
SAFEGUARDING POLICY



FEBRUARY 2020

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PURPOSE

This policy provides guidance and instructions to all staff, directors, volunteers, sub-contractors and contractors to ensure The Park College (the College) commitment to safeguarding and promoting the welfare of young people and vulnerable adults. If any form of abuse is suspected or if a person is identified as being vulnerable to being drawn into terrorism-related activity, appropriate action will be taken. The College requires all staff to share this commitment.

SCOPE

This policy deals with the protection of young people and all adults at risk. Throughout this policy reference is made to young people. This means all students aged 19-25 enrolled at the College. An adult at risk is deemed to be a person who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of themselves, or unable to protect themselves against harm or exploitation. Any person up to the age of 25 with a current Educational Health and Care Plan (EHC Plan) in place is treated as a child for the purposes of safeguarding & child protection legislation. Any references to 'child' in this policy should therefore be viewed as relevant to a student at the College where an EHC Plan is in place.

All references to staff or adults comprise teaching staff, other staff and volunteers working in the organisation, visitors, and contractors to the organisation with direct contact with students, regardless of position, role or responsibilities. This policy is mandatory for all afore stated.

PRINCIPLES

The College recognises that safeguarding and promoting the welfare of children and vulnerable adults is everyone's responsibility, and that the best interests of the student must be paramount. We believe that not only do we have a statutory duty to ensure that we safeguard and promote the welfare of young people and adults at risk of harm in our care, but also a moral duty. We adopt a student-centred approach which operates in the best interests of each student. The policy and procedures focus on how we recruit and train our staff, support our students, make referrals and deal effectively with allegations against staff. It incorporates a wide range of risks we need to safeguard against, including those related to the prevention of violent extremism.

To achieve this the policy and procedure is reviewed annually to:

- Raise awareness of issues relating to the welfare of young people and adults at risk and the promotion of a safe environment for them to learn within the College
- Aid the identification of children, young people and adults at risk of significant harm, providing procedures for reporting concerns
- Establish procedures for reporting and dealing with allegations of abuse against members of staff
- Respond to the safe recruitment of staff.

All staff will receive appropriate training in order to familiarise them with the College's Safeguarding Policy and Procedure, relevant statutory guidance, the safeguarding issues and their responsibilities therein.

All staff undertake mandatory safeguarding and Prevent training (to include 'Part One of Keeping Children Safe in Education 2019) as part of their induction process and continual professional development (CPD) on an annual basis.

EQUALITY STATEMENT

The College will make sure that all students have the same protection regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity. The College is committed to anti-discriminatory practice and recognises the additional needs of young adults from minority ethnic groups and those with learning disabilities and/or difficulties and the barriers they may face, especially around communication.

OUTCOMES

Because of this policy and its procedures being followed:

- Students at risk will be better protected from the impact of abuse or neglect
- all persons detailed in the 'scope' (above) will take the necessary steps to safeguard and protect the rights of adults with students at the College
- statutory agencies will be contacted where appropriate.

STATUTORY FRAMEWORK

The Care Act 2014 places specific safeguarding duties with regard to an adult who has need for care and support and is experiencing or at risk of abuse or neglect. Because of those needs the adult is unable to protect themselves from either the risk, or the experience, of abuse or neglect.

The College aims to meet all relevant legislative requirements and good practice in safeguarding. There are a number of statutory regulations which place a responsibility on the college to protect young people and adults at risk.

This statutory framework includes:

- Keeping Children Safe in Education 2019, Working Together to Safeguarding Children 2018, the Safeguarding Vulnerable Groups Act 2006, The Protections of Freedom Act 2012 and the Prevent Duty Guidance are the key documents upon which this policy is based
- Prevent Duty Guidance for Further Education Institutions in England and Wales July 2015
- The Children Act 2004, which is fundamental to professionals working with children and young people in the UK
- The Protection of Children Act 1999 requires employers to carry out Criminal Record Checks before employees are allowed to come into contact with children
- The Education Act 2002 requires that governing bodies of FE providers have a statutory duty to make arrangements to safeguard and promote the welfare of children and young people

- The Sexual Offences Act 2003 makes it is an offence for a person over 18 (e.g. a lecturer or other member of staff) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies where the child is in full-time education and the person works in the same establishment as the child, even if s/he does not teach
- The Safeguarding Vulnerable Groups Act 2006 which sets out the type of activity in relation to children and adults at risk for which employers and individuals will be subject
- The Protection of Freedoms Act 2012 which changed the definition of Regulated Activity including who is eligible for a barred list check
- The Equality Act 2015
- The Mental Capacity Act 2005
- SEN Code of Practice 2015

