Safeguarding Learners Policy and Procedure

Excellence
Our Mission

To inspire learners to recognise and achieve their full potential

Our Values

Excellence, Passion, Team Work, Integrity, Innovation,
Sustainability, Valuing Others and Supportiveness

Sparsholt College Hampshire, incorporating Andover College

The Safeguarding Learners Policy and Procedure was amended in September 2014. This supersedes the previous publication and is effective from 2 October 2014.

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Safeguarding Learners Policy and Procedure

Excellence

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1. **Safeguarding Definition**

For the purposes of this document, Safeguarding is defined as;

- Protecting children* from maltreatment
- Preventing impairment of children's healthier development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

This is the definition used in the Children Act 2004 and the DCSF (now Department for Education) guidance document *Working together to Safeguard Children* (2013, page 7.2), which focuses on safeguarding.

*In the College's context the term children should also be taken to include all young people and vulnerable adults.

2. **Policy Statement**

2.2 **Principles**

This policy asserts that the College will have in place inclusive and integrated ‘safer’ practices that promote and ensure the safety and well-being of all learners, while recognising the importance of having in place particular procedures and practices in support of groups of learners that are or become vulnerable.

The policy provides the framework for promoting and ensuring the safeguarding and protection of all learners at, or associated with, Sparsholt College Hampshire.

The College will maintain procedures and practices which safeguard and promote the well-being of all its learners, by identifying and applying best practice within the sector and ensuring that the Learner Safeguarding Policy and Procedure comply with legislative requirements and government recommendations.

2.2 **Learner Safeguarding Policy Statement**

To ensure that comprehensive and effective safeguarding practices exist within the College, and that a culture of adherence to and continuous development of these practices is
established and maintained, the College will:

a) Require all staff to provide and assure a safe environment for learners at all times;

b) Establish and maintain procedures and practices which minimise risks to all learners;

c) Publish and promote the right of every learner of the College to work within a safe and cooperative learning and working environment;

d) Provide information and educate learners to equip them with an awareness about how to stay safe by promoting safety - including e-safety - in a proactive way;

e) Maintain recruitment and contracting practices which check the suitability of staff, volunteers and operators of externally contracted services to work with children and vulnerable learners;

f) Provide training to maintain the awareness of all staff so that they recognise and react responsibly to apparent and potential instances of abuse or neglect of learners;

g) Articulate and maintain procedures for identifying, investigating and reporting cases (or suspected cases) of abuse or potential for harm to learners;

h) Designate and train staff as members of the College’s Learner Support Team, equipping and supporting them to investigate and deal appropriately with incidents and allegations of abuse or neglect of learners;

i) Collaborate and cooperate with external agencies to establish, maintain and coordinate procedures and arrangements for ensuring the safety of the College’s learners, keeping the welfare of the learner at the centre of any action taken.

2.3 Monitoring and Review

The Strategic Leadership Team will monitor the impact of this policy through termly reports to the Wellbeing Committee. The Board of Governors will receive the minutes of Wellbeing Committee meetings and will monitor the impact of this policy through monthly College Healthcheck reports and termly reports to the Quality & Standards Committee. An annual report will be received by the Board of Governors, at which point the Board will consider the effectiveness of the College’s Learner Safeguarding Policy and Procedure and approve revision of the policy as appropriate.
3. **Guidance for all Staff**

3.1 **It is the responsibility of everyone within the College to ensure the safety and well-being of our learners.**

It is everyone’s responsibility to understand how to recognise, respond to, report and record any concerns about the safety and well-being of any learner as appropriate.

It is therefore important that all staff are aware of the contents of these guidelines. The guidelines cover the following issues:

a) Background;
b) Who and what is covered by this policy and procedure;
c) Safeguarding learners - definitions of learner/child/vulnerable adult;
d) Safeguarding learners - definitions of abuse/neglect/harm;
e) Confidentiality;
f) Protecting yourself from allegations;
g) Acronyms used in this document;
h) Appendix 1 - What to do in the event of an allegation or suspicion of actual or potential abuse/neglect/harm.

**a) Background**

Education providers of post-16 learning and skills have responsibilities to ensure the safety of children, young people and those adults deemed ‘vulnerable’.

