

Safeguarding – Children and Adults

PURPOSE

This procedure aims to promote the welfare of Dudley College of Technology students, staff and other relevant persons, with particular reference to the safeguarding of children and vulnerable adults from abuse, significant harm or radicalisation.

SCOPE

These procedures relate to all forms of abuse, radicalisation and significant harm.

INTRODUCTION

Dudley College of Technology has a statutory and moral duty to ensure that the college functions with a view to safeguarding and promoting the welfare of children and vulnerable adults receiving education and training at the college, together with ensuring safeguards for children and vulnerable adults who may be temporarily on college premises as visitors etc. All staff have a duty of care to safeguard and promote the welfare of students. These duties are defined by:

- [Working Together to Safeguard Children \(July 2018\)](#)
- [Keeping Children Safe in Education \(2020\): Statutory guidance for schools and colleges](#)
- [Dudley Safeguarding People Partnership Board \(DSPPB\) – Safeguarding Children Procedures](#)
- Counter-Terrorism and Security Act 2015 section 26 also known as the Prevent Duty
- Female Genital Mutilation Act 2003 from section 74 of the Serious Crime Act

Whilst every attempt has been made to cover a wide range of situations it is recognised that this procedure may not cover all eventualities.

The college subscribes to the Dudley Safeguarding People Partnership Board publication “**Guidance for Safer Working Practice for those working with children and young people in Education Settings – April 2020**”.

Key action staff should take is summarised in the flowchart see **Appendix I**.

1. GOVERNING BODY RESPONSIBILITIES

- 1.1 The governing body is committed to ensuring that the college:
 - 1.1.1 Provides a safe environment for children and vulnerable adults to learn in.
 - 1.1.2 Identifies children and vulnerable adults who are suffering, or likely to suffer, significant harm.
 - 1.1.3 Identifies students at risk of radicalisation.
 - 1.1.4 Takes appropriate action to see that such students are kept safe at the college.
- 1.2 In pursuit of these aims, the governing body will approve and annually review policies and procedures with the aim of:
 - 1.2.1 Raising awareness of issues relating to the welfare of children and vulnerable adults and the promotion of a safe environment for children and vulnerable adults learning within, or visiting, the college.
 - 1.2.2 Aiding the identification of children and vulnerable adults at risk of significant harm, and providing procedures for reporting concerns.
 - 1.2.3 Establishing procedures for reporting and dealing with allegations of abuse against members of staff, Associates or Volunteers.
 - 1.2.4 The safe recruitment of staff.

2. CHILDREN AND VULNERABLE ADULTS - DEFINITIONS

2.1 CHILD

A child is classified as a person under 18 years of age.

2.2 VULNERABLE ADULTS

A vulnerable adult is any person aged 18 or above, 'Who is, or may be in need of Community Care Services by reason of mental or other disability, age or illness; and is or may be unable to take care of him or herself, or unable to protect him or herself from significant harm or exploitation.'

3. SAFEGUARDING – PROTECTING INDIVIDUALS FROM HARM/RADICALISATION

SPECIFIC SAFEGUARDING ISSUES INCLUDE:

- Child Sexual Exploitation
- Child Criminal Exploitation
- Bullying including cyberbullying
- Domestic Violence
- Female Genital Mutilation – a definition can be found on page 55 of Keeping Children Safe in Education
- Forced Marriage
- Mental Health
- Radicalisation (Channel & Prevent Strategy)
- Peer on Peer Abuse
- Sexual Harassment
- Teenage Relationship Abuse

3.1 **Harm** - something that hurts someone either physically or emotionally and can take many forms.

All staff should be aware of the signs of harm so they are able to identify when a student may be in need of help or protection. Further information can be found in the [Keeping children safe in education – September 2020: Statutory guidance for schools and colleges](#) publication produced by the Department of Education.

