| Safeguarding Policy | Policy Ref SMBP006 |
|---|---|

| 1. | **Purpose** |
|---|---|
| | This policy sets out the framework through which the College will carry out its responsibilities for safeguarding students. |
| **2.** | **Scope** |
| | The Policy applies to all governors, staff, agency workers, contractors, visitors and volunteers working in the college and off-site related college activities. |
| **3.** | **Policy Statement** |
| | The College has a legal duty to ensure that it functions with a view to safeguarding and promoting the welfare of children, young people and vulnerable adults receiving education and training at the College as outlined in Keeping Children Safe in Education. |
| **4.** | **Responsibilities** |
| | As defined in section 7 of the policy. |
| **5.** | **Equality and Diversity Impact Measure** |
| | The College has considered the Equality and Diversity implications in relation to the rules and policies set out in this document. It does not consider them to unduly impact upon any protected group. / Appropriate measures have been taken so as not to unduly impact on any protected group. |
| **6.** | **Environmental Impact Assessment** |
| | The College has considered environmental implications in relation to the rules and policies set out in this document and there is no environmental impact. |
| **7.** | **Data Protection Impact** |
| | The impact of this policy on an individual's data has been considered and necessary actions implemented |
| **8.** | **Associated Policies, Processes, Procedures or Guidance** |
| | The following are policies, processes, procedure or guidance which should be referred to alongside this policy: Student Behaviour Policy and Code of conduct, Staff Behaviour Policy and Code of conduct, Staff Recruitment and Selection Policy, Online Safety Policy, ICT Acceptable Use Policy, Data Protection Policy, Missing Student Policy, Looked after Children Policy, Fitness to Study Policy, Student Health and Wellbeing Policy, Mental Health Policy, Substance Misuse Policy, Student Bullying & Harassment Policy. Whistleblowing Policy. Prevent Strategy. Single Equality Scheme |

Person Responsible for Policy: Head of Student Services and Welfare

Date Policy Written: September 2021

Date Approved by SMT:

Date Approved by Governors:

Date for review:

| Version | Date | Status & changes | Author |
|---|---|---|---|

**INNOVATIVE     ETHICAL     EXCELLENT     SUSTAINABLE**

**SAFEGUARDING POLICY          SEPTEMBER 2021**

**CONTENTS**

**APPENDICES**

**INNOVATIVE          ETHICAL          EXCELLENT          SUSTAINABLE**

## 1       PURPOSE

This policy sets out the framework through which the College will carry out its responsibilities for safeguarding its students.  The policy is compliant with Government statutory guidance: 'Keeping Children Safe in Education' (September 2021) and Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children (July 2018).

The policy should be read in conjunction with other College policies directly linked to safeguarding. These are listed in Section 18.

## 2       INTRODUCTION

The College has a statutory and moral duty to safeguard and promote the welfare of young people and vulnerable adults receiving education and training at the College.

The College is committed to providing a safe environment for young people and vulnerable adults to learn in and to take appropriate action to support students who are suffering, or likely to suffer harm, abuse or neglect, inside or outside the College. It expects all staff, volunteers, students and partners to honour this commitment.

## 3       SCOPE OF THE POLICY

Safeguarding means protecting young people and vulnerable adults from abuse and neglect, promoting their health and development, ensuring their safety and optimising their life chances.

For the purposes of this policy, safeguarding involves:

- Protecting students from maltreatment.
- Preventing impairment of the mental and physical health or development of students.
- Ensuring students live in circumstances consistent with safe and effective care.
- Taking action to ensure best outcomes for students.

The policy applies to:

- Young people under the age of 18 and to vulnerable adults (over 18), who may be at risk because of a mental, physical or learning disability or illness, who may be unable take care of themselves, or protect themselves against harm or exploitation.
- All College staff, contracted staff, volunteers, governors, College partners and visitors.
- College activities taking place on campus or in other designated areas, including work experience and other off-site activity organised by the College**.**

## 4       POLICY AIMS

In exercising its safeguarding duty, the College will, through this policy, seek to:

- Raise awareness of the nature and importance of safeguarding and College arrangements for safeguarding of young people and vulnerable adults.
- Provide a safe environment for young people and vulnerable adults to learn in.
- Ensure the safe recruitment of staff, volunteers and students.

- Identify and support young people and vulnerable adults who are suffering, or likely to suffer, significant harm.
- Take appropriate action to ensure that such young people and vulnerable adults remain safe, at College or elsewhere.
- Develop effective relationships with external partners to support the safeguarding of students.

## 5       POLICY PRINCIPLES

The College policy is based on five main principles:

- <u>Prevention</u> - ensuring a safe learning environment by, for example, robust staff recruitment policies, support for student health and wellbeing, zero tolerance of bullying, harassment and discrimination and a culture that promotes security and confidence.
- <u>Protection</u> – identifying and taking appropriate action to deal with students who are suffering, or likely to suffer, significant harm or abuse.
- <u>Support </u>– providing support and guidance to students who may have been subject to abuse or neglect.
- <u>Partnership</u> - working with external partners and local communities in preventing, detecting and reporting harm and abuse.
- <u>Equality</u> – ensuring all students have equal rights to protection regardless of age, sex, ability, culture, ethnicity, language, religion or belief, sexual orientation, gender identity and socio-economic status.

## 6       ABUSE, SIGNS OF ABUSE AND STUDENTS AT RISK

Abuse is a form of maltreatment of another person. Somebody may abuse a person by inflicting harm or by failing to act to prevent harm. A person 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.

Four general types of abuse may be identified:

- <u>Physical abuse</u>: a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a person. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a young person.
- <u>Emotional abuse</u>: the persistent emotional maltreatment of a person such as to cause severe and adverse effects on a person's emotional development. It may involve conveying to a person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve serious bullying (including cyber-bullying) or the exploitation or corruption of another person.
- <u>Sexual abuse</u>: involves forcing or enticing another person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the person is aware of what is happening. The activities may involve physical contact or non-contact activities, such as encouraging another person to behave in sexually inappropriate ways, or grooming someone in preparation for abuse.
- <u>Neglect</u> involves the persistent failure to meet a person's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect

may involve a parent failing to: provide adequate food, clothing, shelter or care; it may also include neglect of, or unresponsiveness to a young person's basic emotional needs.

There are other more specific forms of abuse which staff should be aware in identifying persons who may be in need of help or protection. These are listed in **APPENDIX 1**.
Sources of information, advice and support in dealing with dealing with different types of abuse and neglect are given in Keeping Children Safe in Education (Page 142)

Staff should be aware of possible signs of abuse in students. Some of these are common to all types of abuse; some are related to a particular type of abuse (as above). A listing of both common and abuse-specific signs of abuse is given in **APPENDIX 2.**

Staff should be aware that abuse and neglect often involve multiple issues that cannot be covered by one definition or label. Safeguarding incidents are also often associated with factors outside the College. Staff should consider the context within which such incidents occur. Known as "contextual safeguarding", this means that in addressing safeguarding concerns, staff should consider whether wider environmental factors are present in a person's life that are a threat to their safety and/or welfare.

Whilst all students must be protected, the College recognises that some groups are more vulnerable to the risk of harm. **APPENDIX 3** identifies certain groups that are particularly venerable to abuse and describes how the College will seek to protect and support these students.


## 7       SAFEGUARDING RESPONSIBILITIES

**Designated Safeguarding Staff and Governor**

For the management of safeguarding, the College will appoint a Designated Safeguarding Lead, a Deputy Designated Safeguarding Lead and other Designated Safeguarding Officers.

The designated director for Human Resources will be responsible for safeguarding procedures with respect to staff recruitment and training and safeguarding allegations against staff.

The Governing Body will nominate a Safeguarding Governor to lead on oversight of safeguarding work within the College.

The responsibilities of these post-holders are listed in **APPENDIX 4.**

The designated safeguarding lead and deputy will work closely with local safeguarding partners (local authorities, chief officers of police, and clinical commissioning groups) as part of Multi Agency Safeguarding Arrangements as set out in statutory guidance **- Working Together to Safeguard Children (June 2018).**  The NPCC guidance - When to call the Police - will be used in liaising with the police.

**College staff**

All College staff have a responsibility to provide a safe environment in which students can learn and be aware of College systems that support safeguarding including:

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- The College safeguarding, student behaviour and staff behaviour policies.
- The role and identity of the designated safeguarding staff.
- Recognition of signs of abuse and neglect, and how to act on a disclosure.
- The safeguarding response to students who go missing from education.
- The early help process and their role in it.
- Making referrals to designated safeguarding staff and social care agencies.

Part One of Keeping Children Safe in Education (September 2021) will also be circulated to all staff.

The College has established a Safeguarding Group to review and develop safeguarding policy and practice

## 8 SAFE RECRUITMENT

As part of its commitment to safeguard students, the College will adopt robust recruitment procedures that deter and prevent people who are unsuitable to work with students from applying for or securing employment, or providing services at the College.
For this purpose, the College will ensure that appropriate safeguarding checks are carried out before persons are appointed to staffing positions consistent with guidance set out in Part 3 of 'Keeping Children Safe in Education' (September 2021). These safeguarding checks are set out in **APPENDIX 5.**

## 9 SAFEGUARDING AWARENESS

### Designated safeguarding staff

Designated safeguarding staff will undergo training to provide them with the knowledge and skills required to carry out the role. They will also undertake Prevent awareness training. This training will be updated at least every two years.
In addition to formal training set out above, designated staff will regularly refresh their knowledge and skills to allow them to understand and keep up with any developments relevant to their role.

### Governors
Governors will be given the opportunity for structured discussions on safeguarding matters, on a regular basis, with refresher training at least every 3 years.

