

SAFEGUARDING OF CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS POLICY AND PROCEDURE

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1. Introduction

- 1.1 This Policy has been developed in accordance and under the guidance of the:
- Framework for the Assessment of Children in Need and their Families (2000)
 - Children Acts 1989 and 2004 Education Act (2002)
 - What to do if You are Worried a Child is being Abused (2006)
 - Vulnerable Groups Act (2006)
 - Safeguarding Children and Safer Recruitment in Education (2007)
 - Policy and Procedural Framework for Action (2011)
 - Working Together Towards Safeguarding (March 2013)
 - Working Together to Safeguard Children (July 2018)
 - Keeping Children Safe in Education (September 2018)
 - Sefton Local Safeguarding Children Board
- 1.2 The College will keep its policy and procedures on children, young people and vulnerable adult protection under review to take account of any new Government legislation, regulations or best practice documents to ensure that staff are kept fully up to date with their responsibilities and duties with regard to the safety and wellbeing of vulnerable adults.
- 1.3 This policy deals with the protection of Children, Young People and Vulnerable Adults. Children are those under 18 years of age who may be on a:
- Full Time 14-16 programme (including those placed in alternative provision)
 - 14-16 School Link programme
 - Apprenticeship course
 - Year 11 E2E re-engagement programme
 - Year 11 Early College Transfer programme
 - 16-18 course
 - Or visitors to the college, including those on taster days, attending events, using college facilities
- 1.4 A vulnerable adult is defined (under the Protection of Vulnerable Adults Regulations 2002) as 'a person aged 18 or over who is receiving services of a type listed in paragraph (1.5) below and in consequence of a condition of a type listed in paragraph (1.6) below has a disability of a type listed in paragraph (1.7) below.
- 1.5 The services are –
- (a) accommodation and nursing or personal care in a care home;

- (b) personal care or nursing or support to live independently in his/her own home;
- (c) any services provided by an independent hospital, independent clinic, independent medical agency or National Health Service body;
- (d) social care services; or
- (e) any services provided in an establishment catering for a person with learning difficulties.

1.6 The conditions are –

- (a) a learning or physical disability;
- (b) a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or
- (c) a reduction in physical or mental capacity.

1.7 The disabilities are -

- (a) a dependency upon others in the performance of, or a requirement for assistance in the performance of, basic physical functions;
- (b) severe impairment in the ability to communicate with others; or
- (c) impairment in a person's ability to protect his/herself from assault, abuse or neglect.

1.8 The Police Act 1997 (Enhanced Criminal Record Certificates) (Protection of Vulnerable Adults) Regulations 2002 require employers to carry out Disclosure and Barring Service Checks before employees are allowed to come into contact with children and vulnerable adults. The College is required under this legislation to apply for an enhanced check from the Disclosure and Barring Service (DBS) for staff working with such students.

1.9 In addition, the College also extends the requirements for DBS checks to be completed to agency workers, contractors, volunteers, visitors where applicable, and governors of the college. It is college policy that all existing, and newly recruited staff are required to undergo a DBS enhanced check. As part of the college wide approach to safeguarding, all students applying to the college are required to disclose any cautions/convictions that they may have, which are then dealt with by the safeguarding team as part of the admissions/enrolment processes.

2. Safeguarding Strategy

2.1 The College will:

- Take a preventive approach to protecting children, young people and vulnerable adults from potential harm or damage.
- Take all appropriate actions to address concerns about the welfare of children, young people and vulnerable adults.
- Work to agreed local policies and procedures in full partnership with other local agencies.

- Plan, implement, monitor and review policies and procedures to ensure that the maximum is done to provide a safe environment for young people and vulnerable adults in the college.
- Take all reasonable measures to ensure that risks of harm to young people and vulnerable adults' welfare is minimised by appropriate:
 - Risk assessment and management
 - Health and Safety procedures
 - Staff selection, recruitment, induction, supervision and training
 - Creation and promotion of an open work Culture
 - "Whistleblowing"
 - Reacting to and reporting abuse

