



# SAFEGUARDING POLICY & PROCEDURE

<b>POLICY NUMBER</b>	6
<b>MEMBER OF STAFF RESPONSIBLE FOR POLICY</b>	Vice Principal Learning and Achievement

RECORD OF REVISIONS TO POLICY		
DATE	DETAILS	APPROVED BY
March 2010	New policy. Staff and union consultation	
15 <sup>th</sup> March 2010	Approved	Corporation
April 2011	Revision, update and incorporation of Child and young person Protection Policy	
May 2011	Staff consultation	
24 <sup>th</sup> May 2011	Approved	Corporation
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27 <sup>th</sup> March 2012	Clause in Section 3 added	Corporation
12 <sup>th</sup> March 2013	Safeguarding team details changed and CRB changed to DBS, List 99 changed to Barred List.	Corporation
May 2015	Review & consultation	Corporation 12/5/15
May 2016	Review & consultation	Corporation 10/5/16
May 2017	Review & consultation	Corporation 16/5/17
April/May 2018	Review & consultation	Corporation 15/5/18

<b>Date of current policy</b>	May 2018
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<b>Review to be approved by</b>	Corporation



## JOHN RUSKIN COLLEGE

### SAFEGUARDING POLICY & PROCEDURE

#### 1. Introduction and purpose

John Ruskin College recognises that it has an explicit duty to safeguard and protect children, young people and adults at risk from abuse as defined in the Children Act 2004, Section 175 of the Education Act 2002, Working Together to Safeguard Children 2015 and Keeping Children Safe in Education (latest version) [Dept. of Education], What To Do If You're Worried A Child Is Being Abused 2015, and also to adhere to the Prevent Duty March 2015.

**Child, young person and adult at risk Protection** looks at recognising abuse or neglect and acting on it, so is a *reactive approach*.

**Safeguarding** looks at preventative action and covers the full range of measures in place to protect children, young people and adults at risk from potential dangers, including the safer recruitment of staff, and is therefore a *proactive approach*.

The term "safeguarding" is defined by the Children's Act 1989 and Joint Chief Inspectors Report on Arrangements to Safeguard Children (2004) as:

'Organisations working with children, young people and adults at risk take all reasonable measures to ensure that the risks of harm to the individual's welfare are minimised; where there are concerns about children, young people, and adults at risk's welfare, and all organisations take all appropriate actions to address those concerns, working to agreed local policies and procedures, working in partnership with other local agencies'.

John Ruskin College is committed to ensuring that the College:

- Provides a safe environment for children, young people and adults at risk.
- Identifies children, young people and adults at risk who are suffering, or likely to suffer, significant harm, and takes appropriate action to see that children, young people and adults at risk are kept safe.
- Promotes an environment in which every learner feels valued and able to communicate their wishes and feelings successfully.
- Promotes the mental and emotional wellbeing of children, young people and adults at risk.

All children, young people and adults at risk deserve the opportunity to achieve their full potential and achieve more; these are highlighted in the outcomes from Every Child and Young Person Matters:

- Stay safe
- Be healthy
- Enjoy and achieve
- Make a positive contribution
- Achieve economic wellbeing



## 2. Scope

All children, young people and adults at risk, regardless of age, disability, gender, racial heritage, religious belief and sexual orientation or identity have the right to protection from harassment, harm or abuse. For the purposes of this advice a child and young person is deemed to be any young person up to their 18<sup>th</sup> birthday.

The term an 'Adult at Risk' replaces the term 'Vulnerable Adult'. "An 'adult at risk' is defined by the Department of Health as a person aged 18 years or older 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 defines 'Adult at Risk' as:

- Having need for care and support (whether or not the Authority is meeting any of those needs).
- Is experiencing or is at risk of abuse or neglect.
- And as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

### **The Equality Act 2010**

The College is committed to safeguarding the protected characteristics as identified by the Equality Act 2010. These are age, disability (which includes mental health and people diagnosed as clinically obese), race, religion or belief, sex, sexual orientation, gender reassignment (people who are having or who have had a sex change, transvestites and transgender people), marriage and civil partnerships and pregnancy and maternity.

### **Respecting the rights of children, young people and adults at risk**

The College recognises the expectation that all children, young people and adults at risk have rights that need to be respected as identified by the Human Rights Act. The College will commit to meet these rights by:

- Keeping children, young people and adults at risk as fully informed as possible.
- Providing clear and detailed information.
- Explaining interventions and support in a way they can understand and in a format that is accessible to them.
- Treating children, young people and adults at risk with dignity and respect.

All members of the College community, including staff paid and unpaid, College governors, learners, contracted and franchised staff, are responsible for safeguarding and promoting the welfare of children, young people and adults at risk and will be made aware of the College Safeguarding Policy and Procedures.

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as: protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.



The learning environment will be one in which children, young people and adults at risk feel valued and respected, and are encouraged and supported through the curriculum, support, work experience and training areas to raise any concerns they have about their own safety and welfare.

Disclosures about abuse or neglect and allegations against persons in a position of trust made by a child, young person or adult at risk must always be taken seriously and reported in line with the College procedures, and with due regard to the privacy of the child, young person or adult at risk and their family.

Safeguarding children, young people and adults at risk procedures provide a clear framework for raising concerns or worries about a child, young person or adult at risk and should be read and understood by all the College community.



### 3. Culture of safety

We are committed to building a 'culture of safety' in which learners are protected from abuse and harm in all areas of College activity. Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the **best interests** of the child.

Applicants for posts within the setting are clearly informed that the positions are subject to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013.

Candidates are informed of the need to carry out 'enhanced disclosure' checks with the Disclosure & Barring Service before posts can be confirmed.

Where applications are rejected because of information that has been disclosed, applicants have the right to know and to challenge incorrect information.

We abide by Ofsted requirements in respect of references and Disclosure & Barring Service checks for staff and volunteers, to ensure that no disqualified person or unsuitable person works at the setting or has access to the child, young person or adult at risk.

We take security steps to ensure that we have control over who comes into the setting so that no unauthorised person has unsupervised access to the children, young people or adult at risk.

We have procedures for recording the details of visitors to the College.

All adults working with or on behalf of children, young people and adults at risk have a responsibility to safeguard and promote their welfare and wellbeing.

All staff will be expected to read and understand Part 1 of Keeping Children Safe in Education (latest version). Staff will be assisted to understand and discharge their role and responsibilities as set out in Part 1 guidance.

All staff will be informed of their responsibilities to be alert to the signs of abuse. Any concerns should be shared with the designated members of staff for safeguarding.

All staff will be encouraged to maintain an attitude that 'it could happen here'.

The designated members of staff for safeguarding will receive training at least every two years.

All other staff who will have contact with children, young people and adults at risk will receive updating safeguarding training every year.

Staff will be provided with relevant information on a need to know basis about individual children, young people and adults at risk to keep them vigilant to any specific needs.



When a complex safeguarding referral is identified by any staff member within the organisation, there will be an opportunity for a debrief with that member of staff to have safeguarding reflection with the Designated Safeguarding Lead.