The College is committed to the principle and practice of safeguarding learners. The following principles and procedures should be enacted alongside the College’s Learner Safeguarding Policy Statement.

**b) Who and what is covered by this policy and procedure**

These principles and procedures extend to all learners, all staff, all providers of services to the College, all other users of the College and all College activities.

It is the responsibility of individual members of the College community to adopt the aims and values of these principles and procedures and to ensure that learner safety and well-being is our first responsibility.

The College’s commitment to safeguarding learners extends collectively to everyone in the College and all that we do. Procedures and practices developed by College management in these areas should be informed by and comply with the principles and framework set out by the Safeguarding Learners Policy and Procedure.
The College will take appropriate opportunities in the following areas of its work to publicise and make explicit its commitment to the principles and practice of safeguarding:

1) Learners’ personal development and tutorial care;

2) Establishing and promoting College mechanisms for reporting concerns about learner safety and support;

3) Access to further individual support for learners;

4) Opportunities for enrichment activities;

5) Partnerships and collaboration with parents, communities, employers and other agencies;

6) Staff recruitment practices;

7) Effective Health & Safety policies and learner involvement in raising and discussing Health and Safety issues;

8) Staff professional development and training in child and vulnerable adult protection;

9) Curriculum and course planning;

10) Contracting with external suppliers to provide unsupervised services to learners;

11) Appropriately restricting access to specific areas of the College, including residential accommodation, changing facilities, etc;

12) Restricting unsupervised access of visitors to areas of College premises that are frequented by learners.

c) Safeguarding learners - definitions of Learner, Child and Vulnerable Adult

Any learner could potentially be the victim of abuse by those known to them or, more rarely, by a stranger, whether that is in a family, an institutional or community setting or by other means, such as via the internet.

These principles and procedures are intended to safeguard all of the College’s learners and provide for the College to discharge its legislative obligations to protect learners under the age of 18 years and vulnerable adults. These principles and procedures recognise the following definitions with regard to the individual.

**Learner** – the term 'learner' covers learners enrolled with the College who study on one of the College’s campuses or at any of the outreach or Work-Based Learning sites. The policy also covers those learners who are on work placement as part of
their course. In addition, it covers prospective learners while visiting the College or attending ‘taster days’.

**Child** – in accordance with The Children Act 1989 (and also in the Children Act 2004), and therefore in accordance with the law, the College shall regard any young person below the age of 18 as a child.

**Young people aged 18 +** - may in some circumstances be regarded as vulnerable as a consequence of earlier life-experience and may therefore fall within the remit of The Children Act 1989. The College will take action based on individual situations; for example, where a learner is over 18 but wishes to report abuse which took place when they were younger or if there are younger siblings in a family who are thought to be at risk.

**Vulnerable Adult** – is defined as a person ‘who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation’ (Department of Health, 2000).

Vulnerability can apply to a wide range of disabilities and situations including those adults at risk owing to their caring role or family responsibilities. Vulnerability may be temporary or permanent. Individuals can become vulnerable when no previous conditions existed, for example if they become ill.

A vulnerable adult may be a person who, for example:

1) Has learning disabilities;
2) Suffers from mental illness;
3) Has physical disability;
4) Is a substance mis-user;
5) Is homeless;
6) Is in an abusive relationship;
7) Becomes ill or otherwise vulnerable.

**d) Safeguarding learners - definitions of abuse/neglect/harm**

A learner may be abused or neglected by having harm inflicted upon them by a person failing to act to prevent harm. The College recognises the following definitions with regard to abuse, neglect and harm.

**Physical Abuse** – May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer feigns symptoms of, or deliberately causes, ill health to someone they are looking after.

**Emotional Abuse** – Emotional abuse is the persistent emotional ill treatment of a child or vulnerable adult which could cause severe and persistent adverse effects on the person’s emotional development. It may involve conveying to the individual that
they are worthless or unloved, inadequate, or only valued for what they can do for the abuser. Age or developmentally inappropriate expectations being imposed on children or vulnerable adults, causing the individual to frequently feel frightened, or the exploitation or corruption of children or vulnerable adults will also constitute emotional abuse.