3 Policy Statement

- 3.1 Hugh Baird College holds as one of its highest priorities the health, safety and welfare of all children, young people and vulnerable adults involved on courses or activities which come under the responsibility of the College.
- 3.2 The College and its staff have a collective and individual duty of care to ensure that a safe environment is provided in which children, young people and vulnerable adults can learn. It is the responsibility of all staff to immediately report any concern, no matter how small or trivial it may seem.
- 3.3 The College will advise children, young people and vulnerable adults about the standards of behaviour and conduct they can expect from staff and volunteers and of what to do if they experience or suspect abuse.
- 3.4 The College will work with appropriate agencies, and in particular Liverpool and Sefton Child Protection Teams, Sefton Local Safeguarding Children's Board and Liverpool and Sefton Social Services to ensure that children, young people and vulnerable adults are safeguarded through the effective operation of the College's safeguarding children and vulnerable adult procedures.
- 3.5 The College recognises that any child, young person or vulnerable adult can be subject to abuse and all allegations of abuse will be taken seriously and treated in accordance with the College's procedures.
- 3.6 The College recognises its responsibility to implement, maintain and regularly review the procedures that are designed to prevent or notify suspected abuse.
- 3.7 The College is committed to supporting, resourcing and training those who work with or who come in to contact with children, young people and vulnerable adults and to providing appropriate supervision.
- 3.8 The College requires its entire staff to follow the Code of Behaviour on Safeguarding Children and Vulnerable Adults which is appended to this policy document, and will draw the attention of staff to this code of conduct and procedures in induction and relevant training.

- 3.9 Members of the Governing Body, the Principal and all the other staff who work with children, young people and vulnerable adults, will undertake training to equip them to carry out their responsibilities for safeguarding children, young people and vulnerable adults effectively. Training will be provided, as appropriate, to all members of staff to ensure that they are aware of these procedures at training events provided by the College. Basic safeguarding and e-safety training is available and delivered twice per year for all new staff and for existing staff every 3 years, and is compulsory for all staff. Staff who have designated Safeguarding responsibilities will complete Sefton's LSCB Safeguarding Children's Board Level 2 Training every two years.
- 3.10 In addition, all staff members will receive safeguarding and protection updates (for example, via email, e-bulletins and staff meetings), as required, but at least annually, to provide them with the relevant skills and knowledge to safeguard children and vulnerable adults effectively.
- 3.11 The Vice - Principal (People, Organisational Development & Culture) has overall responsibility for safeguarding within the College and is the Designated Safeguarding Lead (DSL). In addition, the both the Head of Student Experience and the Student Services Manager are assigned to deputise as Designated Safeguarding Leads. The College has a designated Safeguarding Coordinator who is responsible for co-ordinating action within the College and liaising with other agencies. There are also a number of Safeguarding Officers within the organisation which cover all College sites that will take safeguarding referrals and action them fully in line with College procedure. All referred cases will be reported to Safeguarding Coordinator for information and/or advice and recorded on the secure safeguarding share point site for monitoring purposes. Refer to Appendix B for names and contact details of Safeguarding Officers.
- 3.12 The College operates safer recruitment procedures and ensures that all appropriate checks, including both enhanced Disclosure and Barring Service (DBS) checks and checks of the "barred lists" maintained by the Disclosure and Barring Service, are carried out on new staff and volunteers who will work or come into contact with children, young people and vulnerable adults.

4 Definition of Abuse

Children and Young People

It is important to remember that lists such as the one below are neither completely definitive nor exhaustive. The information in such lists has to be used in the context of the child's whole situation and in combination with a range of other information related to the child and his/her circumstances. It is acknowledged that children/young people missing from education or home may have Safeguarding concerns. Our Safeguarding procedures include reporting missing students and working with appropriate external agencies. Attendance at class is regularly monitored and concerns recorded on Pro Monitor.

There can be an overlap between all the different forms of child abuse and all or several can co-exist.

Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or by another child or children (known as peer to peer abuse).

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

4.2 **Emotional Abuse** is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children 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 expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying, causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

4.3 **Sexual Abuse** involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts (fondling). They may include non-contact activities, such as involving children in looking at, or in production of, sexual online images, watching sexual activities, sexting or encouraging children to behave in sexually inappropriate ways.

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

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- Protect a child from physical or emotional harm or danger
- Ensure adequate supervision (including the use of inadequate care-givers)
- Ensure access to appropriate medical care or treatment
- It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

4.5 **Child Sexual Exploitation (CSE).** Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive something (e.g. food,

accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities.

Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example, being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

- 4.6 **Significant Harm.** Some children are in need because they are suffering or likely to suffer significant harm. The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children.
- 4.7 **Hate Crime or mate crime is any hate incident that is a criminal offense.** Adults may be victims of mate/hate crime due to age, disability, gender, gender identity, sexual orientation, race/ethnicity, religion/beliefs, pregnancy, or marital status. Mate crime is prevalent when hate crimes are committed by someone the victim wanted to befriend or considered to be a friend.