### College Staff

All staff will be made aware of the College arrangements that support safeguarding, including online safety, at induction. They will also be given latest information on College policies for safeguarding, student behaviour, staff behaviour Policy, the roles and identities of Designated Safeguarding Staff and Part One of Keeping Children Safe in Education.

All staff will also receive regular safeguarding updates via newsletters, e-bulletins and staff meetings), to provide them with relevant skills and knowledge to safeguard students effectively. Safeguarding information will be regularly updated on the Staff Intranet

As a result of these briefings, all staff should be aware of:

INNOVATIVE         ETHICAL         EXCELLENT         SUSTAINABLE

- What to do if a student tells them he/she is being abused, exploited or neglected.
- How to manage confidentiality in dealing with such disclosures.
- How to reassure the alleged victim in terms of how their concerns will be addressed and their safety protected.
- The local authority early help system and how to use it.
- The process for referring students to social care services for statutory assessments.

## Students / Parent and Carers

Students will be taught about safeguarding, including online safety, through tutorials, as part of broad and balanced curriculum. This will include tutorials and campaigns on matters such online safety, relationships and sex education, respect for others, substance abuse and health and wellbeing.  Whilst appropriate filters and monitoring systems will be put in place for online learning, care will be taken to avoid "over blocking" which could lead to unreasonable restrictions on what students can taught about safeguarding.

Parents/carers of students under eighteen will be made aware of College safeguarding arrangements and responsibilities through information published on the College website.

## 10      STAFF RELATIONSHIPS WITH STUDENTS

College staff are in a unique position of trust, care, responsibility, authority and influence with students. As part of their safeguarding responsibilities, staff must ensure that they do not abuse their positions or put themselves in a position where allegations of abuse of trust could be made, whether justified or unfounded.

To protect themselves against such allegations, staff must establish personal and professional boundaries with students at all times. Boundary setting does not mean that relationships with students should be cold and detached. Staff can and should offer warm and supportive professional relationships with students and their families, without placing themselves at risk.

**APPENDIX 6** of this document sets out some of the key areas of boundary setting that staff should be aware of in establishing professional relationships with students and their families. **APPENDIX 7** provides guidance on the use of reasonable force where this is necessary to restrain students.

## 11      ONLINE SAFETY

The College recognises that technology often provides the platform for facilitating harm, including sexual predation and radicalisation. It will therefore take steps to protect and educate the whole college community in their use of technology and establish mechanisms to identify and intervene in any incidents of online abuse. The College will be mindful of **four 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;

- Conduct: personal online behaviour that increases the likelihood of, or causes, harm; for example making, sending and receiving explicit images, or online bullying.
- Commerce - risks such as online gambling, inappropriate advertising, phishing and or financial scams.

In view of the growing importance of this subject, the College has developed a separate policy setting out College arrangements for ensuring online safety and dealing with online abuse.

The College has linked ICT policies and procedures that cover what is and is not permissible in the use of College IT equipment by students and staff. It also has filtering systems to prevent individuals from accessing inappropriate websites and monitoring systems to ensure compliance. Many students will have unlimited and unrestricted access to the Internet via mobile technology and measures will be taken to ensure this properly managed on College premises.

## 12     ON AND OFF-SITE SECURITY

Campus security

The College will take all possible steps to ensure campus security. ID Cards are issued to all students, staff and visitors for access to College premises. An appropriate member of staff will accompany all visitors and volunteers. A new visitor management system has been acquired by the College to further strengthen safeguarding provision. Access arrangements have worked satisfactorily though there are limits to which the College can restrict access on public paths through Brooksby Campus.

The College has policies for the management of events on College premises, including venue hire and the booking of external speakers, to mitigate the risk of such events being misused to promote terrorism or extremism. Written assurance is sought from the users of college premises that they have appropriate policies with respect to safeguarding.

Safeguarding outside College premises

Appropriate arrangements will be put in place to safeguard students who take part in, or are affected by activities outside College premises, including work experience activities and educational visits. Risk assessments and health and safety checks will be carried out on all premises used by the College, including those used as part of work placements. Students under the age of 18 will only take part in off-site activities with the consent of their parent/guardian/carer. There will be normally be more than one member of staff available on all visits to ensure appropriate student supervision.

## 13     MANAGING ALLEGATIONS OF ABUSE AGAINST STUDENTS

The College has comprehensive procedures for managing allegations of abuse against students, which are described in **APPENDIX 8.**

In summary:

- Where any member of staff, student or governor has a concern about a student or receives an allegation of abuse they must act on this immediately. If an incident has occurred outside of the College, it should still be dealt with.

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- When speaking to an alleged victim of abuse the guidelines give in Appendix 8 should be followed. All disclosures should be viewed as confidential except where information needs to be shared for safeguarding purposes (see Section 16).
- The member of staff should make a written record of the allegation or suspicion of abuse and forward this immediately to a member of designated safeguarding team.
- The College has acquired MyConcern software for the recording, management and reporting of safeguarding concerns.
- In assessing the risk to the young person and vulnerable adult, the appropriate designated safeguarding person (normally one of the Designated Safeguarding Leads) will either deal with the matter internally, seek an early help assessment with other agencies or refer the concern to local statutory services (where a person is suffering or likely to suffer harm).
- If a student is considered to be in immediate danger or at risk of harm, a referral should be made to the local social care service, immediately and the designated safeguarding leads informed. Where a crime has taken place, the police must be contacted immediately and a member the College Management Team informed.

## 14      PEER ON PEER ABUSE

Safeguarding concerns often focus on adult-child relationships rather than issues between young people. However, severe harm may be caused to young people and vulnerable adults by the abusive and bullying behaviour of their peers.

Peer on peer abuse is most likely to include bullying (including cyber-bullying), gender-based violence, sexual violence/harassment, sexting and initiation/hazing types of violence and rituals. The damage inflicted by bullying is often underestimated and can cause considerable distress.  In extreme cases it can cause significant harm, including self-harm.

In recognition of these concerns the College has developed a policy on dealing with peer on peer abuse, a copy of which is included as **APPENDIX 9.**

The College has also produced a more specific policy on dealing with sexual violence or harassment between students, which is included as **APPENDIX 10.**

## 15      MANAGING ALLEGATIONS OF ABUSE AGAINST STAFF

Given the frequency of contact between staff and students, there may be rare occasions where, for a variety of reasons, a student makes an allegation of abuse against a member of staff.

Since the facts of the allegation may or may not be true it is vital that the College has effective and efficient arrangements for investigating and acting on these allegations in a balance way. Whilst the welfare of the students will always be of paramount concern the College   recognises that allegations of abuse against a member of staff can irreparably damage an individual's reputation, confidence and career.

Revised College arrangements for dealing with allegation of abuse against staff

are set out in **APPENDIX 11.** These arrangements draw on new guidance in Keeping Children Safe in Education requiring colleges to distinguish between behaviour that meets a perceived 'harms' threshold and behaviour judged as 'low level' concerns'.

This document should be read in conjunction with the College Staff Behaviour Policy, which defines the various stages that the College will go through in investigating and making decisions on allegation of abuse against staff.

These College procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers. The word "staff" is used for ease of description.

## 16     INFORMATION SHARING, CONFIDENTIALITY AND RECORD KEEPING

The College recognises the importance of effective arrangements for sharing information where there are safeguarding concerns. Decisions about how much information to share, with whom and when, can have a profound impact on individuals lives.

Information sharing has been identified as a key factor identified in serious case reviews (SCRs), where poor information sharing has resulted in missed opportunities to take action that keeps children and young people safe. Early information sharing is therefore vital for the effective identification, assessment, and support for students with a safeguarding risk.

The College recognises the importance of effective record keeping in sharing information and taking action on safeguarding concerns. It also understands complexities of maintaining the confidentiality of information I dealing with safeguarding concerns and the need work within the terms of Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR).

The College has developed a separate policy paper on information sharing, confidentiality and record keeping which is presented as APPENDIX 12.

## 17     MONITORING AND REVIEW OF THE POLICY

The College will review its policies and procedures to ensure that they comply with the relevant legislation and government guidance. For this purpose, the College will measure staff and student confidence in college safeguarding arrangements, including the confidence of those reporting safeguarding concerns, or being subject to safeguarding enquiries. Guidance on how staff and volunteers may raise concerns about poor or unsafe safeguarding practice is available in the College Whistleblowing Policy.

Reports on safeguarding activity will be reported to the Governing Body twice yearly. The Safeguarding Policy will be reviewed at least annually, to remedy any deficiencies with regard to College safeguarding arrangements.

## 18     RELATED POLICIES

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The policy statement presented in this document should be read in conjunction with other policies related to safeguarding. These include:

- Student Behaviour Policy and Code of conduct
- Staff Behaviour Policy and Code of conduct
- Staff Recruitment and Selection Policy
- Online Safety Policy
- ICT Acceptable Use Policy
- Data Protection Policy
- Missing Student Policy
- Looked after Children Policy
- Fitness to Study Policy
- Student Health and Wellbeing Policy
- Mental Health Policy
- Substance Misuse Policy
- Student Bullying & Harassment Policy
- Whistleblowing Policy
- Prevent Strategy
- Single Equality Scheme

**APPENDICES**

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**Bullying including cyber-bullying**

This involves 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 or the internet),

Bullying is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, or because a young person is adopted or has caring responsibilities. It might be motivated by actual differences between young people, or perceived differences.

**Discriminatory Abuse**

This includes racist, homophobic, transphobic and sexist abuse or harassment, abuse or harassment based on disability, faith abuse or other forms of harassment.