**Sexual Abuse** – Means involving, forcing or enticing a child, young person or vulnerable adult to take part in sexual activities (including rape) whether or not the individual is aware of what is happening. The activities may involve physical contact including penetration or non-penetrative acts. For example, it may also include involving the child, young person or vulnerable adult in looking at or being involved in the production of pornographic material, watching sexual activities or encouraging the child or vulnerable adult to behave in sexually inappropriate ways.

**Neglect** – Neglect is the persistent failure to meet a child’s or vulnerable adult’s basic physical and/or psychological needs likely to result in the serious impairment of their health or development, such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to, their basic emotional needs.

**Risk to self and/or others** – This may include, but is not exclusive to, self-harm, suicidal tendencies or potential risk of harming others, which may or may not include children. This may be as a consequence of an individual experiencing a significant level of personal, emotional trauma and/or stress.

**Domestic Violence** – Can be physical, emotional, sexual, or neglect - also covers forced marriages.

In the first instance any disclosures, allegations or concerns regarding the above, related to an individual ‘child’ or ‘vulnerable adult’, should be reported to one of the Assistant Learner Protection Officers who will act appropriately.

Staff should however take appropriate action in relation to inappropriate visitors coming onto the campus.

e) **Confidentiality**

Young people aged 16-18 have rights to confidentiality which should be respected. Confidentiality is an essential part of the relationship between professionals and young people. All communications about cases should be kept to a minimum and on a “need to know” basis. This should not stop a member of staff reporting concerns.

It may be that an individual discloses abuse to a member of staff and does not wish the information to go any further. However, if the member of staff considers that the young person/vulnerable adult (or another minor/vulnerable adult) continues to be at risk, especially where this risk is significant, confidentiality must be breached, though the member of staff must clearly explain why the law and regulation mean this breach is
necessary. The College will undertake to restrict to a minimum the number of people informed, whilst complying with its statutory duties.

f) Protecting yourself (staff) from allegations:
   - Do not under any circumstances give your personal details to a student.
   - Never communicate with a student using your personal Facebook or other social media site.
   - When conducting a 1-1 meeting with a student, try to ensure you are in a room with a glass door where other staff can see you or (preferred option) in a room shared by other staff. If this is not possible, make sure a colleague knows where you are and ask them to call in at a specific point.
   - You should not use your car (or College vehicle) to transport a lone student. If in your professional judgement there is a clear duty of care to transport a lone student, you may do so, but only after you have sought permission of a supervisor or line manager and ideally with permission of parents if they are under 18 years old.
   - Do not physically touch* /comfort a student and if they initiate physical contact for whatever reason (recognising that some students with SLDD may do this habitually through showing affection or as a means of communicating) then break away from this as soon as you are able and make a file note.

*See also, ‘Use of Reasonable Force Policy’. Furthermore, if assisting a student ‘in-need’ (e.g. following a slip and being unable to get their feet without assistance), seek help from others to avoid any physical contact when alone with a student and make a brief file note of your intervention.

g) Acronyms used in this document
   - CEOP – Child Exploitation & Online Protection Centre
   - LPO – Learner protection Officer (college designated person)
   - ALPO – Assistant LPO (college)
Appendix 1

4 What to do in the event of an allegation or suspicion of actual or potential abuse/neglect/harm

4.1 The College recognises that people who are abused or witness violence may find it difficult to develop a sense of self-worth. They may feel helplessness, humiliation and some sense of blame. The welfare of the individual is paramount.

If a learner discloses significant personal problems to a member of staff, their disclosure should be acknowledged and taken seriously. Staff should:

- Stay calm and contact an Assistant Learner Protection Officer (ALPO) at the earliest opportunity and inform them of the disclosure so that they can speak to the student and follow up as appropriate.