#### 4. Prevent Duty

The College recognises its duty under section 29 of the Counter-terrorism and Security Act July 2015 (“the CTBA 2015”) to have “due regard” to the need to deliver on the Prevent Duty and to help prevent children, young people and adults at risk being drawn into terrorism, which includes not just violent extremism but also non-violent extremism. Radicalisation refers to the process by which a person comes to support terrorism and Forms of extremism.

The College will meet this obligation in the following ways:

##### **Partnership**

The College will have regular contact with the regional Prevent Coordinators to ensure up to date guidance on risk is provided to governors, senior leaders and managers. The Information, Advice and Guidance will be shared with staff and learners. The Designated Safeguarding Lead will act as the single point of contact and take responsibility for the strategic and operational delivery and to ensure regular liaison with the regional Prevent Coordinators and support referrals to Channel.

##### **Prevent Action Plan**

The Designated Safeguarding Lead will notify the regional *Prevent* Coordinator if risk is identified at the College and work to produce a *prevent* action plan to address risks identified.

##### **Prevent awareness training**

The College has a duty of care and will provide pastoral support and care to all learners through training and helping them to identify risk factors and to seek advice and guidance.

Staff and learners will be annually trained on the risks of radicalisation and British values. British values will be defined as *democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs*. This will be linked to the College’s commitment to safeguard the nine protected characteristics defined by the Equality Act 2010 and outlined in more detail in the College’s Single Equalities Policy.

Staff and learners will be trained to understand the factors that make young people vulnerable to being drawn into terrorism and to challenge extremist ideas. Staff will be trained to recognise this vulnerability and be aware of what action to take in response and know where to seek additional advice and guidance.

##### **e-Safety and the prevent duty**

The College’s E-Safety Policy provides detail on how the College will safeguard internet access to ensure learners are safe from terrorist and extremist material by establishing appropriate levels of filtering and identity when this material is accessed for curriculum purposes.

#### **External and Internal Speakers and Events**



The College provides guidelines to staff about checking the content to be delivered.

### **Data sharing protocols**

The College provides details on the prevent duty section in the e-Safety Policy.

## **5. Categories of abuse**

**Children includes everyone under the age of 18.**

### **Child, young person and adult at risk**

#### **Physical abuse**

This may involve hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child, young person or adult at risk. This also includes rough handling or unnecessary physical force either deliberate or unintentional, misuse of medication, restraint or inappropriate sanctions.

Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induce illness in a child, young person or adult at risk.

#### **Emotional abuse**

This is the persistent emotional ill treatment of a child, young person or adult at risk, such as to cause severe and persistent effects on the child, young person or adult at risk's emotional development. This includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

It may involve conveying to a child, young person or adult at risk that they are worthless and unloved, inadequate, or valued only so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on the child, young person or adult at risk. These may include:-

- Interactions which are beyond the child, young person or adult at risk's developmental capability.
- Over protection and limitation of exploration and learning, or preventing the child, young person or adult at risk from participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve causing the child, young person or adult at risk to frequently feel frightened or in danger, or the exploitation or corruption of a child, young person or adult at risk.

#### **Sexual abuse**

This includes rape and sexual assault or sexual acts to which the child, young person or adult at risk has not consented, or could not consent to, or was pressured into consenting. This involves forcing or enticing a child, young person or adult at risk to take part in sexual activities, including prostitution whether or not the child, young person or adult at risk is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape) or non penetrative acts. They may include non contact activities, such as involving a child, young person or adult at risk in looking at, or in the production of, pornographic materials, or watching sexual activities, or encouraging a child, young person or adult at risk to behave in sexually inappropriate ways.





Sexual abuse can occur between people of the same sex and it can also occur within a marriage or any long term relationship. A relationship of trust should exist between a member of staff or a volunteer and the person for whom they are caring, it would be seen as a betrayal of that trust, and therefore abusive, for that member of staff or volunteer to have a sexual relationship with the person they are caring for.

### **Grooming**

Grooming is when someone builds an emotional connection with a child, young person or adult at risk to gain their trust for the purposes of sexual abuse or exploitation. Children, young people or adults at risk can be groomed online or in the real world by a stranger or by someone they know, for example a friend, a family member or a professional. Groomers may be male or female. They could be any age. Many children, young people or adults at risk don't understand that they have been groomed or that what has happened to them is abuse.

### **Child sexual exploitation**

Child sexual exploitation (CSE) involves exploitative situations, contexts and relationships where young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) as a result of engaging in sexual practices. Sexual exploitation can take many forms ranging from 'consensual' relationships where sex is exchanged for affection or gifts, to serious crime by crime by gangs and groups. What makes out exploitation is an imbalance of power in the relationship. The perpetrator always holds some kind of power over the victim which increases as the exploitative relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyber bullying and grooming. However it is important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

### **Neglect and acts of omission**

This is the persistent failure to meet the child, young person or adult at risk's basic physical and/or psychological needs, likely to result in the serious impairment of the child, young person or adult at risk's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child, young person or adult at risk is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failure to protect a child, young person or adult at risk from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to a child, young person or adult at risk's basic emotional needs. It can also be neglect in accessing the appropriate support to address Special Education Needs & Disabilities (SEND). Fabricated and induced illness can also be neglect. It is important to note that neglect is rarely a stand alone issue and will overlap with other concerns.

### **Financial or material abuse**

This includes theft, fraud, exploitation, pressure in connection with wills, property, enduring power of attorney, or inheritance or financial transactions, or the inappropriate use, misuse or misappropriation of property, possessions or benefits.

### **Discriminatory abuse**





The College is committed to safeguarding from discriminatory abuse, harassment or similar treatment to those identified by the Equality Act 2010. These are age, disability (which includes mental health and people diagnosed as clinically obese), race, religion or belief, sex, sexual orientation, gender reassignment (people who are having or who have had a sex change, transvestites and transgender people), marriage and civil partnerships and pregnancy and maternity.

### **Self-neglect**

This is not a direct form of abuse but staff need to be aware of it in the general context of risk assessment/risk management and to be aware that they may owe a duty of care to a vulnerable individual who places him/herself at risk in this way.

### **Forced marriage**

A clear distinction must be made between a forced and an arranged marriage. In arranged marriages, the families of both spouses take a leading role in choosing the marriage partner but the choice whether or not to accept the arrangement remains with the young people. In forced marriage, one or both spouses do not consent to the marriage or consent is extracted under duress. Duress includes both physical and emotional pressure.

### **Domestic violence**

Domestic abuse is any incident pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

It is important to note that if a child, young person or adult at risk is a witness of domestic violence this must be deemed as abuse. Teenage relationship abuse which includes learners under the age of 16 must be deemed as a safeguarding issue.

Bulling and cyber bullying is covered in the Student Anti Bullying Policy, and could be a safeguarding issue.

### **Female Genital Mutilation (FGM)**

FGM is the practice of partially or totally removing the external genitals of girls or young women for non-medical purposes. It is illegal in the UK and is a form of child abuse with long-lasting consequences.

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) 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.