Vulnerable Adults

- 4.8 **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.
- 4.9 **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. 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 should exist between a member of staff or a volunteer and the person for whom they are caring; it would be seen as a betrayal of that trust, and therefore abusive, for that member of staff or volunteer to have a sexual relationship with the person they are caring for.
- 4.10 **Psychological Abuse:** This includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
- 4.11 **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.
- 4.12 **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.

- 4.13 **Discriminatory Abuse:** This includes racist, sexist, or other forms that are based on a person's disability and other forms of harassment, or similar treatment.
- 4.14 **Self Neglect:** This is not a direct form of abuse, but staff need to be aware of it in the general context of risk assessment/risk management and to be aware that they may owe a duty of care to a vulnerable individual who places him/herself at risk in this way.
- 4.15 **A forced marriage** is a marriage that is performed under duress and without the full and informed consent or free will of both parties. Being under duress includes feeling both physical and emotional pressure. Some victims of forced marriage are tricked into going to another country by their families. Victims fall prey to forced marriage through deception, abduction, coercion, fear, and inducements. A forced marriage may be between children, a child and an adult, or between adults. Forced marriages are not limited to women and girls, as boys and men are also forced to marry against their will.
- 4.16 **Female Genital Mutilation** is a procedure where the female genital organs are injured or changed and there is no medical reason for this. It is frequently a very traumatic and violent act for the victim and can cause harm in many ways. The practice can cause severe pain and there may be immediate and/or long-term health consequences, including mental health problems, difficulties in childbirth, causing danger to the child and mother; and/or death.
- 4.17 **Modern Slavery** is a global problem that transcends age, gender and ethnicities, including here in the UK. It can include victims that have been brought from overseas, and vulnerable people in the UK, being forced to illegally work against their will in many different sectors, including brothels, cannabis farms, nail bars and agriculture. Poverty, limited opportunities at home, lack of education, unstable social and political conditions, economic imbalances and war are some of the key drivers that contribute to human trafficking of victims. Victims can often face more than one type of abuse and slavery, for example if they are sold to another trafficker and then forced into another form of exploitation.
- 4.18 **Organisational Abuse** is abuse of power by members of an organisation with a duty of care for the victim who is likely to have care needs. For example, a care home or hospital.
- 4.19 **Hate Crime or hate crime is any hate incident that is a criminal offense.** Adults may be victims of hate/hate crime due to age, disability, gender, gender identity, sexual orientation, race/ethnicity, religion/beliefs, pregnancy, or marital status. Hate crime is prevalent when hate crimes are committed by someone the victim wanted to befriend or considered to be a friend.

5 Safeguarding Children and Vulnerable Adults Procedure

- 5.1 The purpose of these guidelines is to ensure that the rights of a child, young person or vulnerable adult are protected through staff awareness of the issues and the following of the statutory and local guidelines in the reporting of concerns.
- 5.2 The College will take steps to identify vulnerable young people and adults on admission to a course. Study Programme Coordinators will be informed, as part of the admissions procedures, if vulnerable young people or adults have been enrolled on their courses where these are not specifically designed for vulnerable learners. Additional supervision measures will be put in place for all students defined as vulnerable and such students will come under the provisions of this policy.

6. Advice to Staff on when to take Action and How

Children, young people and vulnerable adults can be potentially abused within the family, community, organisations by employees (including those employed to promote their welfare and protection from abuse), visitors, volunteers and fellow students.

- 6.1 It is the responsibility of all staff working within the college to record and refer concerns regarding the safeguarding of children, young people and vulnerable adults even if they are just suspicions or overheard rumours, but not to discuss it with anyone other than the Safeguarding Coordinator or a Safeguarding Officer.
- 6.2 If a child, young person or vulnerable adult comes to you with a report of apparent abuse, you should listen carefully to him/her, using the following guidelines. When listening staff must:
- allow the child, young person or vulnerable adult to speak without interruption
 - never trivialise or exaggerate the issue
 - never make suggestions
 - never coach or lead the them in any way
 - reassure them, let them know you are glad they have spoken up and that they are right to do so
 - always ask enough questions to clarify your understanding, do not probe or interrogate – no matter how well you know the child, young person or vulnerable adult– spare them having to repeat themselves over and over.
 - be honest – let the young person or vulnerable adult know that you cannot keep this a secret; you will need to tell someone else.
 - try to remain calm – remember this is not an easy thing for them to do.
 - do not show your emotions – if you show anger, disgust or disbelief, they may stop talking. This may be because they feel they are upsetting you or they may feel your negative feelings are directed towards them
 - let the child, young person or vulnerable adult know that you are taking the matter very seriously

