operations Manager of Amber Guardianships has ultimate responsibility for overseeing the report of any unauthorised absence or missing student. The senior member of staff on duty at the time of the report is responsible for ensuring the completion of all the necessary stages of the following procedure upon the report of an unauthorised absence or missing student. It is important to remain calm and to follow the appropriate steps without delay.

Stage 1: Fill in the '*Absent or Missing Student Risk Assessment*' to determine if the child or young person is absent or missing.

Stage 2: If it is decided that the child or young person is missing, it should be immediately reported to the police by telephoning either 101 or 999. If it is known that there is an immediate danger to the child or young person then 999 should be called in order to receive an emergency response.

**YOU WILL NEED TO ENSURE THAT YOU ARE TRANSFERRED TO THE FORCE RELEVANT TO THE AREA THE CHILD IS MISSING/ABSENT FROM.**

**IF CALLING 999 YOU WILL NEED TO TELL THE CALL HANDLER TO STAY ON THE LINE, WHILE YOU ARE TRANSFERRED TO THE RELEVANT FORCE.**

Stage 3: The senior member of staff handling the incident will ensure that the following information is gathered for the initial police report. All information about the child or young person can be found in the Amber Guardianships electronic database or in the individual student hard copy file.

- Name, date of birth and nationality of the child or young person;
- The specific concern for the child or young person;
- Whether they are likely to be subjected to crime, victim of abuse or at risk of sexual exploitation;
- Whether the child or young person is likely to attempt suicide;
- Whether the child or young person is likely to pose a danger to other people;
- What actions have been completed so far to locate the child or young person;
- A description of the child or young person, including their build, hair, clothing and glasses;
- Details of when the child or young person was last seen and with whom;
- Personal details of the child or young person (including any medical conditions or ailments);
- Any previous history of absconding/absenteeism and circumstances of where found;
- The circumstances under which the child or young person is absent;

- Any factors which increase the risk to the child or young person;
- Homestay address.

Information that may be needed later to extend investigations if the young person is not located:

- A recent photograph (if available);
- Family addresses and contact telephone numbers;
- Known associates, telephone numbers and addresses frequented;
- The names and addresses of the child or young person's GP and dentist;
- The circumstances under which the child or young person is absent;
- Any factors which increase the risk to the child or young person;
- School and House Parent addresses and contact details
- Details of any travel and accommodation plans authorised by the overseas parents;
- Details of any social media accounts that may be open to the public;

The incident must be recorded as an incident report file with regular updates being added until the matter has been resolved. If a police report has been made, the police incident reference number must be recorded. A record of all emails should be included in the incident report file.

Following the report to the police, the parents, the agent (if applicable), the school and homestay must be informed and requested to contact Joey Tang, Operations Manager without any delay if the child or young person makes contact.

## **8.6 Process and Response – report of an absent child**

1. If a child or young person is considered to fall within the definition of absent, the decision to record the child as such, together with the evidence supporting that decision must be recorded. The absence of a child or young person must be recorded in the Student File as an 'incident'.
2. Details of children or young people who are absent should still be notified to the police (using the non-emergency telephone number 101 or the emergency telephone number 999) in order that a record of the child or young person's absence can be made, an agreement can be reached on what needs to be done, review times and on-going actions. Although there is an expectation that Amber Guardianships should continue to make reasonable enquiries to locate the child or young person, the police may also initiate some enquiries as appropriate.
3. The DSL will notify the school and parents/agent of the incident, and regularly provide updates to both parties (minimum every 4 hours) with news of any developments, or confirmation that there

have been no developments since the last update. This also affords an opportunity for the school or parents/agent to update the DSL with any contact they may have had from the student or other information received. All updates provided to the school and parents/agent must be recorded in the incident record.

4. Amber Guardianships staff will constantly review the circumstances in the light of any enquiries made or information received, and inform the police of any developments by telephoning 101, quoting the reference number and providing the new information received. If the period of absence continues for six hours, consideration should be given as to whether the child should still be regarded as absent, or whether they should now be considered as missing. Six hours should be regarded as the maximum period before reconsideration, and in many cases a shorter period would be more appropriate.

5. Any case of an absent child or young person which causes significant concern, or gives rise to the suspicion of harm, should be brought to the attention of the Designated or Deputy Safeguarding Leads without delay and should be reviewed with a view to the possibility that this is a missing child or young person.

## **8.7 Supporting the found student**

The attitude of professionals, such as the police and social workers, towards a child who has been missing can have a big impact on how they will engage with subsequent investigations and protection planning. A supportive approach when a child returns, actively listening and responding to their needs, will have a greater chance of preventing the child from going missing again and safeguarding them against other risks.

## **8.8 Contact with the Press and Media**

The police are responsible for advising the press and media regarding children or young people who are reported as missing. The decision to publicise these matters will always be made in consultation with the parents who have to give their signed consent before the media are able to circulate the details. As such, no member of Amber Guardianships should release any details to the press or media and must refer any contact from them directly to the relevant police force. If in doubt, please direct all queries to the Director and make no comment at all.

## **8.9 Children Missing Education**

*Children Missing Education* (2016) is statutory guidance that sets out key principles to enable local authorities in England to implement their legal duty under section 436A of the Education Act 1996 to make arrangements to identify, as far as it is possible to do so, children missing education (CME).

*Children Missing Education* explains that:

‘All children, regardless of their circumstances, are entitled to an efficient, full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have.

Children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (not in education, employment or training) later in life.

Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receive a suitable education. Local authorities should focus their resources effectively in intervening early in the lives of vulnerable children to help prevent poor outcomes.'

Should Amber Guardianships become aware that a student in their care is missing from education, they will notify the school or college that the student attends immediately.

## ● 9. Bullying including Cyberbully and E-Safety

The purpose of this policy is:

- to help prevent bullying from happening to students in our care.
- to make sure bullying is stopped as soon as possible if it does happen and that those involved receive the support they need.
- to provide information to all staff, homestays, volunteers, students and their parents about what we should all do to prevent and deal with bullying.

Amber Guardianships believes that:

- children and young people should never experience abuse of any kind.
- We have a responsibility to promote the welfare of all children and young people, to keep them safe and to practise in a way that protects them.

We recognise that:

- Bullying causes real distress. It can affect a person's health and development and, at the extreme, can cause significant harm;
- all children, regardless of age, disability, gender reassignment, race, religion or belief, sex or sexual orientation, have the right to equal protection from all types of harm or abuse;
- Everyone has a role to play in preventing all forms of bullying (including online) and putting a stop to it.

### Contact Details

#### Nominated anti-bullying lead

Name: Joey Tang

Phone/email: +44 7939 682757/joey.tang@amberedu.co.uk



## Designated lead for safeguarding and child protection

Name: Joey Tang

Phone/email: +44 7939 682757

**NSPCC Helpline:** 0808 800 5000

### 9.1 What is bullying?

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences.

Bullying is often motivated by prejudice against particular groups, for example, on grounds of race, religion, culture, sex, gender, homophobia, special educational needs and disability, or because a child is adopted or is a carer – it may occur directly or through cyber-technology (social websites, mobile phones, text messages, photographs and email).

Bullying includes a range of abusive behaviour that is:

- repeated;
- intended to hurt someone either physically or emotionally.

Bullying is behaviour that hurts someone else. It includes name calling, hitting, pushing, spreading rumours, threatening or undermining someone. Cyber bullying, online bullying is bullying that takes place online, such as sending threatening or abusive text messages, creating and sharing embarrassing images or videos, trolling, shaming etc.

Unlike bullying in the real world, online bullying can follow the child wherever they go, via social networks, gaming and mobile phones.

