

## POLISI DIOGELU PLANT

Dyddiad polisi: 19/01/2021  
Bydd y polisi hwn yn cael ei adolygu bob 12 mis (o leiaf).  
Dyddiad Adolygu: 01/10/2022

### Swyddogaethau a Chyfrifoldebau Diogelu

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## POLISI DIOGELU PLANT

### 1. Cyflwyniad

Mae diogelu yn gyfrifoldeb i bawb. Mae Tidal Supply Ltd yn cydnabod y ddyletswydd i ddiogelu a hyrwyddo lles plant ac mae wedi ymrwmo i sicrhau arferion diogelu sy'n adlewyrchu cyfrifoldebau statudol, canllawiau'r llywodraeth ac sy'n cydymffurfio â gofynion arfer gorau. Mae gan bob plentyn, waeth beth fo'i oedran, anabled, rhyw, treftadaeth hiliol, cred grefyddol, cyfeiriadedd rhywiol neu hunaniaeth, yr hawl i amddiffyniad cyfartal rhag pob math o niwed neu gamdrin.

Mae'r polisi hwn yn berthnasol i'r holl staff mewnol ac ymgeiswyr a bydd yn cael ei hyrwyddo'n eang ac yn orfodol i bawb sy'n ymwneud â Tidal Supply Ltd. Gall methu â chydymffurfio â'r polisi hwn a gweithdrefnau diogelu'r cwmni arwain at gymryd camau disgyblu, gan gynnwys terfynu cyflogaeth a/neu gontract.

Disgwylir i bob ymgeisydd a leolir gan Tidal Supply Ltd ymgyfarwyddo â threfniadau ar gyfer diogelu plant yn y sefydliad lle cânt eu lleoli a bod â dealltwriaeth glir o bob math o gamdriniaeth ac esgeulustod; gan gynnwys sut i nodi, ymateb ac adrodd.

Yma yn Tidal Supply Ltd rydym yn disgwyl i'r holl staff, ac ymgeiswyr, ddilyn a hyrwyddo arfer da ym maes diogelu. Er mwyn gwneud hynny, dylent:

- Darllen, deall, derbyn a gweithredu yn unol â'r polisi hwn.
- Byddwch yn wylidwrus a dilynwch godau ymddygiad proffesiynol i gynnal ffiniau proffesiynol ac arferion gwaith diogel.
- Rhoi gwybod am unrhyw bryderon neu ddatgeliadau sy'n ymwneud ag amddiffyn a diogelwch plant.
- Ymgymryd â hyfforddiant diogelu gorfodol a sesiynau ymwybyddiaeth lle y'u darperir.
- Helpu i addysgu dysgwyr/defnyddwyr gwasanaeth mewn lleoliadau ynghylch materion cadw'n ddiogel, gan gynnwys ymddwyn fel model rôl da.

### 2. Ein Hymrwymiad i Ddiogelu

Cynlluniwyd y polisi hwn i fodloni'r egwyddorion uchod drwy sicrhau:

- Mae gan Tidal Supply Ltd brosesau recriwtio diogel a chadarn sy'n sicrhau nad yw'r rhai y gwyddys eu bod yn risg i blant yn cael mynediad atynt; y rhai y mae eu gweithredoedd yn awgrymu eu bod yn risg i blant yn cael eu canfod ar y cam cynharaf a'u hatal rhag parhau i weithio gyda phlant; a bod y rhai sy'n bwriadu gwneud niwed yn cael eu hatal ar bob cam posibl rhag ymuno â'r gweithlu.
- Mae staff ac ymgeiswyr yn deall eu rolau a'u cyfrifoldebau o ran diogelu ac yn cael cyfleoedd dysgu priodol i adnabod, nodi ac ymateb i arwyddion o gam-drin, esgeulustod a phryderon diogelu eraill sy'n ymwneud â phlant.
- Mae yna ddiwylliant agored a thryloyw sy'n galluogi staff ac ymgeiswyr i godi pryderon am blant, y rhai sy'n gweithio gyda phlant, a phrosesau o fewn Tidal Supply Ltd.