### **A child missing from education**



A child gone missing from education is a potential indicator of abuse or neglect. College staff will follow the Local Authority's procedures for dealing with children that go missing from education, particularly on repeated occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent risks of their going missing in the future. A learner who fails to attend the KS4 provision for a continuous period of 10 days or more will be seen as a safeguarding issue and will be referred to the Local Authority. A CLA who does not attend for 48 hours without notification will be deemed a safeguarding concern.

### **Peer on peer abuse**

The College provides details on this in our Anti Bullying and safety policies.

## **6. Safeguarding children, young people and adults at risk's mental wellbeing**

### **The quality framework for mental health defines it as:**

*'The emotional and spiritual resilience which allows us to enjoy life and survive pain, disappointment and sadness. It is a positive sense of wellbeing and an underlying belief in our own, and others, dignity and worth.'*

The College endorses the 1999 Mental Health Foundation report Bright Futures defining children, young people and adults at risk who are mentally healthy as able to:

- Develop psychologically, emotionally, intellectually and spiritually
- Initiate, develop and sustain mutually satisfying personal relationships
- Use and enjoy solitude
- Become aware of others and empathise with them
- Play and learn
- Develop a sense of right and wrong and
- Resolve (face) problems and setbacks and learn from them

There are different types of mental health problems that children, young people and adults at risk experience. Common examples are depression, anxiety disorders, and substance misuse problems or psychotic disorders such as bipolar disorder. Children, young people and adults at risk are particularly vulnerable at these times.

### **Risk factors that can exacerbate mental health problems**

#### **Family and home life**

Children, young people and adults at risk are at an increased risk where there is family disruption and breakdown.

This can be expressed in a number of ways:

- Unclear and inconsistent discipline
- Difficulties by the family adapting to a child's, young person's or adult at risk's needs as they become adolescents
- Parental mental illness, criminality, alcoholism, substance misuse or personality disorder
- Domestic violence or abuse
- Poverty
- Bereavement, including the loss of friendship



### **Child, young person or adult at risk in care or care leaver**

Children, young people or adults at risk in care are two to three times more likely to have an emotional disorder. They are more likely to take greater risks for example using alcohol, smoking, drugs and early sexual activity.

### **Early Help**

All college staff should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life. In the first instance, staff should discuss early help requirements with the designated safeguarding lead. Staff may be required to support other agencies and professionals in an early help assessment.

## **7. Dealing with Disclosure - advice to staff**

Once you suspect or know of any safeguarding concern of a child, young person or adult at risk, you should immediately inform the Designated Safeguarding Lead, or a member of the safeguarding team (*see appendix one*) in person or by telephone using the Safeguarding child, young person and adult at risk protection report form (*see appendix two*). If the Designated Safeguarding Lead is unavailable, the Deputy Designated Safeguarding Lead should be informed. In the event of both being unavailable, the Vice Principal or Principal should be informed.

Even if you do not have firm evidence you should still contact a member of the safeguarding team to discuss your concerns.

Please remember:

- You must not try to investigate the matter on your own.
- If, following your initial contact with one of the safeguarding team, it is decided that the matter should be taken further a written report must be prepared and given to the safeguarding administrator as soon as possible.
- The report should be factual and not include opinions or personal interpretations.
- It should contain as much detail as possible, including any apparent physical signs of abuse or other circumstances which led to your suspicions, or the account given to you of abuse by the child, young person, or adult at risk as accurately as you are able to record it.
- The report should be signed, dated and a copy stored in a secure place, in consultation with the safeguarding team.
- The records should at all times be treated as confidential and must never be left where they can be seen by anyone not directly involved.

If a child, young person or adult at risk tells you about possible abuse, please listen carefully using the following guidelines:

- Allow the child, young person or adult at risk to speak without interruption.
- Try to stay calm and do not show your emotions. If you show anger, disgust or disbelief they may stop talking.



- Do not put words into the child's, young person's or adult at risk's mouth.
- Ask enough questions to clarify your understanding but do not interrogate.
- Reassure the child, young person or adult at risk that they have done the right thing by telling you.
- Be honest. At the earliest stage let them know that you cannot keep this a secret; you will need to tell someone else. But tell them you will only tell those who need to know and say who that will be. You must not discuss the case with anyone else.
- Note the main points carefully, include date, time, place, what the child, young person or adult at risk said, include your questions and their answers.
- Report immediately to the designated safeguarding member of staff.
- Please note if you are here by yourself, for instance late in the evening and you need further advice please call the police on 101 or Social Services out of hours number and report your safeguarding concerns. For urgent calls out of hours (17:00 – 09.00) please contact the same number (0208 726 6400) and ask to speak to the out of hours team. You will be put through to an operator who will take basic information and then pass this on to MASH or the Out of Hours team.

### **What happens next?**

Taking into account all the information available, the safeguarding team will decide on the next step, which may include taking no further action. If further action is necessary, this may be to:

- Contact the parent if the young person is under 16, and/or the over 16 year old provides consent.
- Investigate the concern.
- Seek further advice from external agencies.
- Make a referral to internal support agencies or to external agencies.
- Report the matter to the police.
- Refer to the College counsellor.
- Refer to Student Services (welfare and advocacy support).

If a referral is made, this must be confirmed in writing to the appropriate agency within 24 hours. Written records of any concern regarding a child's, young person's or adult at risk's safety will be kept centrally and securely.

Information concerning an at risk child, young person or adult at risk will be shared with all members of staff on a 'need to know' basis. A member of the safeguarding team will make a judgement in each individual case about who needs and has a right to access particular information.

Where there are concerns about a child, young person or adult at risk, a member of staff may be asked to keep a log of observations. This will be kept securely by the safeguarding administrator for the safeguarding team to access.

All safeguarding records are subject to Freedom of Information Act 2000 and the Data Protection Act (2018). If there is any doubt as to the rights of any party to access information, we may seek legal advice prior to releasing any information. A young person over the age of 16 will be asked to give written permission to share information with external agencies.

### **Physical Contact and Physical Intervention**

Not all children, young people and adults at risk feel comfortable about physical contact. Adults should not make the assumption that it is acceptable practice to use touch as a means of communication. Wherever possible, children, young people and adults at risk should be advised before physical contact or intervention is made.

It is recognised that some children, young people and adults at risk who have experienced abuse may seek inappropriate physical contact and adults should be particularly aware of this when it is known that a learner has suffered abuse.

In this circumstance careful consideration should be given to the needs of the learner. Details of the learner and his/her additional needs must be reported to a member of the Safeguarding Team.

### **Learners accessing alternative provision**

Where learners are accessing the College as part of the day release programme any safeguarding concerns will be reported to a member of the College's safeguarding team. This team will liaise closely with the Designated Safeguarding Lead from the young person's mainstream school, who will take the lead on the safeguarding case.

### **Work experience or placement**

There are occasions when children, young people and adults at risk are placed in settings outside the College. Children, young people and adults at risk are more vulnerable to abuse or harm in these situations than in short term placements, and therefore children, young people and adults at risk protection arrangements are a relevant concern for longer term placements. Additional safeguards will be necessary for placements when one or more of the following conditions apply.