At Amber Guardianships, we understand the responsibility to educate our pupils and staff on e-safety issues; teaching them the appropriate behaviours and critical thinking skills to enable them to remain both safe and legal when using the internet and related technologies.

Therefore, this policy will be included in the student and homestay handbook.

We also maintain a close relationship with the partnered schools about e-safety and bullying, ensuring that they have also reimbursed the notion of how to be safe when using technologies and on the internet.

This Bullying and E-safety policy reflects the need to raise awareness of the safety issues associated with information systems and electronic communication as a whole.

### 9.1.1 Form of Bullying

The NSPCC explains that bullying can take different forms. It could include:

- physical bullying: hitting, slapping or pushing someone;
- verbal bullying: name calling, gossiping or threatening someone;
- non-verbal abuse: hand signs or text messages;
- emotional abuse: threatening, intimidating or humiliating someone;
- exclusion: ignoring or isolating someone;
- undermining, constant criticism or spreading rumours;
- controlling or manipulating someone;
- making silent, hoax or abusive calls;
- racial, sexual or homophobic bullying;
- bullying someone because they have a disability.
- Cyber: All areas of the Internet, such as emailing, text messaging (see section 8.4.1)

### 9.1.2 Sign of Bullying

The NSPCC explains that no single sign will indicate for certain that a child is being bullied, but watch out for:

- belongings getting 'lost' or damaged;
- physical injuries, such as unexplained bruises;
- being afraid to go to school, being mysteriously 'ill' each morning, or skipping school;
- not doing as well at school;
- asking for, or stealing, money (to give to whoever is bullying them);
- being nervous, losing confidence, or becoming distressed and withdrawn;
- problems with eating or sleeping;
- bullying others.

Amber Guardianships is committed to safeguarding its students from bullying. We promote a caring, friendly and safe environment for all of our students so they can learn in a relaxed and secure atmosphere.

### 9.1.3 Bullying procedure and guidelines

It is essential that all students and homestays understand the different forms of bullying and the common signs. If they observe any of these signs themselves or in any others that could indicate that bullying could be occurring and therefore should be investigated.

#### Advice for parent/homestay/education guardian

- Unless the student tells you about bullying — or has visible bruises or injuries — it can be difficult to figure out if it's happening. But there are some warning signs. Parents/homestay might notice students acting differently or seeming anxious, or not eating, sleeping well, or doing the things they usually enjoy. When students seem moodier or more easily upset than usual, or when they start avoiding certain situations (like not wanting to go to school), it might be because of a bully.
- If you suspect bullying but the student is reluctant to open up, find opportunities to bring up the issue in a more roundabout way. It is important for the student to talk to a trusted person about it.
- If the student tells you about being bullied, listen calmly and offer comfort and support. Students are often reluctant to tell adults about bullying because they feel embarrassed and ashamed that it's happening, or worry that their parents will be disappointed, upset, angry, or reactive.
- Sometimes students feel like it's their own fault, that if they looked or acted differently it wouldn't be happening. Sometimes they're scared that if the bully finds out that they told, it will get worse. Others are worried that they might not be trusted.
- Praise the students for doing the right thing by talking to you about it. Emphasise that it's the bully who is behaving badly — not them. Reassure them that you will figure out what to do about it together.
- Let someone at school (the houseparent) know about the situation. They are often in a position to monitor and take steps to prevent further problems.
- Because the term "bullying" might be used to describe such a wide range of situations, there's no one-size-fits-all approach. What is advisable in one situation may not be appropriate in another. Many factors — such as the age of the kids involved, the severity of the situation, and the specific type of bullying behaviours — will help determine the best course of action.
- Take it seriously if you hear that the bullying will get worse if the bully finds out what the student told or if threats of physical harm are involved. But in most cases, teachers are the best ones to contact first.
- Most schools have bullying policies and anti-bullying programs.

#### Advice for Students

- Avoid the bully and use the buddy system. Use a different bathroom if a bully is nearby and don't go to your locker when there is nobody around. Make sure you have someone with you so that you're not alone with the bully. Buddy up with a friend on the bus, in the hallways, or at break times — wherever the bully is. Offer to do the same for a friend.
- Hold the anger. It's natural to get upset by the bully, but that's what bullies thrive on. It makes them feel more powerful. Practise not reacting by crying or looking red or upset. It takes a lot of practice, but it's a useful skill for keeping off of a bully's radar. Sometimes kids

find it useful to practise "cool down" strategies such as counting to 10, writing down their angry words, taking deep breaths, or walking away. Sometimes the best thing to do is to teach kids to wear a "poker face" until they are clear of any danger (smiling or laughing may provoke the bully).

- Act brave, walk away, and ignore the bully. Firmly and clearly tell the bully to stop, then walk away. Practise ways to ignore the hurtful remarks, like acting uninterested or texting someone on your mobile phone. By ignoring the bully, you're showing that you don't care. Eventually, the bully will probably get bored with trying to bother you.
- Tell an adult. Teachers, houseparents, education guardians, homestay hosts or your parents, can all help stop bullying.
- Talk about it. Talk to someone you trust, (for example, your house parent at school/your homestay host or your education guardian) if you feel somebody is physically hurting you, or verbally abuses you, or bullied you by email, text or online.

#### **9.1.4 Guidelines for homestays and staff to help them**

Guidelines for homestays and staff to help them to support a student who has been bullied or subjected to online abuse.

- Reinforce that no one deserves to be treated in this way and that they have done nothing wrong
- Ensure that they know that there is help available to them
- Encourage them to talk to someone that they trust such as a teacher or a member of the homestay family, so they feel they have somewhere safe to go to.
- Encourage them to talk to their parents/carers and if this isn't possible to write a letter or speak to another family member
- Take screenshots of the cyber bullying so that they have proof this is happening
- Report all abuse to the relevant social media networks by clicking on the "report abuse" button
- Keep a diary so they have somewhere safe and private to write down their innermost thoughts and feelings, which will help to avoid feelings bottling up
- Give praise for being so brave and talking things through which will hopefully empower them to take responsibility and get help
- Sending abuse by email or posting it into a web board can be harassment and if this has happened make a complaint to the police who can trace IP addresses etc
- Ask the school if they have a School Liaison Police Officer that can help in this situation and talk to the school about the dangers and effects

#### **9.1.5 Amber Guardianships' Role**

Amber Guardianships will seek to prevent bullying by:

- developing a code of behaviour that sets out how everyone involved in our organisation is expected to behave, in face-to-face contact and online, and within and outside of our activities;
- holding discussions with staff, homestays, volunteers and students in our care about bullying and how to prevent it. These discussions will focus on:

- group members' responsibilities to look after one another and uphold the behaviour code;
- practising skills such as listening to each other;
- respecting the fact that we are all different;
- making sure that no one is without friends;
- dealing with problems in a positive way;
- checking that our anti-bullying measures are working well.
- providing support and training for all staff, homestays and volunteers on dealing with all forms of bullying, including cyber bullying, racial, sexist, homophobic and sexual bullying;
- making sure our response to incidents of bullying takes into account:
  - the needs of the person being bullied;
  - the needs of the person displaying bullying behaviour;
  - needs of any bystanders;
  - our organisation as a whole.
- reviewing the plan developed to address any incidents of bullying at regular intervals, in order to ensure that the problem has been resolved in the long term;
- Making parents fully aware of our procedures by providing them with a copy of this policy.