**Domestic Violence and Abuse**

This involves 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.  There is an increased risk of violence in families where there is drug/alcohol abuse among parents. It can include situations where parent or person in loco parentis fabricate an Illness in a young person.

**Sexual violence and harassment**

Sexual violence includes rape, assault by penetration and sexual assault (sexual touching) all involving a lack of consent on the part the recipient of the sexual act. It is a criminal offence. Sexual harassment means 'unwanted conduct of a sexual nature' that is likely to intimidate or degrade a person. It includes sexting (sending sexually explicit text or images) and unwanted sexual remarks or behaviour.  Sexual violence and sexual harassment exist on a continuum and may overlap. Some groups are potentially more at risk including girls, young persons with SEND and LGBT persons.

**Child Sexual Exploitation (CSE)**

This occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child 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 sexual abuse may involve physical contact, either by penetrative or non-penetrative acts or involve non- contact activities, such as grooming or encouraging children to behave in sexually inappropriate ways.  The victim may have been sexually exploited even if the sexual activity appears consensual (e.g. believing they are in a genuine romantic relationship

**Child criminal exploitation (CCE)**

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator

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and/or (c) through violence or the threat of violence. CCE can include children being forced or manipulated into transporting drugs or money (see 'county lines' below), shoplifting vehicle crime or threatening others. Victims become entrapped through threats and coercion and often commit crimes themselves. Those being criminally exploited may be at higher risk of sexual exploitation.

## County Lines

County Lines 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, market and seaside towns. The 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.

## Trafficking

This involves the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force, or other forms of coercion, for the purpose of exploitation. This can involve abduction, fraud, deception, sexual exploitation, forced labour/services, slavery and servitude or of the giving/receiving of payments of benefits to achieve the consent of a person having control over another person.

## Honour-based abuse (HBA)

Previously termed Honour-Based Violence, Honour-Based Abuse (HBA) encompasses crimes, which have been committed to protect or defend the honour of the family and/or community. Honour-Based Abuse includes Female Genital Mutilation (FGM), which is illegal in the UK and must be reported to the police. It also includes Forced Marriage which is a human rights abuse and falls within the CPS definition of domestic violence.

## Radicalisation

Radicalisation is a phased and complex process in which an individual or group is groomed to embrace a radical ideology or belief that accepts, uses or condones violence, including acts of terrorism, to reach a specific political or ideological purpose. Preventing radicalisation is addressed through the College's Prevent Strategy.

**APPENDIX 2**       **SIGNS OF ABUSE AND NEGLECT**

<u>**GENERAL SIGNS**</u>

**Poor personal hygiene or appearance**

Evidence of poor personal hygiene or scruffy/unsuitable clothing might indicate that basic needs are being neglected, as signs of neglect.

**Anxiety or extreme shyness**

Attention should be paid to any uncharacteristic displays of anxiety or shyness, such choosing not to speak, acting restless, , or showing apprehension towards others.

**Aggression**

Unexplainable or unnecessary outbursts of aggression, whether this involves shouting and screaming or violence and rage, should be a cause for concern.

**Sudden changes in attitude or behaviour**

Sudden changes in a person's behaviour without an adequate reason or acknowledgement could be a cause for concern.

**Knowledge of inappropriate topics**

A person displaying an in-depth knowledge in support of extremist views and beliefs, could also be a sign of a safeguarding concern.

**Overtly sexual behaviour**

A person displaying overtly sexual behaviour could be assign of abuse, particularly when encouraging others to join in or refusing to stop.

**Physical insecurities**

Insecurities about parts of the body might be due to low self-esteem from emotional abuse, or an attempt to conceal any non-accidental physical injuries.

**Poor relationship with family members**

Close attention should be paid to those who have consistently poor family relationships particularly where issues run deeper than a single bad argument

**Depression and withdrawal**

If an individual seems consistently depressed and withdrawn, or if they stop enjoying activities they used to, this could indicate a number of different problems including the possibility of abusive relationships.

**Missing from education**

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Persons going missing from education, particularly repeatedly, is a warning sign of a range of safeguarding possibilities, including abuse, exploitation, mental health problems. Early intervention is necessary to identify underlying safeguarding risks.

## SIGNS OF SPECIFIC FORMS OF ABUSE

**Physical abuse**

- Any injury with no valid explanation
- Serious injuries that haven't been seen by a GP or hospital
- Injuries on parts of the body not normally at risk in general games and play
- Jumpiness, edginess, or being generally fearful
- Very afraid of getting into trouble
- Overly eager to please

**Emotional abuse**

- Severe speech disorders such as stuttering or delays
- Slow emotional, mental or physical development
- Aggressive or very anti-social behaviour
- Violent writing or drawing
- Low self-esteem
- Very passive behaviour
- Fear of teachers ringing home

**Sexual abuse**

- The child is aware of age-inappropriate sexual activities or behaviour
- Sexual activities manifest in words, play, or drawings
- Repeated urine infections or stomach problems
- Disturbed sleeping patterns from nightmares and fears with sexual connotations
- Eating disorders such as anorexia and bulimia
- Depression and self-harm

Signs of sexual (and criminal) exploitation may become evident where a person appears with unexplained gifts, money or new possessions; associates with others involved in exploitation; suffers changes in emotional well-being; misuses drugs and alcohol and goes missing form home or education

**Neglect**

- Untreated medical conditions such as coughs or skin infections
- Poor hygiene such as body odour or a dishevelled appearance
- Inappropriate clothing, such as having no winter coat when it's cold
- Hunger in school, even begging or stealing food
- Fatigue, falling asleep in classes
- Clinginess and attention-seeking
- Arriving early to school and leaving late

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**APPENDIX 3**                **STUDENTS AT INCREASED RISK OF ABUSE**

Any student may be at risk of abuse or neglect but staff should be particularly alert to the risks to students who fall in one or more of the following categories.

**Looked After Children**

Abuse and/or neglect are he most common reasons someone becoming a 'looked after child' (defined as a child who is looked after by a local authority who is subject to a care order or who is voluntarily accommodated by the local authority). The College's approach to dealing with students is set out in the College 'Looked after Children Policy.

**Care leavers**

Local authorities have on-going responsibilities to the children who cease to be looked after and become care leavers, including keeping in touch with them, preparing an assessment of their needs and appointing a personal adviser who develops a pathway plan with the young person. Designated safeguarding leads will liaise with the local authority Personal Advisor regarding any issues of concern affecting the care leaver appointed to guide and support the care leaver.

**Special educational needs and disabilities**

Young persons with special educational needs and disabilities can face additional safeguarding challenges. They are more prone to peer group isolation than other persons, more likely to be disproportionally impacted by bullying and more likely to face communication barriers. The College will provide support to address these barriers, in order to minimise the safeguarding risks faced by these students.

**Young persons with a Social Worker**

Young persons may need a social worker due to abuse, neglect and complex family circumstances. Experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour and mental health. The College will work closely with local authorities, schools and colleges to share information about these persons (such as warning signs and support requirements) so that decisions can be made in the best interests of the person's safety, welfare, and educational outcomes.

**Young persons missing from education**
Persons going missing from education, particularly repeatedly, can act as a vital warning sign of a range of safeguarding risks, including sexual abuse and child criminal exploitation. 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 be aware of College arrangements for dealing with unauthorised absence and arrangements set out in the College 'Missing Students Policy'.

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## Mental health Problems

Mental health problems can, in some cases, be an indicator that a young person has suffered or is at risk of suffering abuse, neglect or exploitation. The College will support the mental health and wellbeing of students as part of its safeguarding arrangements.
The College has developed has a Student Mental Health Policy for promoting the mental health of students, raising awareness of mental health issues and responding to the needs of students with mental health difficulties. The College is also to appoint a Senior Mental Health Lead to develop and manage college mental health provision.

## Family circumstances

Family circumstance may present challenges for a young person, such as experiencing drug and alcohol misuse, adult mental health issues and domestic abuse in the home. Approximately 200,000 children have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. The National Information Centre on Children of Offenders (NICCO) provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

## Anti-social or criminal behaviour

Involvement in anti-social or criminal behaviour, such as drug and alcohol misuse, gang involvement, association with organised crime groups and political extremism are indicators of increased safeguarding risk. Young persons are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. Making arrangements for young people via the family courts following separation can be stressful for these people and entrench conflict in families.

## Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a young person's welfare. In most cases college staff will be considering homelessness in the context of young persons who live with their families, and intervention will be on that basis. However, in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support.

INNOVATIVE        ETHICAL        EXCELLENT        SUSTAINABLE

**APPENDIX 4**     **SAFEGUARDING RESPONSIBILITES**

Responsibilities for the oversight of safeguarding matters at the College are established at four levels:

**1     Designated Safeguarding Lead**

The Designated Safeguarding Lead has the lead responsibility for safeguarding within the College and will be a member the College Executive Team. The Designated Safeguarding Lead will:

- Take lead responsibility for raising awareness of safeguarding within the College and for promoting a safe learning environment.
- Ensure that all staff, students and parents/carers of students are aware of the College Safeguarding Policy.
- Ensure that staff receive appropriate training in safeguarding matters.
- Ensure that students are taught about safeguarding, including online safety, as part of broad and balanced curriculum.
- Keep up to date with national and local developments in safeguarding students.
- Oversee and where necessary deal with, allegations of abuse against students.
- Refer safeguarding incidents to relevant investigating agencies as appropriate.
- Liaise with the Local Authority and Leicestershire Safeguarding Children Partnership.
- Undertake training in safeguarding issues and interagency working, receiving refresher training at least every two years.
- Provide an annual report to the Governing Body of the College setting out how the College has discharged its duties, reporting deficiencies in procedure or policy to the governing body at the earliest opportunity.