VULNERABLE STUDENT

A vulnerable student may be identified as a person who:

- Is a Looked After Child
- Is a care leaver
- Is a young carer
- Has learning difficulties or disabilities
- Has mental health difficulties (e.g. dementia, personality and eating disorders)
- Has general welfare concerns
- Has a physical or sensory disability
- Has been involved in substance or alcohol misuse
- Has suffered from domestic violence
- Has social or emotional developmental needs
- Has a criminal conviction
- Has a language barrier.

All students attending the College can be classed as vulnerable students as they have an EHC Plan which defines their needs.

DEFINITIONS

Safeguarding

The term 'safeguarding young people and adults at risk' covers both reactive adult/child protection and a preventative approach to keeping young people and adults safe. Safeguarding and promoting the welfare of children is defined as: protecting them 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.

Physical Abuse

This may involve hitting, shaking, throwing, poisoning, burning, scalding, misuse of medication, inappropriate use of restraint, drowning or suffocating. It may be done deliberately or recklessly, or be the result of a deliberate failure to prevent injury occurring. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

A child going missing from education is a potential indicator of abuse or neglect. Staff should follow the procedures for dealing with children that go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of their going missing in future.

Neglect

Neglect is the persistent or severe failure to meet a child, young person or vulnerable adult's physical and/or psychological needs which can result in serious impairment of the health or development of the individual. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs

Self-Neglect

- a condition affecting behaviour, where the individual refuses to attend to their personal care and hygiene, their environment or even refusal of care services offered to them.

Sexual Abuse and Exploitation

Sexual abuse involves a child, young person or vulnerable adult being forced or coerced into participating in or watching sexual activity. It is not necessary for the child, young person or vulnerable adult to be aware that the activity is sexual and the apparent consent of the child, young person or vulnerable adult is irrelevant. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming.

Emotional Abuse

Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the child, young person and vulnerable adult's behaviour and emotional development, resulting in low self-worth. Some level of emotional abuse is present in all forms of abuse. This would include potentially abusive or offensive cyber-bullying through electronic communications.

Financial Abuse

Where financial abuse occurs, the victim does not always realise that it is abuse. It can be in the form of asking for money to be your friend, stealing your belongings, taking someone's pension, or just the constant borrowing of money and never returning it.

Significant Harm

Some children may be in need because they are suffering or likely to suffer significant harm. The Children Act 2014 section 47 (1) introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interest of the children.

Honour-based Violence

Honour-based violence (HBV) encompasses crimes which have been committed to protect or defend the honour of the family and/or community, including Female Genital Mutilation (FGM), forced marriage and practices such as breast ironing. All forms of so-called HBV are abuse and should be handled and escalated as such.

FGM mandatory reporting duty

From October 2015, the FGM Act 2003 (as amended by section 74 of the Serious Crime Act 2015) introduced a mandatory reporting duty for all regulated health and social care professionals and teachers in England and Wales.

Professionals must make a report to the police, if, in the course of their duties:

- They are informed by a girl under the age of 18 that she has undergone an act of FGM.
- They observe physical signs that an act of FGM may have been carried out on a girl under the age of 18.

Forced Marriage

Forced marriage is a term used to describe a marriage in which one or both of the parties is married without his or her consent or against his or her will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of their parents or a third party (such as a matchmaker) in identifying a spouse.

Peer on Peer Abuse

Peer on peer abuse is a significant issue. It must never be tolerated, dismissed or ignored. Whilst it is clear that peer on peer abuse disproportionately affects females and The Park College must have appropriate support mechanisms in place, males, LGBTQ and SEND students will also be affected by this issue and staff must be aware of this and prepared to act accordingly. Peer on peer abuse will be minimised through the vigilance and awareness of staff to recognise and identify where such abuse is occurring, and to act swiftly to ensure its curtailment.