#### Further Reading and related website

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/444862/Preventing\\_and\\_tackling\\_bullying\\_advice.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444862/Preventing_and_tackling_bullying_advice.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/444864/Supporting\\_bullied\\_children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444864/Supporting_bullied_children.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/374850/Cyberbullying\\_Advice\\_for\\_Headteachers\\_and\\_School\\_Staff\\_121114.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/374850/Cyberbullying_Advice_for_Headteachers_and_School_Staff_121114.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/444865/Advice\\_for\\_parents\\_on\\_cyberbullying.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444865/Advice_for_parents_on_cyberbullying.pdf)

<https://safeguardingtool.nspcc.org.uk/resource-library/resources/preventing-responding-bullying-/>

## 9.2 Cyber Bullying

### 9.2.1. Aims of the Policy

- Eliminate unlawful discrimination of any kind
- Promote equality of opportunity
- Value qualities of respect, tolerance, inclusion and kindness
- Promote diversity and a culture of inclusion

The Amber Guardianships Code of Conduct for Staff and Homestays has been made available and explained to staff and homestays to ensure that there is an awareness of how to communicate online with students as well as how to minimise the risks attached to digital and video images of them. Homestays play a crucial role in ensuring that the students who stay with them use the internet and mobile devices in accordance with the guidance contained within this policy and the

Homestay Handbook. The DSL (or DDSL in their absence) takes the lead with online safety and will deal with any concerns raised as outlined in the procedures included in this policy.

Students are responsible for using the internet and mobile devices in accordance with the guidance in the Student Handbook. Students must know the importance of adopting good online safety practice and reporting misuse, abuse or access to inappropriate materials and know how to report these concerns. Amber Guardianships further supports students in raising their awareness of how to stay safe online through our social media updates, policies and website.

### 9.2.2 Amber Guardianships Staff

The Code of Conduct for Staff provides staff with information on how to minimise the risks attached to digital and video images of students.

If a student approaches an Amber Guardianships member of staff or we are notified by parents/agents that a student is a victim of cyberbullying, Amber Guardianships will handle the concern sensitively and speak to the individual through their Guardian. The school will also be involved and if necessary the Police and Social Services if a student is under 16 years old.

## 9.3 Online Safety – Areas of risk

An effective approach to online safety empowers a guardian or homestay to protect and educate students in their use of technology and establishes mechanisms to identify, intervene in and escalate any incident where appropriate.

The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

- **content:** being exposed to illegal, inappropriate or harmful material, for example web pages, indecent images of children or pro-eating disorder or self-harm websites;
- **contact:** being subjected to harmful online interaction with other users, for example cyberbullying or grooming; and
- **conduct:** personal online behaviour that increases the likelihood of, or causes, harm.

### 9.3.1 What is online abuse?

The NSPCC defines online abuse as any type of abuse that happens on the web, whether through social networks, playing online games or using mobile phones. Children and young people may experience cyberbullying (bullying that takes place using technology including social media sites, mobile phones, gaming sites), grooming (building an emotional connection with a child to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking), sexual abuse, 'sexting' or youth produced imagery, sexual exploitation, county lines gang recruitment, radicalisation or emotional abuse from people they know as well as from strangers.

Amber Guardianships clearly has a role to play in reporting signs of possible online abuse early so that prompt action can be taken to protect any children who are found to be at risk.

### 9.3.1.1. Possible signs of online abuse

The NSPCC list possible signs of a child experiencing abuse online if they demonstrate a change in behaviour or unusual behaviour:

- Being upset after using the internet or their mobile phone;
- Unwilling to talk or secretive about their online activities and mobile phone use;
- Spending much more or much less time texting, gaming or using social media;
- Many new phone numbers, texts or email addresses show up on their mobile phone, laptop or tablet;
- After texting or being online they may seem withdrawn, upset or outraged;
- Not wanting to go to school and/or avoiding meeting friends and school mates;
- Avoiding formerly enjoyable social situations;
- Difficulty sleeping;
- Low self-esteem.

The possible signs of abuse could be seen through reports from students or schools, incident reporting by staff, and/or Local Co-ordinator reports. In response to a safeguarding report the matter would be dealt with in accordance with the 'Managing Incidents' Policy and Process.

### 9.3.1.2 Set Boundaries

Amber Guardianships encourage staff and homestays to set an appropriate agreement with students in order to supervise internet access and set boundaries about what they can and cannot do online. If a child breaks the rules, we would ask the homestay to restrict internet access for an agreed period of time.

Below is some suggested advice for talking to children about online safety:

<https://www.thinkuknow.co.uk/parents/articles/having-a-conversation-with-your-child/>

<https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/online-safety/talking-your-child-staying-safe-online/>

Homestays are asked to use privacy settings, parental controls and built in internet safety features provided by the major internet service providers. The UK Safer Internet Centre has guides for parental controls (homestays).

<https://www.saferinternet.org.uk/advice-centre/parents-and-carers/parental-controls-offered-your-home-internet-provider>

For parents and carers (homestays) experiencing any internet safety issues with their children, O2 and the NSPCC have set up a helpline: 0808 800 5002.

### 9.3.1.3 Filters and monitoring

Amber Guardianships asks homestays to be doing all that they reasonably can to limit children's exposure to the above risks from the IT systems at the home. As part of this process, homestays should ensure appropriate filters and monitoring systems are in place. Whilst considering their responsibility to safeguard and promote the welfare of children, and provide them with a safe

environment in which to learn, homestays should consider the age range of their pupils, the number of pupils, and how often they access the IT system.

The NSPCC website 'Online Safety' outlines controls that homestays can implement to filter and monitor what a child in their house can see, including checking that parents know how to use privacy settings and reporting tools:

<https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/online-safety/>

The NSPCC provide advice for homestays on parental controls which allow a number of different things to happen including filtering and blocking content, setting different profiles so that each family member can access age appropriate content and restricting information that can be shared:

<https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/online-safety/parental-controls/>

#### **9.3.1.4 Staying safe on mobiles, smartphones and tablets**

The NSPCC advice for tracking children's online activity via devices includes location tracking, taking and sending pictures, setting up parental controls, public Wi-Fi and parent protection apps.

Full details can be found on the website:

<https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/online-safety/>

#### **9.3.1.5 Social network sites**

Children and young people connect online with friends, make new friends and browse the internet for information, chat with others and play games. This may include using search engines, sharing images, watching videos, using social network sites, playing games and chatting with people through online gaming.

Homestays are advised to ensure that their own children and/or Amber Guardianships students know where the reporting functions are on each of the sites they use, how to block someone and how to keep information private.

The NSPCC encourage talking to children about social networks using 'Net Aware' to stay up to date with the social network sites and what you need to know about for example reporting and privacy settings:

<https://www.net-aware.org.uk/>

The NSPCC encourage talking to children about online privacy and being 'Share Aware':

<https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/share-aware/>



## 9.4 Sexting

Amber Guardianships strongly advises that students take caution when taking photos and posting them online. Once posted, you lose control over how they are shared.

The term **sexting** stand for a combination of sex and texting. Sexting is the act of sending sexual text messages. It often also involves sending nude or semi-nude photos and explicit videos or live streams by young people under the age of 18 online. This could be via social media, gaming platforms, chat apps or forums. It could also involve sharing between devices via services like Apple's Airdrop which works offline. 'Nudes' is used as it is most commonly recognised by young people and more appropriately covers all types of image sharing incidents.

The motivations for taking and sharing nude and semi-nude images, videos and live streams are not always sexually or criminally motivated. Such images may be created and shared consensually by young people who are in relationships, as well as between those who are not in a relationship. It is also possible for a young person in a consensual relationship to be coerced into sharing an image with their partner. Incidents may also occur where:

- children and young people find nudes and semi-nudes online and share them claiming to be from a peer
- children and young people digitally manipulate an image of a young person into an existing nude online
- images created or shared are used to abuse peers e.g. by selling images online or obtaining images to share more widely without consent to publicly shame

The sharing of nudes and semi-nudes can happen publicly online, in 1:1 messaging or via group chats and closed social media accounts.