- Mae mor syml â phosibl i unigolyn adrodd am bryderon ynghylch niwed neu risg a rhoddir gweithdrefnau clir ar waith pan fydd materion diogelu ac amddiffyn plant yn codi. Lle caiff pryderon eu hadrodd bydd Tidal Supply Ltd yn sicrhau bod unigolion yn cael eu cefnogi.
- Mae gan Tidal Supply Ltd bolisiau a gweithdrefnau cadarn ar waith, sy'n cael eu hadolygu a'u diweddarau o leiaf bob 12 mis.
- Mae Tidal Supply Ltd yn cael y wybodaeth ddiweddaraf am ddatblygiadau ar arferion gorau diogelu, adrodd ac archwilio gweithgareddau diogelu yn flynyddol a mynd i'r afael ag unrhyw feysydd i'w gwella.
- Bydd Tidal Supply Ltd yn rhoi gwybod i'r awdurdod priodol am unrhyw bryderon ynghylch unrhyw unigolyn, neu unrhyw sefyllfa ddiogelu bosibl y daw'n ymwybodol ohoni cyn gynted ag y bo'n ymarferol, a bydd yn cydweithredu mewn unrhyw ymchwiliadau neu asesiadau parhaus.
- Bydd Tidal Supply Ltd yn gweithio mewn partneriaeth â gwasanaethau eraill (gan gynnwys gofal cymdeithasol plant awdurdodau lleol) i sicrhau bod y rhai y nodir eu bod mewn perygl o gael eu cam-drin yn cael eu hamddiffyn.
- Cedwir cofnodion cyfrinachol, manwl a chywir o'r holl bryderon diogelu a'u storio'n ddiogel.

### **3. Deddfwriaeth a Chanllawiau Perthnasol**

Y prif ddeddfwriaeth a chanllawiau sy'n llywodraethu'r polisi hwn yw:

- Cadw Dysgwyr yn Ddiogel 2022
- Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014: Gweithio Gyda'n Gilydd i Ddiogelu Pobl
- Deddf y Plant 1989
- Y Ddeddf Addysg 2002
- Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015
- Gweithio Gyda'n Gilydd i Ddiogelu Plant
- Diogelu plant mewn addysg: ymdrin â honiadau o gam-drin yn erbyn athrawon a staff eraill
- Gweithdrefnau Llywodraeth Cymru ar gyfer Chwythu'r Chwiban mewn Ysgolion a Pholisi Enghreifftiol
- Gweithdrefnau Amddiffyn Plant Cymru Gyfan (2008)
- Deddf Plant 2021 (Adran Addysg)
- Deddf Plant 2004
- Canllawiau Arferion Gwaith Mwy Diogel i Oedolion sy'n Gweithio gyda Phlant a Phobl Ifanc (2019)
- Rhannu Gwybodaeth: Canllawiau i ymarferwyr a rheolwyr. Llywodraeth EM (2018)
- Deddf Adsefydlu Troseddwyd 1974
- Anghymhwys o dan Ddeddf Gofal Plant 2006 (2015)
- Deddf Gwrthderfysgaeth a Diogelwch 2015 (gan gynnwys y 'Dyletswydd Atal')
- Y Ddyletswydd Prevent, Adrannol, Cyngor i Ysgolion a Darparwyr Gofal Plant (2015)

- Deddf Caethwasiaeth Fodern 2015
- Deddf Hawliau Dynol 1998
- Partneriaid/Trefniadau Diogelu Lleol

Dylid darllen y polisi hwn ar y cyd â'n polisïau diogelu perthnasol eraill, megis:

- Polisi Iechyd a Diogelwch
- Polisi Honiadau
- Polisi Cwynion
- Cod Ymddygiad
- Recriwtio Mwy Diogel
- Polisi Rhannu Gwybodaeth

#### 4.Rôl y Person Diogelu Dynodedig (PDD)

Mae rôl y PDD yn cynnwys:

- Derbyn ac ymateb yn briodol i bob adroddiad o bryderon, materion neu gamdriniaeth diogelu a godir gan aelodau staff, asiantaethau partneriaid neu ymgeiswyr.
- Cyfeirio unrhyw bryderon diogelu lle bo angen i'r Awdurdod Lleol a rheoli'r camau gweithredu yn syth i sicrhau bod yr unigolyn sy'n wynebu risg yn ddiogel rhag cael ei gam-drin.
- Adnabod a nodi arwyddion cam-drin, esgeulustod a mathau eraill o niwed, ar wahân i'w fod ar-lein neu all-lein, a gwybod pryd mae'n briodol gwneud adroddiad i'r awdurdod lleol.
- Cael eu cefnogi gyda'r effaith emosiynol o'u rôl a rhoi cyfle i fyfyrïo ar eu hymarfer. Gellid gwneud hyn ar sail unigol neu grŵp ond dylid rhoi cyfle i'r Uwch-swyddog Dynodedig gael cymorth unigol lle bo angen.
- Darparu cyngor a chymorth i staff eraill, cadw cofnodion, gweithio gydag aelodau o'r teulu neu ofalwyr, eu cyfeirio at gwasanaethau plant a mynychu cyfarfodydd statudol, yn ogystal â chysylltu â'r Bwrdd Diogelu Plant a gweithio gydag asiantaethau eraill yn ôl yr angen.
- Rhoi gwybod i uwch reolwyr am unrhyw ddigwyddiadau diogelu a'u canlyniad.
- Ystyried sut y gellir mynd i'r afael â diogelu'n ehangach a sicrhau bod mesurau ataliol yn cael eu mabwysiadu yn y lleoliad addysg. Bydd y rhan hon o'r rôl yn cynnwys meithrin perthnasoedd ag asiantaethau eraill, yn ogystal â sicrhau bod staff a dysgwyr yn cael gwybod am risgiau a sut i gael mynediad at gymorth.
- Datblygu polisi (neu oruchwylio hyn, gan gynnwys sicrhau bod pob polisi yn cael ei ddiweddarau yn ôl yr angen, ond yn flynyddol beth bynnag.
- Cydgysylltu ag Arweinwyr/Swyddogion Diogelu Dynodedig mewn sefydliadau partner.
- Sicrhau bod yr holl staff ac ymgeiswyr perthnasol wedi derbyn hyfforddiant diogelu sy'n briodol i'w rôl a pharhau i dderbyn hyfforddiant i alluogi datblygiad sgiliau ac arfer da wrth weithio gyda phlant. Mae'n rhaid i'r Uwch-swyddog Dynodedig gadw cofnod o'r holl