- make the child, young person or vulnerable adult feel secure and safe without causing them any further anxiety.
- 6.3 Once you suspect any abuse you must immediately (within a maximum of two hours) contact the Safeguarding Co-ordinator or a Safeguarding Officer either in person, by phone, or via the Push the Button on MyDay, outlining what has been disclosed, what you have overheard or your suspicions. You should also contact them if you know or suspect that a member of staff or student has a previous history of abuse of children, young people or vulnerable adults.
- 6.4 With regard to children or young people the Safeguarding Coordinator or a Safeguarding Officer must discuss the matter with the Children’s Social Care Team who will determine if it is a safeguarding matter. If it is a safeguarding matter the Children’s Social Care Team will take control of the situation, including such things as whether to inform parents/carers.
- 6.5 With regard to vulnerable adults, if it is decided by the Safeguarding Coordinator or a Safeguarding Officer that further action should be taken, they may;
- Seek further advice from Sefton Social Services
 - Make a referral to Social Services
 - Report the incident to a designated Social Worker
 - Report the matter to the police if a crime is suspected
- 6.6 Where an allegation is made regarding a 14-16 year old learner including a learner on the School Links programme, members of staff should follow the same procedures as outlined above. The Safeguarding Coordinator or a Safeguarding Officer will liaise with the Child Protection Officer from the learner’s school or sponsor, ensuring that the learner is informed of this process.
- 6.7 The College’s Safeguarding Coordinator or a Safeguarding Officer will ask the referring member of staff for both children and adults to produce a full written record within 24 hours, which should include:
- Name and position of the person who reported the matter
 - Whether the matter is a direct disclosure from a child, young person or vulnerable adult, a suspicion or an overheard conversation
 - A factual account of what has been overheard or what has been disclosed, including any questions they needed to ask to clarify understanding
 - The Report should contain as much detail as possible including observations (including physical signs of apparent abuse). It must not include opinions or personal interpretation of the facts
 - Signed, dated and forwarded to the Safeguarding Coordinator or a Safeguarding Officer who will store it in a secure place.
- 6.8 Detailed information about a case will be confined to the Safeguarding Coordinator or a Safeguarding Officer, the Designated Safeguarding Leads Principal, and (if not implicated) the parents/carers.
- 6.9 The reporting member of staff will be kept informed on the progress of the case on a “need to know basis only”.

- 6.10 If the Children's Social Care Team or Social Care Services deem it a safeguarding issue the Vice- Principal (People, Organisational Development & Culture) will advise the Lead Governor (Safeguarding) without disclosing any detail.

7. Safe Practice

- 7.1 Our college will comply with the current Safe Practice guidance to be found in Sefton Safeguarding Procedures at <http://www.seftonlscb.co.uk>

Safe working practice ensures that students are safe and that all staff:

- are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions;
- work in an open and transparent way;
- work with other colleagues where possible in situations open to question
- discuss and/or take advice from the college's leadership team over any incident which may give rise to concern;
- record any incidents or decisions made;
- apply the same professional standards regardless of age, disability, sexual orientation, ethnicity, race, colour, faith, marital status, gender or identification
- be aware of confidentiality
- are aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

8 Confidentiality

- 8.1 Confidentiality and trust should be maintained as far as possible. The degree of confidentiality will be governed by the need to protect the child, young person or vulnerable adult who is always the primary concern. The child, young person or vulnerable adult must, at the earliest opportunity in the disclosure, be informed of the need to pass information on.
- 8.2 All conversations regarding a child, young person or vulnerable adult should always be held in private.
- 8.3 The College complies with the requirements of the Data Protection Act 2018 and the General Data Protections Regulations, which allows for disclosure of personal data where this is necessary to protect the vital interests of a child, young person or vulnerable adult. In all cases, the main restrictions on disclosure of information are:
- Common Law duty of confidence
 - Human Rights Act 1998
 - Data Protection Act Data Protection Act 2018 and the General Data Protections Regulations.

Each of these has to be considered separately. Other statutory provisions may also be relevant, but in general, legislation does not prevent sharing of information if:

- those likely to be affected consent; or
- the public interest in safeguarding the child's, young person's or vulnerable adult's welfare overrides the need to keep the information confidential; or
- disclosure is required under court order or other legal obligation.