Nude or semi-nude images, videos or live streams may include more than one child or young person.

Creating and sharing nudes and semi-nudes of under-18s (including those created and shared with consent) is illegal which makes responding to incidents involving children and young people complex. There are also a range of risks which need careful management from those working in guardianships settings.

Although most children and young people aren't creating or sharing these types of images and videos, the potential risks are significant. If the imagery is shared further, it may lead to embarrassment, bullying and increased vulnerability to blackmail and exploitation.

Although the production of such images will likely take place outside of education settings, sharing can take place and issues are often identified or reported here. Guardians need to be able to respond swiftly and confidently to make sure children and young people are safeguarded, supported and educated.

These procedures should be part of a safeguarding arrangement and all incidents should be dealt with as safeguarding concerns.

In order to ensure an appropriate and proportionate response to an incident of nudes and semi-nudes being shared, Amber Guardianships should:

Defining the incident and assessing it according to motivations.

DSL will need to assess the behaviour which may not initially appear to be sexually motivated, may have occurred as a result of risky or harmful behaviour or sexual abuse being 'normalised' for children and young people. It is important for professionals to place a child's sexual behaviour within the context of their age and development. DSLs (or equivalents) must ensure that they are familiar with and follow the relevant local policies and procedures to help them do so. This includes contact with safeguarding partners and guidance on recognising and responding to harmful behaviours and/or underage sexual activity when dealing with children with under 13. Any child or young person displaying harmful sexual behaviour should be safeguarded and supported in moving forward from the incident and adopting positive behaviour patterns.

## **The law**

Responding to incidents of sharing nudes and semi-nudes is complex because of its legal status. Making, possessing and distributing any imagery of someone under 18 which is 'indecent' is illegal. This includes imagery of yourself if you are under 18.

The relevant legislation is contained in the Protection of Children Act 1978 (England and Wales) as amended in the Sexual Offences Act 2003 (England and Wales).

## **Avoiding unnecessary criminalisation of children**

The law criminalising indecent images of children was created to protect children and young people from adults seeking to sexually abuse them or gain pleasure from their sexual abuse. It was not intended to criminalise children and young people. The law was also developed long before mass adoption of the internet, mobiles and digital photography.

Despite this, children and young people who share nudes and semi-nudes of themselves, or peers, are breaking the law.

However, children and young people should not be unnecessarily criminalised. Children and young people with a criminal record face stigma and discrimination in accessing education, training, employment, travel and housing and these obstacles can follow them into adulthood.

Whilst children and young people creating and sharing images can be risky, it is often the result of their natural curiosity about sex and their exploration of relationships. Therefore, engaging in the taking or sharing of nudes and semi-nudes may not always be 'harmful' to all children and young people. Situations should be considered on a case-by-case context, considering what is known about the children and young people involved and if there is an immediate risk of harm. Often, children and young people need education and support for example, on identifying healthy and unhealthy behaviours within relationships and understanding consent and how to give it. Safeguarding action will also be required in cases where there is risk of harm.

An investigation by police of an incident of sharing nudes and semi-nudes does not automatically mean that the child/young person involved will have a criminal record, as explained in the next section.

### **The police response**

The NPCC has made it clear that incidents involving sharing nudes and semi-nudes should have an immediate focus on safeguarding children.

In many cases, guardianship companies may respond to incidents without involving the police, for example where an incident can be defined as 'experimental' and there is no evidence of abusive or aggravating elements.

The police may, however, need to be involved in some cases to ensure a thorough investigation, including the collection of all evidence (for example, through multi-agency checks). Where there are abusive and/or aggravating factors, incidents should always be referred to the police through the Multi-Agency Safeguarding Hub (MASH) or equivalent.

Even when the police are involved, a criminal justice response and formal sanction against a child or young person would only be considered in exceptional circumstances.

#### *Guidance from NPCC and College of Policing*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1008443/UKCIS\\_sharing\\_nudes\\_and\\_semi\\_nudes\\_advice\\_for\\_education\\_settings\\_\\_Web\\_accessible\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1008443/UKCIS_sharing_nudes_and_semi_nudes_advice_for_education_settings__Web_accessible_.pdf)

When an incident of sharing nudes and semi-nudes is reported to the police, they are obliged, under the Home Office Counting Rules and National Crime Recording Standards, to record the incident on

their crime systems. The incident will be listed as a 'crime' and the child or young person involved may be listed in relation to it.

This is not the same as having a criminal record.

### **How does Amber Guardianship deal with the incident?**

When an incident involving nudes and semi-nudes comes to the attention of any member of staff, they should:

- the incident should be referred to the DSL (or equivalent) as soon as possible
- the DSL (or equivalent) should hold an initial review meeting with appropriate staff. This may include the staff member(s) who heard the disclosure and the safeguarding or leadership team who deal with safeguarding concerns
- there should be subsequent interviews with the children or young people involved (if appropriate)
- parents should be informed at an early stage and involved in the process in order to best support the child or young person unless there is good reason to believe that involving them would put the child or young person at risk of harm
- a referral should be made to the police immediately if there is a concern that a child or young person has been harmed or is at risk of immediate harm at any point in the process

It is important to note that a disclosure may not be a single event and the child and young person may share further information at a later stage therefore multiple reviews and risk assessments may be needed depending on the situation.

### **Initial review meeting**

The initial review meeting should consider the initial evidence and aim to establish:

- whether there is an immediate risk to any child or young person
- if a referral should be made to the police and/or children's social care
- what further information is required to decide on the best response
- whether the image(s) has been shared widely and via what services and/or platforms. This may be unknown
- whether immediate action should be taken to delete or remove images or videos from devices or online services

- any relevant facts about the children or young people involved which would influence risk assessment
- if there is a need to contact another education, setting or individual
- whether to contact parents of the children or young people involved - in most cases they should be involved

DSLs can follow the guidance from KCSIE to help categorise the incident and assess the behaviours of any child or young person involved to identify any immediate risks. An immediate referral to police and/or children's social care through the MASH or equivalent should be made if at this initial stage:

1. The incident involves an adult.
2. There is reason to believe that a child or young person has been coerced, blackmailed or groomed, or there are concerns about their capacity to consent (for example, owing to special educational needs).
3. What you know about the images or videos suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent
4. The images involves sexual acts and any pupil in the images or videos is under 13.
5. You have reason to believe a child or young person is at immediate risk of harm owing to the sharing of nudes and semi-nudes, for example, they are presenting as suicidal or self-harming.

If none of the above apply, an education setting may decide to respond to the incident without involving the police or children's social care. They can still choose to escalate the incident at any time if further information/concerns are disclosed at a later date.

The decision to respond to the incident without involving the police or children's social care should only be made in cases where the DSL (or equivalent) is confident that they have enough information to assess the risks to any child or young person involved and the risks can be managed within the education setting's pastoral support and disciplinary framework and, if appropriate, their local network of support.

The decision should be made by the DSL (or equivalent) with input from manager and leadership team and input from other members of staff if appropriate. The decision should be made and recorded in line with the education setting's safeguarding or child protection procedures and should be based on consideration of the best interests of any child or young person involved. This should take into account proportionality as well as the welfare and protection of any child or young person. The decision should be reviewed throughout the process of responding to the incident.

If doubts remain after following child protection procedures, local safeguarding arrangements should be followed.