PREVENT DUTY

In line with the Prevent Duty Guidance for Further Education Institutions in England and Wales (2015), protecting students from the risk of radicalisation is part of the Colleges' wider safeguarding duties and is similar in nature to protecting children from other forms of harm and abuse. Students may be identified as vulnerable to radicalisation at any time during their programme of study based on behaviour. The Channel framework of indicators which may provide triggers leading to engagement with a group, cause or ideology associated with terrorism may include:

- Feelings of grievance and injustice

- Feeling under threat
- A need for identity, meaning and belonging
- A desire for status
- A desire for excitement and adventure
- A need to dominate and control others
- Susceptibility to indoctrination
- A desire for political or moral change
- Opportunistic involvement
- Family or friend's involvement in extremism
- Being at a transitional time of life
- Being influenced or controlled by a group
- Relevant mental health issues

Statutory Prevent Guidance for Further Education (2015) summarises the requirements in terms of the following key areas:

- external speakers and events
- partnerships
- risk assessment and action plan
- staff and student training
- welfare and pastoral care and IT Policies.

Radicalisation refers to the process by which a person comes to support terrorism or other forms of extremism.

Extremism is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.

During the process of radicalisation, it is possible to intervene to prevent vulnerable people being radicalised.

The College will work with partnerships including Prevent Programme Co-ordinator for Southwark to ensure it is responding to this duty guidance.

All staff working at The College (including visiting staff, volunteers, contractors and students on placement) are required to be able to identify and report instances where they believe a young person may be at risk of harm or neglect including any harm through extremism or radicalisation to the Designated or Deputy Safeguarding Lead (DSL). All students will be given information about radicalisation and extremism, they will have a safe place to discuss the risk relating to their communities and they will know where to go to ask for help.

Under the Prevent Duty, safeguarding staff will be trained to recognise when it is appropriate to make a referral to the Channel Programme to support students who may be vulnerable to such influences and where we believe a student is being directly influenced by extremist materials or influences. It is unacceptable to download or transmit any material which might reasonably be considered obscene, abusive, sexist, racist, defamatory, related to violent extremism or terrorism or which is intended to annoy, harass or intimidate another person. This also applies to use of

social media systems accessed from College systems. The College has systems for assessing and rating risks. Risk assessments for planned events, including off site events, external visitors and speakers to mitigate any risk and clearly set out what is required for any event to proceed.

SPECIFIC SAFEGUARDING ISSUES

All staff should have awareness of the following safeguarding issues and of the legislative duty in relation to these concerns:

All disclosures will be recorded and reviewed termly by the DSL and Deputy DSL and included in the Safeguarding Report for the College Board. to ensure appropriate support mechanisms are in place for both victims and perpetrators.

Cases of students hurting other students will be managed in line with the following policies:

- Anti-bullying Policy
- Behaviour Policy

Safeguarding Policy and Procedures take precedent where the alleged behaviour:

- is serious, and potentially a criminal offence
- could put students at the college at risk
- involves students being forced to use drugs or alcohol
- involves sexual exploitation, sexual abuse or sexual harassment, such as indecent exposure, sexual assault, or sexually inappropriate pictures or videos (including sexting)

Risks of peer-on-peer abuse will be managed by:

- challenging any derogatory or sexualised language or behaviour, including requesting or sending sexual images
- being vigilant to issues that particularly affect different genders
- direct instruction within the curriculum to develop understanding of appropriate behaviour and consent
- ensuring students know they can talk to staff confidentially
- ensuring staff are trained to understand that a student harming a student could be a sign that the student is being abused themselves, and that this would fall under the scope of this policy.

Sexting - if staff are aware of an incident involving sexting (also known as 'youth produced sexual imagery'), they must report it to the DSL immediately. Staff must not

- view, download or share the imagery, or ask a student to share or download it
- delete the imagery or ask the student to delete it
- ask the student(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL's responsibility)
- share information about the incident with other members of staff, the student(s) it involves or their, or other, parents and/or carers

- say or do anything to blame or shame any young people involved

Staff should explain that they need to report the incident and reassure the student that they will receive support and help from the DSL.

Child on child sexual violence and sexual harassment

Where any reports are made of child on child sexual violence or sexual harassment these must be dealt with seriously and quickly. Where such an allegation is made, the DSL will conduct a thorough risk assessment that considers:

- The victim, especially their protection and support
- The alleged perpetrator: and
- All the other students (and, if appropriate, staff) at the college, especially any actions that are appropriate to protect them.

Allegations and the investigation will be recorded. Any subsequent risk assessment will be communicated to all staff that are required to know. Both victim and (alleged) perpetrator will receive appropriate support mechanisms from the college on a case by case basis.

