

LEARNER RELATED POLICY: SAFEGUARDING LEARNERS

This policy is annually reviewed to ensure compliance with current regulations

Approved/reviewed by	
Approved by: Vice Principal Reviewed by: Head of Learner Services	
Date of next review	August 2023

This policy and procedure is subject to The Equality Act 2010 which recognises the following categories of individual as Protected Characteristics: Age, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex (gender), Sexual orientation, Disability, SocioEconomic Disadvantage

_1. Document Control

1.1. Document Details

Title	Safeguarding Learners Policy
Author/s	Heather Marks / Sharon Posey
Version	2.0
Date	August 2022
Status	Published

1.2. Revision History

Version	Date	Author	Comments
1.0	Sept 2021	Dawn Telford / Vicki Locke	Definitive Release
1.1	Feb 2022	Vicki Locke	Removal of Dawn Telford as contact
2.0	Aug 2022	Sharon Posey / Heather Marks	Definitive Release

1.3. Distribution

Name	Email	Organisation
All Staff	Uploaded to SharePoint and website	Boston College

PROCEDURES AND GUIDANCE FOR SAFEGUARDING YOUNG PEOPLE AND VULNERABLE ADULTS FROM ABUSE

Contents

1. Introduction and General Policy Statement and Definitions
2. Roles and Responsibilities
3. Dealing with welfare concerns and procedures for reporting
4. Dealing with Safeguarding concerns and procedure for reporting
5. Reporting and dealing with allegations of abuse against members of staff
6. Recruitment and selection procedures
7. Staff training and development

1. **INTRODUCTION AND GENERAL POLICY STATEMENT AND DEFINITIONS**

Boston College is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff, Governors, volunteers and Partners working in College to share this commitment.

The procedures have been developed to ensure that the College complies with statutory duties under The Children and Families Act 2014 and Keeping Children Safe in Education 2022, about the College's role in safeguarding and promoting the welfare of young people and vulnerable adults attending the College.

There will be a designated manager with lead responsibility for Safeguarding.

The governing body will receive an annual report from the designated manager which reviews how the duties have been discharged. The governing body will nominate a governor to take special responsibility for Safeguarding issues.

The Principal, designated governor and designated manager and all staff working at Boston College will receive training to familiarise them with Safeguarding issues and responsibilities and the College policy and procedures, with refresher training, delivered online and/or face to face every three years, and annual refreshers via e-mail and newsletters.

DEFINITIONS

For the purposes of the College's Safeguarding Learners policy and procedures the governing body recognises the following definitions: -

Staff

All College employees whether academic, administrative, management or support as well as substantial volunteers.

Child / Young person

The legal definition of a child or young person within the Children Act 1989 is anyone under the age of 18. In addition, any young person under 24 with learning difficulties and / or disabilities is legally defined as a child.

The College acknowledges the change in terminology from peer-on-peer abuse to child-on-child abuse in Keeping Children Safe in Education 2022. The College will continue to use peer-on-peer abuse terminology.

Vulnerable adult

A vulnerable adult can be defined as someone who requires additional support to carry out everyday tasks due to physical disability or learning difficulties / disabilities, where their support needs render them open to exploitation.

Victim

This is a widely used and recognised term. It is important to acknowledge that not everyone who has been subject to abuse sees themselves as a victim. The College should be conscious of this and use any term the individual is comfortable with.

Perpetrator/Alleged Perpetrator

These are widely used and recognised terms. However, the College recognises that using this term in front of young people could be inappropriate as in some cases the abusive behaviour will have been harmful to the perpetrator as well. As above the College will use terminology that the individual is comfortable with.

Abuse

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. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant in relation to the impact on children of all forms of domestic abuse. Children may be abused in a family or in an institution or community setting by those known to them or by others (e.g. via the internet). Abuse can take place online or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or another child or children (Keeping Children Safe in Education 2022). This could be one or more of the following categories of abuse: -

a) *Neglect*

Neglect is the persistent or severe failure to meet a young person's basic physical and / or psychological needs resulting in the impairment of health and development.

b) *Physical Injury*

Physical abuse may involve hitting, shaking, poisoning, scalding, drowning or suffocating. It may be done deliberately or recklessly or be the result of a deliberate failure to prevent injury occurring.