**2     Deputy Designated Safeguarding**

Activities relating to the role of the Designated Safeguarding Lead may be delegated to a Deputy Safeguarding Lead, though the former will retain ultimate responsibility for all safeguarding matters.

The Deputy Designated Safeguarding Lead will:

- Report to and Deputise for the Designated Safeguarding Lead.
- Keep up to date with national and local developments in safeguarding students.
- Develop arrangements for promoting safeguarding awareness within the College.
- Provide advice and support to staff and students on safeguarding matters.
- Provide training to staff and where appropriate to students on safeguarding matters.
- Deal with allegations of abuse against students, referring to relevant external agencies and review bodies as appropriate.
- Ensure proper records of safeguarding referrals, complaints or concerns are maintained.
- Attend case conferences and review meetings for individual safeguarding cases.
- Liaise with and attend meetings of external safeguarding agencies.
- Liaise with parents, schools and employers on safeguarding matters (ensuring that appropriate safeguarding arrangements are in place for student work placements).
- Receive training in safeguarding issues and inter-agency working, as required, receiving refresher training at least every 2 years.

**3     Designated Safeguarding Advisors**

**INNOVATIVE          ETHICAL          EXCELLENT          SUSTAINABLE**

**To ensure that there is sufficient support for safeguarding issues throughout the College, Designated Safeguarding Advisors will be appointed to support the Designated Safeguarding Leads**

The Designated Safeguarding Officers will:

- Report to the Designated Safeguarding Leads.
- Raise awareness of safeguarding matters within the College.
- Provide advice and support to staff and students on safeguarding matters.
- Deal with allegations of abuse against students, referring cases to the Designated Safeguarding Leads as appropriate.
- Ensure proper records of safeguarding referrals, complaints or concerns are maintained.
- Receive training in safeguarding issues and inter-agency working, as required, receiving refresher training at least every 2 years.

**4      Director of Human Resources**

The Director of Human Resources will be expected to:

- Carry out appropriate checks on applicants to the College, including CRB/DBS checks at the correct level.
- Ensure that all staff are trained to an acceptable standard, by establishing and maintaining a training plan/schedule and monitoring compliance with this.
- Ensure that safeguarding policies and practices are a core part of the staff induction.
- Develop, and oversee the procedures for dealing with allegations against staff with national and local guidance.

**5      Designated Safeguarding Governor**

- The Governing Body will nominate a Safeguarding Governor to lead on oversight of safeguarding work within the College. The Governing Body is responsible for:
- Ensuring the College has effective safeguarding policies and procedures in place that are in accordance with national and local guidance.
- Reviewing the implementation of the policy by receiving reports on safeguarding activity within the College each year.
- Reviewing the College's policy on Safeguarding each year.
- Oversee the process for handling any safeguarding allegations against the Chief Executive or the Designated Safeguarding Lead (See policy on allegations against staff).

The College will ensure that appropriate safeguarding checks are carried out before persons are appointed to staffing positions consistent with guidance set out in Part 3 of 'Keeping Children Safe in Education' (September 2021). These safeguarding checks are set out below.

## 1    Recruitment and selection process

The College will adopt robust recruitment procedures that deter and prevent people who are unsuitable to work with students from applying for, or securing, employment, or volunteering opportunities at the College. These are set out below.

- Staff will receive appropriate safer recruitment training, based on Part 3 of Keeping Children Safe in Education.
- Adverts will state the safeguarding responsibilities of staff.
- Application packs will specify the policy on employment of ex-offenders.
- Shortlisted candidates will be asked to declare any criminal records or information that would make them unsuitable to work with students.
- Applicants will be asked to sign to certify the accuracy of information provided.
- References will be obtained before interview.
- Interviews will explore the applicant's suitability to work with students.

## 2    Pre-appointment vetting checks

The College will carry out pre-appointment checks to identify persons who may be unsuitable to work with students, including those who are legally prohibited from doing so. All offers of appointment will be conditional until satisfactory completion of the following pre-employment checks:

- Verify that the candidate's identity is correct.
- Obtain, via the applicant, an enhanced DBS check, including children's barred list information, for those who will be engaging in 'regulated activity' with students.
- Verify the candidate's mental and physical fitness to carry out their work.
- Verify the person's right to work in the UK, including EU nationals.
- Make further checks If the person has lived or worked outside the UK.
- Verify professional qualifications, as appropriate.

## 3    DBS checks

All College staff will be engaging in 'regulated activity' with young people i.e. regularly caring for, training, supervising or being solely in charge of persons aged under 18. They will and therefore

**INNOVATIVE          ETHICAL          EXCELLENT          SUSTAINABLE**

require an enhanced DBS check which includes children's barred list information.

For other staff (e.g. contractors), who may have an opportunity for contact with students but are not engaging in regulated activity, an enhanced DBS certificate, without a barred list check, will be appropriate.

Where a DBS certificate is required, it must be obtained from the candidate before, or as soon as practicable after, the person's appointment. The College will compare any information disclosed on the certificate with any information shared by the applicant during the recruitment process.

The College will assess cases fairly, on an individual basis. A decision not to appoint somebody because of conviction(s) will be clearly documented, so if challenged the College can defend its decision, in line with its policy on recruitment of ex-offenders.

When assessing any disclosure information on a DBS certificate the Colleges will take into consideration:

- The seriousness o the offence and relevance to the post applied for.
- How long ago the offence occurred.
- Whether it was a one-off incident or a history of incidents.
- The circumstances around the incident.
- Whether individual has accepted responsibility for their actions.

The College will also consider the offence in the context of the Teachers' Standards and Teacher misconduct guidance, if the applicant is applying for a teaching post.

If the College allows an individual to start work in regulated activity before the DBS certificate is available, it will ensure that the individual is appropriately supervised and that other checks are carried out, including a separate children's barred list check.

## 4        Recording information

Single central record

The College will maintain a single central record of pre-appointment checks. This will indicate, as a statutory requirement, whether the following checks have been carried out (or certificates obtained), and the date on which each check was completed (or certificate obtained):

- An identity check.
- A barred list check.
- An enhanced DBS check requested/certificate provided.
- Further checks on people who have lived or worked outside the UK.
- A check of professional qualifications, where required.

INNOVATIVE          ETHICAL          EXCELLENT          SUSTAINABLE

- A check to establish the person's right to work in the United Kingdom.
- Whether the person's position involves 'relevant activity.

The College may record any other non-statutory information it deems relevant.

For agency and third party supply staff, the College will record that the employment business supplying the member of supply staff has carried out relevant checks and obtained the appropriate certificates, the date this confirmation was received and whether details of any enhanced DBS certificate have been provided in respect of the member of staff.

The details of an individual will be removed from the single central record once they no longer work at the College.

## 5       Retention of documents

The College is not required to keep copies of DBS certificates in order to fulfill the duty of maintaining the single central record. To comply with the requirements of the Data Protection Act 2018, when the College chooses to retain a copy, there will be a valid reason for doing so and it will not be kept for longer than six months. When the information is destroyed the College may keep a record of the fact that vetting was carried out, the result and the recruitment decision taken if deemed necessary. A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications will be kept on their personnel file.

## 6       Checks on other Persons engaged in College related activity

Volunteers

The College will obtain an enhanced DBS check, to include children's barred list information, for all volunteers who are new to working in regulated activity with students. For experienced volunteers the Colleges will undertake a written risk assessment when deciding what checks are required. Under no circumstances will a volunteer on whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

Adults who supervise students on work experience

When organising work experience placements, the College will ensure that the placement provider has policies and procedures in place to protect students from harm. Consideration will be given to the nature of the supervision and the frequency of the activity being supervised, to determine what, if any, checks on the placement provider are necessary.  If the person providing the instruction to a student is unsupervised, the College will ask the employer providing the work experience to ensure that the person providing the instruction is not a barred person.

Students staying with host families (homestay)

When the College arranges a homestay, it will obtain information necessary to inform its assessment of the suitability of adults who will be hosting the student. As part of this, the College will require a

DBS enhanced certificate with barred list information. This check will not only establish whether the adults are barred from engaging in regulated activity relating to children and young people, but where criminal record information is disclosed it will also allow the College to consider, alongside all other intelligence that it has obtained, whether the adults would be a suitable host for a student.

Individuals who have lived or worked outside the UK

Individuals who have lived or worked outside the UK (including now the EU) must undergo the same checks as all other staff.

Agency and third party staff (supply staff)

The College will obtain written notification from any agency, or third party organisation, that they have carried out enhanced DBS check checks on a person who will be working at the College. Where the position additionally requires a children's barred list check, this must be provided prior to an individual starting work at the College. The College will also check that the person presenting him or herself for work is the same person on whom the checks have been made.

**Contractors**

The College will ensure that any contractor, or any employee of the contractor, who is to work at the College, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity relating to students will require an enhanced DBS check, including children's barred list information. For all other contractors who are not engaging in regulated activity relating to students, but whose work provides them with an opportunity for contact with students, an enhanced DBS check, without children's barred list information, will be required.

 If an individual working at the College is self-employed, the College will obtain the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

The College will determine the appropriate level of supervision depending on the circumstances and will always check the identity of contractors on arrival at

Visitors and external users of College Premises

The College will not request DBS checks or barred list checks, or ask to see existing DBS certificates, for visitors to the College such as students' relatives. ID Cards will be issued are issued to all visitors, who will be accompanied by an appropriate member of staff.
For persons visiting in a professional capacity ID and DBS checks will be made or assurances received from the visitor's employers that appropriate checks have been carried out.

**INNOVATIVE      ETHICAL      EXCELLENT      SUSTAINABLE**

Written assurance will be sought from the users of college premises that they have appropriate policies with respect to safeguarding.