- In exceptional circumstances (where the LPO or ALPO is not available)
  a) Believe what is being said;
  b) Allow time to listen carefully - do not ask any questions;
  c) Reassure the learner that it is important to tell you;
  d) Do not appear shocked or make judgments about what is being said;
  e) Do explain to the learner that you may have a legal obligation to pass this information on, to protect both them and possibly other members of the family and the public;
  f) Do write down the details - if appropriate ask the learner to write it down, using their own words as much as possible; When the notes are complete, sign your name (and date it) immediately beneath the last line of text.
  g) Do be alert to the possibility and note details, if you become aware that there could be other children and/or vulnerable adults living in the same house as the disclosing learner and who may also be exposed to risk;
  h) Do contact the College’s designated Assistant Learner Protection Officer for your campus or, in their absence, the designated Learner Protection Officer, at the earliest opportunity. Pass on to the ALPO (or LPO) all of your records and notes – do not keep copies of your notes;
  i) Do treat the information you have received with the strictest confidence. The Learner Protection Officers will be responsible for deciding what further action should be taken;
  j) Don't make promises you cannot keep nor any that are not within your gift to make;
k) Don’t promise confidentiality;

l) Don’t take the matter further yourself;

m) Don’t contact any other agencies (unless you are on an educational or residential visit and a report of sexual abuse is made against a member of the local population - in this instance contact the local Police immediately).

If any member of staff has reason to know or suspect that abuse or neglect of a learner may be happening, or that any learner is at risk of significant harm, they must discuss their concerns as soon as possible with an Assistant Learner Protection Officer or, in their absence, with the Learner Protection Officer.

If any member of staff feels unduly distressed as a result of receiving a disclosure from a learner, support is available through HR.

4.2 The Learner Protection Team
5. **Information and procedures for the Learner Protection Team**

5.1 **Contents:**

   a) Background
   
   b) The Learner Protection Team
   
   c) Roles and responsibilities
   
   d) Procedures for investigating and handling an allegation or suspicion of abuse or neglect

**a) Background**

While the Police and Social Services have primary responsibility for the protection of children and vulnerable adults, the College has a duty to protect learners by the prevention of abuse and neglect and this is achieved through the College’s policies and procedures for safeguarding learners.

The College’s duties will be informed and overseen by its designated Learner Protection Team (LPT).

**b) The Learner Protection Team**

![Diagram of the Learner Protection Team structure]

- **Designated Senior Officer** (Vice Principal)
- **Learner Protection Officer** (Head of Student Support)
- Assistant Learner Protection Officer
  - Student Support Coordinator (Andover campus)
- Assistant Learner Protection Officer
  - Student Support Coordinator (Sparsholt campus)
- Assistant Learner Protection Officer
  - Residential Services Manager (Sparsholt campus)
c) Roles and Responsibilities

Through leadership of and in collaboration with the LPT, the Learner Protection Officer has overall responsibility for:

1) Advising the Strategic Leadership Team about the appropriate alignment of College policies and procedures to assure the College’s arrangements for safeguarding learners;

2) Investigating reported disclosures, allegations and suspicions about abuse, neglect or risk suffered by learners;

3) Liaising with Police and Social Services to report suspected incidents affecting learners which fall within the purview of this policy and these procedures, and to represent the College in any subsequent actions to safeguard affected learners;

4) Maintaining the Learner Protection Register and associated thorough and confidential records of reported allegations, suspicions, subsequent investigations and follow-up actions;

5) Regularly reviewing the Learner Protection Register, to identify any emerging patterns of concern raised – since an accumulation of such concerns could prompt an investigation;

6) Keeping up to date the awareness and understanding of the LPT in learner protection issues, good practice, College procedures, referral protocols and liaison arrangements with external agencies for safeguarding children and vulnerable adults;

7) Providing advice and support to other staff on issues relating to child protection and vulnerable adults;

8) Liaising with the Local Education Authority and Local Safeguarding Children Board and other appropriate agencies;

9) Liaising with appropriate senior colleagues to ensure safeguards are put in place for learners on work placements;

10) Monitoring that staff receive basic training in safeguarding of young people and vulnerable adults and are made aware of the College’s Safeguarding Learners Policy and Procedures.
The Learner Protection Officer will liaise with the Clerk to the Governors regarding regular reporting to the Board of Governors on discharge of the College’s duties for safeguarding learners and is responsible for reporting deficiencies in procedure or policy identified by the Local Safeguarding Children Board (or others) to the Board of Governors through the Clerk at the earliest opportunity.

d) Procedures for investigating and handling allegations or suspicion of abuse or neglect:

Relating to learners aged 16 – 18 years and to vulnerable adults:

1) Any suspicion or disclosure of abuse, neglect or potential for harm that is brought to the attention of any Assistant Learner Protection Officer must be brought immediately to the attention of the Learner Protection Officer or, in their absence, to the College’s senior safeguarding officer, the Vice Principal.