Physical harm may also be caused when a parent fabricates a symptom or deliberately induces illness.

c) *Sexual Abuse*

Sexual abuse involves a young person being coerced or forced into participating in or watching sexual activity including behaviour. The apparent consent of the young person is irrelevant, and the young person may not be aware of what is happening.

d) *Emotional / psychological abuse*

Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the young person's behaviour and emotional development, resulting in low self-esteem. Some form of emotional abuse is present in all forms of abuse. It may involve seeing or hearing ill treatment of another person.

Additional forms of Abuse

All staff should have an awareness of safeguarding issues – some of which are listed below. Staff should be aware that behaviours linked to the likes of drug taking, alcohol abuse, deliberately missing education, sexting and serious violence including that linked to County Lines and radicalisation put children in danger.

Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

Both CSE and CCE involves exploitative situations, contexts and relationships where young people receive “something” (food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing sexual activities and/or another performing sexual or criminal activities on them. This can occur through use of technology without the child's immediate recognition e.g., persuasion to post sexual images online with no immediate payment or gain. Those exploiting the child/young person have power over them by age, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common. It is unlikely that concerns about possible sexual and criminal exploitation are as a result of a one-off incident.

Peer on Peer Abuse (Child on Child Abuse)

All Staff should recognise that children/young people are capable of abusing their peers. The College will take any concerns of this nature very seriously and concerns should be raised in the same way as any other concerns, directly to the Safeguarding Team. Peer on peer abuse can take the form of bullying (including cyber-bullying) sexting and any other form of sexual harassment/abuse or physical abuse. Gender based issues can also occur for

example girls being sexually touched/assaulted or boys being subject to initiation/hazing type violence.

Serious Crime

Staff should recognise that some young people may be at risk from or are involved in serious crime violent crime. This can include being forced or manipulated into transporting drugs or money through County Lines, working in cannabis factories, shoplifting or pickpocketing. There may be indicators such as absence, change of friendship groups, relationships with older individuals, changes in attitudes and performance. There may also be unexplained gifts or new possessions which may indicate that a learner has been approached or involved with criminal gangs or networks. Young people can become trapped by this exploitation as perpetrators can threaten victims and their families with violence.

Female Genital Mutilation

Female Genital Mutilation (FGM) is an unacceptable form of abuse and violence against girls and women; it is known as female circumcision and is illegal in the UK.

Professionals need to be alert to the possibility of a girl being at risk of FGM, or already having suffering FGM. The practice is usually carried out on girls between infancy and 15 years. Under the Keeping Children Safe in Education, Sept 2022 'If a teacher, in the course of their work in the profession, discovers that an act of Female Genital Mutilation appears to have been carried out on a girl under the age of 18, the teacher must report this to the police'. There is a specific legal duty in teachers. In College this can be done with the support of the Safeguarding Team.

Online Safety

The growth of different electronic media in everyday life and ever developing variety of devices place an additional risk to young people. Social media and networks can be used as a means to contact children and young people with a view to grooming them for inappropriate or abusive relationships. The internet has become a significant tool in the distribution of indecent photographs of children and should be a concern for all staff. It is essential that young people are safeguarded from potentially harmful and inappropriate online material.

Learners can engage or be a target of cyberbullying using a wide range of methods to reach their targets. Boston College uses its tutorial and curriculum to raise awareness of safeguarding issues so that learners can identify the risks of being drawn into abusive or exploitive relationships. Boston College also uses National Online Service to provide information, guidance and training to staff, young people, parents and carers.

If staff observe or are notified of any concerns on line, they must: -

- Report to Learner Services or Safeguarding Team
- Learner Service and/or Safeguarding will ascertain whether this is to be dealt with under the Safeguarding Policy and/or the Bullying and Harassment Policy
- If an illegal act has been disclosed/observed, then the Police must be informed.

Filters and monitoring systems are in place on internal IT systems to provide learners with a safe environment in which to learn and to limit learners exposure to risk of harm and/or abuse to inappropriate material.

Domestic Abuse

The impact on the young person of witnessing, hearing or being subject to domestic abuse is known to cause emotional distress and have a long-term impact on their health, development and ability to learn. This can be viewed as a high-risk environment for a young person or vulnerable adult. Young people can be victims of domestic abuse. Staff must inform the safeguarding Team if there are concerns that domestic abuse is present within a household.

Hidden Harm

The effects on the young person as a result of a parent or carers misuse of substances such as drugs or alcohol. The impact of witnessing and living with alcohol or drug users has a long-term effect on a young person's emotional and psychological development.