College staff are in a unique position of trust, care, responsibility, authority and influence with their students. As part of their safeguarding responsibilities, staff must ensure that they not abuse their positions or put themselves in a position where allegations of abuse of trust could be made, whether justified or unfounded.

To protect themselves against such allegations, staff must establish personal and professional boundaries with students at all times. Boundary setting does not mean that relationships with students should be cold and detached. Staff can and should offer warm and supportive professional relationships with students and their families, without placing themselves at risk.

Listed below are some of key areas of boundary setting that staff should be aware of.

**Appropriate language**

Always be thoughtful about the language that you are using and avoid inappropriate terms of flattery, endearment or disrespect, suggestive humour, or "banter" or using names such as buddy, mate, pal, which may give confusing messages.

**Information-sharing**

Avoid sharing personal information with students unless directly relevant to the learning topic and with the individual's consent. Respect the confidentiality of discussions with students and be aware of being overheard while on the telephone or your mobile phone. Avoid adopting any on-going support role, beyond the scope of your position, without the permission of senior staff.

**Personal space**

Respect the personal space of all students. Where possible avoid private meetings with individual students and inform another member of staff where such a meeting is considered necessary.

**Physical Contact**

Avoid any unwarranted or unwanted physical contact with a student such touching or hugging. Any physical contact with a student should be reasonable (such as in sporting activity) and proportionate, Corporal punishment (physical discipline, pushing, shoving, smacking) should never be carried out. **APPENDIX 7** provides further guidance on the use of reasonable force against students.

**Social Contact**

Do not seek social contact with students for the purpose of securing a personal or social relationship. You should not disclose your personal details such as e-mail address, personal mobile or home telephone number to students. Do not acknowledge attempts by students to instigate social contact via social media. Only make contact with students within normal working hours, except where out of hours contact relates directly to college work.

**Personal favours**

Do not offer personal favours such as transporting a student home without permission. Never lend money or offer gifts to students. Never administer medication to students without prior approval and instruction from the College.

**Student Infatuation or Dependency**

For various reasons, a student may become infatuated with or over-dependant on a member of staff. If you have concerns that a student is showing signs of attraction, attachment or dependency towards you should inform your line manager or member of the Safeguarding Team.

**Modelling behaviour**

Act as a role model for students. Challenge negative ideas, assumptions, behaviour and language whenever it occurs. Challenge anti-discriminatory language/jokes and promote respect and diversity.

INNOVATIVE          ETHICAL          EXCELLENT          SUSTAINABLE

There are circumstances when it is appropriate for a member of college staff to use reasonable force to safeguard a student. 'Reasonable force ' means making appropriate physical contact using no more force than is needed

Under the Education and Inspections Act 2006, College staff are given an explicit power to use "reasonable force" to prevent a student from:

- Committing a criminal offence
- Injuring themselves or others
- Causing damage to property
- Engaging in seriously disruptive behaviour, either during a teaching session or elsewhere and not responding to verbal instructions

Staff can only use force where they and the student are on College premises or its immediate surroundings if an incident overspills, or where they are off College premises but in lawful control of the student (e.g. on a College visit).  College staff have a power, not a duty, to use force, they therefore have discretion whether or not to use it. However, since teachers and other college staff have a duty of care towards their students and it might be argued that failing to take action (including a failure to use reasonable force) could, in some circumstances, be seen as a breach of that duty.

Different levels of restraint are possible depending on the circumstances of the case.

Passive constraint may involve blocking a student's path or leading a student by the arm out of a classroom. It should be the first option in trying to defuse confrontational situations. Staff should always use the minimum constraint necessary, for the shortest period necessary.

 Passive control will not always work and sometimes forms of more active restraint may be necessary to reduce safeguarding risks.  Active Restraint Involves holding, pushing and restrictive holds permissible where specialist training has been given or where there is a more immediate risk to life or serious injury. It should only be exercised in more extreme circumstances and used as a last resort if no other courses of action are possible.

Physical restraint should only be used if the person restraining has the strength to stop the offending behaviour and has the capacity to protect him/herself and others. Staff should always have due regard to their own health and safety and that of others.

Staff must never use physical restraint that is likely to cause injury (e.g. restricting ability to breathe), nor should physical restraint ever be used as a punishment. The use of unwarranted physical force may result in a criminal offence / civil proceedings / disciplinary action by the College.

Staff should be aware that the student or an observer may misconstrue even well-intentioned physical contact.  They should always be prepared to explain their actions and accept that all physical contact will be open to scrutiny.  Where physical intervention is deemed necessary, the

**INNOVATIVE          ETHICAL          EXCELLENT          SUSTAINABLE**

incident and subsequent actions should be reported in writing. Students who frequently become destructive when angry should be referred for professional support and counselling.

When using reasonable force in response to incidents involving students with special educational needs or disabilities (SEND), mental health or with medical conditions, staff should, in considering the risks, recognise the additional vulnerability of these groups and their duties under the Equality Act 2010.

**APPENDIX 8     MANAGING ALLEGATIONS OF ABUSE AGAINST STUDENTS**

College procedures for managing allegations of abuse against students are set out below.

**Receiving an Allegation of Abuse**

Where any member of staff, student or governor has a concern about a student they must act on this immediately. If an incident has occurred outside of the College, it should still be dealt with.

In speaking to the alleged victim of abuse the staff member should:

- Listen carefully and stay calm.
- Reassure the person that they were right to report the allegation and should not feel ashamed.
- Avoid asking 'leading' questions but the seek to clarify matters by using open questions such as: 'where, when, why, who'.
- Do not promise confidentiality but explain how their concerns may be shared with designated safeguarding staff in order to investigate the abuse and protect them
- Do not be judgemental or jump to conclusions
- Record in writing exactly what is being said, if you cannot do this at the time, then record immediately afterwards. See section below for recording requirements.

Staff must not under any circumstances discuss or disclose information to any person other than those immediately involved in the case or as necessary according to the policy. All reports, together with any correspondence dealing with the matter, should be viewed as confidential.

If a student is considered to be in immediate danger or at risk of harm, a referral should be made to the local social care service, immediately and the designated safeguarding leads informed. Where a crime has taken place, the police must be contacted immediately and a member the College Management Team informed. If a teacher discovers that female genital mutilation has been carried out on a girl under the age of 18, this must be reported to the police as a specific legal duty.

**Reporting and Recording an Allegation of Abuse**

The member of staff should make a written record of the allegation or suspicion of abuse and forward this immediately to a member of the designated safeguarding team.

The College has acquired MyConcern software for the recording, management and reporting of safeguarding concerns. Designated staff will use this software to record safeguarding concerns/allegations, discussions and decisions made. This will support early information sharing which is vital for the effective identification, assessment of safeguarding support needs (See Appendix 10).

**Acting on an Allegation of Abuse**

In assessing the risk to a young person or vulnerable adult, the appropriate designated safeguarding person (normally one of the Designated Safeguarding Leads) will consider the following options:

1. Deal with the allegation internally.
2. Early help assessment with other agencies.
3. Referral for statutory services, where a person is suffering or likely to suffer harm.

The College will take account of the wishes and feelings of the victim when determining what action to take in response to a safeguarding concern. Safeguarding processes will always have the victim's best interests at their heart**.**

## 1        Dealing with the allegation internally

In some cases of abuse, for example, one-off incidents, the College may take the view that it would be appropriate to handle the incident internally, perhaps by using student behaviour and anti-bullying policies and by providing pastoral support.

The DSL or deputy will discuss the circumstances of the case with the person reporting the allegation of disclosure. The DSL will provide appropriate counselling and/or welfare support to any student suspected of being the victim of abuse or neglect. If the victim feels particularly vulnerable, a risk assessment can be carried out to identify persons/services for additional support and support strategies for managing future issues.

If the alleged perpetrator of abuse is a fellow student(s) the procedures in **Appendix 9 (**peer on peer abuse) will be followed. **Appendix 10** gives more specific information on dealing with sexual abuse between peers. If the alleged perpetrator of abuse is a member of staff the procedures set out in **Appendix 11**  (Allegations of Abuse against Staff) will be followed. If the alleged perpetrator of abuse is a parent/carer the matter will be normally be referred to social services and the police.

## 2        Early help assessment

Early help means providing support as soon as a problem emerges. If early help is appropriate, the designated safeguarding lead (or deputy) will liaise with other agencies and set up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment. Any such cases should be kept under constant review and consideration given to a referral to children's social care for assessment for statutory services, if the young person's situation does not appear to be improving.

## 3        Referral for statutory services assessment

Where a student is suffering, or is likely to suffer from harm, the designated safeguarding lead (or deputy) will make an immediate referral to the local authority social care services and if appropriate, the police. The College will provide as much information as possible as part of the referral process so that all possible factors can be considered as part of the care assessment.

Within one working day of a referral being made, a local authority social worker should acknowledge its receipt to the College and make a decision about the next steps and the type of response that is required**.** This will include determining whether:

- The student requires immediate protection and urgent action is required.
- Any services are required by the student and family and what type of services.
- The student is in need and should be assessed under section 17 of the Children Act 1989. (See Chapter one of Working Together to Safeguard Children).
- There is reasonable cause to suspect the student is suffering or likely to suffer significant harm, and whether enquiries must be made under section 47 of the Children Act 1989. (See Chapter one of Working Together to Safeguard Children)
- Further specialist assessments are required to help the local authority to decide what further action to take.


If social workers decide to carry out a statutory assessment, the College will offer full support for that assessment, led by the designated safeguarding lead (or deputy) as required).  If, after a referral, the student's situation does not appear to be improving, the College will follow local escalation procedures to ensure their concerns have been addressed and, most importantly, that the student's' situation improves.