hyfforddiant staff, gan gynnwys y dyddiadau, manylion y darparwr a chofnod o bresenoldeb staff.

- Wrth adrodd am bryderon i'r Gwasanaeth Datgelu a Gwahardd (DBS), gall hyn fod pan fydd aelod o staff neu ymgeisydd wedi'i ddiswyddo neu wedi gadael, lle mae pryderon difrifol wedi'u codi am eu hymddygiad, a bod y cwmni'n credu eu bod yn peri risg i blant. Bydd y PDD (Tidal) yn cwblhau'r dogfennau atgyfeirio angenrheidiol i'r DBS ac yn cysylltu â nhw wedi hynny os oes ganddynt unrhyw gwestiynau pellach ynghylch yr aelod o staff neu'r ymgeisydd.
- Dylai'r PDD (Yr Ysgol) sicrhau bod pawb sy'n gweithio yn y lleoliad addysg yn ymwybodol o Weithdrefnau Diogelu Cymru ac yn gwybod sut i gael gafael ar gopi o'r gweithdrefnau.

### 5. Diffiniadau

Yn ôl Deddf Addysg 2002 ac Adran 3 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 'plentyn' yw unrhyw un nad yw eto wedi cyrraedd ei ben-blwydd yn 18 oed.

Yn y polisi hwn, mae'r termau 'plentyn' a 'person ifanc', neu 'plant' a 'phobl ifanc', yn cael eu defnyddio'n gyfnewidiol i gyfeirio at unrhyw unigolyn o dan 18 oed.

Mae cam-drin ac esgeulustod yn fathau o gamdriniaeth. Gall rhywun gam-drin neu esgeuluso plentyn drwy achosi niwed, neu drwy fethu â gweithredu i atal niwed.

Mae Deddf Plant 1989 yn diffinio 'niwed' fel "camdriniaeth neu nam ar iechyd neu ddatblygiad". Mae 'datblygiad' yn golygu datblygiad corfforol, deallusol, emosiynol, cymdeithasol neu ymddygiadol; ystyf 'iechyd' yw iechyd corfforol neu feddyliol; ac mae 'cam-drin' yn cynnwys cam-drin rhywiol a mathau o gamdriniaeth nad ydynt yn gorfforol. O ganlyniad i Ddeddf Mabwysiadu a Phlant 2002, mae'r diffiniad o niwed hefyd yn cynnwys "nam ar glyw neu weld rhywun yn cael ei drin yn wael"

Gall cam-drin gael ei gyflawni gan unigolyn o ysgol y plentyn, y gymuned, y teulu, y rhai sydd mewn sefyllfa o ymddiriedaeth neu blentyn arall.

Dylai pob aelod o staff fod yn ymwybodol y gall plant gam-drin plant eraill (cyfeirir at hyn yn aml fel cam-drin cyfoedion-ar-gyfoedion). Mae hyn yn fwyaf tebygol o gynnwys, ond heb fod yn gyfyngedig i: fwlio (gan gynnwys seiberfwlio), cam-drin corfforol, trais rhywiol, aflonyddu rhywiol, codi sgert, secstio (a elwir hefyd yn ddelweddaeth rywiol a gynhyrchir gan bobl ifanc); a thrais a defodau cychwyn/math hazing.

Gall cam-drin plant fod yn un o bedwar categori gwahanol fel y nodir yng Ngweithdrefnau Amddiffyn Plant Cymru Gyfan (2008)

**Cam-drin Corfforol:** Mae cam-drin corfforol yn fath o gam-drin a all gynnwys taro, ysgwyd, taflu, gwenwyno, llosgi neu sgaldio, boddi, mygu neu achosi niwed corfforol fel arall i blentyn. Gall niwed corfforol gael ei achosi hefyd pan fydd rhiant neu ofalwr yn ffugio symptomau salwch plentyn, neu'n achosi salwch yn fwriadol.