Self-Harm

'The definition of self-harm is intentional self-poisoning or self-injury, irrespective of the apparent purpose of the act. Self-harm includes cutting, poisoning, asphyxiation, burning and other self-inflicted injuries' (NICE 2004). Self-harm can also include eating disorders, risk-taking behaviour and drug and alcohol issues.

Self-harm is often a coping mechanism. An individual harms their physical self to deal with emotional pain or to break feelings of numbness. Self-harm can become a natural response to the stresses of day-to-day life and can escalate in frequency and severity.

All instances of self-harm should be referred to the Learner Support Officers or Counsellors who will liaise with the Safeguarding Team. There are various external agencies who can become involved in order to support a young person.

Teenage Relationship Abuse (Child on Child/Peer on Peer Abuse)

Abuse in young people's relationships can involve the same forms of controlling and coercive behaviour, physical, emotional, psychological, financial and sexual violence and abuse as seen in adult relationships.

Forced Marriage

A marriage conducted without the valid consent of both parties where duress (emotional pressure in addition to physical abuse) is a factor. Forced marriage is not to be confused with an arranged marriage.

Radicalisation / Extremism

Is the process by which a person comes to support terrorism and forms of extremism leading to terrorism. The Counterterrorism and Security Act, which received Royal Assent on 12 February 2015, placed a duty on specified authorities, including local authorities and childcare, education and other children's services providers, in the exercise of their functions, to have 'due regard to the need to prevent people from being drawn into terrorism'. This is referred to as "The Prevent duty".

Young people and vulnerable groups are particularly targeted by groups who may promote violent extremist activity. College staff should be aware of signs of radicalisation and have the confidence to report their concerns to the Safeguarding Team.

The College will also promote the ethos of the 'Prevent' agenda by encouraging free and open debate but challenging extreme views. It will encourage through its classroom practice, theme weeks and induction activities, a belief in Equality of Opportunity and the celebration of Diversity.

The College will not host or allow its premises to be used by extreme groups and will seek to prevent the distribution of extreme literature.

The College will provide appropriate support through its own staff or by referral to external agencies, for any student in danger of radicalisation.

The College recognises that radicalisation may be geographical and will follow Prevent guidance to report any concerns to the relevant local authority/police force.

Children Missing from Education

Where learners under the age of 18 are displaying erratic, long-term or regular absences, the College will ensure that staff follow-up with parents/carers or external agencies to establish that they are safe. If no contact can be made with

the learner or their parent/carer and their whereabouts cannot be confirmed by other staff, staff must report the concern to the Safeguarding Team. The Safeguarding Team will then need to assess whether this meets the criteria for contacting the Police and/or Children's Social Care.

Definition of Missing

Anyone whose whereabouts cannot be established and where circumstances are out of character, or the context suggests the person may be subject of crime or at risk of harm to themselves or others.

Definition of Absent

A person not a place where they are expected or required to be.

The 'absent' category should comprise of cases in which people are not presently where they are supposed to be and there is no apparent risk. 'Absent' cases should not be ignored, they must be monitored over periods time with consideration given to escalating to 'missing' if there is a change to the circumstances that have increased the level of risk.

Child on Child Sexual Violence and Sexual Harassment (including findings from Ofsted's Review into Sexual Abuse, June 2021)

Sexual Violence and sexual harassment can and does occur between learners. It can also occur through a group of young people sexually assaulting or sexually harassing a single person.

Young people who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This could adversely affect their educational attainment and impact their mental health & wellbeing. Sexual violence and harassment exist both online and offline. This could be verbal, physical, social or psychological. Sexual misconduct relates to all unwanted conduct of a sexual nature.

It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that other young people, adult learners, and college staff are supported and protected as appropriate.

If a learner discloses that they have been sexually harassed, assaulted or violated, staff should refer to the Safeguarding Team. It may be necessary for the Safeguarding Team to contact Children's Services and/or the Police. The College is actively raising awareness of sexual harassment through delivery of sessions to governors, staff and learners.

Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare and safety.

It should be recognized by staff that in some cases 16- and 17-year-olds could be living independently from their parents or guardians, for example through exclusion from the family home, and will require a different level of intervention and support, usually with support from an Early Help Assessment.

Where a learner discloses that they are homeless, staff should refer to the Safeguarding Team who will make appropriate referrals to external agencies including the Local Housing Authority if required.