Harm can be:

- 3.1.1 **Abuse:** misuse of power and authority by one person over another. An individual may be abused by someone inflicting harm, or another's failure to act to prevent harm.
- 3.1.2 **Physical Abuse:** physical harm caused to an individual.
- 3.1.3 **Emotional Abuse:** maltreatment causing severe and adverse effects to an individual's emotional development.
- 3.1.4 **Sexual Abuse:** forcing or enticing an individual to take part in sexual activities.
- 3.1.5 **Neglect:** persistent failure to meet basic physical and/or psychological needs, likely to result in the serious impairment of health or development.

3.1.6 **Forced Marriage:** This involves a young person or adult at risk of harm being forced into a marriage against their will.

3.1.7 **Exploitation:** Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology. (Department of Education March 2017).

Exploitation can occur through the use of technology without the child's immediate recognition. For example, being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitive relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/ economic and / or emotional vulnerability. CSE can take a number of forms and Barnardo's has identified three areas:

- I. *Inappropriate relationships* - involving a lone perpetrator who has inappropriate power or control over a young person, whether physical (including domestic abuse), emotional or economic. There is likely to be a significant age gap between the perpetrator and victim. The young person may believe that they are in a loving, equal relationship.
- II. *The 'boyfriend' model of exploitation and peer exploitation* – the perpetrator befriends and grooms a young person into a 'relationship' and subsequently coerces them to have sex with friends or associates. This includes gang exploitation and peer-on-peer exploitation.
- III. *Elements of organised / networked sexual exploitation or trafficking* – young people are passed through networks of offenders, possibly between towns and cities, where they may be coerced into sexual activity with multiple men. Victims may also be used as agents to recruit other children and young people. Where there are groups of offenders in a network, these should be considered as Organised Crime Groups (OCGs).

3.1.8 **Child Criminal Exploitation:**

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs exploit children and young people to carry drugs and money from urban areas into suburban and rural areas, market and seaside towns. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs. Like other forms of exploitation, county lines exploitation:

- can affect any child or young person (male or female under the age of 18)
- can affect any vulnerable adult over the age of 18
- can be exploitation even if it appears consensual
- can involve force and/or enticement based methods of compliance and is often accompanied by violence or threats of violence
- can be perpetrated by groups
- is typified by some form of power imbalance in favour of those perpetrating the exploitation. The power imbalance can be due to a range of factors; gender, cognitive ability, physical strength, status and access to economic or other resources.

3.1.9 Domestic Violence: The Home Office defines domestic violence as “any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 years old or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour. Coercive behaviour is an act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim”.

Children who live in households where domestic violence is taking place are seen to be highly vulnerable. There are other forms of abuse that put children at risk.

3.1.10 Female Genital Mutilation: This comprises all procedures that involve partial or removal of the external female genitalia or other injury to female genital organs for non-medical reasons. FGM is an extremely harmful practice and is illegal in the UK. Despite being an embedded practice in some cultures, FGM is not a matter which can be decided by personal preference.

Section 5B of the Female Genital Mutilation Act 2003 places a statutory duty upon teachers to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence and they should not be examining pupils, but the same definition of what is meant by “discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies.

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the teacher has good reason not to, they should still consider and discuss any such case with the school or College's designated safeguarding lead and involve children's social care as appropriate.

3.1.11 **Honour-Based' Abuse:** encompasses crimes which have been committed to protect or defend the honour of the family and/or the community and can include multiple perpetrators, including Female Genital Mutilation (FGM), forced marriage and practices such as breast ironing. All forms of so called HBV are abuse (regardless of motivation) and should be handled and escalated as such.

3.1.12 **Radicalisation:** Some young people and adults at risk of harm may be vulnerable to radicalisation for the purpose of violent extremism. Concerns regarding radicalisation will be referred to Channel which is a multi-agency panel who offer guidance and support with the aim of preventing activity which could be deemed as criminal. Extremism goes beyond terrorism and is defined in the Governments Counter Extremism Strategy as vocal or active opposition to our fundamental values including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. The calls for the death of armed forces is also considered as extremism.

