

# Safeguarding Policy, Procedure, Guidelines and Documents

<b>Owning Strategy:</b> Safeguarding Strategy	<b>Linked Strategies:</b> Health, Safety and Environment Strategy
<b>Relevant to:</b> All persons coming into contact with Derby College.	

*Office Use only:*

Policy/Procedure No.	Board/Date of Approval:	Implementation Date:	Next Review Date:	Impact Assessed:
901	Safeguarding Board – 19 June 2015 Corporation – 20 July 2015	12 October 2011	20 July 2016	

**POLICY REVIEWS:**

Review Date	Review By
14 October 2012 (No/minor changes)	Anita Straffon
23 October 2013 (No/minor changes)	Anita Straffon
1 April 2014	Anita Straffon/Pam Stanley
20 July 2015	Anita Straffon/Pam Stanley/A.Denner Mawer
September 2015 (PREVENT docs)	Helen Jefferson

## 1. POLICY STATEMENT

Derby College places the highest importance on safeguarding, and the safety and well-being of learners is paramount in all College activities. Furthermore the College recognises that employees/volunteers and learners have an important role to play in safeguarding, in particular the welfare of young people and vulnerable persons, and preventing abuse and/or harm. Derby College also acknowledges that at any time any person could be classed as 'vulnerable'.

The College has a statutory duty to have in place arrangements for carrying out its functions with a view to safeguarding and promoting the welfare of young people and vulnerable persons. In order to comply with this duty of care, all employees/volunteers must be aware of the lines of communication and levels of responsibility which exist to ensure that matters of safeguarding can be dealt with adequately.

The Safeguarding Procedure sets out a framework for those arrangements.

Derby College is not an investigating agency. This function will normally be carried out by Social Care and Health, or other agencies with statutory powers, i.e. the Police, as set out in the Derby and Derbyshire Safeguarding Children Procedures or Derby & Derbyshire Safeguarding Adults Policy & Procedure.

## 2. DEFINITIONS

Safeguarding – the action we take to promote the welfare of young and vulnerable people and protect them from harm by:

- protecting them from maltreatment;
- preventing impairment of their health or development;
- ensuring that they grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all to have the best outcomes.

Regulated activity of children is any unsupervised activity (i.e. teach, train, instruct, care for or supervise, or advise on well-being, drive (only for children) which takes place in specified places (i.e. schools, childcare premises FE Colleges mainly educating children full-time). Regular means by the same person frequently (once a week or more often) or on 4 or more days in a 30 day period (or in some cases, overnight).

Regulated activity for vulnerable groups is anyone undertaking personal care (i.e. assistance with washing and dressing, eating, drinking and toileting, or teaching someone to do one of these tasks). There is no requirement to do an activity a number of times before a person is in regulated activity.

Disqualified 'by association' is defined as a person who lives in the same household where another person who is disqualified lives or is employed (disqualification 'by association') as specified in Regulation 9 of the Childcare (Disqualification) Regulations 2009. It applies to anyone providing early years' childcare or later years childcare to children who have not attained the age of 8, or anyone directly concerned in the management of that childcare.

## 3. PRINCIPLES

This Policy and Procedure are based upon the principle of having simple, easy to follow processes that empower people to make disclosures which are dealt with in a structured, professional manner.

## 4. SCOPE AND LIMITATIONS

Young people under the age of 18.

Vulnerable adults (defined by Section 59, Safeguarding Vulnerable Groups Act 2006) as a person who has attained the age of 18 to whom one or more of the following applies:-

- Living in residential care such as a care/nursing home or a residential special school
- Living in sheltered accommodation
- Receiving domiciliary care in their own home
- Receiving any form of health care
- Detained in custody or under the supervision of the probation services
- Receiving a specified welfare service, namely the provision of support, assistance or advice by any person, the purpose of which is to develop an individual's capacity to live independently in accommodation or support their capacity to do so
- Receiving a service or participating in an activity for people who have particular needs because of their age or who have any form of disability
- An expectant or nursing mother living in residential care
- Receiving direct payments from a local authority or health and social care trust in lieu of social care services, or
- Requiring assistance in the conduct of their affairs

Disqualification by association applies to any person working in early years' provision and those working in later years' provision for children who have not attained the age of 8 including before school settings, such as breakfast clubs and after school provision. It also covers people who are directly concerned in the management of such early or later years provision.

## 5. RESPONSIBILITIES

The roles and responsibilities of staff are clearly identified within the guidelines section of this policy.

The Vice Principal Learner Journey, Inclusion & Vocational Curriculum is the College's Senior Designated Person and is responsible for the development and implementation of the arrangements covered by this policy.

The Senior Leadership Team, College Management Team and Safeguarding Officers are responsible for the delivery of the safeguarding procedures.

## 6. IMPLEMENTATION ARRANGEMENTS

The roles and responsibilities of staff in implementation of this policy and procedures are set out clearly in the guidelines.

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All new members of staff are made aware of the policy and procedures during the formal staff induction process. Updated and amended procedures are disseminated and reinforced in training sessions, team meetings and via email communications. Staff and learners have access to this policy on the College intranet.

## 7. MONITORING AND REVIEW

The Quality Improvement Group (QIG) - Safeguarding will monitor the effectiveness of safeguarding policies and procedures implemented within the College, in order to ensure legal compliance. To facilitate this, managers at all levels are responsible for the on-going monitoring in their department/faculty.

The Safeguarding Policy and Procedures are subject to an annual review, unless there are changes in legislation or management arrangements. This review will take into account the views of staff and learners and relevant local and national documents. The College reserves the right to make whatever changes it deems appropriate. An updated copy of the policy and procedures is available from the Environmental Compliance Team.

## 8. SUPPORTING/RELATED DOCUMENTS

This policy does not stand alone and should be used in conjunction with other College policies and procedures. (The following list is not exhaustive.)