The DfE Sexual Violence and Sexual Harassment guidance has been incorporated into KCSIE 2022.

2. ROLES AND RESPONSIBILITIES

Designated Governor

The designated member of the governing body with responsibility for Safeguarding issues is: -

Helen Rumbold, who can be contacted through the Clerk to the Corporation via the Management Office, Rochford Campus

The designated governor is responsible for liaising with the Principal and designated manager over matters regarding safeguarding, including: -

- ensuring that the College has procedures and policies which are consistent with procedures set out by the Lincolnshire Safeguarding Children Board (LSCB);
- ensuring that the governing body considers the College policy on safeguarding the welfare of learners each year;
- ensuring that each year the governing body is informed of how the College and its staff have complied with the policy, including, but not limited to, a report on the training that staff have undertaken.

The designated governor is responsible for overseeing the liaison between Children's Social Care and the Police in connection with any allegations against the Principal or the Designated Manager. This will not involve undertaking any form of investigation but will ensure good communication between parties and provide information to assist enquiries.

To assist in these duties the designated governor shall receive appropriate training in Safeguarding issues.

Governors will receive appropriate safeguarding training at the point of induction.

Manager with Lead Responsibility

The designated manager with lead responsibility for Safeguarding issues is: -

Sharon Posey, Interim Head of Learner Services ext. 3305

The designated Manager for Safeguarding is responsible for: -

- overseeing the referral of cases of suspected abuse or allegations to Children's Social Care.
- overseeing the completion of the Safeguarding Referral form as indicated by Children's Social Care.
- providing advice and support to other staff on issues relating to Safeguarding.
- maintaining a proper record of Safeguarding referrals and concerns.
- ensuring that parents/carers and young people within the College are aware of the College's Safeguarding Policy.
- liaising with Children's Social Care, Police and other relevant agencies in relation to Safeguarding issues.
- liaising with secondary schools which send pupils to the College to ensure that appropriate arrangements are made.
- liaising with employers and training organisations that receive young people from the College on long term placements to ensure appropriate safeguards are put in place.
- ensuring that staff receive training in Safeguarding and are aware of the College Safeguarding Policy and Procedures.
- updating College policy and procedure to accommodate changes within legislation, advice and guidance.

The designated manager will provide an annual report to Governors setting out how the College has discharged its duties.

Designated Staff Members

Safeguarding is everybody's business and therefore **ALL** staff have a role in safeguarding and promoting the welfare of young people.

Other members of staff with responsibility for Safeguarding issues are: -

Caroline Parker-Meadows, Curriculum Leader: Catering, H&B

Denise Swift, Learner Support Officer

Jo Wright, Curriculum Leader: Care, EY and Schools

These designated staff members: -

- report to the manager responsible for safeguarding.
- will know how to make an appropriate referral.
- will be available to provide advice and support to other staff on issues relating to child / learner protection.
- have particular responsibility to be available to listen to young people / vulnerable adults studying at the College.
- have received training in Safeguarding and interagency working, as required by the LSCB, and will receive refresher training at least every 3 years.
- attend safeguarding meetings and assist the designated manager in producing reports.

3. **DEALING WITH WELFARE CONCERNS AND PROCEDURES FOR REPORTING**

The definition for safeguarding and promoting the welfare of children in 'Working Together to Safeguard Children 2018' is: -

- protecting children from maltreatment.
- preventing impairment of children's health and development.
- ensuring children grow up in circumstances consistent with the provision of safe and effective care.
- taking action to enable children to have the best outcomes.

Where there is a welfare concern: -

- staff must report to Learner Services and/or Safeguarding Team by contacting main reception on 01205 365701 or 8001.
- Learner Services staff or Safeguarding Team will ascertain the level of intervention needed.
- if there are Safeguarding concerns, the Safeguarding Team will implement the full policy.
- if a learner requires support from external agencies, then an Early Help Assessment (EHA) will be completed and submitted to the TAC Admin Team.
- If the EHA is accepted, then the Team Around the Child (TAC) process will commence and staff will be expected to assist with the process with assistance from the Learner Services Team.
- Other external agencies will be explored to support the learner.

4. DEALING WITH SAFEGUARDING CONCERNS AND PROCEDURE FOR REPORTING

Staff should adopt the attitude that 'it could happen here' and any concerns about Safeguarding must be reported without delay to the Safeguarding Team. Staff are required to 'always act in the best interests of the young person and it is unacceptable to ignore/fail to report a concern or disclosure.