The placement is:

- For more than one day per week.
- For longer than one term in any academic year.
- Aimed at those who may be vulnerable, e.g. those who have special needs or are young (aged under 16).
- One where the workplace supervisor or a colleague will have substantial unsupervised access to the child, young person or adult at risk, because of the nature of the business (i.e. micro business, sole trader or journeyman).
- One which has a residential component.

All learning providers working with children, young people and adults at risk therefore have a duty of care to ensure safeguarding policies and procedures are in place and followed by their employees and volunteers. To do this we will ensure that we:

- Create and maintain an environment in which children, young people and adults at risk feel secure, are encouraged to talk and are listened to.
- Include curriculum activities and opportunities to enable learners the opportunity to attain skills and attitudes, to help them resist abuse in their own lives and to prepare for the responsibilities in their adult lives, including parenthood.
- Communicate a clear model of management of suspected or disclosed abuse.



## **Strategic responsibilities for safeguarding learners who attend work experience or placements**

If any of the above conditions apply, the following safeguards should be in place at a strategic level.

John Ruskin College Staff who arrange, vet, or monitor work placements will have had training in safeguarding.

Training organisations or employers taking responsibility for a child, young person or an adult at risk on a long term placement will be asked to make a commitment to safeguarding their welfare by endorsing an agreed policy or statement of principles.

Any person whose normal duties will include regularly caring for, training, looking after or supervising a child, young person or adult at risk in the workplace should be vetted and subject to DBS Disclosures to ensure he/she is not disqualified from working with children, young people or adults at risk, or otherwise unsuitable to be responsible for them. This should not include people who will have contact with the child, young person or adult at risk simply because he/she will be in the same location, or as part of their work. It is intended to apply to people who are specifically designated to have responsibility for looking after, supervising or directly training a child, young person or adult at risk throughout the placement.

DBS Disclosures and Barred List checks will be arranged by the College.

That person will also be given basic safeguarding training to be aware of their responsibilities. They should be given details of a person to contact in the event that there are any concerns about a learner for whom they are responsible.

The learners who are placed in these settings will also be given clear advice about who to contact if they are worried or uncomfortable about their surroundings or if they suffer abuse. They will have a continuing point of regular contact within College and be given opportunities to raise any concerns they may have.

If a concern is raised regarding a child, young person or adult at risk who is on a long term placement, then the normal College safeguarding procedures will apply.

In some cases it is also important to ensure that the learner concerned is suitable for the placement (for example, when placing children, young people or adults at risk in environments involving them working with younger children. In these circumstances DBS Disclosures may be required.

## **Roles and Responsibilities**

Corporation: Members of the Corporation are responsible for ensuring that:



- The College has effective policies, procedures and systems in place in accordance with guidance from government bodies and other agencies, including effective procedures for the safe recruitment of staff and dealing with allegations of abuse against members of staff.
- The College has Designated Safeguarding Leads.
- The Designated Safeguarding Lead and the Deputy Safeguarding Lead will attend mandatory safeguarding training as required.

Principal: The Principal is responsible for ensuring that:

- The College's safeguarding policies, procedures and systems are fully implemented and followed.
- Sufficient resources and time are allocated to ensure Designated Safeguarding Leads are able to carry out their roles effectively.
- All staff and volunteers feel able to raise concerns about the safety of children, young people and adults at risk and know the names of the designated safeguarding team.
- Such concerns are dealt with sensitively, effectively and in a timely manner.

All Staff: All staff (including volunteers, temporary and agency staff) are responsible for ensuring they:

- Familiarise themselves with and become aware of the importance of the College's safeguarding, and associated policies and procedures as outlined in this document.
- Adhere to the College Safeguarding Policy, procedures and systems.
- Promote and safeguard the welfare of children, young people and adults at risk.
- Attend Safeguarding training as required.
- The Teachers' Standards 2012 state that teachers, including head teachers, should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties.
- Know what to do in the event that a child, young person or adult at risk makes a disclosure to them (*see appendix one*).
- Be vigilant to potential signs and indicators of abuse and alert a member of the College's safeguarding team if they have concerns about a child, young person or adult at risk.
- Help to create a listening culture and help to ensure that children, young people and adults at risk know that they can come to them and be listened to.

The member of staff should *never* attempt to investigate the matter in any way. Only the Designated Safeguarding Leads should mount an investigation, otherwise this might be construed as unjustified interference which could jeopardise an investigation and any possible subsequent court case.

However, if a child is in immediate danger or is at risk of harm, a referral should be made to children's social care and/or the police immediately. Anyone can make a referral. Where referrals are not made by the designated safeguarding lead, the designated safeguarding lead should be informed as soon as possible that a referral has been made.

### **The Designated Safeguarding Lead**





The Principal will appoint a member of staff to the role of designated safeguarding lead. This should be explicit in their job description. This person will have the appropriate authority and be given time, funding and training resources and support to provide advice and support to other staff on welfare and child protection matters, to take part in strategy discussions and inter agency meetings – and/or to support other staff to do so – and to contribute to the assessment of children

Designated Safeguarding team: The College has a team of Designated Safeguarding Leads who have undertaken the Designated Person Safeguarding Training and Safeguarding Champions.

The safeguarding team includes:

<b>Designation</b>	<b>Position</b>
Safeguarding Policy Lead	Assistant Principal
Designated Safeguarding Lead	Assistant Principal
Deputy Designated Safeguarding Lead	TBA
Safeguarding officer	Safeguarding Officer
Safeguarding Administrator	Executive Administrator to the Vice Principal
Curriculum Safeguarding Champions	Key Tutor in each curriculum area
Safeguarding Champion	

The designated safeguarding team is responsible for ensuring that:

- All staff members will receive appropriate safeguarding and child protection training which is regularly updated. In addition all staff members will receive safeguarding and child protection updates (for example, via email, e-bulletins and staff meetings), as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.
- All staff will be aware of the early help process, and understand their role in it. This includes identifying emerging problems, liaising with the designated safeguarding lead, sharing information with other professionals to support early identification and assessment and, in some cases, acting as the lead professional in undertaking an early help assessment.
- All staff will be made aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989 that may follow a referral, along with the role they might be expected to play in such assessments.
- Safeguarding is visible and promoted throughout the College.



In Addition:

- Arrangements are in place for inducting and training staff in safeguarding practices and procedures.
- Safeguarding resources are up to date and distributed in the College.
- Referring concerns relating to the protection of children, young people and adults at risk to the College's Designated Lead.
- The Designated Safeguarding Lead will review the membership of the Safeguarding Team to reflect needs as identified from time to time.
- Membership of the College's safeguarding committee.

**A simple mnemonic for staff to remember their responsibilities is the 'Five R's':**

- **Recognise** behaviour that may indicate abuse, which may include direct disclosure.
- **Respond** calmly and positively to the child, young person or adult at risk. Reassure them that they have done the right thing in raising the issue with you and accept what they say without judgement, prompting or interruption.
- **Record** what has been said as accurately as possible. Make sure it is factual and does not include your own interpretation, include details of how they looked and behaved are useful, e.g. 'He had a black eye and was crying'.
- **Report** concerns to a member of the College's designated safeguarding team without delay. Once you have reported the concern about abuse to a member of the safeguarding team, the responsibility for taking any further decisions or actions resides with them.
- Only the Designated Safeguarding Leads can make a decision to **refer** a complaint or allegation, having gathered and examined all relevant testimony and information.