- Little Explorers Day Nursery Safeguarding Policy
- Health, Safety & Welfare at Work Policy
- Health & Safety Risk Assessment Policy
- Health & Safety Vetting for Work-based Learning & Work Experience Policy
- Disciplinary Policy for Staff
- Staff Recruitment & Selection Policy
- Staff Bullying and Harassment Policy
- Employee Code of Conduct
- Disciplinary Procedures and Guidelines for Senior Post Holders
- Public Interest Disclosure Policy (Whistleblowing)
- E-Safety Policy
- Disclosure to Parents/Carers (16 to 18 and vulnerable adult learners) Policy, Guidelines and Procedure
- Managing Learner Behaviour and Discipline Policy
- Personal Assessment Plan Policy
- Educational Visits Policy
- Working in partnership with schools – [KS4 H&S and Safeguarding Guide 2015/16](#)
- [Form SG1](#) (Notification of Disclosure/Observation of Safeguarding concerns)
- [Form SG2](#) (Safeguarding Report)
- [Safeguarding Officer Directory](#)
- [Disclosure & Barring Service Annual Declaration Form](#)
- [Disclosure & Barring Service Annual Declaration & Disqualification by Association Form](#)
- [PREVENT Risk Assessment and Action Plan](#)
- [External Events and Visiting Speakers Risk Assessment Form](#)
- [Subcontractor Health and Safety Assessment Record](#)
- [Process for Accepting Event-Speaker Bookings](#)

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## PROCEDURE

### DEALING WITH A DISCLOSURE OR A CONCERN

#### Context

All complaints, allegations or suspicions of abuse must be taken seriously.

Absolute promises of confidentiality should not be given as the matter may develop in such a way that these promises might not be able to be honoured as third parties may need to be involved/informed or consulted.

If the complaint/allegation comes directly from the young person or vulnerable person, questions should be kept to the minimum necessary to understand what is being alleged. Leading questions must always be avoided.

It is recognised that any employee/volunteer may come into contact with learners who make a safeguarding disclosure or who exhibit a safeguarding 'cause for concern'. No employee/volunteer should take any independent action themselves but must observe the protocol set out below, unless the individual is in crisis, in which case action should be taken to stabilise the situation, in consultation with relevant managers.

Any suspicion, allegation or incident of abuse must be reported to a Safeguarding Officer, or if one is unavailable the Senior Designated Person (or nominated Deputy) as soon as possible.

If the suspicion or allegations of abuse is against an employee it must be reported to the Senior Designated Person (or nominated Deputy) as soon as possible.

A full record of any disclosure conversations must be made immediately after any conversations with the young person or vulnerable person by completing Form SG1. This form should be completed by the person to whom the disclosure was made. It must include, if known:-

- The date and time of the alleged abuse
- The place where the alleged abuse happened
- The young person/vulnerable person's name
- The name of the person making the disclosure
- The nature of the alleged abuse
- A description of any injuries observed (NB: Do not ask to see them)
- The account which has been given of the allegation. (If disclosed directly by the young person or vulnerable person, the account should be in their words.)
- The age of the young person/vulnerable person
- The address of the young person/vulnerable person
- The date and time of the observation/disclosure
- Safeguarding Officer name and the name(s) of any other person(s) present

The record should be, as far as possible, verbatim rather than summarised and it should be factual in terms of what the young person/vulnerable person or person making the disclosure (where not a direct disclosure) has reported and should not be based on opinion or assumptions.

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Some young people or vulnerable people with learning difficulties and/or disabilities may need additional support when making a disclosure. This may take the form of the young person/vulnerable person's nominated support being present at any interview to act as a facilitator or in an advocacy role. It should never be assumed that a young person/vulnerable person with learning difficulties and/or disabilities is not capable of providing credible evidence.

The Safeguarding Officer/Senior Designated Person(or nominated Deputy) should record details of the suspected/alleged abuse using SG2 and should refer the matter to the appropriate external agency where they feel that the young person may be in need and/or may be at risk of suffering significant harm.

The Safeguarding Officer/Senior Designated Person (or nominated Deputy) will confirm any telephone referral in writing within one working day.

A record should be kept of the time of the referral and the name of the person (and agency) to whom the referral was made using Form SG2.

The advice received from the referral agency on what action, if any, is to be taken should be noted and kept on file.

Any action to be taken by the College, including that agreed with the referral agency should be noted and the Safeguarding Officer/Senior Designated Person (or nominated Deputy) needs to confirm that this action is being/has been taken.

## **14 – 16 YEAR OLD LEARNERS**

Where a suspicion/allegation of abuse is made in respect of a 14 – 16 year old learner who is enrolled at a school or with another sponsor, employees should contact the Lecturer – Schools Liaison or nominated deputy. The Lecturer – Schools Liaison (or nominated Deputy) will liaise with the Child Protection Officer from the learner's school or sponsor, ensuring that the learner is informed of this process.

## **MANAGING LEARNER BEHAVIOUR**

If through the investigation of disclosures it is identified that College rules have been broken the matter should be referred to the Learner Services representative for appropriate action to be taken.

## **WORK PLACEMENTS**

Employers and training organisations will be required to co-operate with the College in putting in place and subscribing to appropriate safeguards. Failure to do this will result in the College not using them as a Placement Provider.

Refer to the College's Health & Safety Vetting Procedures for Work-based Learning & Work Experience for further advice and guidance.

## **SUBCONTRACT PROVISION**

Employers and training providers will be required to co-operate with the College in putting in place and subscribing to appropriate safeguards. These will be monitored and managed by HR in conjunction with the relevant Team Managers.

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## SHARING OF INFORMATION

There are instances where confidential information can be lawfully shared, i.e. if it can be justified in the public interest. This would include:

- To protect a young person from harm or protect vulnerable persons from serious harm;
- To promote the welfare of children;
- To prevent crime and disorder.

Wherever possible consent should be sought to share information. When seeking consent be open and honest with the individual (and/or their family where appropriate) about why, how and with whom the information will, or could be shared, with. However, there will be some circumstances where consent to share information should not be sought from either the individual or their family, or information given that the information is to be shared. This would include:

- If by doing so places a person (the individual, family member, or a third party) at increased risk of significant harm if a young person, or serious harm if a vulnerable person; or
- Prejudicing the prevention, detection or prosecution of a serious crime; or
- Leading to an unjustified delay in making enquiries about allegations of significant harm to a young person or serious harm to a vulnerable person.

A record should be kept of any decision made in regards to information sharing, whether it is to share information or not. If the decision is made to share information the record should include what has been shared, with whom and for what purpose.

If there is any doubt about information sharing advice should be sought from the Senior Designated Person or their nominated Deputy.

## ALLEGATIONS ABOUT AN EMPLOYEE OR VOLUNTEER

Staff must avoid placing themselves in a potentially compromising position which could lead to an accusation of malpractice and/or a breach of safeguarding policy. This would include a situation where a member of staff had physical contact with a learner or another member of staff unless it was to prevent harm.

Any suspicion, allegation or actual abuse of a young person or vulnerable person by an employee or volunteer must be reported to the Senior Designated Person as soon as possible and in any case within two hours of the initial concern arising. If the Senior Designated Person cannot be contacted the Team Manager – Learner Engagement (nominated Deputy) or a Senior Safeguarding Officer should be contacted.