2) The Learner Protection Officer or, in their absence, their designated deputy, will determine the extent and nature of any further enquires or investigations that would be appropriate and will ensure appropriate confidentiality of the learner is maintained;

3) The Learner Protection Officer or, in their absence, their designated deputy is required to report to Social Services, in accordance with Hampshire Local Safeguarding Children Board guidelines, any suspicions and to disclose any reports by learners under the age of 18 years and vulnerable adults of abuse and/or neglect. Failure to do so is a failure in the College’s duty to care;

4) All members of the LPT who become involved in any disclosure or indication of suspicion about possible abuse, neglect or potential for harm to a learner, must ensure that details of incidents or observations are accurately recorded, signed and dated and the notes held confidentially and securely by the Learner Protection Officer;

5) It is the responsibility of the LPT member who receives a report of concern, no matter how insignificant, to record the details in the Learner Protection Register, since an accumulation of such concerns could initiate an investigation.

Relating to learners aged under 16 years:

The Learner Protection Officer or, in their absence, their designated deputy should:
1) Report the disclosure/incident, without delay, to:
   - Social Services;
   - The College’s 14-19 School Links Co-ordinator;
   - Vice Principal.

2) Report the disclosure/incident, without delay, to the learner’s own school’s Child Protection Officer and outline the action that is being taken by the College, pending the outcome of investigations by Social Services.

3) Liaise with the learner’s own school, who will act as intermediary for communications between parents/carers/the learner and the school to ensure appropriately controlled and full flow of information.
Appendix 3

6. Staff Recruitment and Training

Policy Statement

The College will take rigorous steps to ensure that children and young people under the age of 18 and individuals belonging to vulnerable groups are protected from people who might be considered to pose a risk to them.

New members of staff will be unable to start working with the College without checks being made as outlined below.

The College will comply with the legislation by:

   a) Not engaging a barred person;
   b) By referring individuals that have harmed or may harm a young person or individual belonging to a vulnerable group to the Independent Safeguarding Authority (ISA).

The College will seek to be excellent in relation to safeguarding in recruitment and training by:

   a) Ensuring there are standard questions about safeguarding in all interviews;
   b) Making all appointments subject to satisfactory checks by the Disclosing & Barring Service (DBS);
   c) Engaging all volunteers subject to DBS checks;
   d) Include training on safeguarding issues, and in particular how to recognise, respond, record and report issues of concern relating to learners, as part of staff induction;
   e) Providing Designated Safeguarding Officers with specialist training which will be refreshed every two years;
   f) All other staff will refresh their training every three years or earlier should there be a change to legislation or process.

The College will pay for DBS and barring checks for all new staff.
6.1 Checks that will be undertaken

In accordance with the Protection of Freedoms Act all regular paid roles within the organisation, are classified as regulated activity and as such are subject to the following checks:

a) Identity;
b) Barring check;
c) DBS check (enhanced);
d) Right to Work in UK;
e) Qualifications appropriate to role;
f) Professional status as appropriate;
g) Health & sickness record
h) Previous employment history

A role is classed as Regulated Activity only if done regularly. Regular means carried out by the same person frequently (once a week or more often), or on 4 or more days in a 30 day period.

Checks undertaken for members of the Governing Body are:

a) DBS check (enhanced)
b) Identity

Checks for volunteers are:

a) Identity
b) DBS check (enhanced);
c) Right to Work in UK;
d) Qualifications appropriate to role;
e) Health check (if role entails teaching/instructing or supporting learners)
f) Previous employment history

6.2 Existing Staff who Change Job Role

The College will seek an enhanced DBS check prior to commencement in any new post, if the previous check was completed more than 3 years prior.