Whatever happens, you should always be open and honest with the child, young person or vulnerable adult if you intend to take the case further.

8.4 The member of staff reporting a disclosure, suspicion of abuse/neglect or overheard rumours of abuse/neglect must not discuss the case with anyone other than the Safeguarding Coordinator or a Safeguarding Officer.

9 Allegations against a member of staff

The primary concern of the College is to ensure the safety of the child, young person or vulnerable adult. It is essential in all cases of suspected abuse by a member staff that action is taken quickly and professionally whatever the validity. Within each local authority there will also be a Designated Officer (DO) who has responsibility for providing advice and liaison and monitoring the progress of cases relating children, to ensure that cases are dealt with as quickly as possible and consistently with a fair and thorough process. The College's Safeguarding Coordinator will work in conjunction with the Designated Officer (DO), in order to ensure that even apparently less serious allegations are seen to be followed up and examined objectively by someone independent of the college.

Where the Safeguarding Coordinator considers that a concern or allegation indicates that a member of staff has behaved in a way that has harmed or may have harmed a child, young person or vulnerable adult, or possibly committed a criminal offence against or related to a child, young person or vulnerable adult; or behaved towards a child, young person or vulnerable adult in a way that indicates that s/he would pose a risk of harm if they worked with children then a discussion will always take place with the DO.

The DO will determine:

- whether it is an allegation or a complaint
- if there is a need to undertake preliminary enquiries and, if so, how the enquiries should be conducted or;
 - if the allegation meets the threshold for a Strategy Meeting to be convened
 - whether immediate action to protect a child is required.

9.1 The term ‘member of staff’ applies to all contracted personnel within the College, volunteers, governors, and people employed by other agencies that are providing services for the College.

9.2 In the event that any member of staff suspects any other member of staff of abusing a student, it is their responsibility to bring these concerns to the Vice – Principal (People, Organisational Development & Culture) and the Safeguarding Coordinator except where the suspect is either of the aforementioned. If the allegation concerns the Vice – Principal (People, Organisational Development & Culture) or the Safeguarding Coordinator, the matter should be discussed with the Principal who

will discuss it with the Lead Governor (Safeguarding), in addition to following the normal procedures for Child and Vulnerable Adult Protection.

9.3 Where there is suspicion that a child or vulnerable adult may suffer significant harm a strategy discussion will take place where the Safeguarding Coordinator/Designated Safeguarding Lead will be asked to represent the college. If it is determined that there is no cause to suspect significant harm but a criminal offence might have been committed they will immediately inform the police and a similar discussion will take place with the Safeguarding Coordinator/Designated Safeguarding Lead being asked to represent the College.

Type of Investigations

9.4 Criminal Investigations - If a crime is suspected, an investigation will not be carried out by the College, other than to establish the facts. All the information obtained will be handed over to the police who will carry out any investigation necessary, with the support of the College.

9.5 Disciplinary Investigations - If a decision is made to pursue an allegation of abuse against a member of staff, this will be dealt with under the College disciplinary policy.

9.6 The College may be unable to carry out any disciplinary proceedings until the police investigation is complete, but depending on the seriousness of the allegation, a member of staff, whom is directly employed by the College, may be suspended from work with pay until the investigation is completed.

10 College responsibilities to College employees following an allegation

10.1 Staff whom are direct employees of the College and who are accused of a breach of the code set out in Appendix A may be subject to disciplinary action.

10.2 Where an allegation from a child, young person or vulnerable adult occurs, an investigation will be carried out in accordance with the College’s Disciplinary Procedure (available on MyDay). The Investigating Officer will be required to liaise with the Safeguarding Coordinator /Safeguarding Officer to clarify whether there are any relevant records or relevant information in relation the individual.