The Senior Designated Person (or nominated Deputy/Senior Safeguarding Officer) will take such steps as they consider necessary to ensure the immediate safety of the young person/vulnerable person in question and any other person who is considered at risk.

The Senior Designated Person (or nominated Deputy/Senior Safeguarding Officer) will immediately notify the Chief Executive in order to convene the Safeguarding Management Group, who will rapidly consider the nature of the allegation and the evidence presented, and decide on the next appropriate course of action, i.e. suspension.

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Where it is clear to the Safeguarding Management Group that a young person or vulnerable person appears to have been harmed or is at risk of significant harm or a criminal act appears to have been committed:

- An immediate referral will be made to social care or the police for investigation.
- The Senior Designated Person (or nominated Deputy) will inform the designated officer(s) from the relevant local authority within one working day of receiving the report of an allegation and ensure that a report has been completed.
- The College will inform the alleged offender or person about whom there is a concern of the allegation or concern as soon as possible. The designated officer from the relevant local authority will only be contacted in line with guidance issued by them.
- The College will inform the alleged offender/person against whom the concern has been raised how enquiries will be conducted and possible outcomes, e.g. suspension without prejudice on full pay, disciplinary action, dismissal, and inform them of sources of support, e.g. professional organisations, Trade Unions and the role of the College Human Resource function in providing support.

The Senior Designated Person and Director of Human Resources (or their nominated Deputies) will ensure that the College operates within its Disciplinary Procedure and notifies all relevant parties, i.e. designated officer from the relevant local authority, DBS, Department for Education.

The College will not take any action that might undermine any future action or disciplinary procedure, or police investigation e.g. interviewing the alleged victim, alleged offender or possible witnesses before discussing this with the designated officer from the relevant local authority, when necessary. If appropriate, a multi-agency strategy group will be convened by the designated officer which will include representation from the College.

The College will seek advice from the designated officer from the relevant local authority about how, when and by who parents or carers should be informed unless there is an emergency situation, such as when a young person or vulnerable person has been injured and needs medical attention.

Any investigation conducted by the College will follow the College's procedures for investigations. Once the outcome is determined the College will take a view on how to proceed in line with its disciplinary procedure. Any investigation should not undermine any police investigation. However, the outcome of the College's disciplinary investigation and any subsequent action will not always be dependent on the conclusion and outcome of any police investigation.

Where an employee or volunteer is dismissed from the College's employment or internally disciplined because of abusive conduct relating to a young person or vulnerable person, or they leave while under investigation for allegedly causing harm or posing a risk of harm, the College will notify the DBS, as appropriate.

Where it is subsequently found that an allegation has been made maliciously the College may refer the matter to be dealt with in line with its disciplinary procedures for employees and learners.

Where the allegations concern the Senior Designated Person, the Chief Executive will be involved and the Senior Designated Person will play no role.

Where the allegations concern the Chief Executive the Senior Designated Person will notify and involve the Chair of the Board of Governors (or the Deputy Chair if the Chair is not available).

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If the employee is unhappy with the process under which they have been submitted they have the right to make representation through the relevant Human Resource policy and this should be carried out within 14 days of the decision.

## ALLEGATIONS WITHOUT FOUNDATION

The College recognises that false allegations may be indicative of problems of abuse elsewhere in the life of the accuser.

If after investigation the allegations were not substantiated, i.e. a malicious attempt to undermine an employee/volunteer a record should be kept, and consideration given by the Safeguarding Management Group to a referral to the designated officer from the relevant local authority in order that other agencies may act upon the information.

The Safeguarding Management Group will:-

- Inform the employee/volunteer against whom the allegation is made orally and in writing that no further action will be taken. (Consideration should also be given to offering counselling/support.)
- Inform the parents/carers of the alleged victim (where appropriate) that the allegation has been made and of the outcome.
- Where the allegation was made by a person other than the alleged victim, consideration should be given to informing the parents/carers (where appropriate) of that individual.
- Prepare a report outlining the allegation and give reasons for the conclusion reached and confirm that the above action(s) have been taken.

## SUPPORT

The College recognises that employees/volunteers who have been involved with a young person or vulnerable person who has suffered harm or appears to be likely to suffer harm may require support. Employees/volunteers can obtain support either via their line manager, Human Resources, Trade Unions or self-referral to the Counselling Service.

## RECORD KEEPING

The Senior Designated Person shall retain a copy of:

- The referral form (SG1/SG2) (and report where appropriate)
- Any notes or other correspondence dealing with the matter
- Any other relevant materials

Copies of reports and other documentation should be kept securely locked at all times and kept for a minimum period of seven years.

Details of allegations that are found to be malicious will be removed from personnel records. For all other allegations a clear comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached will be kept on the confidential personnel file and a copy provided to the member of staff.

Copies of reports regarding allegations made against employees should be kept securely by Human Resources until the accused has reached normal retirement age or for a period of ten years from the date of the allegation if that is longer.

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## CONFIDENTIALITY

All suspicions, allegations and investigations must be kept confidential and shared only with those who need to know.