**Cam-drin Emosiynol:** Cam-drin plentyn yn emosiynol yn barhaus er mwyn achosi effeithiau andwyol difrifol a pharhaus ar ddatblygiad emosiynol y plentyn. Gall gynnwys cyfleu i blentyn ei fod yn ddiwerth neu nad oes neb yn ei garu, yn annigonol, neu'n cael ei werthfawrogi dim ond i'r graddau ei fod yn diwallu anghenion person arall. Gall gynnwys peidio â rhoi cyfleoedd i'r plentyn fynegi ei farn, ei dawelu'n fwriadol neu 'wneud hwyl' ar yr hyn y mae'n ei ddweud neu'r ffordd y mae'n cyfathrebu. Gall gynnwys gosod disgwyliadau amhriodol o ran oedran neu ddatblygiad ar blant. Gall y rhain gynnwys rhyngweithiadau sydd y tu hwnt i allu datblygiadol plentyn, yn ogystal â goramddiffyn a chyfyngu ar archwilio a dysgu, neu atal y plentyn rhag cymryd rhan mewn rhyngweithio cymdeithasol arferol. Gall olygu gweld neu glywed rhywun arall yn cael ei gam-drin. Gall gynnwys

bwlio difrifol (gan gynnwys bwlio seiber), achosi i blant deimlo'n ofnus neu mewn perygl yn aml, neu ecsbloetio neu lygru plant. Mae rhyw lefel o gam-drin emosiynol yn gysylltiedig â phob math o gam-drin plentyn, er y gall ddigwydd ar ei ben ei hun.

**Cam-drin Rhywiol:** Mae cam-drin rhywiol yn golygu gorfodi neu hudo plentyn neu berson ifanc i gymryd rhan mewn gweithgareddau rhywiol, nad ydynt o reidrwydd yn ymwneud â lefel uchel o drais, p'un a yw'r plentyn yn ymwybodol o'r hyn sy'n digwydd ai peidio. Gall y gweithgareddau gynnwys cyswllt corfforol, gan gynnwys ymosodiad trwy dreiddiad (e.e. treisio neu ryw geneuol) neu weithredoedd anhreiddiol fel mastyrbio, cusanu, rhwbio a chyffwrdd y tu allan i ddillad. Gallant hefyd gynnwys gweithgareddau digyswllt, megis cynnwys plant wrth edrych ar, neu wrth gynhyrchu, delweddau rhywiol, gwyllo gweithgareddau rhywiol, annog plant i ymddwyn mewn ffyrdd rhywiol amhriodol, neu feithrin perthynas amhriodol â phlentyn i baratoi ar gyfer cam-drin (gan gynnwys trwy y rhyngwyd). Nid gwrywod sy'n oedolion yn unig sy'n cyflawni cam-drin rhywiol. Gall merched hefyd gyflawni gweithredoedd o gam-drin rhywiol, fel y gall plant eraill.

**Esgeulustod:** Esgeulustod yw methiant parhaus i ddiwallu anghenion corfforol a/neu seicolegol sylfaenol plentyn, sy'n debygol o arwain at nam difrifol ar iechyd neu ddatblygiad y plentyn. Gall esgeulustod ddigwydd yn ystod beichiogrwydd o ganlyniad i gam-drin sylweddau gan y fam. Unwaith y bydd plentyn yn cael ei eni, gall esgeulustod gynnwys rhiant neu ofalwr yn methu â:

- darparu bwyd, dillad a chysgod digonol (gan gynnwys gwahardd o gartref neu adael);
- amddiffyn plentyn rhag niwed neu berygl corfforol ac emosiynol;
- sicrhau goruchwyliaeth ddigonol (gan gynnwys defnyddio rhoddwyr gofal annigonol); neu
- sicrhau mynediad at ofal neu driniaeth feddygol briodol.

Gall hefyd gynnwys esgeuluso, neu beidio ag ymateb i, anghenion emosiynol sylfaenol plentyn.

I gael arweiniad manwl ar yr arwyddion a all fod yn arwydd o gam-drin ac esgeulustod gweler [Gweithdrefnau Amddiffyn Plant Cymru Gyfan \(2008\)](#).

## 6. Proseses Recriwtio a Dethol

Mae Tidal Supply Ltd hefyd wedi ymrwymo i amddiffyn plant trwy broses recriwtio a dethol ofalus (Recriwtio Mwy Diogel), Polisi Rhannu Pryderon a chanllawiau ar ymddygiad priodol (Cod Ymddygiad). Dylid darllen y polisiau hyn ochr yn ochr â'r polisi hwn.

