

Safeguarding Policy

Document Summary

Date of approval: 18/11/19

Approved by: Academic Board

Last revision date: 28/08/20

Next revision date: 08/10/21

1: Introduction

The City College believes that students have a right to learn and develop in a safe environment. This document sets out the College's policy and procedures to ensure a safe environment for all students. It is considered that responsibility for providing a safe environment rests with all staff, students, and other members of the College community.

2: The legal basis of the Safeguarding Policy

To establish the legal basis for safeguarding at The City College, the College is mindful of the following (though is not limited to):

- Sexual Offences Act 2003
- Mental Capacity Act 2005
- Safeguarding Vulnerable Groups Act 2006
- Equality Act 2010
- Protection of Freedoms Act 2012
- The Care Act 2014
- Prevent Duty revised Guidance for England and Wales April 2019
- Counter-Terrorism and Security Act 2015
- General Data Protection Regulation 2018.

Students at The City College are all adult learners. The College notes in particular that the aims of The Care Act 2014 for adults are to:

- prevent harm and reduce the risk of abuse or neglect to adults with care and support needs
- safeguard individuals in a way that supports them in making choices and having control in how they choose to live their lives
- promote an outcomes approach in safeguarding that works for people resulting in the best experience possible
- raise public awareness so that professionals, other staff and communities as a whole play their part in preventing, identifying and responding to abuse and neglect.

The College supports the view that safeguarding adults means protecting a person's right to live and study in safety, free from abuse and neglect.

3: Safeguarding principles

The City College also recognises that the principles for safeguarding identified in The Care Act 2014 are:

- Empowerment – Personalisation and the presumption of person-led decisions and informed consent
- Prevention – It is better to take action before harm occurs
- Proportionality – Proportionate and least intrusive response appropriate to the risk presented
- Protection – Support and representation for those in greatest need
- Partnership – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse
- Accountability – Accountability and transparency in delivering safeguarding.

4: Definition of a vulnerable adult

In defining its approach to safeguarding, The City College is aware of the definition provided by the No Secrets statutory guidance that defined a vulnerable adult as being 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”.

The Care Act 2014 superseded this, and s42 now identifies ‘an adult at risk.’ An adult at risk of abuse or neglect is defined as someone who has needs for care and support, who is experiencing, or at risk of, abuse or neglect and, as a result of their care needs - is unable to protect themselves.

5: The College’s commitment

The City College will make every reasonable effort to safeguard students who may be considered vulnerable or at risk through taking the following actions:

- By seeking to make the College safe and welcoming to all
- By taking all safeguarding concerns, including suspicions and allegations of exploitation, harm or abuse (including radicalisation) seriously, and ensuring that all concerns are investigated and reported as appropriate in a prompt manner
- By providing good quality support services to students, such as student welfare and learning support
- By creating a Procedure which ensures that any student or staff member with concerns about the safety of a student can bring these concerns to the attention of the College and ensure anonymity where possible and/or if desired.

- By creating a Procedure to ensure any concerns about a student's safety are responded to promptly and appropriate action taken, including involvement of external services and authorities where appropriate
- By making reasonable and proportionate employment checks on staff as part of their employment in order to establish that those employed may be classified as a fit and proper person. This applies to anyone else involved in the operation of the College, such as governors and volunteers, who may have contact with students
- By giving staff information, guidance and training about how to recognise potential abuse, how to respond appropriately and how to report it, and by making staff aware that they have a responsibility to report any concerns they are aware of regarding a safeguarding matter to the appropriate person as set out in the Safeguarding Procedure
- By consulting potential victims of harm or abuse and taking their views into account as part of deciding an appropriate course of action and considering the proportionality of response, as part of making decisions
- By sharing information appropriately and working in partnership with relevant agencies if required, ensuring that all parties recognise their responsibilities to each other, act upon them and accept collective responsibility for safeguarding
- By ensuring the College fulfils its duty to have "due regard to the need to prevent people from being drawn into terrorism" and keep the College community safe, as identified in the Section 26 of the Counter Terrorism and Security Act 2015 (commonly known as the Prevent Duty).

6: Safeguarding concerns

The nature of the issues involved may include, but are not limited to, sexual exploitation, sexual misconduct, hate crime, female genital mutilation, so-called 'Honour' based violence, peer-to-peer bullying, self-harm and online risks.

There are a number of ways in which harm or abuse may become apparent, for example:

- A student discloses information involving themselves or others which gives rise to concerns that a potential perpetrator may be harming or abusing vulnerable individuals involved in college activities
- A third party (including staff) discloses that a student has told him or her that harm or abuse is taking place
- A student or third party (including staff) raises an allegation of abuse, harm or other inappropriate behaviour.

- Changes are observed in the appearance or behaviour of a student that lead to the suspicion that he or she is being, or has been, harmed or abused (including radicalisation)
- A concern is raised that an individual presents a risk of abuse or harm towards a student or staff member in relation to, for example, his/ her criminal convictions, or downloading, possession or distribution of inappropriate images or extremist material
- Concerns arise that a student or member of staff is vulnerable to radicalisation, and there is an identifiable risk of being drawn into terrorism.