### **Assessing the risks**

The circumstances of incidents can vary widely. If at the initial review stage a decision has been made not to refer to police and/or children's social care, the DSL (or equivalent) should conduct a further review (including an interview with any child or young person involved) to establish the facts and assess the risks, referring back to any relevant assessment tools.

When assessing the risks and determining whether a referral is needed, the following should be also considered:

- Why was the nude or semi-nude shared? Was it consensual or was the child or young person put under pressure or coerced?
- Has the nude or semi-nude been shared beyond its intended recipient? Was it shared without the consent of the child or young person who produced the image?
- Has the nude or semi-nude been shared on social media or anywhere else online? If so, what steps have been taken to contain the spread?
- How old are any of the children or young people involved?
- Did the child or young person send the nude or semi-nude to more than one person?
- Do you have any concerns about the child or young person's vulnerability?
- Are there additional concerns if the parents or carers are informed?

These questions will help the DSL (or equivalent) decide whether a child or young person is at risk of harm, in which case a referral will be appropriate, whether additional information or support is needed from other agencies or whether the education setting can manage the incident and support any child or young person directly. DSLs (or equivalent) should always use their professional judgement in conjunction with that of their colleagues to assess incidents.

### Supporting the young person/people involved

Once you have assessed a child or young person as not at immediate risk, it may be necessary to have a conversation with them and decide the best course of action. If possible, the DSL (or equivalent) should carry out this conversation.

However, if the child or young person feels more comfortable talking to a different member of staff, this should be facilitated where possible. It is important that the child or young person is given a sense of control over the reporting process. The DSL (or equivalent) should support the member of staff to make sure the conversation is handled appropriately and they feel confident in discussing the incident.

The purpose of the conversation is to:

- identify, **without viewing wherever possible**, what the image contains and whether anyone else has been involved
- find out whether the image has been shared between two people or shared further. This may be speculative information as images or videos may have been shared more widely than the child or young person is aware of
- discuss what actions and support might be needed, including preventing further distribution. This discussion should take into account the views of the child or young person as well as balancing what are considered to be appropriate actions for responding to the incident

When discussing the sharing of nudes and semi-nudes, it is important that the DSL (or equivalent)/member of staff:

- reassures the child or young person that they are not alone, and the education setting will do everything that they can to help and support them. They should also be reassured that they will be kept informed throughout the process
- recognises the pressures that children and young people can be under to take part in sharing an image and, if relevant, supports their parents and carers to understand the wider issues and motivations around this
- remains solution-focused and avoids any victim-blaming questions such as ‘why have you done this?’ as this may prevent the child or young person from talking about what has happened. For example, use questions such as ‘describe what happened’ or ‘explain to me who was involved’

- helps the child or young person to understand what has happened by discussing the wider pressures that they may face and the motivations of the person that sent on the image(s)
- discusses issues of consent and trust within healthy relationships. Explain that it is not ok for someone to make them feel uncomfortable, to pressure them into doing things that they do not want to do, or to show them things that they are unhappy about. Let them know that they can speak to the DSL or equivalent if this ever happens
- explains the law on the sharing of nudes and semi-nudes. It is important to highlight that the law is in place to protect children and young people rather than criminalise them and should be explained in such a way that avoids alarming or distressing them
- signposts to the IWF and [Childline's Report Remove tool](#). Report Remove helps children and young people to report an image shared online, to see if it is possible to get the image removed. This must be done as soon as possible in order to minimise the number of people that have seen the picture.

**Children and young people who have had their nudes or semi-nudes shared publicly should be:**

- reassured that they have done the right thing by speaking to an adult and that the education setting and other adults are there to help
- advised:
  - to delete images or videos from social media accounts (including from cloud photo backups) if they have uploaded them themselves
  - to use the IWF and [Childline's Report Remove tool](#). Report Remove helps children and young people to report an image shared online, to see if it is possible to get the image removed. This must be done as soon as possible in order to minimise the number of people that have seen the picture
- on how to report sexual images or videos on individual sites to get them taken down. If the image has been shared via a mobile, they should be informed that they can contact the mobile phone operator to have a mobile number changed as this may stop others from contacting them
- to speak to the school if they are concerned about any bullying behaviour

**Children and young people who have been sent a nude or semi-nude should be:**

- reassured that they have done the right thing by speaking out and that the education setting and other adults are there to help



- asked whether it was sent by an adult or another child or young person and if they requested the photo or if it was sent unsolicited
- advised:
  - on the importance of reporting it online if it has been shared
  - to delete it from their devices and accounts
  - on the importance of not sharing the image further
  - if they asked to receive the photos, explain that they should not put pressure onto others to do things that they are uncomfortable with

**Children and young people who have shared another child's or young person's nudes or semi-nudes should be:**

- asked:
  - whether they asked for the photo or were initially sent it without requesting
  - who the image has been sent to and where it has been shared. Agree next steps for taking the image down, including deleting the image from their phone or any social media accounts and reporting it to service providers
  - about their motivations for sharing the photo and discuss what they could have done differently. If they have reacted to an upsetting incident, such as the break-up of a relationship, by sending the photo onwards, talk about how they could have managed their feelings in a healthier and more positive way. Emphasise that whatever the reason, it is always wrong to share nudes and semi-nudes of another child or young person. This can be used as an opportunity to discuss the importance of consent and not putting pressure on others to take or share nudes and semi-nudes
- advised on the law on the sharing of nudes and semi-nudes

**Informing parents**

Parents should be informed and involved in the process at an early stage unless informing them will put a child or young person at risk of harm. Any decision not to inform the parents should be made in conjunction with other services such as children's social care and/or the police, who would take the lead in deciding when they should be informed.

Where appropriate, DSLs (or equivalents) should support any child or young person involved with determining the best approach for informing parents and allow them to be a part of this process if they want to be.

### **Supporting parents**

Parents may find it difficult to know how to deal with the knowledge that their child has been involved in an incident and may display emotions.

It is important to listen to their concerns and take them seriously. It can also be helpful for staff members and the police, to reassure parents and carers by explaining that it is normal for young people to be curious about sex.

#### **In all situations, parents should be:**

- given information about the sharing of nudes and semi-nudes, what they can expect to happen next, and who will be their link person within the education setting
- given support to deal with their own feelings of upset and concern including signposting to further resources that can help them to understand the sharing of nudes and semi-nudes or support services they can contact, where appropriate
- given support on how to speak to their child about the incident
- advised on the law around the sharing of nudes and semi-nudes
- kept updated about any actions that have been taken or any support that their child is accessing, unless the child involved has specifically asked for this not to happen and is judged to be old enough to make that informed decision
- informed about sources of support for their child, in case they are feeling anxious or depressed about what has happened. This could include speaking to a Childline counsellor [online](#) or on 0800 11 11, in house counselling services where available, or a GP. If they are concerned that their child is suicidal, they should contact 999
- directed to [NCA-CEOP](#) if the child or young person discloses any further details to them that may suggest they are being groomed or sexually exploited

In addition to the advice above, parents should be given the following advice and guidance for specific scenarios.

### **Multi-agency working**

If it is necessary to report to the police, contact should be made through existing arrangements. This may be through the MASH or equivalent in the first instance, a safer schools officer, a Police Community Support Officer, local neighbourhood police, dialling 101 or 999 (where there is a threat to life).

Once a report is made to the police, it has to be recorded and the police will conduct an investigation. This may include taking devices and interviews with any child or young person involved.

Contact should be made through existing arrangements (such as the MASH or equivalent) if reporting to the police is necessary.