The steps listed below are intended as a reference for staff responding to a disclosure of abuse: -

- Recognise that the young person may not be ready or able to disclose abuse.
- All concerns and disclosures of abuse should be taken seriously and handled with sensitivity.
- Listen carefully and stay calm.
- Remember and respect the fact that it takes great courage to confide such personal and painful concerns and reassure them that they have done the right thing by telling you.
- Don't make promises of absolute confidentiality – this may have to be reported for investigation.
- You may wish at this point to suggest that they speak directly to a member of the Safeguarding Team. If so, make immediate arrangements for them to do this. Otherwise, let the person explain things in their own words and in their own time in an appropriate place.
- Only ask questions to clarify rather than probe, do not put words into the learner's mouth.
- Explain, if appropriate, that you will need to report these concerns to the Safeguarding Team – they may wish to be present when you do.
- **DO NOT** contact parents / carers, as they may be involved. The Safeguarding Team or Children's Social Care will do this where it is needed.
- Refer the information to the Safeguarding Team immediately. Contact the Safeguarding Team by phoning main reception or dial 8001 on the internal phone and ask for a **member of the Safeguarding Team**.

Term Time

8.00am – 9.00pm (Monday – Thursday)

8.00am – 5.30pm (Friday)

Out of Term Time

9.00am – 5.00pm (Monday to Friday)

Outside of these hours staff are to contact: -

Children's and Adult Social Care out of hours – 01522 782333

Police – 101 or 999 if an emergency

Children's Social Care – 01522 782111

Adult Social Care – 01522 782155

Anti-terrorist Hotline – 0800 789321

- The Safeguarding Team will, on receiving information relating to a disclosure of abuse, take the appropriate action – depending on the age of the person concerned and the circumstances.
- Where a referral to Children's Social Care is required, this will usually be done by the Safeguarding Team within 24 hours.
- Where a referral to Children's Social Care is made the designated Manager will co-ordinate any requests for information from college staff.
- Where a young person is to be interviewed by Children's Social Care and/or Police, they may choose for the initial interview to take place in the College.
- Where a young person is to be interviewed by Police, an appropriate adult must be present.

Under these circumstances they may request that either a member of staff of their choice, or one of the Safeguarding Team is present.

- Where a referral to Children's Social Care is not made the young person concerned should be offered support through the College and signposted to external support where required.
- An Early Help Assessment should be considered if appropriate.
- Full records should be kept confidential by the designated Manager responsible for Safeguarding and information shared on a need-to-know basis only. These records will be stored in a secure lockable cabinet only accessed by the Safeguarding Team. These records will be held until the

learner is 25 years of age. When the retention period ends, confidential records for learners will be shredded by the designated Manager. These files should be passed on to any new education provider where appropriate, within 5 days of the start date.

- Any allegations involving staff will also follow Personnel procedures as set out in Section 4.

The ESFA has included clauses in its contract, these are outlined as below: -

The Provider will ensure it notifies the Department via the Contact Form: General Enquiries at [Education and Skills Funding Agency \(ESFA\) enquiry form - Customer type - DFE Online Forms](#) where a referral has been made by the Provider or one of the Provider Related Parties in either of the following circumstances (such notification must include the name of the institution, a high level summary of the nature of the incident (without sharing personal information about victims or alleged perpetrators) and confirmation of whether it is, or is scheduled to be, investigated by the Local Authority and/or the police):-

1. a safeguarding concern related to sexual violence to Local Authority children's social care/adult social care and/or the police,
2. an allegation of abuse made against a teacher, lecturer or other member of staff to the designated officer(s) (at the local authority).

The College will ensure it notifies the Department via email to the Contact Form: General Enquiries at: [Education and Skills Funding Agency \(ESFA\) enquiry form - Customer type - DFE Online Forms](#) of that incident(s) and/or that a referral has been made, where the College or one of the College Related Parties:

3. is aware of an incident, or pattern of incidents, which undermines the promotion of British fundamental values or the ability of the College or the College Related Parties to comply with the Prevent duty,
4. makes a referral of an individual member of College Personnel for the purposes of determining whether that member of College Personnel 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 Principal must be informed when ESFA is contacted.