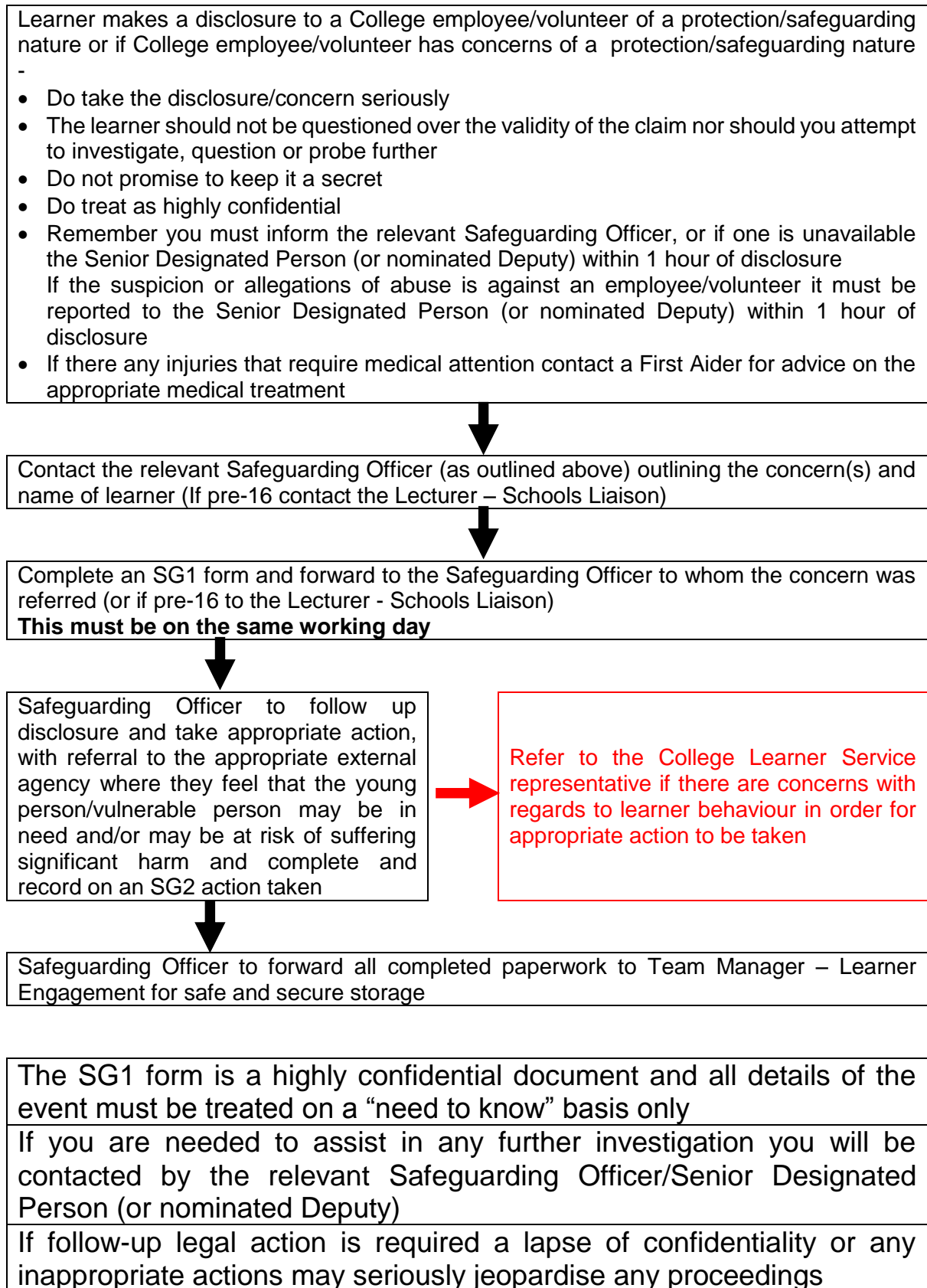
## COMMUNICATION

The College will ensure that suitable and relevant information relating to safeguarding is disseminated to employees and College users. Consultation and communication over safeguarding issues will be encouraged at all levels within the College.

Communication will, so far as is reasonably practicable, be produced in a format that takes on board the needs of employees and College users.

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## Flowchart for action following disclosure/suspicion of a protection/safeguarding issue



## GUIDELINES

### ORGANISATIONAL RESPONSIBILITIES FOR SAFEGUARDING

#### Chief Executive

The Chief Executive has overall responsibility for all matters, including those involving safeguarding. This responsibility includes ensuring that safeguarding is addressed through comprehensive policies and procedures that are effectively implemented and appropriately resourced within the overall financial position of the College.

The Chief Executive is assisted by the Vice Principal Learner Journey, Inclusion & Vocational Curriculum who is the nominated Senior Designated Person with responsibility for ensuring that the aims and objectives of the College's Safeguarding Policy are implemented.

In addition, each member of the Governing Body has an individual role in providing leadership, and ensuring that all decisions reflect the intentions outlined in the Safeguarding Policy.

#### Chair of the College Quality Improvement Group (QIG) - Safeguarding

The Vice Principal Learner Journey, Inclusion & Vocational Curriculum will chair the Derby College QIG - Safeguarding in order to oversee the implementation of this Policy.

The Chair will: -

- Ensure that the College has a policy and procedures on Safeguarding, which are in accordance with statutory requirements and local authority guidance.
- Ensure that communication systems are in place to enable the policy and procedures to be brought to the attention of all employees/volunteers.
- Ensure that the objectives of the Policy are fully understood, implemented and supported by the Senior Leadership Team and College Management Team.
- Ensure that rigorous monitoring procedures are in place at all levels of the organisation to facilitate the effective implementation of the Policy.
- Ensure that the Policy is reviewed regularly by the College QIG - Safeguarding for approval by the Senior Leadership Team and Governing Body.
- Ensure that an Annual Report and Action Plan of priorities are drawn-up by the College QIG - Safeguarding for approval by the Senior Leadership Team and Governing Body.
- In the absence of the Vice Principal Learner Journey, Inclusion & Vocational Curriculum, Chairmanship will be delegated to the Environmental Compliance Manager.

#### Senior Leadership Team

Each member of the Senior Leadership Team is responsible for ensuring that the College Safeguarding Policy is implemented. They will also: -

- Have responsibility for all matters of safeguarding within their areas of responsibility.
- Be individually responsible for ensuring the introduction of agreed College initiatives, which will facilitate the implementation of the College Safeguarding Policy in full.

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## Vice Principal Learner Journey, Inclusion & Vocational Curriculum (Senior Designated Person)

The Vice Principal Learner Journey, Inclusion & Vocational Curriculum is the Senior Designated Person for Derby College and has lead responsibility for:-

- Dealing with child protection and vulnerable person issues.
- Providing advice and support on all matters relating to safeguarding.
- Overseeing the successful implementation of the policy and procedures.
- Liaising with external agencies, where appropriate, on any disclosures received.
- Ensuring that there is a robust network of Safeguarding Officers across the College who are appropriately trained.
- Taking a lead role in liaising and working with Local Safeguarding Children Boards, Safeguarding Adults Boards and other agencies as required.
- Ensuring that the College operates safer recruitment practices in accordance with statutory requirements and in conjunction with the Director of Human Resources.
- Attending training commensurate with the role, including updated child protection training every two years
- Attending, when necessary, case strategy meetings with the designated officer from the relevant local authority in respect of safeguarding issues, and in liaison with the Director of Human Resources.
- Ensuring an Annual Report is produced and presented to the Governing Body.
- Ensuring that the College has appropriate resources available for safeguarding.
- In liaison with the Director of HR ensure that Risk Assessments are undertaken following any staff disclosures in relation to Disqualification by Association.