### **Confidentiality Statement**

The safety and wellbeing of the child, young person or adult at risk is paramount. Staff may have access to confidential information about learners in order to undertake their everyday responsibilities. In some circumstances, staff may be given highly sensitive or private information. They should never use confidential or personal information about a learner or his/her family for their own or others' advantage. Information must never be used to intimidate, humiliate, or embarrass a learner.

Confidentiality and trust should be maintained as far as possible but staff must act on the basis that the best interests, safety and wellbeing of the child, young person or adult at risk is paramount. The degree of confidentiality will be governed by the need to protect the child, young person or adult at risk. The member of staff to whom the child, young person or adult at risk is making the disclosure needs to be open and honest with them from the outset and not promise to keep information confidential.

When abuse is alleged or suspected, the member of staff has a duty to pass information on without delay to a member of the designated safeguarding team. If a member of staff is in any doubt about whether to share information or keep confidential, they should seek guidance from the Designated or Deputy Safeguarding Leads.

The College complies with the requirements of the Data Protection Act 2018 but the DPA does not prevent staff from sharing information where this is necessary to protect the safety and wellbeing of the child, young person or adult at risk.



### **Safer Recruitment of Staff**

The College undertakes to ensure that its staff are fit to work in a College setting with children, young people and adults at risk. It also reserves the right to refuse to employ staff whom it has a reasonable belief may pose a risk to its learners.

The College has systems in place to prevent unsuitable people from working with children, young people and adults at risk and to promote safe practice. These systems apply to all new staff and require the following checks to be made pre-appointment or directly following appointment.

The College does not discriminate because of a conviction or other information revealed and has a policy statement on the recruitment of ex-offenders (*appendix six*).

A minimum of 2 satisfactory employment references wherever possible, one of which should be from the current or most recent employer.

Original documentary evidence checks of identity, nationality, residence and 'right to work' status pre-appointment.

An Enhanced Disclosure & Barring Service (DBS) Disclosure.

A Barred List check.

Teacher status checks are carried out in accordance to guidance from the NCTL.

Completion of a health check to ensure he/she has the health and physical capacity for the job.

Original documentary evidence of qualifications.

A common application form is completed for all candidates who are selected for interview.

Teaching staff are asked to provide their DfE reference number and QTLS status number.

All teaching staff are expected to have a recognised teaching qualification or be working towards the same.

All candidates for jobs in the College are interviewed by a panel of appropriate managers. All managers are trained in recruitment and selection.

All offers of appointment are conditional upon receipt of 2 satisfactory references, satisfactory DBS clearance, medical clearance, verification of qualifications, verification of identity and right to work checks.

Satisfactory completion of the probationary period.

The following statement is placed on all recruitment advertisements and relevant publicity materials for the College:

*'John Ruskin College is committed to safeguarding and promoting the welfare of children, young people and adults at risk and expects all staff and volunteers to share this commitment'.*



All Job Descriptions include the following as a main task:

*'To safeguard and promote the welfare of children, young people and adults at risk served by the College'.*

There is an additional statement in the Job Description under 'Attitudes – Essential' requiring all employees to *'Respond appropriately and supportively to any issues associated with safeguarding children, young people and adults at risk in line with College policies and procedures'.*

A single central record is kept detailing the checks carried out on staff and agency staff, including DBS clearance.

The College fully complies with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure Information. The College also complies fully with its obligations under the Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information. This compliance is detailed in the policy statement (*appendix eight*).

Once appointed to the College all staff receive a pack of information, including:

- Induction checklist which includes Health & Safety
- Single Equalities Policy
- Staff Code of Conduct
- Safeguarding Policy
- Student Anti Bullying Policy
- E-Safety Policy
- Part 1 of Keeping Children in Safe In Education (latest version)

In addition to a local induction programme to introduce staff to the particular area they will be working in, all staff complete a Corporate Induction Programme, including:

- Safeguarding, including Prevent Duty (Online courses and certification)
- Equal Opportunities
- Health & Safety, including fire awareness

The College has a general Staff Code of Conduct giving clear guidelines on expected behaviour, and the College's Safeguarding Policy (*which can be found on the College intranet*) gives specific guidelines on behaviour to protect both staff and learners.

Members of the designated safeguarding team have undertaken specific Designated Lead safeguarding training.

### **Allegations of abuse against members of College staff**

The College recognises that an allegation of abuse made against a member of staff may be made for a variety of reasons and 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 investigation is thorough. The College recognises that the Children's Act 1989 states that the welfare of the child, young person or adult at risk is of paramount concern and it is essential in all cases of



suspected abuse by a member of staff that action is taken quickly and professionally. It is also recognised that hasty or ill informed decisions can irreparably damage an individual's reputation, confidence and career. Therefore, such allegations must be dealt with sensitivity and care. A member of staff who receives an allegation about another member of staff from a young person should follow the guidelines on page 9 for dealing with disclosure. The allegation should be reported immediately to the Principal, unless the Principal is the person against whom the allegation is made, in which case the report should be made to the Designated Lead or governor.

If a decision is made to pursue an allegation of abuse against a member of staff, this will be investigated using the procedures outlined in the College disciplinary or grievance procedures as appropriate, details of which can be obtained from Human Resources (*see also appendix seven*).

Where an individual leaves the College before any final disciplinary decision was taken due to harm or risk of harm to a child, young person or adult at risk, this information must also be referred to the appropriate authorities.

The responsibility for reporting cases lies with the Vice Principal. The Vice Principal will consult the LADO of any allegations made against individuals working in the College or professionally related to the College.

### **Staff development and training**

All staff, governors and others who come into direct contact with children, young people and adults at risk must undertake training on the subject of safeguarding. The College's Safeguarding Policy, procedure and accompanying guidance will be available to all staff via the College's staff intranet and will be issued to all new staff as part of their induction.

### **Whistleblowing (Public Interest Disclosure Act 1998 (PIDA))**

The College has a comprehensive Public Interest Disclosure Policy (also known as whistleblowing) which has been approved by the Corporation. This can be found on the College intranet.

### **Equality of Opportunity**

All children, young people and adults at risk, as part of the College community, have the right to be safeguarded from harm and exploitation whatever their age, disability (which includes mental health and people diagnosed as clinically obese), race, religion or belief, sex, sexual orientation, gender reassignment (people who are having or who have had a sex change, transvestites and transgender people), marriage and civil partnerships and pregnancy and maternity.

### **Review of arrangements for monitoring the policy**

The policy will be monitored through the College's Safeguarding Committee which meets at least on a half termly basis. Reports from the group are taken to the College's Senior Leadership Team (SLT).

A report is presented to Corporation on an annual basis on safeguarding in the College.