### **Searching devices, viewing and deleting nudes and semi-nudes**

Staff and parents must not intentionally search or view any nudes and semi-nudes unless there is a good and clear reason to do so as outlined at the guidance. Wherever possible, responses to incidents should be based on what DSLs (or equivalents) have been told about the content of the imagery.

It is important that all members of staff are clear on what they can and can't do in relation to viewing nudes and semi-nudes and that this is communicated to any child, young person or parent requesting that imagery be viewed.

The decision to view any imagery should be based on the professional judgement of the DSL (or equivalent) and should always comply with the child protection policy and procedures of the education setting. Imagery should never be viewed if the act of viewing will cause significant distress or harm to any child or young person involved.

Further details on searching, deleting and confiscating devices can be found in the DfE's [Searching, screening and confiscation advice](#) (note this advice is for schools only). Any procedures for searching, deleting and confiscating devices should be included in the educational setting's safeguarding or child protection procedures. Children and young people, their parents and carers should be made aware of this procedure.

## **Recording incidents**

All incidents relating to nudes and semi-nudes being shared need to be recorded. This includes incidents that have been referred to external agencies and those that have not. For incidents that have not been reported out to the police or children's social care, education settings should record their reason for doing so and ensure it is signed off by the headteacher or setting's manager/leadership team. Please note copies of imagery should not be taken.

Records should be kept in line with statutory requirements set out in Keeping Children Safe in Education, where applicable, and your local safeguarding procedures.

## **Reporting nudes and semi-nudes online**

Children and young people may need help and support with the removal of nudes and semi-nudes from devices and social media, especially if they are distressed. Most online service providers offer a reporting function for account holders and some offer a public reporting function to enable a third party to make a report on behalf of the child or young person. More information can be found on individual providers' websites where they should make public their Terms of Service and process for reporting.

In the event that a site has no reporting function and if the content is a sexual image of someone under 18, you can report it to the Internet Watch Foundation (IWF). You can report [directly to the IWF](#).

Children and young people can use the IWF and [Childline's Report Remove](#) tool to report images and videos they are worried have been, or might be, shared publicly. The tool helps children and young people to report an image shared online, to see if it is possible to get the image removed. This must be done as soon as possible in order to minimise the number of people that have seen the picture. If you are concerned that a child or young person is being sexually abused, exploited or groomed online you should [report to NCA-CEOP](#).

*Guidance from the UK Council for Child Internet Safety (UKCCIS)*

<https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people>

## 9.5 Student's E- Safety Advice

Students are responsible for using the internet and mobile devices in accordance with the guidance in the Student Handbook. Students must know the importance of adopting good online safety practice and reporting misuse, abuse or access to inappropriate materials and know how to report these concerns. Amber Guardianships further supports students in raising their awareness of how to stay safe online through our social media updates, policies and website.

- Do not give/post your personal details to anyone online (like your address, email address or mobile number, full name and contact details).
- Do not meet with people who you have met online as it can be dangerous.
- Do not accept messages, emails or open files from people you do not know or trust as some can contain viruses or nasty messages.
- Some information may not be the truth or people can lie about who they are. Always check information with other websites, books or a member of staff.
- Think carefully before posting pictures or videos of yourself.
- Never give out your passwords.
- Do not befriend people you don't know.
- Remember that not everyone online is who they say they are.
- Think carefully about what you say before you post something online.
- If you see something online that makes you feel uncomfortable, unsafe or worried: leave the website, turn off your computer if you want to and tell a trusted adult (your parents, host family or staff member) immediately.

## 9.6 Parents and Homestay Hosts role

- Remind the student that they should not forward abusive texts or emails or images to anyone - they could be breaking the law just by forwarding them.
- Remind the student not to give out passwords to their email or mobile account.
- Remind the student that sending abusive or threatening messages is against the law.
- Be aware that there are age limits for joining social networking sites (13 years of age for Facebook, Instagram and Snapchat).
- Keep the channels of communication open and encourage the students to discuss their thoughts and actions.

## 9.7 Procedure for dealing with an incident which involves online services

1. Amber Guardianships staff member receives the report of suspected online abuse from a student, parent or other source by face to face disclosure, email or telephone call.
2. Amber Guardianships Staff member adheres to the Safeguarding and Child Protection Policy including contemporaneously recording the disclosure in the most appropriate format (using the 'Tell Explain Describe' model if the information is being given by a student).

3. The record of the disclosure is reported verbally as soon as practicable to the Designated Safeguarding Lead (DSL). The staff member must submit a written record of the disclosure to the DSL.
5. The DSL will hold an emergency strategy meeting to discuss the incident, assess the alleged threat and risk to the child (including any relevant facts about the child which may affect their vulnerability including age and ability), implement an action plan and continue to review the situation until a resolution has been achieved.
6. The meeting will be recorded with timed and dated entries within an incident record to record all actions and updates.
7. The DSL will arrange for the young person to be helped and supported in recognition of the pressures (and possible vulnerabilities) they may have been under as a result of the suspected abuse. This could include helping them to understand how to recognise the early signs of online abuse, the wider issues and motivations of online abuse and making available relevant information and material. This help and support could be provided from accredited organisations such as the school, National Society for the Prevention of Cruelty to Children (NSPCC), ChildLine and National Crime Agency (NCA) – Child Exploitation and Online Protection Centre (CEOP) websites and helplines.
8. The DSL will ensure that viewing of the images or other content is only made where there are good and clear reasons to do so (unless unavoidable because the student has willingly shown a member of staff), basing incident decisions on what the DSL has been told about the content of the imagery or other content. The DSL will ensure that staff members do not search through devices and delete imagery unless there is a good and clear reason to do so.
9. The DSL will consider the need to ask for the student to produce the device as evidence. The viewing of any images, other content or seizing of any devices will be recorded including those present, date and time.
10. The DSL will consider the need to contact another school, college, setting or individual and whether to contact the parents or carers of the children involved. In most cases parents should be involved unless there is good reason to believe that involving these parties would put the young person at risk of harm.
11. The incident will be referred to a statutory agency (Children’s Services on the Local Authority telephone number or the police by dialling 101) immediately if there is a concern a young person has been harmed or is at immediate risk of harm (telephone the police by dialling 999). This would include information coming to light if at the initial stage:
  - The incident involves an adult

- There is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs)
- What you know about the imagery or other content suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent
- The imagery or other content involves sexual acts and any pupil in the imagery is under 13
- You have reason to believe a pupil or pupil is at immediate risk of harm owing to the sharing of the imagery, for example, the young person is presenting as suicidal or self-harming. Where the material or activities found or suspected are illegal and there is no immediate risk to the child, The Child and Exploitation Online Paedophile Unit should be informed. If none of the above apply, the DSL may decide (with input from key stakeholders if appropriate) to respond to the incident without involving the police or children's social care. The DSL can choose to escalate the incident at any time if further information/concerns come to light. The decision should be recorded in line with the Safeguarding Policy and Child Protection Policy, and regularly reviewed throughout the process of responding to the incident.

The decision to respond to the incident without involving the police or children's social care would be made in cases when the DSL is confident that they have enough information to assess the risks to pupils involved, and the risks can be managed within Amber Guardianships support framework and network for the child.