**1        Purpose**

Concerns with issues of abuse and neglect often focus on adult-child relationships. However, Government guidance 'Keeping Children Safe in Education (September' 2021) makes clear that college safeguarding policies should include procedures to minimise the risk abuse between students (peer on peer abuse) and set out how allegations of peer on peer abuse will be investigated and dealt with.

This policy guidance is intended to increase staff awareness of what peer abuse is and looks like, what preventative strategies are available to minimise the risk of abuse and what support and intervention can be put in place to meet the needs of an individual who has suffered peer abuse.

**2        Understanding peer on peer abuse**

There is no clear boundary between incidents that should be regarded as abusive and incidents that should be dealt with by the College's behavioural and disciplinary systems However, peer on peer behaviour may be considered as abusive if harm is caused because:

- There is a significant power imbalance between the persons concerned, which may due to gender, social status, intellectual ability, physical development etc.
- The perpetrator has repeatedly tried to harm one or more persons.
- There are concerns about the intention of the alleged perpetrator i.e. if evidence suggests that there was an intention to cause harm to the victim.

All staff should recognise that children and young people are capable of abusing their peers (including online) and that girls are more likely to be victims and boys' perpetrators. They should also recognise such abuse may be taking place even if no cases are reported.

All peer-on-peer abuse is unacceptable and must be taken seriously by staff.  It should never be passed off as "banter", "just having a laugh", "part of growing up" or "boys being boys" as this can lead to a culture of unacceptable behaviours and an unsafe environment for students. The College is committed to a zero-tolerance approach to peer abuse.

3        **Forms of peer-on-peer abuse**

Staff should recognise that young people are capable of abusing their peers be in a number of ways, which can be classified as peer on peer abuse. These include:

- Bullying (including cyber-bullying and discriminatory bullying).
- Abuse in intimate personal relationships between peers.
- Physical abuse or causing physical harm.
- Sexual violence such as rape, assault by penetration and sexual assault.
- Sexual harassment such as sexual comments or jokes.
- Encouraging or forcing someone to engage in sexual activity.
- Sharing of nude images and or videos (also known as sexting).

**INNOVATIVE          ETHICAL          EXCELLENT          SUSTAINABLE**

- Upskirting (taking a picture under a person's clothing without their permission).
- Initiation/hazing type violence and rituals.

## 4 Minimising the risk of peer-on-peer abuse

The College has developed strategies to prevent peer on peer abuse. These include:

- A Student Behaviour Policy/Code of Conduct defining rules of acceptable behaviour.
- An environment where people feel safe to share information.
- Signposting to services where they can discuss their concerns in confidence.
- Tutorials that tackles issues such as bullying, healthy relationships and online safety.
- Student Voice processes for raising concerns about student behaviour.
- Campaigns that promote respect for others and self-respect.

## 5 Dealing with allegations of such abuse

On disclosure of peer abuse, staff should submit a written record of the allegation or suspicion of abuse to a member of a Designated Safeguarding Staff (DSS) who should sign the record as the person receiving the disclosure. Staff must not discuss or disclose information to any person other than those immediately involved in the case, or as necessary according to the policy.

The DSS will then speak to all the people involved separately, to obtain a statement of facts from each. The DSS should consider whether the accused person(s) understands what they are doing. What prompted the behaviour? Was the behaviour deliberate and contrived? Was the impact of their behaviour on another person understood? Has the behaviour been repeated on more than one occasion? Has the person been previously warned about such behaviour?

If a student is considered to be in immediate danger or at risk of harm, a referral should be made to the local social care service, immediately and the designated safeguarding leads informed. Where a crime has taken place, or is suspected, the police must be contacted immediately. If social care and the police intend to pursue this further they may invite staff to interview (supported by the designated safeguarding leads as required).

## 6 Supporting the victims and perpetrators of peer abuse

Once the outcome of the incident(s) has been established it will be necessary to determine the support and intervention required for those involved.

Support for the person who has been abused

The College will provide support to the victim of abuse, which may include:

- Counselling or one-to-one support via a mentor.
- Improving peer groups/relationships with other young people.
- Restorative justice work with all those involved.
- Targeting a whole class or year group on relevant issues of abuse e.g. cyber bullying.

INNOVATIVE          ETHICAL          EXCELLENT          SUSTAINABLE

If the victim feels particularly vulnerable, a risk assessment can be carried out to identify services for additional support and support strategies for managing future issues.

Support for the person who has abused

The College will seek to establish why the person has behaved in such a way with a view to providing support such as one-to-one mentoring or counselling. Once support needs have been addressed the College may wish invoke some form of restorative justice to address the consequences of their behaviour. This may involve making amends with the person they have subjected to abuse or the College taking its own disciplinary actions including exclusion.

Even after the conclusion of an investigation, the previous behaviour of a person may continue to pose a risk to others in which case an individual risk assessment may be required. This may require a multi- agency assessment. It may also mean additional supervision or protective strategies if the person feels at risk of engaging in further inappropriate or harmful behaviour.

After care

After the incident, the people involved will continue to receive support even if they appear to be managing the incident. Feelings of remorse, regret or unhappiness may occur at a much later stage. It is important to ensure that the young people do not engage in any further harmful behaviour as a way of coping, including self-harm. Case reviews will be carried out with the people involved for as long as required.

**APPENDIX 10    SEXUAL VIOLENCE AND HARASSMENT BETWEEN STUDENTS**

## 1    Context

The Department for Education document Keeping Children Safe in Education (September 2021) includes detailed guidance on how schools and colleges should respond to concerns of sexual violence and sexual harassment between children and young people, including those that have happened outside of the. school or college premises, and/or online (See Section 5 of the guidance)

This policy statement has been developed to further enhance College safeguarding arrangements for this area of abuse and to ensure compliance with the DFE guidance. Further information on this subject is available in guidance from the Department for Education: "Sexual Violence and Sexual Harassment Between Children in Schools and Colleges".

## 2    Understanding sexual violence and harassment

Sexual violence includes rape, assault by penetration and sexual assault (sexual touching) all involving a lack of consent on the part the recipient of the sexual act.

Sexual harassment means 'unwanted conduct of a sexual nature' that is likely to violate a person's dignity, make them feel intimidated/degraded or create a sexualised environment. It includes sexual remarks or lesser forms of threatening physical behaviour such as deliberately brushing against someone.

Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur offline and online - such as sharing of sexual images and videos. They can occur between persons of any age and sex though evidence suggests that some groups are potentially more at risk, including girls, children with SEND and LGBT children. Certain individuals may face barriers to reporting sexual abuse because of their vulnerability, disability, sex, ethnicity and/or sexual orientation.

## 3    Receiving a disclosure of abuse

The initial response to a disclosure of sexual violence or sexual harassment is important. The starting point for any such a response should always be that sexual violence and sexual harassment is unacceptable and will not be tolerated. It is equally important not to pass off any sexual violence or sexual harassment as 'banter', 'part of growing up' or 'having a laugh'. Dismissing or tolerating such behaviours risks normalising them.

It is essential that all victims are reassured that there concerns 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 sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

If possible, two members of staff should be present to listen to the disclosure, preferably one of them being the designated safeguarding lead or a deputy. In dealing with reports of sexual violence and sexual harassment staff should:

INNOVATIVE          ETHICAL          EXCELLENT          SUSTAINABLE

- Be supportive and respectful of the person making the disclosure, recognising that the person has placed them in a position of trust.
- Listen carefully, be non-judgmental, do not ask leading questions and only prompt where necessary with open questions – where, when, what, etc.
- When dealing with reports of online abuse, refer to UKCIS advice on sexting.
- Not promise confidentiality to the person making the report, as it is very likely a concern will have to be shared other people to progress investigations.

It is essential that a written record is made of the full disclosure. The record should normally be made at the end of discussions, so that full attention can be paid to the alleged victim. It may be appropriate to make notes during the report (especially if a second member of staff is present). Staff should only record the facts as the person presents them and not reflect the personal opinion of the note taker. Such reports may become part of a statutory assessment by children's social care and/or part of a criminal investigation.

The written record should be submitted to the designated safeguarding lead (or deputy), as soon as practically possible, if the designated safeguarding lead (or deputy) is not involved in the initial report.

## 4    Role of the Designated Safeguarding Lead or Deputy

### Carrying out a risk assessment

When there has been a report of sexual violence, the designated safeguarding lead (or deputy) will make an immediate risk and needs assessment. For reports of sexual harassment, the need for a risk assessment will be considered on a case-by-case. The risk and needs assessment should consider: the victim, especially their protection and support; the alleged perpetrator; and all the other students and staff who may be affected together with actions appropriate to protect them. Risk assessments should be recorded and kept under review.

The designated safeguarding lead (or deputy) will engage with social care services and other specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. Any such professional assessments will be used to inform the College's approach to supporting and protecting students and updating their own risk assessment.

### Responding to the Disclosure

The designated safeguarding lead (or deputy) will advise on the College's initial response to the disclosure. Each report will be dealt with on a case-by-case basis. Important considerations will include:

- The wishes of the victim in terms of how they want to proceed (to be balanced with the college's responsibilities to protect other children).
- The nature of the alleged incident(s), including whether a crime may have been committed and/or whether harmful sexual behaviour has been displayed.
- The ages and developmental stages of the children involved.

**INNOVATIVE        ETHICAL        EXCELLENT        SUSTAINABLE**

- Any power imbalance between the victim and alleged perpetrator(s).
- Whether alleged incident is a one-off or a sustained pattern of abuse.
- Whether are there on-going risks to the victim or other students or staff.
- Whether there are other wider issues relating to abuse (contextual safeguarding).