## Environmental Compliance Manager

The Environmental Compliance Manager is the College's Safeguarding Adviser and will attend training commensurate with this role. The Environmental Compliance Manager will:-

- Provide advisory support to the College Governing Body, Chief Executive, the Senior Leadership Team, Senior Designated Person, Deputy Senior Designated Person, Safeguarding Officers, College Management Team and their employees on matters relating to safeguarding.
- Fulfil the role of a competent person on safeguarding matters within the College.
- Co-ordinate and advice on the implications of safeguarding legislation as required.
- Report to the QIG – Safeguarding any actions monitor progress made by the College in complying with legislation, statutory requirements, Skills Funding Agency and other contractual obligations, for example.
- Regularly consult with relevant officers, together with other relevant professional advisors and statutory bodies, with a view to obtaining and implementing updated information on all aspects of safeguarding, in so far as it applies to employees, learners and all users of College services.
- Promote the requirement for adequate arrangements for identifying employees' safeguarding training needs to be in place, and that suitable and sufficient training is provided at all levels.
- Attend sub-committees/working groups of the College's QIG – Safeguarding and external agencies, where appropriate.
- Act as Deputy Chair of the QIG – Safeguarding in the absence of the Senior Designated Person.

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- Advise upon, and contribute to the development and production of policies and procedures, in accordance with current Legislation, Regional and National Policy etc.
- In conjunction with the Team Manager – Learner Engagement and managers be responsible for the monitoring of all safeguarding issues throughout the College, ensuring that effective strategies and monitoring regimes are introduced where necessary.
- Input into the production of an Annual Report to present to the College QIG - Safeguarding
- Establish, develop and monitor the College's work placement vetting system with clear policies and procedures for all learner work placements, in liaison with all relevant parties.
- Input into and advise on the college's Prevent Action Plan.

## Head of Learner Services & Ilkeston

The Head of Learner Services & Ilkeston is the College's nominated deputy in the absence of the Senior Designated Person and nominated college Prevent lead.

They are responsible for:-

- Attending training commensurate with their role.
- Attending the College QIG – Safeguarding meeting to update on progress on Prevent and any other relevant areas
- Attending Derby Prevent Steering Group and reporting back into the College in order for action to be taken as appropriate.
- Leading on the college Prevent Action Plan in liaison with the Environmental Compliance Manager and external agencies as appropriate.

## Team Manager – Learner Engagement

The Team Manager – Learner Engagement is the College's nominated deputy in the absence of the Senior Designated Person and will attend training commensurate with this role. The Team Manager – Learner Engagement will:-

- Co-ordinate and monitor the arrangements for safeguarding throughout the College, including access to and the provision of Safeguarding Officers across the College.
- Use appropriate media to circulate information to all relevant employees/volunteers/learners of the College on matters relating to safeguarding.
- Input into the production of an Annual Report to present to the College QIG – Safeguarding.
- Attend sub-committees, working groups both internally and externally, where appropriate.
- Contribute to the development and production of policies and procedures, in accordance with current Legislation, Regional and National Policy, etc.
- In conjunction with managers be responsible for the monitoring of safeguarding issues throughout the College, ensuring that effective strategies and monitoring regimes are introduced where necessary.
- Be responsible for the production of risk assessments, taking on board the needs of vulnerable people, with the aim of developing a positive safety culture within the College.
- Ensure that systems are in place for the recording and monitoring of safeguarding disclosures in order to undertake statistical analysis, to inform the safeguarding training strategy for the College.
- Chair the College's QIG – Safeguarding Officers.
- Receive and review Learner 'Disqualification by Association' Declaration forms and, where necessary, consult with relevant parties in order for a risk assessment to be undertaken and be responsible for communicating any outcomes made to the learner.
- Act as the Designated Person for Looked After Children and ensure that systems are in place for recording and supporting these young people.

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## College Management Team

Individual members of the College's Management Team are responsible for the welfare of employees and learners whom they supervise and manage, and all users of those workplaces, which they control. They must maintain close liaison with their employees in safeguarding matters and they are responsible, in particular, for the following:

- Ensuring the implementation of any safeguarding policies or procedures approved by the College within their own area and that they are brought to the attention of, and made available to, employees, volunteers, learners, contractors and visitors within the area.
- Ensuring that there is a system in place for ensuring employees attendance at mandatory training.
- Ensuring that suitably and sufficiently trained persons are identified and available within their areas of responsibility to support the application of safeguarding legislation and College policies/procedures.
- Ensuring that individual Job Descriptions and Person Specifications clearly define the role, the tasks and skills needed in order to reflect the level of responsibility in relation to safeguarding.
- Ensuring that Safer Recruitment practices are applied when recruiting to posts.
- Ensuring that the services within their control provide a healthy and safe environment, whilst taking on board different cultural aspects of the College and local community.
- Ensuring that contractors/subcontractors working on College premises comply with the safeguarding regulations, which will be made available and clear to them when they tender for work.  
They must conform to the College's safeguarding standards, which will include the employment of competently trained personnel and ensuring that they meet their statutory obligations.
- Ensuring that there are processes in place in their areas of responsibility for the checking of DBS Certificates (in line with College requirements) in respect of external agencies supporting learners whilst on College premises or undertaking off-site College activities.

## Team Managers

Team Managers are responsible for:-

- Ensuring the adequate induction of all new employees/learners/contractors/volunteers emphasising the safeguarding aspect of their duties.
- Ensuring that departmental policies, procedures and assessments are in line with overall College policies and procedures.
- Ensuring safeguarding training needs (including refresher training) for employees are identified within the Appraisal process.
- Monitoring employees' attendance at agreed training sessions.
- Ensuring that risk assessments are undertaken for all vulnerable persons within their area, and that employees conducting these risk assessments are suitably trained in the process, and are able to use action plans that result from risk assessments. Appropriate documentation of such risk assessments should be kept
- Ensuring that effective communications on safeguarding are in place.

## Safeguarding Officers

Safeguarding Officers are responsible for:-

- Receiving, recording and passing on to external agencies, where appropriate and following consultation with the Senior Designated Person or their nominated Deputy, disclosures in accordance with College procedures.

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- Liaising with the Vice Principal - Learner Journey, Inclusion or their nominated Deputy as appropriate.
- Providing advice and support to other employees/volunteers on issues related to young people and vulnerable persons.
- Informing parents/carers, where appropriate, and following consultation with the College's Senior Designated Person (or nominated Deputy), in line with the College's Disclosure to Parents/Carers Policy,
- Attending training commensurate with the role.
- Keeping themselves up-to-date with any changes in College policy/procedures or legislative changes.
- Attending College meetings commensurate with the role.