6.3 Professional and character references

Staff are not permitted to begin their employment (or take up residence) until the DBS and barring check has been completed. In exceptional circumstances where the DBS check is yet to be returned, the appointment may begin subject to a rigorous risk assessment and
on the permission of the Principal or Vice Principal until a clear DBS and barring check is received.

It is the responsibility of the HR Department to ensure that all staff employed at the College (directly or through an agency) and all adults living on site have a satisfactory DBS disclosure at the appropriate level.

It is the responsibility of the individual’s manager to ensure that a member of employed staff or volunteer does not commence employment until they have received DBS clearance through HR or permission has been obtained from the Principal.

References will be sought where possible before interview and should be from the most recent employer and one other employer. Where this is not possible the College will seek references from organisations or individuals who will have an understanding of the potential for the applicant to work safely with young people and vulnerable adults and the individual’s honesty and integrity.

6.4 Training in safeguarding and child protection

Members of the Board of Governors will be made aware of the Board’s responsibility for safeguarding as part of their induction and will undertake the Child Protection e-training package.

All new staff will be made aware of the Safeguarding Learners Policy and Procedure during their induction. The member of staff’s understanding of their responsibility for safeguarding will also be explored. This policy will be made available to managers in their Managers Tool Kit and to all staff on the document library on the College Intranet.

All staff working at the College will undertake the Child Protection e-training package either before appointment or during their initial induction period, which will be no longer than 5 days. Refresher training will be undertaken at least every 3 years.

Staff involved in the recruitment and appointment of staff will have refresher training every two years.

Members of the Learner Protection Team will be required to undertake specific training with a recognised body e.g. NSPCC or Local Safeguarding Children Board at least once every two years.
7 Contracting/Outsourced Services/Visitors/Residential Learners

7.1 Contractors (not working directly with learners under the age of 19 years or vulnerable adults)

The College will include the requirements for DBS checks where necessary into their procurement and contract processes.

The manager responsible for each contract is required to conduct a risk assessment of the work to be carried out in terms of potential risk to the safety and well-being of learners.

The Designated Senior Officer for safeguarding will provide guidance on the level of risk involved and action to be taken, including whether a DBS check is required. This judgment is to be made on the basis of:

a) Proximity of the work to learner areas;
b) The likely degree of access to young people;
c) The period over which the contractor has access to the site;
d) The frequency or intensity of the work to be done.

All contractors required to enter residential accommodation at any point and who have not been subject to DBS clearance through this process must be kept under sufficient staff supervision to prevent unsupervised access to learners or their accommodation.

The College will issue guidance to all contractors working in or in the vicinity of learner accommodation.

7.2 Contractors with direct unsupervised access to learners

The College has determined that, as part of the contractual arrangement with the transport providers, bus drivers should be required to undertake appropriate DBS checks.

7.3 Adults in residence in a College property let to Staff

All adults taking up residence, i.e. staying more than 4 weeks, in College accommodation are required to complete a DBS check. All residential households will be issued with guidance on the supervision of visiting adults.

College staff are responsible for ensuring that their visitors do not have unsupervised access to learners.

7.4 Adults in residence in a College property let to private tenants

Adult private tenants are not subject to DBS check but are required, as part of their letting agreement, not to allow any student (unless the student is a family member and usually
resident) to enter their property or access the College other than with the usual arrangements applying to any visitor.

7.5 Residential students

Individuals applying to study at the College, who declare a criminal record, are discovered to have a criminal record, or have been investigated for possible crimes against children are subject to a risk assessment. This may involve a DBS check and/or a reference from the individual’s probation officer or Social Services case worker. The Designated Senior Officer for safeguarding is responsible for ensuring that a risk assessment is conducted and appropriate precautions put in place.

7.6 Day visitors

All visitors to the College are required to register at Reception on arrival and departure and are required to wear a distinctive identifying visitors badge throughout their visit. Where it is not possible to register with reception for logistical reasons all visitors will none the less be issued with a distinctive visitors badge.