7: Responsibilities of all staff members

All College staff and third parties acting on the College's behalf are expected to:

- be aware of, and comply with, this policy and follow any local safeguarding protocols within their specific department or team
- undertake training associated with this policy when required
- fully reflect safeguarding responsibilities in event planning and risk assessments for College activities
- bring to their line manager's attention any concerns or queries over whether their work activities would require them to have any form of additional clearance
- co-operate fully with any internal or external investigations carried out into reported concerns
- maintain confidentiality about any suspected or actual incidents involving the College through the College's safeguarding reporting systems and whistleblowing arrangements, as required. Some students and staff may also be required to make use of the safeguarding reporting systems and whistleblowing arrangements in operation in other workplaces, placement providers and so on, where similar expectations of confidentiality would apply
- be vigilant and report any matters of concern promptly.

Please note it is not the responsibility of a staff member to decide whether there has been harm or abuse, but it is the responsibility of staff members to report any concerns that they may have.

8: Other responsibilities

The Managing Director or Director of Student records will have oversight of this policy and be responsible for:

- ensuring all team leaders are aware of this policy and follow the procedure when required
- ensuring appropriate training is arranged for staff to ensure compliance

- investigating and remedying any apparent non-compliance
- appointing a Safeguarding Co-ordinator on a standing basis or, where appropriate, for specific events/ cases.

The Safeguarding Co-ordinator will normally be The Student Welfare Officer (SWO). The SWO will be responsible for:

- investigating causes for concerns when raised by academic or other staff
- Chairing any meetings in relation to an investigation
- making referrals to relevant alternative Regulations or Policies
- making referrals to relevant agencies as appropriate after consultation with the Director.

Team Leaders will be responsible for:

- ensuring all team members are aware of this policy and follow the procedure when required
- assisting the Directors to arrange appropriate training for staff to ensure compliance
- ensuring that safeguarding issues feature regularly at team meetings and in other team business
- ensuring staff attend required training.

9: Safeguarding procedure

This procedure must be followed whenever a concern is raised that a student is a victim of harm or abuse:

9.1: Where a staff member becomes concerned about a student or receives a report from another student or third party alleging that harm or abuse is occurring, they should immediately make a written record of all relevant details. This should include the name and ID number of the student of concern, details of the person(s) raising the concern and any other persons involved or suspected of being involved, details of the reasons that were the cause for concern, including any specific incidents, actions or observations.

This report should be sent to the Safeguarding Co-ordinator without delay.

9.2: The Safeguarding Co-ordinator will inform the Directors and then investigate the matter in an agreed manner, consulting with relevant internal departments and external agencies as appropriate.

9.3 The Safeguarding Co-ordinator will normally meet with the student about whom concerns have been raised, either alone or with an appropriate professional staff member or external agency, in order to obtain their views of the situation. A written record will be made of any such meeting.

9.4: Depending upon the circumstances of the case, and in particular should a member of staff or another student be the alleged abuser, the Safeguarding Co-ordinator may need to refer to the following College policies/ documents, including but not limited to the Complaints Policy, Student Code of Conduct and/ or Staff Code of Conduct.

9.5: If the matter is the subject of a criminal investigation, the College is entitled to pursue its own or complementary confidential enquiries and disciplinary action, and the Safeguarding Co-ordinator will consult with the relevant agencies in such cases.

9.6: Information in relation to safeguarding will only be shared and discussed between staff and between the Safeguarding Co-ordinator and relevant external agencies on a need-to-know basis only and for the purposes of protecting a student from harm.

9.7: The Safeguarding Co-ordinator at the conclusion of their investigation and depending on the outcome of any investigation, may take one or more of the following actions:

- Decide that no further action is required
- Refer the student for the preparation and implementation of a College support plan
- Refer the matter to be dealt with by an alternative College policy or procedure
- Recommend the use of College disciplinary measures
- Refer the student to an external specialist support agency
- Report the matter to the Local Safeguarding Team
- Report the matter to the Police, Social Services or alternative appropriate external agency.

9.8: The written record of the investigation and all associated meetings will be retained by the Directors.

9.9: If a member of staff or student has any immediate safeguarding concerns (including outside normal University hours), they may refer directly to the Police or Social Services, but otherwise, they should follow the internal referral process described in this Policy or their local policy.

9.10: If a direct referral is made, the member of staff or student should inform the Safeguarding Co-ordinator at the earliest opportunity.

10: Retention of Information

The College complies with the principles of the General Data Protection Regulation 2018 in the way that it retains and disposes of personal information.

Written records of any safeguarding concerns will be retained for as long as is necessary for the purpose for which it was obtained or as legally required or lawfully permitted.

Such written records will be held centrally and separately from a member of staff or student's personal records.