12. The DSL will advise the young person to delete imagery or other content, and to confirm they have deleted the imagery. Young people should be given a deadline for deletion across all devices, online storage or social media sites on the basis that possession of youth produced sexual imagery is illegal. Where a young person refuses or is later discovered to have not deleted the images or other content, they are committing a criminal offence and the police may become involved. A record will be made of these decisions as per the Safeguarding Policy including decisions, times, dates and reasons. Amber Guardianships may wish to invoke their own measures to discourage young people sharing, creating or receiving images in line with behaviour policies.
13. Where the DSL is aware that youth produced sexual imagery or other content has been unavoidably viewed by a member of staff, the DSL should ensure that the staff member has appropriate support. Viewing youth produced sexual imagery or other content can be distressing for both young people and adults and appropriate emotional support may be required.
14. Where police action has been instigated for an incident involving a member of staff or volunteer, Amber Guardianships internal procedures will take place at the conclusion of the police action. A suspension will be likely to take place before the internal procedures begin.

## 9.8 Amber Guardianships' approach on Cyber-bullying

- A Code of Conduct is set out for all staff of Amber Guardianships to which they are required to agree. Amber Guardianships operates a zero-tolerance approach to Cyber-bullying and any incidents will be dealt with in the same way as bullying in the physical sense.
- Students are also made aware of Cyber-bullying in their own school, in assemblies and as part of the Wellbeing Programme. Student's advice and information are given within the Student Handbook which explains who to contact if they feel they are being bullied.
- Students will be encouraged to talk to someone they trust if they feel they are being bullied. Their school will carry out a full investigation if the school network has been alerted, and so would Amber Guardianships. We will work hand in hand with the school in these instances to discreetly solve the bullying situation. Cyberbullying and bullying in general will be monitored closely by the guardian, keeping in contact with the student and making sure communication with the school and boarding houses or host families are fluent and positive.
- Parent advice and information is given within the parent's handbook which explains who to contact if their child is being bullied.
- Pupils, parents and staff should be reminded that evidence will be needed, and they should keep any bullying emails, text messages or images.
- Serious cyber-bullying should be reported to the police, for example, threats of a physical or sexual nature. All members of Amber education and the schools have a responsibility for promoting and supporting safe behaviours.
- Bullying in the context of staff with the use of technology through similar platforms to the students is also monitored by the Operations Officer and the Project Manager. Staff are advised to keep a written format of communication such as emails, messaging and writing. When communicating with parents, students or other staff members, it is advised to do it within a group chat, where transparency is practised. This will prevent bullying through online platforms.
- If bullying is performed out of the cyberworld, the staff member, parent or student is advised to go:
  - Staff: speak to the direct Manager, the project manager Alex Leung, or the CEO Harry Lee.
  - Parent: speak to the guardian, the direct manager, or the project manager Alex Leung.
  - Student: speak to the guardian, the houseparent at school, the parents,
  - Training is available for staff; with safeguarding children, CEOP (Child Exploitation and Online Protection), LGFL advice and Child Net.

### Training and Understanding

- Amber Staff and homestays will receive cyber-bullying and online harassment via <https://www.nationalbullyinghelpline.co.uk/cyberbullying.html> and the annual staff training session to understand their responsibilities in developing online safety. In this training all staff will be helped to keep up to date with the technologies that children are using.
- Students will be educated about cyber-bullying through a variety of means, including student welcome packs and schools.
- Parents will be provided with information and advice on online safety and cyberbullying within the welcome pack (parents handbook).



- Pupils and staff will be involved in evaluating and improving policies and procedures through the Heads of Digital, Houseparent meetings, and the Head of School meetings.

### **Policies and procedures**

- Ensure regular review and update of existing policies annually to include updated policies and information on cyber-bullying.
- Amber Guardianships will keep good records of all cyber-bullying incidents. In addition, every complaint or report of bullying must be recorded.
- Amber Guardianships will use filtering, firewall, anti-spyware software, antimalware software, anti-virus software and secure connections to safeguard the staff and the same will be done by the schools for the students. Guardian communication with the students and parents will have to also be done through a group chat including the direct office manager. To protect the guardian from any harming behaviours from the parents or students, every discussion should be written down or recorded.

### **Making reporting easier**

- Ensure staff can recognise non-verbal signs and indications of cyber-bullying with regular safeguarding training.
- Publicise and promote the message that asking for help is the right thing to do and shows strength and good judgement.
- Provide information for all students and staff including reassurances about 'whistleblowing' and the appropriate way of informing appropriate staff or parents about incidents they have witnessed.
- Provide information on external reporting routes e.g. mobile phone company, internet service provider, Childline, and the Child Exploitation and Online Protection Command (CEOP)
- Evaluating the effectiveness of prevention measures.

The safeguarding of the student is paramount, and staff should investigate in accordance with the Amber Guardianships Safeguarding Policy.

- All cases will be logged by the data protection officer.
- Interviews will be held in accordance with the Amber Guardianships Anti-Bullying Policy and Equality Monitoring.
- Staff and pupils should be advised to preserve evidence and a record of abuse; save phone messages, record or save-and-print instant messenger conversations, print or produce a screenshot of social network pages, print, save and forward to staff whole email messages
- If images are involved, determine whether they might be illegal or raise child protection concerns. If so, contact the DSL, who may involve the LADO (Local Authority Designated Officer) and/or the local police in cases of actual/suspected illegal content.
- Any allegations against staff should be handled like other allegations following guidance in *Keeping Children Safe in Education*
- If the abuse happens at school, Amber Guardianships will ask the school to confiscate the device(s) if appropriate.

### 9.8.1 Further reading on online safety

NSPCC Online Safety: <https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/online-safety/>

Child Exploitation & Online Protection Centre – internet safety (CEOP) Thinkuknow: <https://www.thinkuknow.co.uk/>

UK Safer Internet Centre: <https://www.saferinternet.org.uk/>

Disrespect Nobody – find out about healthy relationships and respecting each other: <https://www.disrespectnobody.co.uk/>

Internet matters – helping parents keep their children safe online: <https://www.internetmatters.org/>

How social media is used to encourage travel to Syria and Iraq: A briefing note <https://www.gov.uk/government/publications/the-use-of-social-media-for-online-radicalisation>

### 8.8.2 Related policies and procedures

This policy statement should be read alongside our organisational policies and procedures including:

- Child protection/safeguarding policy
- Code of conduct for staff and volunteers
- Student behaviour code of conduct

While the internet is a wonderful learning tool for students, it can pose great risks if not used safely. This document is based on guidance from the Department for Education *Keeping Children Safe in Education 2021*, NSPCC advice on Online Safety, DFE Advice ‘Preventing & Tackling Bullying’ (2017). The effectiveness of the policy will be monitored and reviewed annually.

### 8.8.3 Supporting Reference Documents

-NSPCC publications

-Working Together to Safeguard Children

--Local Safeguarding Children Board Protocols

– Reporting children who go missing from care

Statutory Guidance on children who run away or go missing from home or care

Children Missing Education

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550416/Children\\_Missing\\_Education\\_-\\_statutory\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf)

## ● 9. Appendix 1: Abuse or Neglect Reporting form

To be completed by a member of staff / host family

Remember:

- Ask "open" questions and not leading questions, that is, a question which suggests its own answer.
- Listen carefully and keep an open mind.
- Do not take a decision as to whether or not the alleged abuse or neglect has taken place.

Please complete in black pen	
Date	
Time	
Place	
Member of staff present and position	
Full name of student(s)	
<p>Before proceeding have you reassured the student that you are there to help but you cannot guarantee absolute confidentiality? Have you explained that in some cases you may be able to keep it a secret, but that you may need to pass the information on to the Designated Person [● name] and / or [● job title] [● name] who will ensure the correct action is taken?</p>	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p>Ask the student to explain their concern or allegation and record details of the matter in the space below. Use a separate sheet if necessary and then attach to the form.</p>	

A non-exhaustive list of the details to be included:

- What was said or done, by whom, to whom and in whose presence.
- When the incident took place and where.
- Whether the student wishes their parents [or legal guardian] to be informed.