3.1.13 **Bullying:** While bullying between children is not a separate category of abuse and neglect, it is a very serious issue that can cause considerable anxiety and distress. At its most serious level, bullying can have a disastrous effect on a child's wellbeing and in very rare cases has been a feature in the suicide of some young people. Bullying someone because of their age, race, gender, sexual orientation disability and/or transgender will not be tolerated as the College operates a zero tolerance approach. Bullying can take many forms and includes:

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| Emotional | Being excluded, tormented (e.g. hiding things, threatening gestures) |
| Physical | Pushing kicking, punching or any use of aggression and intimidation. |
| Racial | Racial taunts, use of racial symbols, graffiti, gestures. |
| Sexual | Unwanted physical contact, sexually abusive comments including homophobic comments and graffiti. |
| Verbal | Name calling, spreading rumours, teasing. |
| Cyber | All areas on internet, such as email and internet, chat room misuse, mobile threats by text message and calls. Misuse of associated technology i.e. camera and video facilities, sexting. |

3.1.14 **Multiple Needs:** Research shows that the environment in which a child lives is crucial to his or her health, safety and well-being.

The term 'Toxic Trio' has been used to describe the issues of domestic abuse, mental ill-health and substance misuse which have been identified as common features of families where harm to children has occurred. They are viewed as indicators of increased risk of harm to children and young people.

Work in this area has shown that there is a large overlap between these parental risk factors and cases of child death, serious injury and generally poorer outcomes for children across all ages (Brandon et al, 2008).

Experiencing serious, multiple disadvantage cuts across many domains and family life and families with multiple and complex needs are likely to have difficulties meeting the needs of their children and parenting effectively. Children can be at heightened risk of abuse and neglect (Cleaver et al 2007) and at high risk of adverse outcomes.

Given the predominance of families experiencing multiple and complex difficulties who become involved with child protection and the range of social and economic issues that interact with presenting problems such as mental health concerns, family violence and substance abuse. The challenge for child protection is how to provide a holistic and contextual response to the needs of the whole family.

3.1.15 Peer on Peer Abuse: All staff should recognise that children are capable of abusing their peers. All staff should be clear about the policy and procedure for managing allegations and how the victim, perpetrator and any other child affected by this will be supported. The different forms peer on peer abuse can take include:

- sexual violence and sexual harassment
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexting (otherwise known as youth produces sexual imagery)
- initiating/hazing type violence and rituals
- upskirting. The Voyeurism (Offences) Act 2019 ("upskirting") which is a criminal offence and came into force on 12 April 2019, typically involves taking a picture under another person's clothing (without that person's consent or a reasonable belief in their consent), with the intention of viewing, or enabling another person to view their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm.

This behaviour will never be tolerated, abuse is abuse and should not be tolerated or passed off as "banter", "just having a laugh" or "part of growing up".

3.1.16 Sexual Violence and Sexual Harassment: It is important that College staff are aware of sexual violence and the fact that this can, and sometimes does happen. When referring to sexual violence this is a reference to the sexual offences under the Sexual Offences Act 2003:

- *Rape* – A person (A) commits an offence of rape if: there is intentional penetration of the vagina, anus or mouth of another person (B) with his

- penis, B does not consent to the penetration and A does not reasonably believe that B consents
- *Assault by penetration* – A person (A) commits an offence if s/he intentionally penetrates the vagina or anus of another person (B) with a part of his / her body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents
 - *Sexual assault* – A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents

It should be acknowledged that there are students of different ages, including adults, who will require different considerations and referral may need to be made via different referral routes.

3.1.17 **Sexual Harassment:**

This means 'unwanted conduct of a sexual nature' that can occur online or off-line. This is likely to violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualized environment.

This can include:

- sexual comments, such as telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualized names;
- sexual jokes or taunting;
- physical behaviour such as brushing against someone, interfering with someone's clothes (sexual violence should be considered here along with the experience of the victim), displaying pictures photo's or drawings of a sexual nature; and
- online sexual harassment, this may be standalone or part of a wider pattern of sexual harassment and/or sexual violence and may include;
 - Non-consensual sharing of sexual images and videos
 - Sexualised online bullying
 - Unwanted sexual comments and messages
 - Sexual exploitation, coercion or threats

There will be a risk and needs assessment carried out for: the victim, the perpetrator and any other children involved and kept under review. Disclosures will be referred in line with Local Authority procedures. (Sexual Violence and sexual Harassment between children in schools and Colleges, D of E December 2017).