- 10.3 The College should inform the employee as soon as possible after initial consultation has taken place. However, this should not be before the strategy discussion or police discussion, if needed, has taken place and agreement has been reached as to what information can be disclosed to the employee.
- 10.4 The employee should be advised to:
- Contact their union representative
 - Keep records of all conversations, meetings attended, letters received and telephone calls relating to the allegation.
- 10.5 Whilst the case is ongoing, the College will arrange to provide appropriate support to the employee through the College's Employee Assistance Programme (EAP).
- 10.6 Where it is subsequently found that an allegation has been made maliciously, the College may refer the matter to be dealt with under disciplinary procedures.
- 10.7 The College may also take the decision to pursue an allegation of abuse through the College Disciplinary Procedure. Discussion should be held with the relevant Social Care Team to ensure that their investigation is not compromised by doing so. Employees should not automatically be suspended and should not be suspended without careful thought. Further clarification regarding suspension is provided in the College's Disciplinary Policy and Procedure.
- 10.8 If the accused employee tenders their resignation or ceases to provide their services, the allegation must continue to be investigated in accordance with the procedures. Compromise agreements by which a person agrees to resign or the College agrees not to pursue the disciplinary action must not be used in these cases.
- 10.9 If an employee is dismissed or resigns before the disciplinary process is completed, he / she should be informed about the College's statutory duty to notify the Disclosure and Barring Service (DBS).
- 10.10 Every effort must be made to maintain confidentiality and guard against publicity whilst the allegation is being investigated.
- 10.11 In relation to agency workers whom are engaged at the College it is the employment agency who supplies the agency worker who is the employer, not the College. As a consequence, the College does not have the same level of responsibility and control as it would as an employer.
- 10.12 Therefore it is the employment agency, rather than the College, that is responsible for undertaking an internal employment investigation into safeguarding concerns. The employment agency has a duty to make any subsequent referrals to the Designated Officer and Disclosure and Barring Service (DBS) (previously known as the Independent Safeguarding Authority) and/or a professional body.
- 10.13 The College retains an overarching duty to safeguard children and vulnerable adults. Therefore, the College is committed to ensuring any safeguarding concerns relating to an agency worker are managed appropriately and support is provided by the HR Service to the employment agency to ensure they in turn meet their responsibilities as the employer.

11 Informing the ESFA (Education and Skills Funding Agency) about serious Safeguarding incidents

- 11.1 Colleges receiving annual funding allocations from the Education and Skills Funding Agency (ESFA) for the provision of education to students aged 16 to 18, or any young person aged 19 to 25 subject to an Education Health and Care Plan who requires additional support costing over £6,000, are required through the Conditions of Funding Agreement (2018-2019) to inform the ESFA of serious safeguarding incidents.
- 11.2 The main issues/referrals that the ESFA require to be notified about are as follows;
- 11.2.1 The College, or one of its subcontractors is itself the subject of an investigation by the local authority or the police. In such circumstances, the Chair, Chief Executive or senior DSL will email Enquiries.EFA@education.gov.uk with details of the nature of the incident and confirmation that it is or is scheduled to be investigated by the local authority and/or the police.
- 11.2.2 Where the College or one of its subcontractors refers a safeguarding concern related to sexual violence to Local Authority children's social care/adult social care teams and/or the police, or an allegation of abuse made against a teacher or other member of staff to the designated officer(s) (at the local authority). In such circumstances, the DSL will email Enquiries.EFA@education.gov.uk with details of the safeguarding incident and confirmation that it is under investigation by the police. It is not required that any information that identifies individuals or impacts on data protection duties is disclosed.
- 11.2.3 The organisation, or one of its subcontractors is the subject of an investigation by the local authority or the police in connection with a Prevent issue. In such circumstances, the Chair, Chief Executive or senior DSL will email Enquiries.EFA@education.gov.uk with details of the nature of the incident and confirmation that it is or is scheduled to be investigated by the local authority and/or the police.
- 11.2.4 Where the College makes a referral of an individual for the purposes of determining whether that individual should be referred to a panel for the carrying out of an assessment under section 36 of the Counter Terrorism and Security Act 2015 of the extent to which that individual is vulnerable to being drawn into terrorism, the DSL shall ensure they notify the ESFA that a referral has been made.
- 11.2.5 Where the College has made a referral or provided information to the Disclosure and Barring Service in compliance with any duties of the College under the Safeguarding Vulnerable Groups Act 2006 in respect of serious safeguarding concerns, the DSL will inform the ESFA that a referral has been made / information has been provided.

12 Record Keeping

- 12.1 The college will keep clear and comprehensive records of any allegations made, details of how the allegation was followed up and resolved, as well as details of any actions taken and decisions reached. These will be placed indefinitely on a staff member's confidential personnel file.
- 12.2 In the interests of all parties it is important to resolve cases as quickly as possible whilst ensuring a consistent, fair and thorough investigation.
- 12.3 This policy will be reviewed annually by the Safeguarding Committee to ensure that it reflects both statutory guidance and updated terminology.

Appendix One

Code of Behaviour for Safeguarding Children and Vulnerable Adults

Hugh Baird College recognises that it is not practical to provide definitive instructions that would apply to all situations at all times whereby staff come into contact with children and to guarantee the protection of children and staff.