Mae gweithdrefnau trylwyr Tidal Supply Ltd, yn dilyn proses Cydymffurfio ASPCo+, yn sicrhau na fydd unrhyw ymgeisydd y canfyddir bod ganddo hanes o ymddygiad neu arfer annerbyniol, yn cael ei leoli.

## 7. Ymateb i Bryderon Diogelu

Mae gan **bob aelod o staff** gyfrifoldeb i amddiffyn plant. Mae hyn yn cynnwys:

- Cadw at bolisiau a phrosesau Tidal Supply Ltd gan gynnwys unrhyw God Ymddygiad
- Rhoi gwybod am unrhyw bryderon sy'n codi o gyfarfod ag ymgeiswyr neu gynnal gwiriadau cyn lleoliad i'r PDD yn ddi-oed a gwneud cofnod ysgrifenedig clir o'r holl wybodaeth berthnasol i'w throsglwyddo i'r PDD

- Rhoi gwybod am unrhyw bryderon sy'n codi o ymweliadau/lleoliadau sefydliadau i'r Swyddog/Arweinydd Diogelu Dynodedig yn y sefydliad perthnasol a chadarnhau bod hyn wedi'i wneud i PDD Tidal Supply Ltd
- Cymryd camau, megis dilyn y broses y manylir arni yn y Polisi Rhannu Pryderon pan fo pryderon ynghylch arfer.
- Gweithio gydag awdurdodau lleol, yr heddlu, gwasanaethau iechyd a gwasanaethau eraill i hyrwyddo llesiant plant a'u hamddiffyn rhag niwed.

Disgwylir i **bob ymgeisydd** sy'n gweithio trwy Tidal Supply Ltd gadw plant yn ddiogel trwy:

- Dilyn polisiâu Tidal Supply Ltd gan gynnwys y Cod Ymddygiad.
- Sicrhau bod yr Arweinydd/Swyddog Diogelu Dynodedig yn y lleoliad yn ymwybodol o unrhyw bryderon ynghylch unrhyw blant neu unrhyw oedolion sy'n gofalu am y plant hynny neu'n gweithio gyda nhw.
- Gofyn am gyngor a chymorth gan PDD Tidal Supply Ltd pan fydd ganddynt reswm i gredu nad yw eu pryderon wedi cael ymateb priodol neu fod ganddynt bryderon ynghylch ymarfer yn y lleoliad.

### 8. Delio â honiadau o gam-drin a wneir yn erbyn ymgeiswyr

Mae pob ymgeisydd a roddir ar aseiniad yn gyfrifol am gefnogi ymddygiad diogel ac mae ganddynt gyfrifoldeb i ddilyn y canllawiau a nodir yn y polisi hwn a pholisiau cysylltiedig, megis y Cod Ymddygiad.

Yn unol â Gweithio Gyda'n Gilydd (2004) a Chadw Dysgwyr yn Ddiogel (2019), lle mae sefydliad wedi derbyn honiad bod gan wirfoddolwr, staff cyflenwi neu aelod o staff sy'n gweithio gyda phlant:

- ymddwyn mewn ffordd sydd wedi niweidio plentyn, neu a allai fod wedi niweidio plentyn;
- o bosibl wedi cyflawni trosedd yn erbyn plentyn neu'n gysylltiedig â phlentyn;
- ymddwyn tuag at blentyn neu blant mewn ffordd sy'n awgrymu y gallai fod mewn perygl o niwed os yw'n gweithio'n rheolaidd neu'n agos gyda phlant.

Dylid anfon atgyfeiriad at y Swyddog Datblygu Lleol o fewn un diwrnod gwaith, gan roi cymaint o fanylion â phosibl.

### 9. Duty to make a referral to the DBS

Lle mae tystiolaeth bod unrhyw un wedi niweidio, neu'n peri risg o niwed, i blentyn, mae dyletswydd gyfreithiol ar Tidal Supply Ltd i riportio'r person hwnnw i'r Gwasanaeth Datgelu a Gwahardd gan ddefnyddio eu canllawiau sydd ar gael [yma](#). Mae gan y DBS awdurdod statudol i wahardd person rhag gweithio mewn gweithgaredd rheoledig gyda phlant yn y DU.

Bydd atgyfeiriad i'r DBS hefyd yn cael ei wneud os bydd y person yn ymddiswyddo cyn i ymchwiliad gael ei gynnal neu ddod i gasgliad. Os bydd y sawl a gyhuddir yn ymddiswyddo, neu'n rhoi'r gorau i ddarparu ei wasanaethau, ni ddylai hyn atal unrhyw honiad rhag cael ei ddilyn i fyny yn unol â'r canllawiau hyn.