4. Children Who Go Missing From Education

- 4.1 A child going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding risks, including abuse and neglect which may include child sexual exploitation, child criminal exploitation, mental health problems, substance abuse and other issues. Early identification and intervention is necessary to identify any underlying safeguarding risk and to help prevent future episodes.
- 4.2 Where possible, our College will hold a minimum of 2 emergency contact numbers for each student. It is good practice to have sufficient contact details to enable a responsible adult to be contacted where concerns have been identified during the College day.
- 4.3 Local authority reporting guidelines will be followed where a child is missing from education or is removed from the College roll.
- 4.4 Dudley College of Technology will demonstrate that reasonable enquiries to ascertain the whereabouts of children will have been taken when there is an attendance / believed missing issue.

5. Contextual Safeguarding

Safeguarding incidents and/or behaviours can be associated with factors outside the College and/or can occur between children outside the College. Staff should consider the context within which such incidents and / or behaviours occur. Assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety or welfare. Children's social care assessments should consider such factors so it is important that the College provides as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse. (Contextual Safeguarding – An overview of the operational, strategic and conceptual framework. Carlene Firmin November 2017).

STAFF RESPONSIBILITIES

6. SENIOR STAFF MEMBER WITH LEAD RESPONSIBILITY

- 6.1 The Vice Principal Curriculum and Standards, Diana Martin, is the Senior Designated Safeguarding Lead and is a member of the senior leadership team with lead responsibility for safeguarding.
- 6.2 The Safeguarding Lead has a key duty to take lead responsibility for raising awareness within the staff body of issues relating to the welfare of children and adults, and the provision of a safe environment for the children and vulnerable adults learning within the college.
- 6.3 The Senior Designated Safeguarding Lead has received training in safeguarding issues,

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including the prevent duty and inter-agency working, as required by the Dudley Safeguarding People Partnership (DSPP), and will receive refresher training at least every 2 years. She should keep up to date with developments in safeguarding issues.

6.4 The designated senior member of staff is responsible for:

- 6.4.1 Overseeing the referral of cases of suspected abuse or allegations to the relevant agencies to include radicalisation.
- 6.4.2 Providing advice and support to other staff on issues relating to safeguarding.
- 6.4.3 Maintaining a central record of any safeguarding referrals, complaint or concern (even where that concern does not lead to a referral).
- 6.4.4 Ensuring that parents/guardians and carers of children and vulnerable adults within the college are aware of the college's Safeguarding Policy and Prevent Strategy.
- 6.4.5 Liaising with the DMBC Directorate of Children's Services, the Dudley Safeguarding People Partnership, Security and Partnerships Officer or other appropriate agencies.
- 6.4.6 Carrying out specific safeguarding risk assessments where appropriate, for example for those students identified as being on the Sex Offenders' Register.
- 6.4.7 Ensuring that all relevant staff with responsibility for children aged 14-16 liaise with the relevant Local Authority or secondary school which sends pupils to the college to ensure that appropriate arrangements are made.
- 6.4.8 Ensuring that those students who are "looked after" or "leaving the care" of the Local Authority are identified and regular contact is maintained with the relevant external agencies and specific support put in place.
- 6.4.9 Ensuring that appropriate in-house and external safeguarding training is delivered and facilitated as relevant and appropriate to each member of staff's job role.
- 6.4.10 Will deal with individual cases, including attending case conferences and review meetings as appropriate.

6.5 The Senior Designated Safeguarding Lead will provide a termly report to the governing body of the college setting out how the college has discharged its duties. The Senior Designated Safeguarding Lead is responsible for reporting deficiencies in procedures or policies identified by the DSPP (or others) to the governing body at the earliest opportunity.