Specific Safeguarding issues also include the following:

- bullying including cyber-bullying
- children missing education
- child missing from home or care
- child sexual exploitation (CSE)
- domestic violence
- drugs
- fabricated or induced illness
- Faith abuse
- gangs and youth violence
- gender-based violence/violence against women and girls (VAWG)
- hate crimes
- mental health
- missing children and adults
- private fostering
- preventing radicalisation
- relationship abuse
- trafficking
- peer-on-peer abuse
- stalking

In addition, given the local context of the London Borough of Southwark, the College recognises risk factors around county lines, serious youth violence including grooming and money laundering.

ON-LINE SAFETY

The College will endeavour to both filter all internet use to ensure and maintain the safety of staff and students.

Staff and students must follow the Online Safety Policy and agree to the relevant Acceptable Use Policy.

ROLES AND RESPONSIBILITIES

Directors

The Park College Directors instruct the college to:

- provide a safe environment for young people and adults at risk of harm
- identify those that are suffering, or are likely to suffer significant harm or who are at risk of radicalisation
- ensure appropriate IT filters and monitoring systems are in place to ensure online safety
- ensure disclosures of potential abuse are reported appropriately
- have a system for identifying concerns in relation to abuse of children and adults at risk of harm and effective methods of responding to disclosures
- refer concerns to appropriate referral agents within social care
- work effectively with others as required by Keeping Children Safe in Education 2019
- listen to the voice of the student and always act in the interest of the student
- ensure appropriate safeguarding responses for students who go missing from College
- ensure there is an effective Safeguarding Policy in place
- understand that additional barriers can exist for students with special educational needs (SEN) and disabilities when recognising abuse and neglect in this group.

The Directors will approve and annually review policies and procedures. They will receive regular safeguarding reports to:

- maintain awareness of progress across the College and/or issues relating to the welfare of young people and adults at risk of harm
- be reassured by the Principal and DSL that systems are in place and are effective in relation to the identification of young people and adults at risk of harm, and procedures for reporting concerns are widely known
- ensure effective procedures for reporting and dealing with allegations of abuse by members of staff or others who come into contact with students are in place including referral to Local Area Designated Officer
- ensure safe recruitment of staff and volunteers
- ensure staff are appropriately trained to discharge their duties in relation to safeguarding and Prevent
- ensure procedures are in place to make referrals to the Disclosure and Barring Services (DBS) if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have been if they had not resigned.

In developing policies and procedures, the Directors will take account of guidance issued by the Department for Education, OFSTED and other relevant bodies and groups. The College recognises its duty under the Counterterrorism and Security Act (2015) to have due regard to the need to prevent people from being drawn into terrorism.

Designated Safeguarding Lead

The DSL is Steph Lea, Director. The DSL will ensure appropriate and robust systems are in place that will co-ordinate reporting, monitoring, referral and support procedures. The DSL has a key duty for raising awareness across all staff of issues relating to the welfare of young people and adults at risk studying within the College. The DSL will undertake relevant Adult Safeguarding training, including inter-agency working. The DSL will receive refresher training every two years and keep updated annually on safeguarding information and knowledge.

The DSL is responsible for

- overseeing the referral of cases of suspected abuse or allegations to the relevant investigating agencies
- providing advice and support to other staff on issues relating to safeguarding
- providing all staff and leaders with regular updates on safeguarding at least annually
- maintaining a proper record of any child protection referral, complaint or concern (even where that concern does not lead to a referral)
- ensuring Safeguarding Policy is updated and reviewed annually and approved by Directors
- ensuring that parents/carers are aware of the College's Safeguarding Policy
- developing effective working relationships with other agencies: Police, Social Services, Health Authority and Safeguarding Partners: local authorities, clinical commissioning groups, and chief officers of police
- liaising with partner agencies offering placements to students
- ensuring that staff who are liaising with employers and training organisations that receive students from the College on placements put appropriate risk assessments and safeguards in place
- ensuring safe recruitment practices by implementing enhanced checks on all new and existing staff in accordance with the Disclosure and Barring Service (DBS), obtaining references and recruitment in accordance with Department of Education guidance
- providing tutorial or other curriculum, learning or pastoral support. The curriculum (both formal and informal) will be used to help students develop self-esteem and resilience
- ensuring all staff receive basic training in Safeguarding and Prevent issues appropriate to their roles and are aware of the College safeguarding procedures
- ensuring that the college consults with the LADO (Local Authority Designated Officer) regarding allegations against staff
- ensuring Health and Safety procedures are in place for students, including off site
- providing termly safeguarding reports to the Board of Directors.