7.7 Overnight resident visitors

Only guests who have business with the College are permitted to use the College’s hospitality accommodation. Each visitor is required to register at Westley Court Reception and is required to wear an identifying visitors badge for the duration of their stay. Guests will be given written information about “out of bounds” areas of the campus.
8 Allegations of abuse made against Staff

8.1 Introduction

8.1.1 The College recognises its responsibility for and is committed to ensuring the safety of its learners. It also acknowledges that staff of education institutions have frequent contact with children, young people and vulnerable adults and as a consequence may have allegations of child abuse made against them. The College recognises that an allegation of child abuse made against a member of staff may be made for a variety of reasons and that the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and investigations are thorough and not subject to delay.

8.1.2 The College recognises that the Children Act 1989 states that the welfare of the child is the paramount concern. It is also recognised that hasty or ill informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence and career. Therefore, those dealing with such allegations within the College should do so with sensitivity and act in a careful, measured way.

8.1.3 Sources of support available for staff who have had an allegation of abuse made against them, includes:

a) Relevant Trade Union (UNISON, UCU, AMiE)
b) Teacher Support Network - 08000 562 561 or http://teachersupport.info/
c) The Samaritans - 08457 90 90 90 or www.samaritans.org

8.2 Receiving an allegation from a child or vulnerable adult

8.2.1 The Designated Senior Officer for safeguarding should report the allegation immediately to the Principal, unless the Principal is the person against whom the allegation is made, in which case the report is made to the Chair or Vice Chair of Governors (in the case of the Chair’s absence). The Chair may designate a person to assess the allegation.

8.2.2 The Principal or designated person will then:

a) Obtain written, signed and dated details of the allegation from the person who received it. The written details should be countersigned and dated by the Principal or designated person;

b) Record detailed information about the alleged incident, including times, dates, locations and names of potential witnesses.
8.3 Initial Assessment by the Principal (or designated person)

8.3.1 The Principal (or designated person) should make an initial assessment of the allegation, consulting with the Learner Protection Officer and the Local Safeguarding Children Board (LSCB) as appropriate.

NB. It is important that the Principal (or designated person) does not investigate the allegation. The initial assessment is on the basis of the information received and is a decision whether or not the allegation warrants further investigation.

8.3.2 Potential outcomes are:

a) 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 child or vulnerable adult. The matter should be addressed in accordance with College disciplinary procedures.

b) The allegation is considered to be either a potential criminal act or indication that the child or vulnerable adult has suffered, is suffering or is likely to suffer significant harm. The matter should be reported immediately to the Police or Social Services Children and Families or Adult team in accordance with LSCB or other relevant guidelines.

c) Should the individual be dismissed as a consequence of the consideration of the allegations, the College will refer details to the Independent Safeguarding Authority (ISA) if it is felt that there are grounds for believing the individual may be unsuitable to work with children. If the member of staff is a teacher registered with the Institute for Learning (IfL) consideration will also be given to referring the details to that professional body.

d) The allegation can be shown to be false because the facts alleged could not possibly be true.

8.4 Enquiries and Investigations

8.4.1 Child or Adult protection enquiries by Social Services or the Police are not to be confused with internal disciplinary enquiries by the College. The College may be able to use the outcome of external enquiries as part of its own procedures. The child and adult protection agencies, including the Police, have no power to direct the College to act in a particular way; however, the College will assist the agencies with their enquiries.

8.4.2 The College should hold in abeyance any internal enquiries while the formal Police or Social Services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries should conform with the existing staff disciplinary procedures.
8.4.3 If there is an investigation by an external agency, for example the Police, the Principal (or designated person) will normally be involved in, and contribute to, the inter-agency strategy discussions. The Principal (or designated person) is responsible for ensuring that the College gives every assistance with the agency’s enquiries. They should ensure that appropriate confidentiality is maintained, where possible, in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The Principal (or designated person) should advise the member of staff that they may consult with a representative, for example, a trade union.

8.4.4 Subject to any objections by the Police or other investigating agency, the Principal (or designated person) will:

- a) Inform the child/children or parent/carer making the allegation that the investigation is taking place and what the likely process will involve;
- b) Ensure that the parents/carers of the child making the allegation are informed that the allegation has been made and what the likely process will involve;
- c) Inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve;
- d) Inform the Chair of Governors of the allegation and the investigation.