## **Assistant Group Career Work-Placement Manager**

- Implement, co-ordinate and maintain the vetting of all employer premises for all work-based learning and work placements in line with College Policy and Procedures in order to ensure that a safe and secure environment is established in all aspects of the work placement.
- Co-ordinate work placement information into a central College database, which is maintained as a record for all Employer Health, Safety and Environment workplace assessments.
- Liaise with relevant areas to ensure appropriate vetting visits are completed.
- Prepare operational reports as requested.

## **Director of Human Resources**

The Director of Human Resources is responsible for:-

- Ensuring that the employment of people within the College fulfils the requirements of Safer Recruitment.
- Ensuring that there is a system in place for maintaining and monitoring the College's Single Central Record.
- Ensuring that risk assessments are undertaken following any DBS Certificate disclosures.
- Attending, when necessary (or appointing a nominee to attend) case strategy meetings with the designated officer or their designated representative from the relevant local authority in respect of safeguarding issues relating to an employee, reporting back to the College and taking appropriate action.
- Being Lead Signatory for the College and undertaking any duties commensurate with this role, in line with National requirements.
- In liaison with the Vice Principal Learner Journey, Inclusion & Vocational Curriculum ensure that Risk Assessments are undertaken following any staff disclosures in relation to Disqualification by Association and provide employees with information on how to apply to waive disqualification where necessary.

## **Estates Management Team/Team Managers – Campus Operations/Events Management Team/Commercial Training Manager**

The Estates Management Team/Team Managers – Campus Operations/Events Management Team/Commercial Training Manager are responsible for:-

- Ensure that all contractors satisfy safeguarding requirements under their statutory obligations and provide information to contractor employees.
- Liaise with the Senior Designated Person or nominated Deputy on all issues related to safeguarding the welfare of young persons and vulnerable persons.

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# Safeguarding Policy and Procedure

## Financial Controller

The Financial Controller is responsible for:

- Ensuring that all procurement documents detail the requirements for safeguarding.
- Ensuring that all contractors on the College's Approved Contractor List fulfil their contractual obligations in so far as they relate to safeguarding.

## Learner Services Co-ordinator

The Learner Services Co-ordinator or their nominated deputies will ensure that:-

- They adhere to the DBS Code of Practice.
- There are systems in place for providing relevant learners with the opportunity to complete the Childcare 'Disqualification by Association' Learner Declaration Form, working with Team Managers as appropriate.
- DBS Certificate numbers are logged on Promonitor.
- They liaise with the Team Manager – Learner Engagement in order for risk assessments to be undertaken in line with any disclosures received.
- They inform anyone who has made a 'Disqualification by Association' disclosure about their right to seek a waiver from Ofsted.
- They log the 'Disqualification by Association' data.

## Employees

All employees have a responsibility to co-operate fully with their supervisors and managers to ensure that the College, as their employer, can carry out its responsibilities.

All employees have a legal duty of care to others. Regardless of the position held within the College they must: -

- Co-operate with each other and work in accordance with any policies, procedures, regulations, codes of practice and information or training provided.
- Inform the Senior Designated Person (or nominated Deputy) of any learner that has disclosed to them that they are being supported by an external agency(ies), e.g. Child & Adolescent Mental Health Services (CAMHS) as soon as possible, but within one working day in order for contact to be made.
- Ensure personal safeguarding training needs are identified within the Appraisal process.
- Take responsibility for attending agreed training sessions.
- Report any safeguarding concerns in accordance with College procedures.
- Participate in training sessions about safeguarding as requested by their manager or supervisor.
- Be aware of and participate in the risk assessment process.
- If requested, supervise an individual who does not have relevant DBS/safeguarding requirements in place.
- Will provide updated information by completing the College's Disclosure & Barring Service Annual Declaration form and where relevant the Disclosure & Barring Service Annual Declaration & Disqualification by Association form.

## Volunteers

All volunteers have a responsibility to co-operate fully with the College so that it can carry out its responsibilities, and have a legal duty of care to others. Volunteers must: -

- Co-operate and work in accordance with any policies, procedures, regulations, codes of practice and information or training provided.
- Report any safeguarding concerns in accordance with College procedures.
- Participate in training sessions about safeguarding as requested.
- Be aware of and participate in the risk assessment process.

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## Team Manager – Early Years

The Team Manager – Early Years is the Nominated Person for the Little Explorers Nursery and has day-to-day responsibility for child protection issues within the Nursery, which is subject to a separate policy and procedures. The Nominated Person will liaise with the Senior Designated Person or nominated Deputy as appropriate.

## ORGANISATIONAL ARRANGEMENT STRUCTURE TO FACILITATE SAFEGUARDING

### Governing Body

Whilst the Chief Executive carries and accepts overall responsibility and is supported by the Senior Designated Person, the Governing Body is responsible for the endorsement, approval and implementation of the College's safeguarding policies.

### College Quality Improvement Group - Safeguarding

The key function of the committee is to establish and maintain a safe learning environment, by developing, approving and monitoring College safeguarding policies and procedures, and working to an annual action plan.

The group aims to promote a culture of understanding and co-operation across the College to ensure the safety and welfare of all employees, volunteers, learners, contractors, subcontractors and visitors.

Working Groups may be convened in response to specific issues, with key aims and objectives being set. These Groups will report directly to the QIG – Safeguarding.

The committee is chaired by the Vice Principal Learner Journey, Inclusion & Vocational Curriculum and Terms of reference for the College QIG - Safeguarding established.

### Safeguarding Management Group

The Safeguarding Management Group is responsible for responding quickly and appropriately to allegations of abuse made against employees/volunteers in line with this procedure.

The Safeguarding Management Group will comprise of:-

- Chief Executive or nominated Deputy
- Senior Designated Person or nominated Deputy
- Director of Human Resources or nominated Deputy

The Chief Executive will consider and where appropriate include the Safeguarding Champion from the Governing Body.

### Training and Information

The training of Governors and all employees, volunteers and learners is an essential element of having successful safeguarding arrangements in place.

The information, instruction and training of all persons is seen as a fundamental part of providing a safe learning environment. Training for employees/volunteers should be provided at the start of employment (induction) and then on a regular basis throughout employment.

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This continual training programme is to ensure high standards are maintained for the benefit of employees, volunteers, learners and the general public.

Further training will be delivered to individuals commensurate with their roles and responsibilities with the College.

All training provided should be recorded and evidence kept that training has taken place.

## SAFER RECRUITMENT AND SELECTION

The Director of Human Resources is responsible for ensuring that the College has systems in place which pay full regard to the guidance set out in "Keeping Children safe in education".