Staff: Duty of Care

Staff are accountable for the way in which they exercise authority, manage risk, use resources and actively protect students from discrimination and avoidable harm. Staff should develop respectful, caring and professional relationships between all members of the college community. Staff behaviour should demonstrate integrity, maturity and good judgement and comply with the Staff Code of Conduct at all times.

Wearing of ID Passes

All staff, students and visitors must visibly wear ID badges on site.

ALLEGATIONS AGAINST STAFF

If you have concerns about a member of staff or volunteer, or an allegation is made about a member of staff or volunteer posing a risk of harm to students, speak to the DSL.

If the concerns/allegations are about the DSL, speak to Simon Eccles, Director.

If a staff member has a concern about reporting their concern to the DSL or Simon Eccles they should contact adult social care directly by calling the main council switchboard on 0207 525 5000.

The Park College will consult with the LADO regarding allegations against staff. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's social care services.

The DSL will inform the accused individual that there are concerns or allegations and of the likely course of action as soon as possible after speaking to the LADO (and the police or children's social care services, where necessary).

Where the police and/or social care services are involved, the DSL will only share such information with the individual as has been agreed with those agencies. The DSL will liaise with the LADO, police and/or social care to carefully consider whether suspension of the individual from contact with students at the College is required or whether alternative arrangements can be put in place. Advice will be sought from the LADO, police and/or children's social care services, as appropriate. If immediate suspension is considered necessary the rationale for this will be agreed by the DSL. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the College and their contact details.

If it is agreed by the LADO, police or social care that no further action is to be taken in regard to the subject of the allegation or concern, the DSL will record this decision and the justification for it and agree with the LADO what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation.

If it is decided that further action is needed, The DSL will take steps as agreed with the LADO to initiate the appropriate action in the College and/or liaise with the police and/or social care services as appropriate.

Relevant support will be provided for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.

The DSL will inform the parents or carers of the student involved about the allegation as soon as possible if they do not already know (following agreement with social care services and/or the police, if applicable).

The DSL will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against staff while investigations are ongoing.

Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a member of staff will be advised to seek legal advice.

The DSL will keep the parents or carers of the student involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence).

The DSL will ensure a referral is made to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a student, or if the individual otherwise poses a risk of harm to a student.

CONFIDENTIALITY

Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety of the student is the overriding concern. The degree of confidentiality will be governed by the need to protect the student. The student must be informed at the earliest possible stage of the disclosure that the information will be passed on. Discussions of the case must only be with the appropriate staff and any discussion must be private and shared on a need to know basis. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety of students. The College is committed to protecting the rights and privacy of individuals, including students, staff and others, in accordance with the General Data Protection Regulations (GDPR) set out in the Data Protection Act 2018 that allows for disclosure of personal data where this is necessary to protect the vital interests of students.

SAFEGUARDING RECORDING

All safeguarding concerns are either identified by, or referred through to, the DSL by members of staff, students, (either self-referring or bringing concerns about peers), parents/carers, employers or volunteers.

The DSL will investigate all concerns and allegations, make a judgement on next steps and then refer on to the appropriate agency.

The DSL will take advice from the Director responsible for Safeguarding

All cases are recorded on a College Safeguarding form and stored securely in the DSL's office.

A termly and annual Safeguarding Report is devised for Directors with detailed analysis of safeguarding disclosures which feeds into planning for training needs and preventative work with students.

PARTNERSHIP AND INFORMATION SHARING

New safeguarding partners arrangements were put in place in September 2019. The College will work in conjunction with the three local safeguarding partners (the local authority, the clinical commissioning group and the Chief Officer of Police, together with appropriate relevant agencies to ensure information is passed appropriately where there are safeguarding concerns and information sharing protocols are well established.

The Government's information sharing advice for safeguarding practitioners includes 7 'golden rules' for sharing information, and is used by the College to support staff who have to make decisions about sharing information. Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers supports staff who have to make decisions about sharing information.

The Counter-Terrorism and Securities Act (2015) places additional responsibilities on Further Education Colleges to include working with multi-agencies as part of the Channel process. Although not a Further Education College, we agree to abide by these processes.

This policy is agreed by the Board of Directors and will be implemented by.....

Signed: Date:

Signatory name/s.....Date of next review.....