Ni fydd The Tidal Supply Ltd yn gwneud unrhyw gytundeb cyfaddawd/setlo yn achos person yr ystyrir ei fod yn anaddas i weithio gyda phlant. Byddai unrhyw gytundeb o'r fath a oedd yn cynnwys amod o beidio â chyfeirio'r achos at y DBS yn drosedd.

Dylai unrhyw un sy'n pryderu am les plentyn neu sy'n credu y gallai plentyn fod mewn perygl o gael ei gam-drin drosglwyddo unrhyw wybodaeth i'r DBS neu awdurdod priodol arall cyn gynted â phosibl a heb fod yn hwy na 24 awr ar ôl y pryder cychwynnol.

## **10. Rhannu Pryderon**

Mae'n bosibl y bydd ymgeiswyr yn ei chael hi'n anodd codi pryderon am gydweithwyr, rheolwyr, pobl ar leoliad neu ynghylch sut yr ymatebir i bryderon diogelu o fewn lleoliad. Mae gan Tidal Supply Ltd Bolisi Rhannu Pryderon penodol sy'n annog ymgeiswyr i godi pryderon a hefyd yn rhoi manylion sefydliadau allanol y gall ymgeiswyr fynd atynt am gymorth a chyngor. Nod Tidal Supply Ltd yw cael diwylliant agored a gonest lle yr ymatebir yn effeithiol i ddiogelu, a lle mae staff ac ymgeiswyr yn teimlo'n ddiogel, yn cael eu cefnogi ac yn gallu lleisio unrhyw bryderon sydd ganddynt gan wybod yr ymatebir iddynt.

## **11. Crynodeb**

Bydd Tidal Supply Ltd yn gwneud cleientiaid ac ymgeiswyr yn ymwybodol o'r Polisi Diogelu trwy'r dulliau a ganlyn: Gwefan Llanw Cyflenwi, Pecyn Cychwyn Ymgeisydd, Cadarnhad o archeb Ysgol.

Rhaid i'r holl staff, gweithwyr dros dro, ymgeiswyr a chontractwyr fod yn ymwybodol bod ganddynt ddyletswydd broffesiynol i rannu gwybodaeth â chwmnïau recriwtio eraill er mwyn diogelu plant. Gall budd y cyhoedd mewn diogelu plant fod yn drech na buddiannau cyfrinachedd. Fodd bynnag, bydd gwybodaeth yn cael ei rhannu ar sail angen gwybod yn unig, yn unol â barn Tidal Supply Ltd.



**SAFEGUARDING CHILDREN POLICY**

Date of policy: 19/01/2021

This policy will be reviewed every 12 months (as a minimum).

Review Date: 01/10/2022

**Safeguarding Roles and Responsibilities**

Designated Safeguarding Person: Llion Elis

Designated Safeguarding Person Contact details: llion@tidal.cymru 0333 2420522

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## **SAFEGUARDING CHILDREN POLICY**

### **1.Introduction**

Safeguarding is everyone's responsibility. Tidal Supply Ltd acknowledges the duty to safeguard and promote the welfare of children and is committed to ensuring safeguarding practice that reflects statutory responsibilities, government guidance and complies with best practice requirements. All children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have the right to equal protection from all types of harm or abuse.

This policy applies to all internal staff and candidates and will be widely promoted and be mandatory for everyone involved in Tidal Supply Ltd. Failure to comply with this policy and the company's safeguarding procedures may result in disciplinary action being taken, including termination of employment and/or contract.

All candidates placed by Tidal Supply Ltd are expected to familiarise themselves with arrangements for safeguarding children in the organisation where they are placed and to have a clear understanding regarding abuse and neglect in all forms; including how to identify, respond and report.

Here at Tidal Supply Ltd we expect all staff, and candidates to follow and promote good practice in safeguarding. In order to do so, they should:

- Read, understand, accept and act in accordance with this policy.
- Be vigilant and follow professional codes of conduct to maintain professional boundaries and safe working practices.
- Report any concerns or disclosures related to the protection and safety of children.
- Undertake mandatory safeguarding training and awareness sessions where provided.
- Help educate learners/service users in placements regarding matters of keeping safe, including acting as a good role model.

### **2.Our Commitment to Safeguarding**

This policy is designed to meet the above principles by ensuring that:

- Tidal Supply Ltd has robust safer recruitment processes that ensures that those who are known to be a risk to children do not gain access to them.; those whose actions suggest that they are a risk to children are detected at the earliest stage and prevented from continuing to work with children; and that those who intend to do harm are prevented at every possible stage from entering the workforce.
- Staff and candidates understand their roles and responsibilities in respect of safeguarding and are provided with appropriate learning opportunities to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children.
- There is an open and transparent culture which enables staff and candidates to raise concerns around children, those that work with children, and processes within Tidal Supply Ltd.
- It is as simple as possible for an individual to report concerns about harm or risk and clear procedures are implemented where safeguarding and child protection issues arise. Where concerns are reported Tidal Supply Ltd will ensure that individuals are supported.