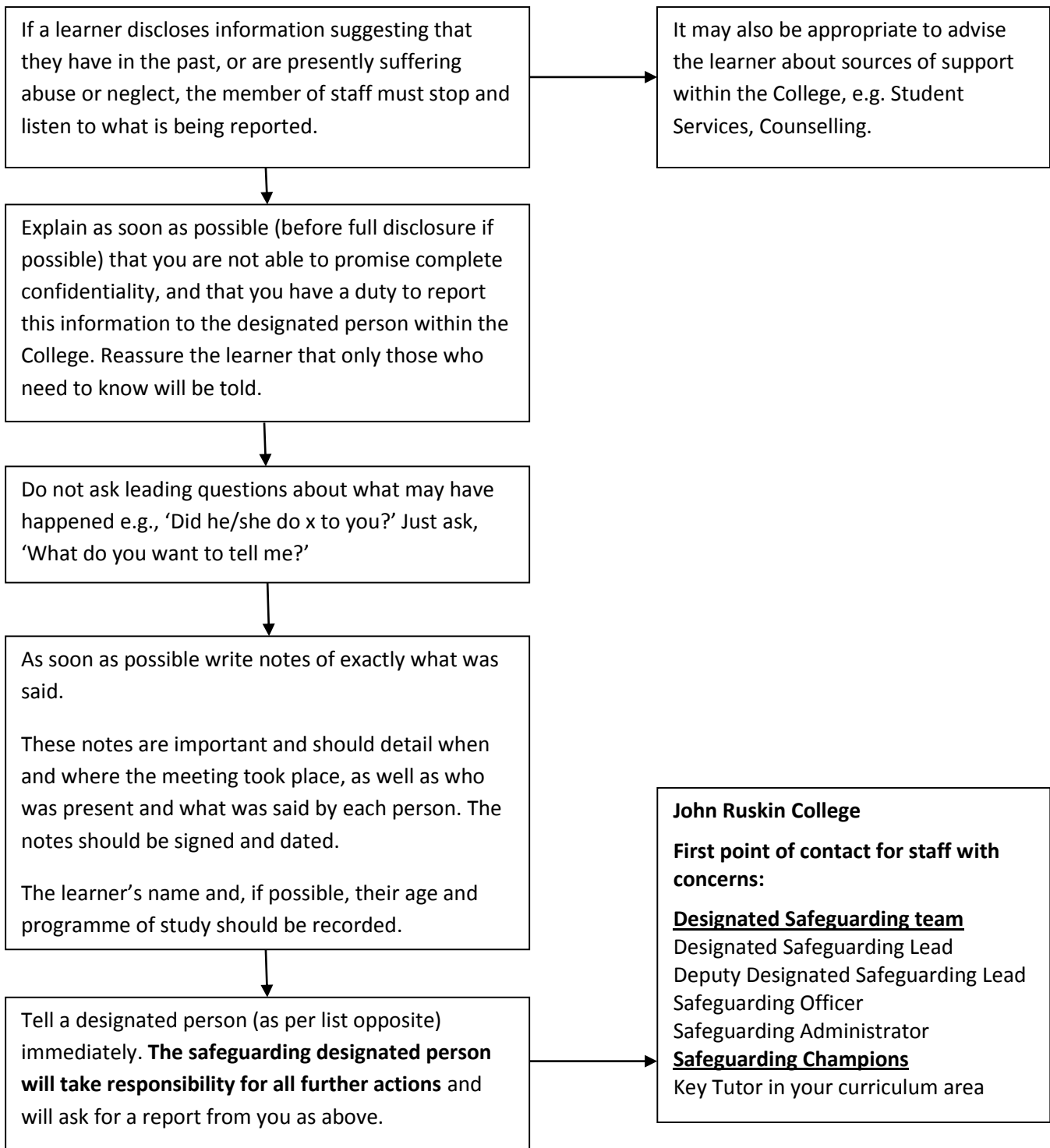
The policy will be reviewed annually following consultation with the Safeguarding Committee, SLT, staff and learners on any updates to the policy.



## Appendix One

### SAFEGUARDING CHILD, YOUNG PERSON AND ADULT AT RISK PROCEDURE FLOWCHART

**It is the duty of all staff to report any concerns to a designated person. No promises should be made to maintain confidentiality, but the learner should be informed of the action taken.**





## Appendix Two

### Safeguarding child, young person and adult at risk protection report form

Learner's Name:		Learner's D.O.B:	
Programme/Level			
Male/Female:	Ethnic Origin:	Disability Y/N:	Religion:
Date and Time of Concern:			
Learner's Account of the Concern:			
Additional Information:			
Your Response:			
Your Name:			
Your Signature:			
Your Position in College:			
Date and Time of this Recording:			
Action and Response of Designated Safeguarding Lead			
Name:.....		Date:.....	

**PLEASE PASS THIS FORM TO YOUR DESIGNATED SAFEGUARDING LEAD who will pass this to the Safeguarding Administrator**





## Appendix Three: Roles of the Designated Safeguarding Lead and the Safeguarding team

### Role of the Designated Safeguarding Lead

The Governing body and the Principal will ensure that the College designates an appropriate member of staff to take lead responsibility for safeguarding.

The broad areas of responsibility for the Designated Safeguarding Lead are:

- Managing referrals
- Refer all cases of suspected abuse to the local authority children's social care and:
  - The designated lead(s) for child protection concerns (all cases which concern a staff member),
  - Disclosure and Barring Service (cases where a person is dismissed or left due to risk/harm to a child); and/or
  - Police (cases where a crime may have been committed).
- Liaise with the Principal to inform him or her of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations.
- Act as a source of support, advice and expertise to staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies.

### Training

The Designated Safeguarding Lead should receive appropriate training carried out every two years in order to:

- Understand the assessment process for providing early help and intervention, for example through locally agreed common and shared assessment processes such as early help assessments.
- Have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so.
- Ensure each member of staff has access to and understands the College's safeguarding policy and procedures, especially new and part time staff.
- Be alert to the specific needs of children in need, those with special educational needs CLA, and young carers.
- Be able to keep detailed, accurate, secure written records of concerns and referrals.
- Obtain access to resources and attend any relevant or refresher training courses.
- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the College may put in place to protect them.