7. OTHER DESIGNATED STAFF MEMBERS WITH RESPONSIBILITIES

Other designated members of staff with specific responsibility for safeguarding issues:

- Designated Safeguarding Lead, Davina Foy
- Deputy Designated Safeguarding Lead, Sarah Pardoe

- Safeguarding and Counselling Administrator
- Safeguarding Assistants
- Duty Managers.

7.1 Designated Safeguarding Lead will:

- 7.1.1 Act as a central point of contact for enquiries and, liaising with line managers, other staff and external agencies, deal with issues relating to student safeguarding.
- 7.1.2 Escalate any high level safeguarding concerns to the Senior Designated Safeguarding Lead or Chief Executive Officer as appropriate.
- 7.1.3 Oversee the case management of the Deputy Designated Safeguarding Lead and Safeguarding Assistants.
- 7.1.4 Ensure that all safeguarding records are centrally created and maintained.

7.2 Deputy Designated Safeguarding Lead will

- 7.2.1 Act as a central point of contact for enquiries and, liaising with line managers, other staff and external agencies, deal with issues relating to student safeguarding.
- 7.2.2 Liaise with the Designated Safeguarding Lead on concerns they are dealing with.
- 7.2.3 Deputise for the Designated Safeguarding Lead as required.
- 7.2.4 Support the Designated Safeguarding Lead with ensuring central safeguarding records are maintained and accurate.

7.3 Safeguarding Assistants will:

- 7.3.1 Offer support to the Designated Safeguarding Lead and Deputy Safeguarding Lead in dealing with low level safeguarding concerns.
- 7.3.2 Act as a point of contact for safeguarding concerns when Designated Safeguarding Leads are unavailable.
- 7.3.3 Escalate safeguarding concerns to Designated Safeguarding leads as appropriate
Support the Designated Safeguarding Lead in ensuring central safeguarding records are maintained and accurate.

7.4 The Duty Managers will:

- 7.4.1 In the first instance report any safeguarding issue as defined in [Appendix I](#).
- 7.4.2 Have received training at in safeguarding issues and inter-agency working, as required by the DSPP, completed the Education and Training Foundation Certificate in Prevent for Leaders and Managers and attended the Home Office Workshop to Raise Awareness of Prevent (WRAP) training session.

8. ALL STAFF - RESPONSIBILITIES

- 8.1 All staff have a mandatory obligation to familiarise themselves with this procedure and other relevant documents, see the various links in this document. All staff should particularly pay due regard to part one of [Keeping Children Safe in Education 2020](#)
- 8.2 All staff working with children and vulnerable adults are expected to undertake a safeguarding training regularly and receive safeguarding updates and briefings at least annually.

9. DEALING WITH SAFEGUARDING ISSUES RELATING TO STUDENTS

9.1 OVER 16s WHO MAKE A DISCLOSURE

When a student 16 or over (but not those on a Youth Skills or School Links programme) makes a disclosure to any member of staff, that person should follow the flowchart in [Appendix 1](#).

10. YOUTH SKILLS/SCHOOL LINKS

- 10.1 In the event that a student studying either on a Youth Skills or a Schools Link programme makes a disclosure, the member of staff should alert Designated Safeguarding Lead who will liaise with the relevant Local Authority, Head Teacher or Children's Services representative as soon as practicable.
- 10.2 Where a Prevent issue is brought to the attention of the college, the procedure to be followed is outlined in the flow chart for referral of young people for concerns of radicalisation ([Appendix 2](#)).

11. UNDER 16s OR VULNERABLE ADULTS WHO ARE "VISITING" RATHER THAN LEARNING AT THE COLLEGE

- 11.1 All persons should be aware that Dudley College of Technology does not normally provide child minding facilities on college premises. To this end there should be no children under the age of 16 years of age on college premises unsupervised i.e. it is not acceptable for parents, siblings or others (whether they be students, staff, visitors, contractors or any other category of person) to bring children under the age of 16 years of age onto college premises, whilst they themselves are in class or elsewhere, and their child(ren) are left unsupervised in libraries, canteens or any other college area.
- 11.2 In unavoidable circumstances staff who have no alternative but to bring children under 16 years of age or vulnerable adults onto college premises must first obtain line manager

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agreement, using relevant procedure **“Children or Vulnerable Adults (non-students) on college premises”** and form **Staff Request to bring children under 16 years of age/Vulnerable Adults (non-students) onto College Premises (QS/I22)**.