Any additional comments or evidence:

Details may include, for example, any concerns you may have about signs of abuse, emotional ill-treatment or neglect:

- Please also include a note of any other evidence, for example, written notes, items of clothing or mobile phone messages relating to the matter.

Any suspicion or complaint of abuse must be reported to the Designated Person [Joey Tang] or in their absence, the Deputy Designated Person [Louisa Cheung], or if the complaint involves a member of staff or host family, to the Manager of the Guardianship Organisation.

DO NOT investigate the matter, as this could prejudice the investigations of outside agencies.

Where the concern or allegation is made against the DP or the Deputy DP, you must immediately inform Alex Leung, Project Manager, Amber Educations Group Ltd.by email:  
alex.leung@amberedu.com.hk

Please record what action you have taken and when:

Full name of member of staff / host family:

Signature:

Date:

## ● 9. Appendix 2: Student Absent/Missing Risk Assessment Form

Date	
Reported By: Name of the Person	
Full Name of Child/Young Person Absent or Missing (If contact is not made with student within 1 hour of initial report, student to be treated as missing):	
Details of Contact Attempts (Every 30 minutes by phone, text, email and social media - please record all communication):	
Date & Time student absent/missing - start Date & Time:	
Student absent/missing – end Date & Time:	
Gender:	
School:	
Host Family:	
What are the circumstances in which the child/young person is absent/missing. Please note as much information as possible:	
<b>History:</b>	
Has this student been absent/missing before?	

When and where was the child/young person last seen?	
Where is the child/young person supposed to be currently?	
What was the temperament of the child/young person when last seen?	
Level of Risk presented:	
Total time student absent/missing:	
Physical Description (Height, Build, Ethnicity, Eye colour, Hair Colour & Style, Glasses/Contact Lenses, Distinctive Features):	
Please supply as much information as possible about what the child/young person was last seen wearing (Top/Sweater/Shirt/T-Shirt, Coat/Jacket. Trousers/Shorts/Skirt, Shoes/Trainers/Boots, Headwear/Gloves/Scarf, other identifiable clothing):	
Action Taken (Reported to DSL):	
Report on Outcome/Further Action Taken (Parents/School/Authorities/Airports)	



## ● 9. Appendix 3: Student Safeguarding Sheet

### Letter to Amber Guardianships Student:

#### Problems or Worries? Who to Ask for Help?

This is a very exciting time for you, and we are here to help you to enjoy school and get the most out of your time in the UK. If you do have any problems or worries, you are not alone! We are here to help and support you at any time. We are aware that, from time to time, you may be worried or upset about something. The information below tells you about various people available to help you, so that you can choose someone you feel you can trust. The experience of many students is that, no matter how bad the problem may seem to be, it is almost always a great help to talk about it.

#### Is something worrying you?

Here are some examples of the kinds of thing which can be worrying for young people:

1. You think you may be ill and are too afraid or embarrassed to tell anyone;
2. You feel depressed, or that life is not worth living;
3. You or your friends are being bullied or treated unkindly by another student;
4. You think that another student is not eating properly, or may be harming him/ herself;
5. You are worried, angry or hurt about something happening at your Host Family's home;
6. You think that another student has done, or is about to do, something seriously wrong or dangerous;
7. You are caught in a serious situation that you don't know how to get out of, for example to do with drugs, alcohol, money or sex;
8. You feel you are being treated unfairly simply because you are a girl or simply because you are a boy, or because of your colour or religion, or because you have a disability or learning difficulty, or because you may be lesbian or gay;
9. You feel that a staff member from the Amber Guardianships or a Host Family member has treated you unfairly e.g. in a punishment given, or in favouring other students;
10. You feel that you are not given enough privacy or independence.

#### What should you do?

If any of these things are happening, please talk to someone about it, even if you feel you can handle the situation. It may be that what is going on affects other people, or that you are unaware of all the different ways a problem can be tackled. There are a number of people who will be very happy to talk to you and to help you try to find a solution to the problem. It may help to talk first with another student who is a trusted friend. However, sometimes you may also need the help and support of an adult or professional, for example a staff member at Amber Guardianships or a Host Family member who you feel most comfortable and safe talking to.

We would expect one of these to be the first person you speak to if you have any concerns.

Amber Guardianships' staff you could talk to might be:

1. Your Guardian
2. Your Host Family – you will have their telephone and address details
3. Designated Safeguarding Lead Joey Tang +44 (0)7939682757
4. Deputy Designated Safeguarding Lead Louisa Cheung, +44(0) 7534769764

However, if you do not feel able to speak to staff or Host Family member, other people to talk to are:

1. Your parents, guardians or other relatives;
2. Adults in a position of authority at the school you attend, for example the School Chaplain, Counsellor or Doctor;
3. An older student at the school you attend or an older international student who is also allocated to your Host Family through Amber Guardianships;
4. National Society for the Prevention of Cruelty to Children 0800 800 5000 [www.nspcc.org.uk](http://www.nspcc.org.uk) 6. Childline 0800 1111 [www.childline.org.uk](http://www.childline.org.uk)

### **Who else needs to know?**

We understand that you may wish to talk about a problem only if it is kept confidential. This may be possible if your problems do not raise concerns about your welfare, but please be aware that many adults have a responsibility to pass on concerns about your welfare within their own organisation including school or Amber Guardianships, or to other organisations that can help. Please do not let this stop you from raising complaints or saying when you are worried or upset. Most young people who speak up, say afterwards that it helped them and that the problem did not seem quite as bad once they had a chance to talk it through with someone experienced and helpful.

Amber Guardianships

2<sup>nd</sup> Floor, Kingsland House, 122-124 Regent Street, London, W1B 5SA

Tel: +44 (0) 207 734 0274

Emergency line: +44 (0) 7939 682757

You can contact us by phone, text, email or WhatsApp/WeChat. If you are under the age of 16, you must not use WhatsApp whilst in the EU as they have raised their age limit from 13 to 16 years. For countries outside the EU WhatsApp may continue to be used for those aged 13 years and over. If you are between the ages of 13 and 18 (or the relevant age in your jurisdiction where you are considered a minor), your parent or guardian must agree to these Terms (both for themselves and on your behalf) before you can use WeChat.

## • 9. Appendix 4: Low-Level Concern form

Please use this form to share any concern – no matter how small, and even if no more than a ‘nagging doubt’ – that an adult may have acted in a manner which:

- is not consistent with Amber Guardianships Code of Conduct, and/or
- relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult’s suitability to work with children. You should provide a concise record – including brief context in which the low-level concern arose, and details which are chronological, and as precise and accurate as possible – of any such concern and relevant incident(s) (and please use a separate sheet if necessary). The record should be signed, timed and dated. Details of concern

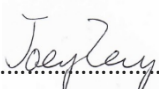
Details of the concern

Name of staff/homestay:	
Time & Date:	
Received by At: (Time) On: (Date) Action Taken: (Specify)	
Details of the concern	
Action taken	
Signed and Date:	

This record will be held securely in accordance with Amber Guardianships low-level concerns policy. Please note that low-level concerns will be treated in confidence as far as possible, but Amber Guardianships may in certain circumstances be subject to legal reporting requirements or other legal obligations to share information with appropriate persons, including legal claims and formal investigations.

### Review

Our Safeguarding, Child Protection and Welfare Policy , Data Protection and privacy notice will be next reviewed annually, the review date will be May 2024.

Signed:..........(Data Protection Officer)

[this should be signed by the most senior person with responsibility for Safeguarding, Child Protection and Welfare, Data Protection in Amber Guardianships.

Date: .....May 2024.....