### Raising Awareness

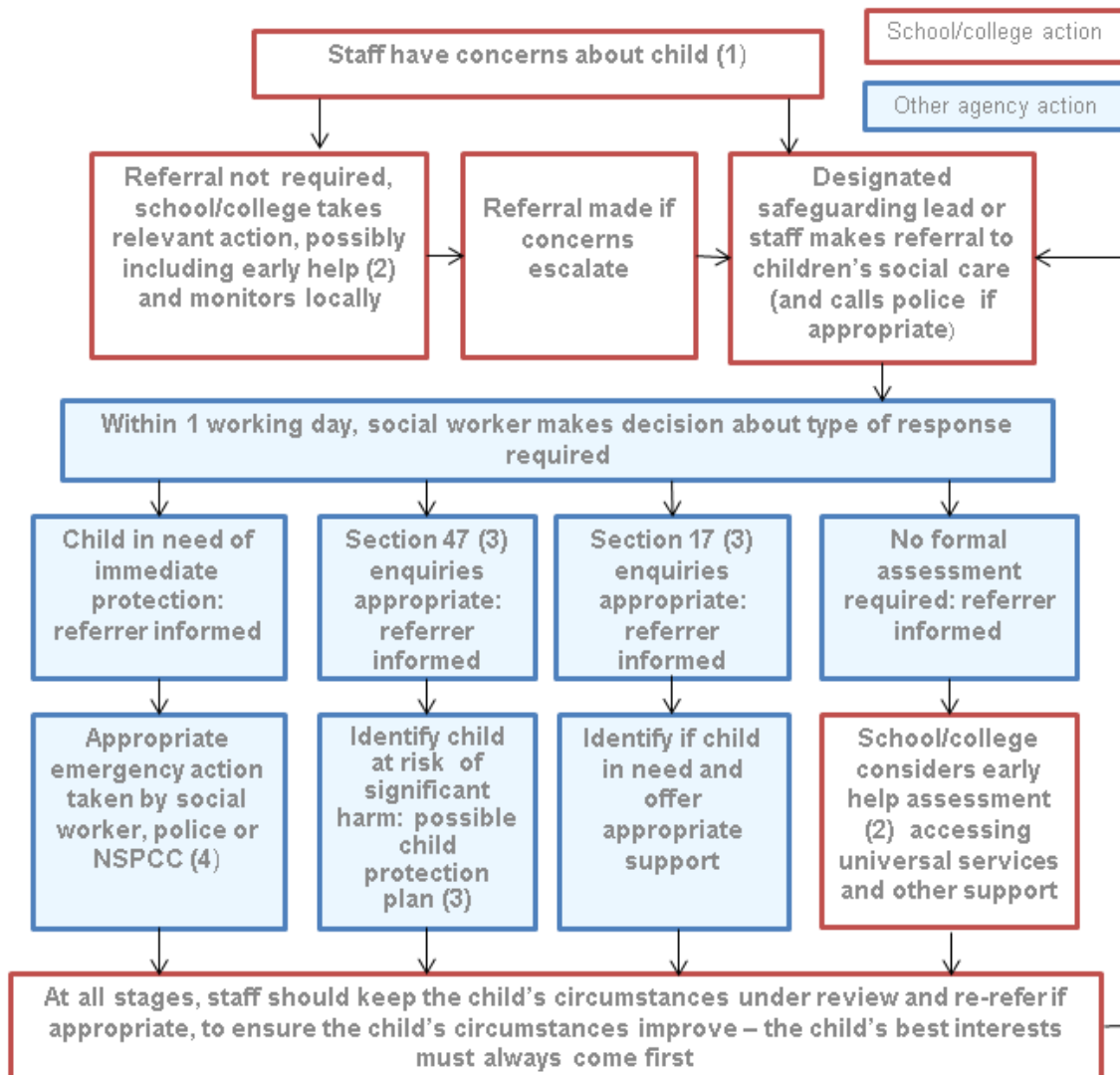
- The Designated Safeguarding Lead should ensure the College's policies are known and used appropriately.
- Ensure the College's safeguarding policy is reviewed annually and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this.
- Ensure the safeguarding policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the College in this.



- Link with the local LSCB to make sure staff are aware of training opportunities and the latest local policies on safeguarding.
- Ensure learners have the opportunity to raise awareness on safeguarding concerns and issues through the tutorial and PHSE sessions
- Where children leave the College ensure their child protection file is transferred to the new school or college as soon as possible. This should be transferred separately from the main pupil file, ensuring secure transit and confirmation of receipt should be obtained.

**Appendix Four: The referral process determining *concern* or *immediate danger* or *at risk of harm***

**Actions where there are concerns about a child**





## Appendix Five

### Relevant conduct

*Relevant conduct* is set out in the Safeguarding Vulnerable Groups Act 2006, Schedule 3 sections 4(1) and 10(1) and states that *relevant conduct* is any conduct:

- That endangers a child, young person or adult at risk or is likely to endanger a child, young person or adult at risk.
- If repeated against or in relation to a child, young person or adult at risk would endanger them or would be likely to endanger them.
- That involves sexual material relating to a child, young person or adult at risk (including possession of such material).
- That involves sexually explicit images depicting violence against human beings (including possession of such images), if it appears to the ISA that the conduct is inappropriate.
- Of a sexual nature involving a child, young person or adult at risk, if it appears to the ISA that the conduct is inappropriate.

### Harm test

The *harm test* is defined in the Safeguarding Vulnerable Groups Act 2006, schedule 3 section 5 and 11 and is satisfied if the relevant person believes that an individual may:

- Harm a child, young person or adult at risk.
- Cause a child, young person or adult at risk to be harmed.
- Put a child, young person or adult at risk of harm.
- Attempt to harm a child, young person or adult at risk.
- Incite another to harm a child, young person or adult at risk.

### Relevant offence

A *relevant offence* is an automatic inclusion offence as set out in the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009.

A copy of these regulations can be found at [www.opsi.gov.uk](http://www.opsi.gov.uk) or [www.statutelaw.gov.uk](http://www.statutelaw.gov.uk).

### Regulated activity

*Regulated activity* is defined in schedule 4 of the Safeguarding Vulnerable Groups Act 2006. There are four ways you may be involved in regulated activity. In general terms, an individual is involved in *regulated activity* if they:

Undertake an activity of a specified nature (i.e., teaching, training, instruction, care, supervision, advice, guidance, treatment, therapy or transport) that involves contact with a child, young person or adult at risk on a *frequent*, *intensive* or *overnight* basis.

- *Frequent* = once a month or more.
- *Intensive* = three or more days in any period of 30 days.
- *Overnight* = between 2am and 6am.

Example: A sports coach who provides swimming lessons to a child or young person under sixteen once a week, will be teaching and training on a frequent or intensive basis and therefore is undertaking regulated activity.

or

Undertake any activity in a specified place (i.e., schools, children premises including nurseries, residential homes for children, young people and adults at risk, children and young people's hospitals, children and young people's detention centres, adult care homes or residential care or nursing homes) that provides the opportunity for contact with children, young people or adults at risk on a *frequent*, *intensive* or *overnight* basis.

This is providing that activity is a form of work (paid or voluntary) and is carried out for or in connection with the purposes of the establishment.

- *Frequent* = once a month or more.
- *Intensive* = three or more days in any period of 30 days.
- *Overnight* = between 2am and 6am.