However, below are the standards of behaviour required of staff in order to fulfil their roles within the College. This code should assist in the protection of both children and members of staff. These guidelines also apply to all contracted personnel within the College, volunteers, governors, and people employed by other agencies that are providing services for the College.

1. Principles

- The welfare of young people and vulnerable adults is paramount
- Staff are responsible for their own actions
- Staff should be seen to work in a transparent way
- All staff should report any incident which may give rise to concern to their manager
- All staff and work placement providers should be aware of and follow the College's safeguarding procedure
- Staff who breach this code of conduct may be subject to the College's disciplinary procedures
- Serious breach of this code may result in a referral being made to an external or statutory agency such as the local authority Social Care Team.

2. Working with Students

- 2.1 All staff have a duty of care to keep students safe and are accountable for the way in which they use their authority and position of trust. This duty can be best exercised through the development of caring but professional relationships.
- 2.2 Staff should ensure that their relationships with students are appropriate to the age and gender of the student, taking care that their conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when dealing with adolescent boys and girls and vulnerable students.
- 2.3 Comments by staff to young and vulnerable students, either individually or collectively, can be misconstrued. As a general principle, staff must not make

unnecessary comments to and/or about students, which could be construed to have a sexual connotation.

2.4 It is also unacceptable for staff to introduce or to encourage debate amongst students in a class, training situation or elsewhere, which could be construed as having a

sexual connotation that is unnecessary given the context of the session or the circumstances.

2.5 However, it is recognised that a topic raised by a student is best addressed rather than ignored. It is appropriate for staff to advise the student where they can access further advice and support.

Staff must;

- Treat all students with respect and dignity
- Always put the welfare of the student first
- Understand that the systematic use of insensitive, disparaging or sarcastic comments such as those that refer to a young person's body, intelligence, gender, sexual orientation or ethnicity in any way are unacceptable
- Adopt high standards of personal conduct at all times.
- Not swear or use offensive or discriminatory language
- Never make sexual remarks to a student or discuss your own personal sexual relationships
- Avoid any communication which could be interpreted as sexually provocative
- End the discussion if it becomes uncomfortable or embarrassing
- Work in an open environment avoiding private or unobserved situations and encourage open communication
- Give enthusiastic and constructive feedback rather than negative criticism
- Always challenge inappropriate language from students or colleagues
- Never allow allegations made by a student to go unrecorded or not acted upon
- Not do things of a personal nature for a student that they can do for themselves

3. One to One Situations

3.1 Staff should be aware of the potential risks which may arise when working alone with a student. It is recognised that there will be occasions when confidential interviews or meetings must take place:

- If possible leave the door open or use a room with a window in the door

- The use of “engaged” signs or lights are not advisable
- Where such conditions cannot apply, staff are advised to ensure that another adult knows that the meeting is taking place
- Never meet a student away from the College unless your line manager has given permission
- Do not travel alone in a car with one student and inform someone if the situation is unavoidable.

4. Confidentiality

- 4.1 Staff should never share information about students in a casual manner or allow students access to information on staff computers or in staff rooms.

Staff should:

- Never give out their own personal details or a student’s personal details to other students
- Log off or lock their computer whenever leaving it unattended
- Not allow students to use your computer unless you have logged off
- Use a student number in subject line of email to colleagues, not name. Depending on the immediacy of the response needed, using initials is acceptable.
- Only use students’ College email addresses and not their personal email address unless the student states that their personal email address can be used for College purposes.

5. Social Contact

- 5.1 Staff should never make contact with a student outside of the College for the purpose of friendship. This is particularly important when there is a possibility of a student becoming infatuated with a member of staff. It is recognised that there may be occasions when accidental or reasonable social contact may be unavoidable, e.g. meeting students at social venues open to the general public or in shops at private parties. In such circumstances, staff should be mindful at all times of their professional relationship with students.
- 5.2 Providing lifts to students as part of a private arrangement is never acceptable without prior permission from your line manager. Giving lifts should never be a regular occurrence with any student other than family members, or their close friends, while

they are present. Any lift that you provide to a student must be declared to your line manager.

- 5.3 Staff should never lend money to students. Students who are in need of money for food or travel should be directed to Student Services.
- 5.4 Staff should never accept friendship or access requests from students on any social networking sites. Staff should only use College devices when contacting students i.e. not their personal mobile phone number.