5. **REPORTING AND DEALING WITH ALLEGATIONS OF ABUSE AGAINST MEMBERS OF STAFF**

Due to their frequent contact with young people it is possible that staff may have allegations of abuse made against them. The College recognises that such an allegation may be made for a variety of reasons and the facts of the allegation may be true or untrue.

The College recognises that the Children Act 1989 states that the welfare of the child is the paramount consideration.

The College also recognises that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence and career.

It is therefore imperative that those dealing with an allegation maintain an open mind and that investigations are thorough and not subject to delay.

Receiving an allegation from a young person

The member of staff who receives an allegation from a young person, about another member of staff should follow the guidelines in Section 3.

The allegation should be reported immediately to the Principal and designated manager. In the event that either of these are the subject of allegations the report should be made to the designated Governor. The Principal or the designated manager should: -

- obtain written details of the allegation from the person who received it, which must be signed and dated. The written details should be countersigned and dated by the Principal or other designated person;
- record information about times, dates, locations and names of potential witnesses.
- The Principal may designate a nominated manager to review the allegations and respond as appropriate.

Initial Assessment by the Principal (or another designated manager)

The Principal or nominated manager should make an initial assessment of the allegation, consulting with the designated Manager, designated Governor, HR Business Partner and Children's Services as appropriate.

It is important that the Principal or nominated manager **does not** investigate the allegation but makes a judgement on the basis of information already available as to whether or not the allegation warrants further investigation.

Where the allegation is considered to be either a potential criminal act or indicates that the young person has suffered, or is likely to suffer significant harm, the matter should be reported to Local Area Designated Officer (LADO) within 24 hours.

Local Authority Designated Officer

Lincolnshire County Offices 01522 554668

Other potential outcomes are: -

- The allegation represents inappropriate behaviour or poor practice by the member of staff but is neither potentially a crime nor a cause of significant harm to the young person, the matter should be addressed in accordance with the College disciplinary procedures.
- The allegation can be shown to be false because the facts alleged could not possibly be true.
- A discussion with Local Authority will result in either: -
 1. Investigation by Local Authority / Police.
 2. Investigation by the organisation following existing policies, however keeping the Local Authority informed.

Enquiries and Investigations

Child protection enquiries by the Police and Children's Social Care should not be confused with the College's internal disciplinary enquiries. The College may use the outcome of external agency enquiries as part of its own procedures, and decision making.

Whilst the Police and Children's Social Care have no power to direct the College to act in a particular way, the College should assist the agencies with their enquiries.

The College shall hold in abeyance its internal enquiries while the formal Police or Children's Social Services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform to the existing staff disciplinary procedures.

Where there is an investigation by an external agency the Principal, or nominated manager, should normally be involved in inter-agency discussions and ensure that appropriate confidentiality is maintained in the interests of the member of staff about whom the allegation is made. The Principal, or nominated manager,

shall advise the member of staff that they should consult with a representative, for example, a trade union.

Subject to objections from the Police or Children's Services, the Principal, or nominated manager, shall: -

- inform the young person making the allegation, and their parents/carers where appropriate, that the investigation is taking place and what the likely process will involve; kept informed of the case and informed of outcome where not a criminal prosecution, that includes outcome of disciplinary procedures.
- inform the member of staff against whom the allegation has been made that the investigation is taking place and what the likely process will involve; offer support where appropriate via Occupational Health or Counselling.
- inform the Chairman of Governors and/or the designated governor of the allegation and investigation.

The Principal, or nominated manager, shall keep a written record of the action taken in connection with the allegation.

Suspension of Staff

Suspension should not be automatic. In respect of staff other than the Principal, suspension can only be carried out by the Principal or a senior manager with delegated authority to do so. In respect of the Principal, suspension can only be carried out by the Chairman of Governors (or in his absence the Vice Chairman).

Suspension may be considered at any stage of an investigation. It is a neutral not a disciplinary act and will be on full pay. Consideration should be given to alternatives, e.g., paid leave of absence; agreement to refrain from attending work; change of or withdrawal from, specified duties.

Suspension should only occur for a good reason. For example: -

1. Where a child is at risk or has been harmed.
2. Behaved in a way that they pose a risk of harm to young people.
3. Behaved in a way that indicates they may not be suitable to work with children.
4. Where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.
5. Where it is necessary for the good and efficient conduct of the investigation.

If suspension is being considered, the member of staff should be encouraged to seek advice, for example from a trade union.