The College will always act in the best interests and needs of the victim. Careful consideration will also be given to the position of the alleged perpetrator. Where a report is made to social care and/or the police, the College will speak to the relevant agency to discuss next steps and how the alleged perpetrator(s) will be informed of the allegations.

## 6       Options for dealing with the report

The College will consider four options when managing any reports of sexual violence and/or sexual harassment.  Every report will be considered on a case-by-case basis. Whatever the option chosen, it will be under-pinned by the principle that the College will pursue a zero-tolerance approach to sexual violence and sexual harassment.  All concerns, discussions, decisions and reasons for decisions will be recorded.

Manage internally

In some cases of sexual harassment, for example, one-off incidents, the College may take the view that it would be appropriate to handle the incident internally, perhaps by using student behaviour and anti-bullying policies and by providing pastoral support.

Early help

The College may decide that the persons involved do not require statutory interventions, but would benefit from multi-agency 'early help' arrangements.  By Early providing early support as soon as a problem emerges, this may prevent escalation of abuse. Early help can be particularly useful in addressing less serious forms of abuse and prevent escalation of the problem. Full information on the early help process is given in Chapter one of Working Together to Safeguard Children (July 2018).

Referrals to social care services

Where a student has been harmed, is at risk of harm, or is in immediate danger, the College will make a referral to local social care services. Parents (or carers), will generally be informed unless this would put the student at additional risk (any such decision will be made with the advice of social care services).

Where statutory assessments are appropriate, College staff (especially the designated safeguarding lead or a deputy) will work alongside the relevant lead social worker to ensure the best package of coordinated support and protection is provided for the victim, the alleged perpetrator and any other persons requiring support. Care will be taken to ensure any actions taken by the College takes do not jeopardise a statutory investigation. The risk assessment (see above) will help inform this.

Social care services may decide that a statutory intervention is not appropriate. The College (led by the designated safeguarding lead or deputy) will decide whether to refer again (if they believe the

child remains in immediate danger or at risk of harm) or use other support mechanisms such as early help, specialist support and pastoral support.

**Reporting to the police**

Where a report of sexual violence is made, this will be passed on to the police and local social care services. The College will consult on what information can be disclosed to staff and others, in particular, the alleged perpetrator and their parents or carers. It will also discuss the best way to protect the victim and their anonymity.

The designated safeguarding lead (or a deputy) will work closely with the police (and other agencies as required), to ensure any actions the College may take (such as disciplinary measures against the alleged perpetrator) do not jeopardise any police investigation.

The police will consider what action to take to manage the assessed risk of harm, which may involve police bail or 'release under investigation' (RUI). Whatever arrangements are made, the College will carry out a risk assessment to consider what additional measures may be necessary to protect and support the victim whilst recognising the rights of an un-convicted person (e.g. rights to privacy, family life). The College will liaise closely with the police investigators to ensure a balanced approach.

Where cases are classified as "no further action" by the police or Crown Prosecution Service, or where there is a not guilty verdict, the College will continue to offer support to the victim and the alleged perpetrator for as long as is necessary.

If a student is convicted or receives a caution for a sexual offence, the College will update its risk assessment and ensure relevant protections are in place for all students at the College. If the perpetrator remains at the College, following conviction or caution, College expectations regarding future behaviour and any other restrictions will be made clear. Since convictions may generate interest among other students, the College will ensure that both the victim and alleged perpetrator remain protected, especially from any bullying or harassment.

**APPENDIX 11**       **ALLEGATIONS OF ABUSE AGAINST STAFF**

**INTRODUCTION**

This policy statement draws on Part 4 of DFE guidance 'Keeping Children Safe In Education' (September 2021) which sets out revised procedures for managing safeguarding allegations or concerns against teaching staff, other staff, volunteers and contractors. I

In this revised guidance colleges are now expected to respond to two levels of concern about staff behaviour: (1) Behaviour that meets a perceived 'harms' threshold and (2) Behaviour judged as a 'low level' concern' that does not meet the 'harms' threshold.  This policy statement sets out the College approach to dealing with these two levels of concern.

**2       ALLEGATIONS THAT MAY MEET THE HARMS THRESHOLD**

**2.1       Behaviour that meet the harms threshold**

Consistent with guidance set out in Keeping Children Safe In Education, the College will consider that behaviour that meet the harms threshold if staff, supply staff, volunteers or contractors have:

- Behaved in a way that has harmed a student, or may have harmed.
- Possibly committed a criminal offence against or related to a student.
- Behaved in a way that may pose a risk of harm to a student.
- Behaved in a way that indicates they may not be suitable to work with students

**2.2       identifying concerns**

If a safeguarding allegation or concern is reported about another member of staff (including supply staff, volunteers, and contractors) posing a risk of harm to a student, this should be reported, without delay, to a member of the Executive Team. Where there are concerns/allegations about the College Principal, this should be referred to the Chair of Governors.

**2.3       Initial response to an allegation**

Where the College identifies that a student has been harmed, is at immediate risk of harm or is an emergency situation, the appointed 'case manager' (normally the senior manager for human resources) will contact social care services and where appropriate the police immediately. The Case Manager will liaise with the Designated safeguarding Lead to:

- **E**nsure that the student and other students are safe.
- Inform and support the person subject to the allegation as soon as possible.
- Conduct basic enquiries to establish the facts to help them determine whether there is any foundation to the allegation.
- Liaise with the Local authority Designated Officer (LADO) to consider the allegation, and agree a

If there is cause to suspect a student is suffering, or is likely to suffer significant harm, a 'strategy discussion' involving the police and/or children's social care will be convened in accordance with the statutory guidance 'Working Together to Safeguard Children'.

In the case of a criminal prosecution case manager will discuss with the LADO what further action, including disciplinary action, is appropriate and, if so, how to proceed.

Where an investigation by the police or children's social care is considered unnecessary, or the strategy discussion or initial assessment decides that is the case, the case manager and the LADO will record the decision and justification for that decision. They will also agree on what information should be put in writing to the individuals' concerned.

## 2.4 Suspension

During the course of investigations a decision will be made by the Executive Team as to whether the individual should continue to work at the College. Such decisions will be taken on a case-by-case basis having undertaken a risk assessment about the seriousness of the case and the risk the individual may present to students. Advice will be sought from the LADO, the police and social care services.

Given the reputational damage that can result from suspension (where an allegation is later found to be unfounded, unsubstantiated, malicious, or false) an individual will be suspended only if there is no reasonable alternative. Alternative options include:

- Redeployment within the College with no contact with the student concerned.
- Providing an assistant to be present when the individual has contact with students.
- Redeploying to alternative work in the College.
- Moving the student to classes with no contact with the member of staff.
- Temporarily redeploying the member of staff to another role in a different location.

Where a decision is made to suspend an individual, written confirmation will be given within one working day, giving the reasons for the suspension, including why alternatives to suspension were rejected. The person will be informed of the support that they will be offered during the period of suspension.

## 2.5 Supporting the subject of the allegation

Whilst the welfare of the student is paramount and will be the prime concern in investigating an allegation, the College has a duty of care to the subject of the allegation for this will be a very stressful experience.

**INNOVATIVE          ETHICAL          EXCELLENT          SUSTAINABLE**

The College will seek to minimise the stress caused by the allegation, provide access to counselling or medical advice where appropriate and advise the individual on rights of representation. The College will not prevent social contact with work colleagues and friends if suspended, unless this may prejudice the gathering of evidence.

## 2.6 Information sharing and Confidentiality

During the initial assessment of the case, the College will share all relevant information about the person who is the subject of the allegation, and about the alleged victim with social care services and the police.

The parents or guardians of the student involved will be formally told about the allegation as soon as possible, kept informed about the progress of the case and made aware of the requirement to maintain confidentiality about any allegations whilst investigations are in progress.

The College will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The case manager will take advice from the LADO, police and children's social care to agree who needs to know about the allegation, what information can be shared and what, if any, information can be reasonably given to the wider community.

## 2.7 Allegation outcomes

In determining the outcome of an allegation, the College will arrive at one of the following judgments:

**Substantiated**: there is sufficient evidence to prove the allegation.

**Malicious**: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the person subject of the allegation.

**False**: there is sufficient evidence to disprove the allegation.

**Unsubstantiated**: there is insufficient evidence to either prove or disprove the allegation (does not imply guilt or innocence).

**Unfounded**: there is no evidence or proper basis, which supports the allegation being made.

Substantiated Outcomes

If the allegation is substantiated and the person is dismissed or resigns, or the College ceases to use the person's services, the College will, as a legal requirement, make a referral to the DBS for consideration of whether the individual should be included on barred lists.

Unsubstantiated, unfounded, false or malicious allegations

 If an allegation is determined to be unsubstantiated, unfounded, false or malicious, the case manager and the LADO and will consider whether the person who has made the allegation is in need

INNOVATIVE          ETHICAL          EXCELLENT          SUSTAINABLE

of help. In such circumstances, a referral to social care services may be appropriate. If a report is shown to be deliberately invented or malicious, the College will consider whether any disciplinary action is appropriate against the individual who made it, in accordance with student behaviour and disciplinary policies.

## 2.8    Returning to work

Where, on the conclusion of a case, it is decided that a suspended person who has been suspended can return to work, the case manager will consider how best to facilitate this (with appropriate support) and how the person's contact with the person who made the allegation can best be managed, if they are still attending the College.

## 2.9    Managing exit arrangements

If the person leaves, or resigns the College or refuses to cooperate in any enquiry, the College will continue its investigations in all cases of allegations bearing on the safety of students. 'Settlement agreements' (by which a person agrees to resign if the College agrees not to pursue further action) will not be used be used in such circumstances. The person concerned will be notified of judgments with respect to the allegations and sanctions that might be posed.  Other than where allegations are false, malicious, unsubstantiated, or unfounded, the outcome will be made clear when providing references to prospective employers.