The College's Staff Recruitment & Selection Policy and supporting procedures ensure that all appropriate measures are applied in relation to everyone who works at the College, including Governors, employees, volunteers, and persons employed by external contractors/partners, including:-

- Verifying identity and academic or vocational qualifications (where appropriate)
- Obtaining professional and character references and checking previous employment histories
- Obtaining relevant Disclosure & Barring disclosures for all new employees.
- Undertaking risk assessments, as appropriate, following information received from DBS.
- Applying additional checks to all new employees who are non-European Economic Area (EEA) nationals
- Keeping a single central record detailing the range of checks carried out on employees
- In the case of temporary/agency staff operating on College premises, requiring them to agree to and abide by safeguarding conditions set out by the College.
- Obtaining an Annual Declaration from current employees on their DBS status or any changes in their personal circumstances.
- Ensuring information is sought from relevant employees in relation to the Disqualification by Association criteria.

## DISCLOSURE & BARRING SERVICE – STATEMENT ON THE SECURE STORAGE, HANDLING, USE, RETENTION AND DISPOSAL OF DISCLOSURES AND DISCLOSURE INFORMATION

### General Principles

As an organisation using the Disclosure & Barring Service (DBS) to help assess the suitability of applicants for positions of trust, Derby College complies fully with the Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

### Storage and Access

Disclosure information should be kept securely in lockable, non-portable storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

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## Handling

In accordance with Section 124 of the Police Act disclosure information is only passed to those who are authorised to receive it in the course of their duties. The College maintain a record of all those to whom disclosures or disclosure information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

## Usage

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

## Retention and Disposal

Once a recruitment (or other relevant) decision has been made, the College do not keep disclosure information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints.

If, in very exceptional circumstances, it is considered necessary to keep disclosure information for longer than six months the College will consult the DBS about this and will give full consideration to the data protection and human rights of the individual before doing so. Throughout this time the usual conditions regarding the safe storage and strictly controlled access will prevail.

Once the retention period has elapsed the College will ensure that any disclosure information is immediately destroyed by secure means, e.g. by shredding, pulping or burning. While awaiting destruction disclosure information will not be kept in any insecure receptacle, e.g. waste bin or confidential waste sack. The College will not keep any photocopy or other image of the disclosure or any copy of representation of the contents of a disclosure. However, notwithstanding the above, the College may keep a record of the date of issue of a disclosure, the name of the subject, the type of disclosure requested, and the position for which the disclosure was requested, the unique reference number of the disclosure and the details of the recruitment decision taken.

## Events and External Speakers (Prevent Duty)

In order to comply with the Counter Terrorism and Security Act 2015 which imposes a duty on further education colleges to have due regard to the need to prevent people from being drawn into terrorism, the college makes an assessment of risk for all external events and visiting speakers. A risk register is completed by any member of staff who is responsible for organising external events. This includes events organised by Roundhouse Events outside of normal college hours. When deciding whether or not to host a particular speaker or the college will consider carefully whether the views being expressed or likely to be expressed constitute extremist views that risk drawing someone into terrorism or are shared by a terrorist group. In these circumstances the event will not be allowed to proceed except where the college is entirely convinced that such risk can be fully mitigated without cancellation of the event. This includes ensuring that, where an event is being allowed to proceed, speakers with extremist views that could draw people into terrorism are challenged and opposing views as part of that same event, rather than in a separate forum. Where there is any doubt that the risk cannot be mitigated the event will not be able to proceed.

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## RECRUITMENT OF EX-OFFENDERS

The Rehabilitation of Offenders Act enables criminal convictions to become 'spent' or ignored after a 'rehabilitation period'.

Under the Criminal Justice and Court Service Act, however, it remains an offence, punishable by imprisonment for anyone either convicted of or cautioned for a Schedule Four offence to apply to work with children, young people or vulnerable persons. It is also an offence for anyone knowingly to employ such a person in such a capacity either on a paid or voluntary basis.

It is a requirement of the DBS's Code of Practice that all Registered Bodies must treat disclosure applicants who have a criminal record fairly and do not discriminate because of a conviction or other information revealed. It also obliges Registered Bodies to have a written policy on the recruitment of ex-offenders. (A copy of which can be given to disclosure applicants at the outset of the recruitment process.)

### Recruitment of Ex-offenders Procedure

The following has been developed to help the College meet the requirements of the DBS's Code of Practice.

- As an organisation using the Disclosure & Barring Service to assess applicants' suitability for positions where employees or potential employees will care for, train, supervise or are in sole charge of children, young or vulnerable persons. Derby College complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed.
- Derby College is committed to the fair treatment of its employees, potential employees or users of its services, regardless of gender, race, nationality, ethnic or national origins, marital status, sexual orientation, political or religious beliefs and activities, family responsibilities, class, physical, sensory, mental or other forms of disability or medical condition.
- The College actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records. The College select all candidates for interview based on their skills, qualifications and experience.
- For those positions where a disclosure is required, job adverts and recruitment briefs will contain a statement that a disclosure will be requested in the event of the individual being offered a position.
- Where a disclosure is to form part of the recruitment process and in line with legislative requirements, the College encourages all applicants called for interview to provide details of their criminal record at an early stage in the application process. The College will request that this information is given in person to a designated person in the HR Department of Derby College and the College guarantees that this information will only be seen by those who need to see it as part of the recruitment process.  
Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- Derby College ensures that all those in the College who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. The College also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act.

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- The College make every subject of a DBS disclosure aware of the existence of their Code of Practice and make a copy available on request.
- At interview, or in a separate discussion, the College ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant. In certain circumstances it may be appropriate to conduct a confidential risk assessment with an individual where a disclosure reveals previous criminal convictions and/or Cautions. Where this takes place the Counter-signatory will make a record of the risk assessment and get the individual to sign it, or confirm its accuracy by email. This is then forwarded to the Lead Counter-signatory for their approval. This will then be kept on the employee's personal file in a sealed envelope.
- **Having a criminal record will not necessarily bar someone from working for Derby College.** This will depend on the nature of the position and the circumstances and background of disclosed offences.
- Should an applicant wish to complain about information disclosed a Complaints Procedure is available directly from the DBS.
- Derby College will co-operate with requests from the DBS to undertake assurance checks as to the proper use and safekeeping of disclosure information
- Derby College will also report to the DBS any suspected malpractice in relation to the Code of Practice or any suspected offences in relation to the misuse of disclosures.
- As a Registered Body of the DBS, the Lead Signatory has provided appropriate training for all counter-signatories. This document will be under continual review in light of changing legislation and guidelines from the DBS.

## CATEGORIES OF ABUSE

### Young People

#### **Physical Abuse**

This may involve hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a young person. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately includes illness in a young person.