8.4.5 The Principal (or designated person) should keep a written record of all actions taken in connection with the allegation.

8.5 Suspension of Staff

8.5.1 Suspension is not automatic. In respect of staff (other than the Principal, Senior Post-holders and the Clerk to the Governors) suspension can only be imposed by the Principal, Vice Principal, the Executive Director of Finance & Resources or an Assistant Principal in accordance with the Disciplinary Policy and Procedure (staff). There are separate procedures in respect of the Principal, Senior Post-holders and the Clerk to the Governors which determine that suspension can only be imposed by the Chair of Governors (or in their absence the Vice Chair).

8.5.2 Consideration may be given to alternatives to suspension: e.g. agreement to refrain from attending work; change of, or withdrawal from, specified duties.

8.6 Allegations Adjudged to be Without Foundation

8.6.1 It is recognised that false allegations may be indicative of problems of abuse elsewhere in the life of the accuser. A record should be kept and consideration given to a referral to the LSCB in order that other agencies may act upon the information.
8.6.2 In consultation with the designated senior member of staff, the Principal should:

   a) 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. The staff member should be advised about the Employee Advisory Resource for counselling/support

   b) Inform the parents/carers of the alleged victim that the allegation has been made and of the outcome

   c) Where the allegation was made by a child or vulnerable adult other than the alleged victim, consideration is to be given to informing the parents/carers of that child or vulnerable adult

   d) Prepare a report outlining the allegation and give reasons for the conclusion that it has no foundation and confirm that the above action is taken

8.7. Record keeping

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

8.7.2 If a member of staff is dismissed or resigns before the disciplinary process is completed, they should be informed about the College’s statutory duty to inform the Independent Safeguarding Authority.

8.8. Monitoring Effectiveness

8.8.1 Where an allegation is made against a member of staff, at the conclusion of the investigation and any disciplinary procedures, the senior member with lead responsibility should consider whether there are any matters arising from it that could lead to the improvement of the College’s procedures and policies and/or should be drawn to the attention of the LSCB. Consideration should also be given to the training needs of staff.
9 Workplace Learning and Employer Responsive Learners

9.1 Work Placements

Any disclosure will be dealt with using the Safeguarding Learners Policy and Procedure.

9.2 Employer responsive

The following checks for College learners based with Associates will take place and will continually be reviewed for effectiveness, with any identified amendments being made as appropriate:

a) Monitoring visits with Associates will require inspection and monitoring of documentation pertaining to health and safety, equality and diversity and safeguarding of learners

b) Learner files will be examined to identify learner progress and identify any safeguarding issues

c) Associated learners will be contacted via telephone to check progress, including: establishing whether the learner feels safe; if they feel able to report if they do not feel comfortable with any aspect of their environment both physical and personal; and if they know who to report to

d) Associates will be asked to evidence how they will progress a child protection or vulnerable adult issue and for the name of their child protection co-ordinator or designated officer
10 Legislation and Guidance

10.1 In making its commitments to safeguarding learners, the College recognises that its practices are also bound by a broad framework of legislation, including:

a) The Children Act
b) Local Safeguarding Children Board guidance
c) UN convention on rights of the child
d) Data Protection Act 1998
e) Human Rights Act 1998
f) Employment Protection Act 1975
g) Employment Relation Act 1999
   *Safeguarding Children in Education
h) Every Child Matters
i) Protection from Harassment Act 1997
j) Special Educational Needs and Disability Act 2001
k) Sex Discrimination Act 1975/1986
l) Guidance for Safe Working Practice for the Protection of Children & Staff in Education Settings
m) Forced Marriage (Civil Protection) Act 2007
o) Equality Act 2010
p) Keeping children safe in education, DfE 2014

10.2 Associated policies and procedures

a) Bullying and Harassment Policy and Procedure
b) Managing Learner/Student Conduct Policy
c) Staff Recruitment Policy
d) Health and Safety Policy
e) Work placement Policy
f) Duty to Act (Whistleblowing) Policy and Procedure
g) E – Safety Policy
h) Social Media Policy
i) Use of Reasonable Force Policy