## 2.10    Record keeping

Details of allegations following an investigation that are found to have been malicious or false will be removed from personnel records, unless the individual gives their consent for retention of the information. For all other allegations, the following information will be kept on the file of the accused:

• A clear and comprehensive summary of the allegation.
• Details of how the allegation was followed up and resolved.
• A note of any action taken, and decisions reached.
• A copy provided to the person concerned, where agreed by social care or the police.
• A declaration on whether the information will be referred to in any future reference.

The College has an obligation to preserve records that contain information about allegations of sexual abuse. All other records will be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

## 2.11    References

INNOVATIVE        ETHICAL        EXCELLENT        SUSTAINABLE

Substantiated allegations will be included in references; with checks made that the information is factual and does not include opinions. Cases in which an allegation is found to be false, unfounded, unsubstantiated or malicious will not be included in employer references.

**2,12    Learning lessons**

In handling allegations and at conclusion of a case in which an allegation is substantiated or where a person has been suspended, the case manager and LADO will review the circumstances of the case to determine whether there are any improvements to be made to the College's procedures to help prevent similar events in the future. They will also consider how future investigations of a similar nature could be carried out without suspending an individual.  For all other cases the case manager will consider the facts and determine whether any improvements can be made.

**3        LOW LEVEL CONCERNS THAT DO NOT MEET THE HARM THRESHOLD**

**3.1    What is a low level concern?**

A low-level concern is any concern that an adult working in or on behalf of the College may have acted in a way that is inconsistent with the staff code of conduct (including inappropriate conduct outside of work) but does not meet the harms allegations threshold.  Examples of such behaviour could include, but are not limited to: offering personal favours to students, using inappropriate language sharing personal information or having private meetings.

**3.2    Staff code of conduct and safeguarding policy**

The College wishes to promote an open and transparent culture in which all concerns about all adults working in or on behalf of College can be shared responsibly, recorded properly and dealt with appropriately. For this purpose the College will, through its staff behaviour policy/code of conduct as well as this safeguarding policy:

• Ensure that staff are clear about what is appropriate behaviour.
• Create an environment where staff feel confident in sharing low-level concerns.
• Address unprofessional behaviour and supporting the individual to correct it.
• Ensure a responsive and proportionate handling of such concerns.
• Identify any weakness in the College's safeguarding system.


The College has developed guidance setting out some of the key areas of boundary setting that staff should be aware of in establishing professional relationships with students and their families and protecting themselves against allegations of abuse. (See **Appendix 6** of this Safeguarding Policy).

**3.3    Responding to low-level concerns**

It is crucial that any low level concerns are shared responsibly with the right person, and recorded and dealt with appropriately. This will protect those working in or on behalf of College from potential false allegations or misunderstandings. The College will seek to identify and deal with inappropriate behaviour early, in order to mitigate the risk of abuse.

Low-level concerns about a member of staff, volunteer or contractor should be reported to the designated safeguarding lead (or deputy). Where a low-level concern is raised about the designated safeguarding lead, it should be shared with the College Principal.

The designated safeguarding lead will collect as much evidence as possible by speaking directly to the person who raised the concern (unless raised anonymously), to the individual involved and any witnesses. The information collected will be used to categorise the type of behaviour and determine what further action may need to be taken.

### 3.4 Recording low-level concerns

All low-level concerns should be recorded in writing by the designated safeguarding lead (or deputy). The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted.  If the individual wishes to remain anonymous then that should be respected as far as reasonably possible. Records will be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR). Records will be retained until the individual leaves their employment.

### 3.5 Identifying patterns of concerning behaviour

Records will be reviewed so that potential patterns of concerning behaviour can be identified. Where a pattern of such behaviour is identified (including where low level concern move to meeting the harms threshold) the College will decide on a course of action, Consideration will also be given to whether there are wider cultural issues within the College that enabled the behaviour to occur and where appropriate policies could be revised or extra training delivered to minimise the risk of it happening again.

### 3.6 References

Low-level concerns will not be included in references unless they relate to issues that would normally be included in a reference, for example, misconduct or poor performance.

**APPENDIX 12    INFORMATION SHARING, CONFIDENTIALITY AND RECORD KEEPING**

**1        Policy Purpose**

This policy statement sets out College principles and processes for sharing information on the safeguarding of College students.  The policy has due regard to relevant data protection principles in the Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR).  The policy also draws on Government guidance: *Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers*

**2        Context**

The College recognises the importance of effective arrangements for sharing information where there are safeguarding concerns. Decisions about how much information to share, with whom and when, can have a profound impact on individuals' lives. Information sharing helps to ensure that an individual receives the right services at the right time and prevents a need from becoming more acute and difficult to meet.

Information sharing is essential for effective safeguarding and promoting the welfare of children, young people and vulnerable adults.  It is a key factor identified in many serious case reviews (SCRs), where poor information sharing has resulted in missed opportunities to take action that keeps people safe. Early information sharing is therefore vital for the effective identification, assessment, and support for students with a safeguarding risk.

**3        Legal Requirements**

The College recognises the need to comply with relevant legislation and guidance in relation to data protection and confidentiality. This policy has due regard to relevant data protection principles in the Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR). These legal provisions place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure. The College recognises that it needs to have comprehensive and proportionate arrangements for collecting, storing, and sharing personal information

The GDPR and Data Protection Act 2018 do not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe. The Act includes 'safeguarding of children and individuals at risk' as a category that allows practitioners to share information legally **without consent,** if that practitioner is unable to, cannot be reasonably expected to gain consent from the individual, or if to gain consent could place a child at risk.

Relevant personal information can therefore be shared lawfully if it is to keep an individual at risk safe from abuse or neglect, or if it is protecting their physical, emotional or sexual wellbeing.

**4        Sharing Principles**

The policy draws on Government guidance Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carer. This guidance recommends the following principles for sharing information:

**INNOVATIVE**          **ETHICAL**          **EXCELLENT**          **SUSTAINABLE**

- Necessary/proportionate - Only share information that is necessary; Information shared must be proportionate to the need and level of risk.
- Relevant - Only share information relevant to the purposes of those who need it.
- Adequate - Information can be understood and relied upon.
- Accurate - Information should be accurate, up-to-date and distinguish between fact and opinion. .
- Timely - Information should be shared as early as possible. Consent may not be necessary if it could cause delays and place person at increased risk of harm.
- Secure - Information should be shared in an appropriate, secure way.
- Record - Sharing decisions should be recorded, with reasons for sharing or not sharing. .

**5      Staff Responsibilities**

All staff must take responsibility for sharing the information they hold. They should be proactive in sharing information as early as possible to help identify, assess, and respond to risks or concerns about the safety and welfare of students. They should not assume a colleague, or another professional will take action and share information that might be critical in keeping children safe.

All staff should know to manage the requirement to maintain an appropriate level of confidentiality. This means only involving those who need to be involved, such as the designated safeguarding lead (or a deputy) and children's social care. All reports together with any correspondence dealing with the matter should be viewed as confidential and kept secure at all times.

Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare of children at risk of abuse or neglect. Staff should be aware that under data protection legislation, disclosure of information can take place without consent in cases where this is needed to protect the person at risk from harm. Students should be informed that their disclosure may be shared with safeguarding personnel in order to take action on the alleged abuse and to protect their safety.

Decisions about the capacity and the ability of a vulnerable adult to give informed consent are more complex since vulnerable adults may choose to remain at risk in dangerous situations. College staff may have no statutory powers in cases where the adult is judged to have sufficient capacity to make his or her own choices and refuse the help which staff feel is needed. In such cases, advice should be sought from the College's Designated Safeguarding Lead or Deputy.

**6      External Sharing**

Record transfers to other colleges

Where a victim of abuse is transferring to a new college the designated safeguarding lead (or deputy) will pass the safeguarding file to new college, as soon as possible. This will ensure continuity of support for that person. Confirmation of receipt will be obtained. The DSL will also pass on any other relevant information that might be useful in providing safeguarding support.

Sharing with safeguarding partners

**INNOVATIVE          ETHICAL          EXCELLENT          SUSTAINABLE**

Where early help support is sought from other agencies or where referrals are made to the local authority social care services and/or police, the College will share relevant information with these safeguarding partners. Referrals to other agencies will be made with the alleged victim's consent, where possible. Such information sharing may be necessary even when it is contrary to the wishes of an individual.

## 7        Safeguarding records

The College has invested in a new software system that will support the recording, reporting, tracking and management of safeguarding concerns through a single central record. The new software - branded MyConcern - will provide a clear and comprehensive summary of safeguarding referral and concerns; details of how the concerns have been followed up and resolved and notes of any action taken, decisions reached and outcomes.

The new software will facilitate early interventions and allow customised reports to be produced for monitoring and decision-making purposes.

The Deputy Designated Safeguarding Lead will be responsible for the overall management of safeguarding records, for taking actions with respect to the information held on these records and for ensuring the files are kept up to date. Information will be kept confidential and stored securely.

## 7        Further Information

Staff may obtain further details on information sharing from the following sources:

- Chapter One of Working Together to Safeguard Children, which includes a myth-busting guide to information sharing.
- Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers (includes the seven golden rules for sharing information).
- Information Commissioner's Office (includes ICO GDPR FAQs and guidance)
- Data protection: toolkit for schools - Guidance to support schools with data protection activity, including compliance with the GDPR.

INNOVATIVE        ETHICAL        EXCELLENT        SUSTAINABLE