- Tidal Supply Ltd has robust policies and procedures in place, which are reviewed and updated at least every 12 months.
- Tidal Supply Ltd stays up to date with developments on safeguarding best practice, reporting and auditing safeguarding activities annually and addressing any areas for improvement.
- Tidal Supply Ltd will report any concerns regarding any individual, or any potential safeguarding situation that it becomes aware of as soon as practicable to the appropriate authority and will co-operate in any ongoing investigations or assessments.
- Tidal Supply Ltd will work in partnership with other services (including local authority children's social care) to ensure that those who are identified as being at risk of abuse are protected.
- Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored.

### 3.Relevant Legislation and Guidance

The principal legislation and guidance governing this policy is:

- Keeping Learners Safe 2022
- The Social Services and Well-being (Wales) Act 2014: Working Together to Safeguard People
- The Children Act 1989
- The Education Act 2002
- The Well-being of Future Generations (Wales) Act 2015
- Working Together to Safeguard children
- Safeguarding children in education: handling allegations of abuse against teachers and other staff
- Welsh Government's Procedures for Whistleblowing in Schools and Model Policy
- All Wales Child Protection Procedures (2008)
- The Children Act 2021 (Department for Education)
- The Children Act 2004
- Guidance for Safer Working Practice for Adults Who Work with Children and Young People (2019)
- Information Sharing: Guidance for practitioners and managers. HM Government (2018)
- Rehabilitation of Offenders Act 1974
- Disqualification under the Childcare Act 2006 (2015)
- Counter Terrorism and Security Act 2015 (including the 'Prevent Duty')
- The Prevent Duty, Departmental, Advice for Schools and Child Care Providers (2015)
- Modern Slavery Act 2015
- Human Rights Act 1998
- Local Safeguarding Partners/Arrangements

This policy should be read in conjunction with our other relevant safeguarding policies, such as:

- Health and Safety Policy
- Allegations Policy
- Complaints Policy
- Code of Conduct
- Safer Recruitment
- Information Sharing Policy

#### **4.The role of the Designated Safeguarding Person (DSP)**

The role of the DSP includes:

- Receiving and responding appropriately to all reports of safeguarding concerns, issues or abuse which are raised by staff members, partner agencies or candidates.
- Referring any safeguarding concerns where necessary to the Local Authority and managing immediate actions required to ensure the individual at risk is safe from abuse.
- Recognising and identifying the signs of abuse, neglect and other types of harm, irrespective of whether it is online or offline, and know when it is appropriate to make a report to the local authority.
- Being supported with the emotional impact of their role and provide an opportunity for reflection on their practice. This could be done on an individual or group basis but the DSP should be provided with an opportunity for individual support where necessary.
- Providing advice and support to other staff, record-keeping, working with family members or carers, making referrals to children's services and attending statutory meetings, as well as liaising with the SCB and working with other agencies as necessary.
- Keeping senior management apprised of any safeguarding incidents and their outcome.
- Considering how safeguarding more widely can be addressed and ensure preventative measures are adopted in the education setting. This part of the role will include building relationships with other agencies, as well as ensuring staff and learners are informed about risks and how to access support.
- Policy development (or overseeing this, including ensuring that all policies are updated as and when needed, but in any event on an annual basis.
- Liaising with Designated Safeguarding Leads/Officers in partner organisations.
- Ensuring that all relevant staff and candidates have received safeguarding training appropriate to their role and continue receiving training to enable the development of skills and good practice when working with children. The DSP must keep a record of all staff training, including the dates, details of the provider and a record of staff attendance.

- Reporting concerns to the Disclosure and Barring Service (DBS), this may be where a staff member or candidate has been dismissed or left, where serious concerns have been raised about their conduct or behaviour, and the company believes they pose a risk to children. The DSO will complete the necessary referral documents to the DBS and liaise with them thereafter if they have any further questions regarding the staff member or candidate.
- The DSP should ensure that everyone working in the education setting is aware of the Wales Safeguarding Procedures and knows how to access a copy of the procedures.

## 5. Definitions

According to the Education Act 2002 and Section 3 of the Social Services and Well-being (Wales) Act 2014 a '**child**' is anyone who has not yet reached their 18<sup>th</sup> birthday.

In this policy, the terms 'child' and 'young person', or 'children' and 'young people', are used interchangeably to refer to any individual under the age of 18.

Abuse and neglect are forms of maltreatment. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm.