6. Behaviour

- 6.1 Staff must adopt high standards of personal conduct at all times.
 - Staffs' clothing should reflect a professional appearance and should be suitable for the occupational area in which they are working
 - Staff should dress in a manner which will avoid inappropriate comments
 - Never act in a way that can be perceived as threatening
 - Accessing or bringing images of pornography i.e. sexualised images without artistic merit on site is never acceptable, regardless of format
 - Storing or disseminating such material is illegal and if proven will lead to the person being barred from working with young people
 - When communicating with students electronically, staff should only use College mobiles, College email or official College internet sites
 - Staff should never keep images of students on personal equipment and should always use college equipment if taking images as part of field trips/excursions. Further advice on the use of student images can be sought from the Safeguarding Coordinator.

7. Physical Contact

- 7.1 The College will endeavour where at all possible to avoid the use of physical interventions with students by the careful and consistent management of their behaviour thorough the continual reiteration and promotion of the behaviour standards. However, the College recognises that very rare circumstances will arise when staff at the College will be obliged to use reasonable force to prevent students committing a crime; causing injury or damage; or causing disruption.

It recognises that staff will always work to prevent situations where physical interventions are used and will only reluctantly resort to physical interventions if their best professional judgement deems this to be necessary. Staff will;

- Try to defuse a situation before it escalates
- Never endanger their own safety

- Contact the Estates team for support when they have a concern not related to safeguarding such as a fight breaking out

7.2 Incidents that must be reported include;

- If a student is accidentally hurt
- If you are concerned that a relationship is developing that could represent an abuse of trust
- If you are concerned that a student is becoming attracted to you or a colleague
- If you are concerned that a colleague is becoming attracted to someone in his/her care
- If a student misunderstands or misinterprets something you have done
- If you have had to use reasonable physical restraint to prevent a student harming themselves, or another, or from causing significant damage to property
- If a student makes an allegation of abuse
- If you see any suspicious marks on a student
- If you notice sudden changes in behavior

8. Sexual Contact

- 8.1 It is a criminal offence for a person in a position of trust to engage in any sexual activity with a person aged under 18 with whom they have a relationship of trust, irrespective of the age of consent, even if the basis for their relationship is consensual. There is NO acceptable behaviour that has either explicit sexual connotations or innuendo. Any such behaviour will always be treated as extremely serious and must be reported immediately.

9 Reporting Disclosures and Concerns

- 9.1 Staff should follow the process below if a student tells them about possible abuse:

- Listen carefully and stay calm
- Do not interview the student, but question normally and without pressure, in order to be sure that you understand what the student is telling you
- Do not put words into the student's mouth
- Reassure the student that by telling you, they have done the right thing
- Inform the student that you must pass the information on, but that only those that need to know about it will be told. Inform them of whom you will report the matter to
- Note the main points carefully

- Make a detailed note of the date, time, place, what the student said, did and your questions etc
 - Do not investigate concerns or allegations yourself, but report them immediately to the Safeguarding Officer
 - Complete the Staff Incident Report Form by clicking on the Push The Button on SharePoint. This online form will go directly to the on duty Safeguarding Officer who will respond as soon as possible
 - For matters which need immediate action, consult with a Safeguarding Officer
 - Never go home without reporting your concerns.
- 9.2 To report any concerns please contact the Safeguarding Team Coordinator or a Safeguarding Officer either in person, by phone, or via the online safeguarding button ([Safeguarding Button](#)) on the College website, outlining what has been disclosed, what you have overheard or your suspicions. You should also contact them if you know or suspect that a member of staff or student has a previous history of abuse of children, young people or vulnerable adults.
- 9.3 Safeguarding bulletins for staff which contain useful guidance and additional information regarding safeguarding can be found on the Safeguarding page on MyDay ([Staff Safeguarding Bulletins](#)).

Appendix Two

Safeguarding Contacts

Cath Sullivan (DSL) Ext 4447	Vice Principal (People, Organisational Development & Culture)
Judith Simmons	Lead Governor (Safeguarding)
Pam Darnell	Head of Student Experience Ext 4631
Louise Noon	Student Services Manager Ext 4460
Kerry Jones	Safeguarding Coordinator Ext 4441

Safeguarding Officers.

- Janine Hopewell Ext 4462
- Kelly Shannon Ext 4640
- Pam Cotter Ext 5883
- Julia Fisher Ext 4498
- Linda Marsh Ext 4466
- Matt Wilson Ext 5831
- Jenny Quinn Ext 5850
- Julie Bass (South Sefton Campus) 0151 288 6300

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