- 11.3 In the event that a child under the age of 16 years or a vulnerable adult is discovered unsupervised on college premises, Security and the Duty Manager must be immediately advised and the form **“Unsupervised Safeguarding Notice of Concern, ref (QS/I23)”** be completed.

12. DEALING WITH SAFEGUARDING ISSUES RELATING TO STAFF, Associates or Volunteers

12.1 Introduction

These procedures apply to all staff, whether teaching, administrative, management or support, as well as to Associates (including agency staff) and volunteers. The word “staff” is used for ease of description.

12.1.1 Because of their frequent contact with children and vulnerable adults, staff may have allegations of abuse, including radicalisation, made against them. The college recognises that an allegation of abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and that initial fact finding and any subsequent investigations are thorough and not subject to delay.

12.1.2 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 will do so with sensitivity and will act in a careful, measured way.

12.2 Receiving an Allegation (Internal)

12.2.1 A member of staff who receives an allegation about another member of staff should report it immediately to the Senior Designated Safeguarding Lead unless the Senior Designated Safeguarding Lead is the person against whom the allegation is made, in which case the report should be made to the CEO/College Principal or the designated Governor. The CEO/College Principal (or designated Governor, if the allegation is against the CEO/College Principal) should:

12.2.2 Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the Senior Designated Safeguarding Lead (or designated person).

12.2.3 The Senior Designated Safeguarding Lead should record information about times, dates, locations and names of potential witnesses.

12.3 Initial Assessment by the Senior Designated Safeguarding Lead (or designated person)

12.3.1 The Senior Designated Safeguarding Lead (or designated person) should make an initial assessment of the allegations, consulting with the CEO/College Principal, the Designated Governor, Director of Human Resources and the DSPP, or Security and Partnership Officer as appropriate. Where the allegation is considered to be a potential criminal act, a potential transferable risk or indicates that the child has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the DSPP via the Designated Officer (Managing Allegations) formerly LADO or Security and Partnership Officer.

12.3.2 It is important that the Senior Designated Safeguarding Lead (or designated person) does not investigate the allegation. The initial assessment should be on the basis of the information received and provide a basis for a decision whether or not the allegation warrants further investigation.

Potential outcomes are:

- The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the child. The matter should be addressed in accordance with the college's disciplinary procedures.
- The allegation represents a transferable risk where the member of staff has behaved in a way that indicates they may not be suitable to work with children.
- The allegation can be shown to be false because the facts alleged could not possibly be true.
- The outcome of the initial findings may result in temporary suspension, see Section 12 below.

12.4 Receiving an Allegation (External)

12.4.1 Inter-agency working means that the college may, from time to time, receive Safeguarding enquiries from the DSPP, Security and Partnerships Officer, Social Services or the Police. The safeguarding/Prevent agencies, including the police, have no power to direct the college to act in a particular way; however, the college should assist the agencies with their enquiries.

12.4.2 The college shall hold in abeyance its own internal enquiries while any formal police or social services investigations proceed; to do otherwise may prejudice the investigation.

12.4.3 If there is an investigation by an external agency, for example the police, the Senior Designated Safeguarding Lead (or designated person) should normally be involved in, and contribute to, the inter-agency strategy discussions. The Senior Designated Safeguarding Lead (or designated person) is responsible for ensuring that the college gives every assistance with the agency's enquiries. They will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made, and act on the advice of the external agency. When the external investigation has been completed the college may receive advice on an appropriate course of action.

12.5 Providing there are no objections from the police or other investigating agency, the Senior Designated Safeguarding Lead (or designated person) shall:

12.5.1 Inform the member of staff against whom the allegation was made that an investigation is taking place and what the likely process will involve.