The Children Act 1989 defines '**harm**' as "ill-treatment or the impairment of health or development". 'Development' means physical, intellectual, emotional, social or behavioural development; 'health' means physical or mental health; and 'ill-treatment' includes sexual abuse and forms of ill-treatment which are not physical. As a result of the Adoption and Children Act 2002, the definition of harm also includes "impairment suffered by hearing or seeing the ill-treatment of another"

Abuse may be perpetrated by an individual from the child's school, community, family, those in a position of trust or another child.

All staff 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, sexual violence, sexual harassment, up-skirting, sexting (also known as youth produced sexual imagery); and initiation/hazing type violence and rituals.

Child abuse can be one of four different categories as set out in All Wales Child Protection Procedures (2008)

**Physical Abuse:** Physical abuse is a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

**Emotional Abuse:** The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

**Sexual Abuse:** 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 (e.g. 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 (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

**Neglect:** Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- 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 caregivers); 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 detailed guidance on the signs which may indicate abuse and neglect see [All Wales Child Protection Procedures \(2008\)](#).

## 6. Recruitment and Selection Process

Tidal Supply Ltd is also committed to protecting children through a careful recruitment and selection process (Safer Recruitment), a Whistleblowing Policy and guidance on appropriate behaviour (Code of Conduct). These policies should be read alongside this policy.

Tidal Supply Ltd's rigorous procedures, following ASPCo's Compliance+ process ensures that any candidate found to have a history of unacceptable conduct or practice, will not be placed.

## 7. Responding to Safeguarding Concerns

**All staff** have a responsibility to protect children. This includes:

- Observing Tidal Supply Ltd policies and processes including any Code of Conduct
- Reporting any concerns arising from meeting candidates or carrying out pre-placement checks to the DSP without delay and making a clear written record of all relevant information to be passed to the DSP
- Reporting any concerns arising from organisation visits/placements to the Designated Safeguarding Lead/Officer at the relevant organisation and confirming that this has been done to Tidal Supply Ltd DSP

- Taking action, such as following the process detailed in the Whistleblowing Policy where there are concerns about practice.
- Working with local authorities, the police, health services and other services to promote the well-being of children and protect them from harm.

**All candidates** working through Tidal Supply Ltd are expected to keep children safe by:

- Following the Tidal Supply Ltd policies including the Code of Conduct.
- Making the Designated Safeguarding Lead/Officer at the placement aware of any concerns regarding any children or any adults caring for or working with those children.
- Seeking advice and support from Tidal Supply Ltd's DSP when they have reason to believe that their concerns have not been responded to appropriately or they have concerns about practice in the placement.

### **8. Dealing with allegations of abuse made against candidates**

All candidates placed on assignment are responsible for supporting safe behaviour and have responsibility to follow the guidance laid out in this policy and related policies, such as the Code of Conduct.

In accordance with Working Together (2004) and Keeping Learners Safe (2019), where an organisation has received an allegation that a volunteer, supply staff or member of staff who works with children has:

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

A referral should be sent to the LADO within one working day, giving as much detail as possible.

### **9. Duty to make a referral to the DBS**

Where there is evidence that anyone has harmed, or poses a risk of harm, to a child, there is a legal duty on Tidal Supply Ltd to report that person to the Disclosure and Barring Service using their guidance available [here](#). The DBS has statutory authority to bar a person from working in regulated activity with children in the UK.

A referral to the DBS will also be made if the person resigns prior to an investigation being carried out or reaching its conclusion. If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance.

The Tidal Supply Ltd will not make any compromise/settlement agreement in the case of a person deemed unsuitable to work with children. Any such agreement which contained a condition of not referring the case to the DBS would constitute a criminal offence.

Anyone who is concerned about a child's welfare or who believes that a child may be at risk of abuse should pass any information to the DBS or other appropriate authority as soon as possible and no longer than 24 hours after the initial concern.



## **10. Whistle Blowing**

Candidates may find it difficult to raise concerns about colleagues, managers, people in placement or concerning how safeguarding concerns are responded to within a setting. Tidal Supply Ltd has a specific Whistleblowing Policy which encourages candidates to raise concerns and also provides details of outside organisations that candidates can approach for support and advice. Tidal Supply Ltd aims to have an open and honest culture where safeguarding is responded to effectively, and both staff and candidates feel safe, supported and able to voice any concerns that they have in the knowledge that they will be responded to.

## **11. Summary**

Tidal Supply Ltd will make clients and candidates aware of the Safeguarding Policy through the following means: Tidal Supply website, Candidate starter pack, School booking confirmation.

All staff, temporary workers, candidates and contractors must be aware that they have a professional duty to share information with other recruitment firms in order to safeguard children. The public interest in safeguarding children may override confidentiality interests. However, information will be shared on a need to know basis only, as judged by Tidal Supply Ltd.