Example: A school receptionist is not employed to teach, train, supervise or care for the children and young people in the school but because they work in a specified place and have the opportunity for contact with children and young people they are undertaking regulated activity.

or

Undertake fostering and/or children and young people in care.

or

Occupy a specified position of responsibility as set out in the Safeguarding Vulnerable Groups Act 2006 and as follows:

- *Member of the governing body of an educational establishment.*
- *Member of a relevant local government body.*
- *Member of an HSS body.*
- *Director of children services of a Local Authority.*
- *Director of adult social services of a Local Authority.*
- *Director of social services of a Health and Social Services Board.*
- *Director of a Health and Social Services trust responsible for the delivery of personal social services.*
- *Member of an education and library board.*
- *Chief education officer of an education and library board.*
- *Charity trustee of a children's charity.*
- *Charity trustee of adults at risk charity.*
- *Member of the Youth Justice Board for England and Wales.*
- *Children's Commissioner or deputy Children Commissioner appointed under Part 1 of the Children's Act 2004.*
- *Operator of a database established in pursuance of section 12(1) (a) or (b) or 29(1) (a) or (b) of the Children's Act 2004 (e.g. ContactPoint).*



- *Member of a local Safeguarding Children Board established under section 13 or 31 of the Children's Act 2004.*
- *Member or Chief Executive of the Children and Family Court Advisory and Support Service.*
- *A deputy appointed in respect of a child and young person under section 16(2) (b) of the Mental Capacity Act 2005 (c. 9).*
- *Member, Chief Executive or member of staff of the ISA.*

### **Controlled Activity**

*Controlled Activity* is set out in sections 21–23 of the Safeguarding Vulnerable Groups Act 2006. In general terms, an individual is involved in *controlled activity* if they are ancillary support workers in Further Education, or healthcare settings (e.g., cleaner, caretaker, catering staff, and receptionist) which is done *frequently* or *intensively* and gives the opportunity for contact with children, young people or adults at risk.

- *Frequent* = once a month or more.
- *Intensive* = three or more days in any period of 30 days.

Example: A member of catering staff at a hospital who on a frequent or intensive basis provides a food service to patients on the wards.

Or

Working for or on behalf of specified organisations (e.g. Local Authorities in the exercise of its education or social services functions) *frequently* or *intensively* in roles which give them the opportunity for access to sensitive records about a child, young person or adult at risk.

- *Frequent* = once a month or more.
- *Intensive* = three or more days in any period of 30 days.

Example: An administrative officer in a Local Authority or Health and Social Care Body who has responsibility for managing files on children in care, where those files contain personal information. Barred people can sometimes be employed in *controlled activity*, depending on the nature of the role and providing tough safeguards are in place such as stringent supervision.



## Appendix Six

### Policy statement on the Recruitment of ex-offenders

As an organisation using the Disclosure & Barring Service (DBS) Disclosure service to assess applicants' suitability for positions of trust, John Ruskin College complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

John Ruskin College is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

We have a written policy statement on the recruitment of ex-offenders, which is made available to all Disclosure applicants at the outset of the recruitment process.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

All application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is advised at the application stage to a designated person/s within John Ruskin College and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process. To determine if a caution or conviction is protected and whether or not the applicant needs to disclose it in their application, they should refer to the relevant legislation, including the offences listed in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013.

As a College, John Ruskin College is permitted to ask questions about an applicant's entire criminal record, including both 'spent' and 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013.

We ensure that all those in John Ruskin College who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment. For this reason, if the applicant is unsure





about how the law applies to them, they are encouraged to seek legal advice before making an application.

We make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.



## Appendix Seven

### Allegations of abuse made against teachers and other staff

The College will follow the government advice outlined in Keeping Children Safe in Education September 2016 Part four allegations of abuse against teachers and other staff.

### Duties of the College

The College will use Keeping Children Safe in Education (latest version) Part four allegations of abuse against teachers and other staff in respect of all cases involving learners under 18 years old in which it is alleged that a teacher or a member of staff (including volunteers) in the College has:

- Behaved in a way that has harmed a child or may have harmed a child
- Possibly committed a criminal offence against or related to a child, or
- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children

Allegations against a teacher who no longer works for the College should be referred to the police as should historical allegations.

The College has a duty of care for their employees. The College will ensure that effective support for anyone facing an allegation and provide a named contact if they are suspended. The College will seek the information advice and guidance from the Local Authority's LADO.

The College realises that it is essential to investigate any allegation of abuse made against a teacher or other member of staff very quickly, in a fair and consistent way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

The following definitions will be used when determining the outcome of the allegation investigation:

**Substantiated:** there is sufficient evidence to prove the allegation

**Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate attempt to deceive.

**False:** there is sufficient evidence to disprove the allegation

**Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.



## Appendix Eight

### Policy statement on Secure Storage, Handling, Use, Retention & Disposal of Disclosures and Disclosure Information

#### General principles

As an organisation using the Disclosure & Barring Service (DBS) service to help assess the suitability of applicants for positions of trust, John Ruskin College complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information. It also complies fully with its obligations under the Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

#### Storage and access

Certificate information is kept securely with access strictly controlled and limited to those who are entitled to see it as part of their duties.

#### Handling

In accordance with section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

#### Usage

Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

#### Retention

Once a recruitment (or other relevant) decision has been made, we only keep certificate information to comply with our legal obligations.

#### Disposal

We will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. However, notwithstanding the above, we may keep a record of the certificate information to comply with our legal obligations.

#### Using an Umbrella Body

Before using an Umbrella Body (one which countersigns applications and receives certificate information on behalf of other employers or recruiting organisations), we will take all reasonable steps to satisfy ourselves that they will handle, use, store, retain and dispose of certificate information in full compliance with the DBS Code, GDPR, and in full accordance with this policy.



## Appendix Nine

The College adheres to the DFE Circular September 2016/20 CHILD PROTECTION RECORD KEEPING IN SCHOOLS and highlights the following from that Circular:

### The Safeguarding File will contain:

- Chronology of events/ action taken
- All records of concern
- Any notes initially recorded, including in the form of notebooks/diaries<sup>3</sup> which should be kept securely with the child protection file
- Records of discussions and telephone calls (with colleagues, parents and children/young people and other agencies or services)
- Correspondence with other organisations - sent and received
- Referral forms – both for support services and specialist services (irrespective of outcome)
- Formal plans linked to the child e.g. child protection plan, child in need plan
- Risk assessments
- Risk Management Plans/ Individual Safety and Support Plans
- Reports to interagency meetings and conferences
- Minutes of interagency meetings e.g. child in need, strategy, child protection conference
- Any other relevant notes/ papers

### Safeguarding intervention records will also record

- Change of circumstances: changes of carer, address, legal status, school, family circumstances and household composition.
- Issues for the child: physical or mental health issues, incidents of abuse, losses, developmental issues, incidents of running away/going missing, incidents re bullying, offending or police involvement.
- Family issues: changes in family composition, loss and separation, domestic violence, financial or housing problems, physical or mental health, substance misuse, homelessness, imprisonment, victimisation.
- Professional involvement: referrals made, involvement of other agencies, assessments, significant decisions, interventions, social services involvement

### Storage of Child Protection and Safeguarding Information

Child Protection information is confidential and will not be kept on any Educational Records. Child Protection and Safeguarding Information will have a separate secure confidential filing system for Child Protection concerns, ideally in a fireproof filing cabinet. Other child protection records including the college's confidential Record of Child Abuse Complaints should also be stored here. The filing cabinet will be accessible to only the Designated Teacher, Deputy Designated Teacher or Principal and the Safeguarding Administrator. The cabinet will not be accessible to anyone else, including administrative staff, and members of the Board of Governors. The keys to the cabinet will not be removed from the premises and will be stored securely. Child Protection Records will not be removed from the premises, except when taken to a case planning meeting in respect of the child, or on foot of a court order.