Prior to making the decision to suspend, the Principal or nominated manager (or Chairman or Vice Chairman of Governors) and the HR Business Partner should advise the member of staff that: -

- an allegation has been made and that they are to be suspended from duty on full pay.
- it is not a formal disciplinary act but an opportunity to fact-find and conclude the investigation as quickly and fairly as possible.
- confirmation of the suspension, and reasons for it, will be sent in writing within three working days of the meeting.

Where a member of staff is suspended, the Principal (or Chairman or Vice Chairman of Governors) should address the following issues: -

- The Chairman of Governors should be informed of the suspension in writing.
- The governing body should receive a report that a member of staff has been suspended pending investigation; the detail given to the governing body should be minimal.
- Where the Principal has been suspended, the Chairman or Vice Chairman of Governors will need to take action to address the management of the College.
- The person or parent of the young person making the allegation should be informed of the suspension. They should be asked to treat the information as confidential.
- Senior staff who need to know of the reason for the suspension should be informed.

Depending on the nature of the allegation, the Principal should consider with the nominated Governor whether a statement to the learners of the College and/or parents/carers should be made, taking due regard to the need to avoid unwelcome publicity and reputational damage.

The Disciplinary Investigation

The disciplinary investigation should be conducted in accordance with existing disciplinary proceedings.

Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension should be lifted immediately, and arrangements made for their return to work. It may be appropriate to offer counselling or other appropriate support internally.

The person or parent/carer of young person making the allegation should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to College of the member of staff (if suspended).

The Principal (or nominated manager) should give consideration to what information should be available to the general population of the College.

Consideration needs to be taken of statutory guidance when setting timescales.

Allegations without foundation

False allegations may be indicative of problems of abuse elsewhere. A record should be kept, and consideration given to a referral to Children's Services.

In consultation with the designated manager with lead responsibility and or the designated Governor, the Principal shall: -

- inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or child protection action will be taken;
- inform the person or parents/carers of the alleged victim that the allegation has been made and of the outcome;
- prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.

Records

It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the member of staff's personal and confidential file.

These should be kept until the person reaches normal retirement age or 10 years if that will be longer

Referral to the Disclosure and Barring Service

If the allegation is substantiated and on conclusion of the case the employer dismisses the person or ceases to use the person's services, or the person ceases to provide their services, the employer should consult the local authority designated officer about whether a referral to the Disclosure and Barring Service and/or to a professional or regulatory body is required. If a referral is appropriate the report should be made. A referral must always be made if the employer thinks that the individual has harmed a child or poses a risk of harm to children.

Monitoring Effectiveness

Where an allegation has been made against a member of staff, the nominated Governor, together with the manager with lead responsibility should, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that should lead to the improvement of the College's Safeguarding Welfare of Learners Policy and Procedures. Consideration should also be given to the training needs of staff.

6. RECRUITMENT AND SELECTION PROCEDURES

All staff, including volunteers, shall be recruited in line with existing Recruitment and Selection procedures which: -

- verify a candidate's identity;
- obtain an enhanced Disclosure and Barring certificate (via the applicant) including barred list information for individuals in regulated activity;
- obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available.
- verify the candidate's mental and physical fitness to carry out their work responsibilities;
- verify the person's right to work in the UK;
- require documentary evidence of qualifications and verify professional qualifications;
- obtain professional and character references;
- verify previous employment history;
- access the Teacher Services System to ensure there is no teaching prohibition order issues by the Secretary of State or any sanction or restriction imposed (remains current by the GTCE before its absolution ;
- conduct further check for individuals who have lived or worked outside of the United Kingdom.

At least one member of the interview panel will be trained in Safer Recruitment. The Recruitment Policy includes further guidance on safer recruitment practices.

7. **STAFF TRAINING AND DEVELOPMENT**

- All new college employees must undertake safeguarding and prevent training (online) prior to commencement of post.
- All new College employees will be made aware of the College's SAFEGUARDING Learners Policy and Procedures during the induction process.
- The Safeguarding Policy will be available to all current staff via the College Intranet.
- Training and staff briefings will be provided at least annually, via emails, newsletters etc. All staff will be required to attend face to face and/or online training within 3 months of start of duties and then refreshed every 3 years.
- The designated manager and other designated members of staff and the designated Governor will receive adequate training to enable them to discharge their duties effectively.
- All staff involved in any safeguarding case should be offered support / counselling / supervision as appropriate.

Reviewed in the light of guidance from DfE and AoC.