12.5.2 Inform the Chair of Governors and/or the designated governor of the allegation and the investigation.

12.5.3 Ensure that the parent/guardian/carer of any child or vulnerable adult named in any allegation is informed and what the likely process will involve.

12.5.4 Keep a written record of the action taken in connection with the allegation.

13. SUSPENSION OF STAFF

13.1 Suspension should not be automatic. In respect of staff other than the CEO/College Principal, suspension can only be carried out by the CEO/College Principal or Senior Post Holder. In respect of the CEO/College Principal or Senior Post Holder, suspension can only be carried out by the Chair of Governors (or in his/her absence, the Vice Chair).

13.2 Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary act and shall 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:

- Where a child or vulnerable adult may be at risk.
 - Where the allegations are sufficiently serious to justify dismissal on the grounds of gross misconduct.
 - Where necessary for the good and efficient conduct of the investigation.
- 13.3 If suspension is being considered, the member of staff should be encouraged to seek advice, for example from a trade union.
- 13.4 Prior to making the decision to suspend, the Senior Designated Safeguarding Lead (or senior member of staff or Chair or Vice Chair of Governors) should interview the member of staff. This should occur with the approval of the appropriate agency. In particular, if the police are engaged in an investigation, the officer in charge of the case should be consulted.
- 13.5 The member of staff should be advised to seek the advice and/or assistance of his/her trade union and should be informed that they have the right to be accompanied by a friend at the interview. The member of staff should be informed that an allegation has been made and that consideration is being given to suspension. It should be made clear that the interview is not a formal disciplinary hearing, but solely for raising a serious matter which may lead to suspension and further investigation.
- 13.6 During the interview, the member of staff should be given as much information as possible, in particular the reasons for any proposed suspension, provided that doing so would not interfere with the investigation into the allegation. The interview is not intended to establish the member of staff's innocence or guilt, but provides the opportunity for the member of staff to make representations about possible suspension. The member of staff should be given the opportunity to consider any information given to him/her at the meeting and prepare a response, although any adjournment may be brief.
- 13.7 If the Senior Designated Safeguarding Lead (or senior member of staff or Chair or Vice Chair of Governors) considers that suspension is necessary, the member of staff shall be informed that he/she is suspended from duty. Written confirmation of the suspension, with reasons, shall be despatched as soon as possible and ideally within one working day.
- 13.8 Where a member of staff is suspended, the CEO/College Principal (or senior member of staff or Chair or Vice Chair of Governors) should note that:
- 13.8.1 The Chair of Governors should be informed of the suspension in writing.
 - 13.8.2 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.

- 13.8.3 Where the CEO/College Principal has been suspended, the Chair or Vice Chair of Governors will need to take action to address the management of the college.
- 13.8.4 The parents/carers of the child or vulnerable adult making the allegation should be informed of suspension. They should be asked to treat the information as confidential.
- 13.8.5 Consideration should be given to informing the child or vulnerable adult making the allegations of the suspension.
- 13.8.6 Senior staff who need to know of the reason for the suspension should be informed.
- 13.8.7 If they are an agency member of staff, then the relevant senior member of staff in the agency will be informed.
- 13.8.8 Depending on the nature of the allegation, the CEO/College Principal should consider with the nominated Governor whether a statement to the students of the college and/or parents/carers should be made, taking due regard of the need to avoid unwelcome publicity.
- 13.9 The CEO/College Principal shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The DSPP, Security and Partnerships Officer and external investigating authorities should be consulted.
- 13.10 The suspended member of staff should be given appropriate support during the period of suspension. He/she should also be provided with information on progress and developments in the case at regular intervals.
- 13.11 The suspension will remain under review in accordance with the college disciplinary procedures.
- 13.12 Following full investigation, including the involvement of external agencies where relevant, possible outcomes might be dismissal, or a lesser sanction such as disciplinary action, the Discipline-Staff procedure provides more information.

14. DISCIPLINARY ACTION

- 14.1 There are times when an investigation into a safeguarding or radicalisation allegation against a member of staff results in disciplinary action.