#### **Emotional Abuse**

This is the persistent emotional ill-treatment of a young person such as to cause severe and persistent effects on the young person's emotional development. It may involve conveying to young people that they are worthless or unloved, inadequate, or valued only so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectation being imposed on young people.

These may include interactions which are beyond the young person's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the young person from participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve bullying and causing young people to feel frightened or in danger, or the exploitation or corruption of young people.

Some level of emotional abuse is involved in all types of ill treatment of a young person, though it may occur alone.

#### **Sexual Abuse**

This involves forcing or enticing a young person to take part in sexual activities, including prostitution, exploitation whether or not the young person is aware of what is happening. The

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activities may involve physical contact, including penetrative (e.g. rape) or non-penetrative acts. They may include non-contact activities, such as involving young people in looking at, or in the production of pornographic materials, or watching sexual activities, or encouraging young people to behave in sexually inappropriate ways.

## **Neglect**

This is the persistent failure to meet the young person's basic physical and/or psychological needs, likely to result in the serious impairment of the young person's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter (including exclusion from home or abandonment), failure to protect a young person from physical and emotional harm or danger, failure to ensure adequate supervision, including the use of inadequate caretakers or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a young person's basic emotional needs.

## **Vulnerable Persons**

### **Physical Abuse**

This includes hitting, slapping, pushing, kicking, rough handling or unnecessary physical force either deliberate or unintentional, misuse of medication, restraint or inappropriate sanctions.

### **Sexual Abuse**

This includes rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent to, or was pressured into consenting to. Sexual abuse can occur between people of the same sex and it can also occur within a marriage or any long-term relationship. A relationship of trust and a duty of care should exist between an employee or a volunteer and the person for whom they are caring. It would be seen as a betrayal of trust and, therefore, abusive for that employee or volunteer to have a sexual relationship with the person they are caring for.

### **Psychological Abuse**

This includes emotional abuse, bullying and threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

### **Financial or Material Abuse**

This includes theft, fraud, exploitation, pressure in connection with wills, property, enduring power of attorney, or inheritance or financial transactions, or the inappropriate use, misuse or misappropriation of property, possessions or benefits.

### **Neglect and Acts of Omission**

This includes ignoring or withholding medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition, clothing and heating.

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# Safeguarding Policy and Procedure

## **Discriminatory Abuse**

This includes racist, sexist or other forms of abuse that are based on a person's disability and other forms of harassment or similar treatment.

## **Other forms of abuse**

### **Domestic Violence**

Domestic violence is the abuse of one partner within an intimate or family relationship. It is the repeated, random and habitual use of intimidation to control a partner. The abuse can be physical, emotional, psychological, financial or sexual. It can force a person to alter their behavior, because they are frightened of their partner's reaction, and this is a form of abuse.

There is no single cause of domestic violence. It comes from a combination of factors, including society's attitudes, community responses, and the individual psychology experiences of the abuser and the abused. Domestic violence is the result of an abuser's desire for power and control.

If you have concerns about a child or young person you should refer them to a Safeguarding Officer for advice, support and external referral if required.

### **Exploitation**

Child sexual exploitation is when children and young people receive something (such as food, accommodation, drugs, alcohol, cigarettes, affection, gifts, or money) as a result of performing, and/or others performing on them, sexual activities. Child sexual exploitation can occur through the use of the internet or on mobile phones. In all cases, those exploiting the child or young person have power over them because of their age, gender, intellect, physical strength and/or resources. For victims, the pain of their ordeal and fear that they will not be believed means they are too often scared to come forward.

If you have concerns about a child or young person you should refer them to a Safeguarding Officer for advice, support and external referral if required.

### **Extremism and Radicalisation**

A statutory duty has been placed on Further Educational establishments to have due regard to the need to prevent people from being drawn into terrorism, and to ensure that they are given appropriate advice and support. If you have any concerns about a learner or hear or see anything that concerns you please contact a Safeguarding Officer.

### **Female Genital Mutilation**

Within the United Kingdom this practice is prohibited and, therefore, a criminal offence if carried out in the UK. Any disclosures of this type should automatically be referred to the Senior Designated Person or their nominated deputy for external referral.

### **Forced Marriage**

A forced marriage is a marriage that is performed under duress and without the full and informed consent or free will of both parties, and is a criminal offence in the UK.

Victims of forced marriage may be the subject of physical violence, rape, abduction, false imprisonment, enslavement, emotional abuse, and murder.

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It is important not to confuse 'forced' marriage with 'arranged' marriage. In the instance of an 'arranged' marriage both parties freely consent.

Any disclosures of this type should automatically be referred to the Senior Designated Person or their nominated deputy for external referral.

## Honour based violence

'Honour' based violence (HBV) is a form of domestic abuse which is perpetrated in the name of so called 'honour'. The honour code which it refers to is set at the discretion of male relatives and women who do not abide by the 'rules' are then punished for bringing shame on the family. Infringements may include a woman having a boyfriend; rejecting a forced marriage; pregnancy outside of marriage; interfaith relationships; seeking divorce, inappropriate dress or make-up and even kissing in a public place.

HBV can exist in any culture or community where males are in position to establish and enforce women's conduct, examples include: Turkish; Kurdish; Afghani; South Asian; African; Middle Eastern; South and Eastern European; Gypsy and the travelling community (this is not an exhaustive list).

Males can also be victims, sometimes as a consequence of a relationship which is deemed to be inappropriate, if they are gay, have a disability or if they have assisted a victim.

This is not a crime which is perpetrated by men only, sometimes female relatives will support, incite or assist. It is also not unusual for younger relatives to be selected to undertake the abuse as a way to protect senior members of the family. Sometimes contract killers and bounty hunters will also be employed.

Any disclosures of this type should automatically be referred to the Senior Designated Person or their nominated deputy for external referral.

## Mental Well-being

Positive Mental Health and Emotional Well-being describes how we think, feel and relate to ourselves and others and how we interpret the world around us. Having good Mental Health affects our capacity to manage, communicate, and form and sustain relationships. It also affects our ability to cope with change and major life events.

If a person has poor mental health this will affect how they interact with others, their ability to apply themselves to learning, attendance, behaviour, etc. The College owes a duty of care to young people and staff need to take appropriate action if they have concerns by referring them to, for example the Intervention Support Team, Counselling.

## Self-Neglect/Harm

This is not a direct form of abuse, but employees need to be aware of it in the general context of risk assessment and risk management, and to be aware that they may owe a duty of care to a young person who place themselves at risk in this way.

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