- 14.2 The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures. The college can use the outcome of external agency enquiries as part of its own procedure.
- 14.3 The member of staff should be informed of:
- the disciplinary charge against him/her;
 - his/her entitlement to be accompanied or represented by a trade union representative or friend.
 - 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 the member of staff to return to work. It may be appropriate to offer counselling.
- 14.4 The young person or vulnerable adult making the allegation and/or their parent/guardian/carer 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).
- 14.5 The Senior Designated Safeguarding Officer and the CEO/College Principal should give consideration as to what information should be made available to the general population of the college.

15. ALLEGATIONS WITHOUT FOUNDATION

- 15.1 Obviously false allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to referral to the DSPP or Security and Partnerships Officer in order that other agencies may act upon the information.
- 15.2 In consultation with the designated Governor, the Senior Designated Safeguarding Lead shall:
- 15.2.1 Inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or safeguarding action will be taken. Consideration should be given to offering counselling/support.
 - 15.2.2 Inform the parents/carers of the alleged victim of the outcome.
 - 15.2.3 Where the allegation was made by a child other than the alleged victim, consideration to be given to informing the parents/carers of that child.
 - 15.2.4 Prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action has been taken.

16. RECORDS

- 16.1 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 and a copy provided to the member of staff. This record should be retained until the staff member has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.
- 16.2 If a member of staff is dismissed or resigns before the disciplinary process is completed, he/she should be informed about the college's statutory duty to inform the Disclosure & Barring Service (DBS) and the Senior Designated Safeguarding Lead should ensure this is done.
- 16.3 Details of allegations that are found to be malicious should be removed from personnel records.

17. LEARNING LESSONS

Where an allegation has been made against a member of staff, the nominated Governor, together with the Senior Designated Safeguarding Lead should, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of the college's procedures and/or policies. Consideration should also be given to the training needs of staff.

18. ADDITIONAL INFORMATION

[**Guidance for staff working practice for those working with children and young people in education settings – April 2020**](#)
[**Keeping children safe in education: Statutory guidance for schools and colleges – September 2020**](#)

[**Appendix 1: Safeguarding Flowchart.**](#)
[**Appendix 2: Flow Chart for Referral of Young People for Concerns of Radicalisation**](#)
[**Appendix 3: Safeguarding during COVID-19 college closure**](#)
[**Appendix 4: Safeguarding Yourself When Working Remotely**](#)

19. ASSOCIATED DOCUMENTS

[**POL-001 – Acceptable Use of IT – Student**](#)
[**POL-002 – Acceptable Use of Internet/Intranet for Staff and Contract Personnel**](#)

[**POL-005 – Equality and Diversity**](#)
[**POL-006 – Fitness to Study**](#)
[**POL-010 – Learner Involvement**](#)
[**POL-015 - Risk Management**](#)
[**POL-016 – Safeguarding**](#)
[**POL-019 – Social Media**](#)
[**POL-028 – Information Security**](#)

[**Anti-Bullying \(Students\)**](#)

[**Behaviour Management for Pre-16 and Other School Pupils**](#)

[**Caring for the Learner**](#)

[**Charity and Fundraising**](#)

[**Children or Vulnerable Adults \(non-students\) on College Premises**](#)

[**Counselling**](#)

[**Cross College Support for Learners with Disabilities/Special Requirements**](#)

[**Discipline – Staff**](#)

[**Discipline – Students**](#)

[**Drugs \(Illegal\) and Prohibited Substances**](#)

[**External Speaker**](#)

[**Recruitment and Selection**](#)

[**Restraint**](#)

[**Staff, Associate and Governor Safeguarding and Prevent Training**](#)

[**Suicidal Intentions \(Disclosure of\)**](#)

[**Tutoring of Learners**](#)

[**Whistleblowing**](#)

[**CC001 – Professional Code of Conduct**](#)

[**SS003 – Student Mental Health**](#)

[**SS004 – Learner Work Experience**](#)

[**SS010 – Lone Working**](#)

[**SS011 – Risk Assessment**](#)

[**Prevent Radicalisation/Extremism Strategy**](#)