

**Safeguarding Policy**

City College Limited

69 Steward Street

Birmingham

B18 7AF

|  |  |  |  |
| --- | --- | --- | --- |
| Title | Safeguarding Policy | Department | Quality |
| Location | Sharepoint | Author | PWA |
| Approved by SLT | Yes | Date | May 15th 2020 |
| Last Review | January 2021 | Next Review | January 2022 |
| Version | Author | Issue date | Summery |
| V.1 | SS | June 2016 | First Draft |
| V.2 | SS | June 2018 | Review and update |
| V.3 | PWA | May 2020 | Update in line with legislation |
| V.4 | PWA | January 2021 | Review |

**Key Person(s)**

**Managing Director**

**Associate Director for Quality and Partnerships**

**Higher Education Manager**

**Chief of Staff**

**Safeguarding Policy**

**Policy Statement**

City College is committed to safeguarding and promoting the wellbeing of its students. The College fully recognises it is the responsibility of all staff to ensure that all students are safe and feel safe in the College environment.

This Policy is most significant for teaching staff who are particularly well placed to observe students in relation to signs of abuse, harm and changes in behaviour. All staff working with students and their families should be familiar with this document and the supporting legislation to best understand their role in reporting any safeguarding concerns to either the Designated Safeguarding Officer (DSO) or the relevant local authority.

This Policy brings together all of the relevant procedures for safeguarding and has particular reference to: Prevent, safe recruitment; reporting safeguarding issues; establishing a safe environment; promoting safeguarding in the curriculum.

The following legislation is relevant to this policy;

* Health and Safety at Work Act 1974
* Protection of Children Act 1999
* Management of Health and Safety at Work Regulations 1999
* The Human Rights Act 1998
* Sexual Offences Act 2003
* Serious Crime Act 2015
* The Children Act 2004
* Safeguarding Vulnerable Groups Act 2006
* Equality Act 2010
* Education Act 2011
* Protection of Freedoms Act 2012
* The Counter-Terrorism and Security Act 2015
* Prevent Duty
* General Data Protection Regulation 2018
* Keeping Children Safe in Education 2019
* Female Genital Mutilation 2003

**Roles and Responsibilities**

The College Senior Leadership Team (SLT) will ensure that all relevant procedures will be followed to:

* Ensure there are two designated senior members of staff for safeguarding, the (DSO) who has received appropriate training and support for this role. This training will be updated at required intervals. The DSO will ensure there is a clearly identifiable, easily accessed, referral process.
* Ensure all members of staff know the names of the DSO and the student support.
* Ensure all members of staff understand their responsibilities in referring any concerns to the DSO.
* Ensure all staff receive training to the required level which is updated as required. Records of safeguarding training to be kept by the Quality Team.
* Ensure all relevant Safeguarding procedures are kept up-to-date in line with legislation.
* Develop effective links with relevant agencies and cooperate as required with requests.
* Attend Safeguarding meetings and seminars.
* Keep written records of reported Safeguarding issues.
* Ensure all records are kept securely.

All staff and volunteers will follow this policy and undertake the following specific action;

* Be alert to signs of abuse and extremism and take responsibility for referring concerns to the (DSO) or Local Authority
* Read part 1 of the [Keeping Children Safe in Education 2019](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/836144/Keeping_children_safe_in_education_part_1_2019.pdf)
* Be prepared to listen to and take seriously the concerns raised by students, employers, parents or carers.
* Abide by all the College’s wider policies and procedures
* Promote the health, safety and welfare of students
* Maintain records as necessary
* Set a good example of professional conduct to students through their own professional conduct

In addition to the above duties, the role of the DSO will also include the following;

* Report on best practice and recommendations for improvements to the Safeguarding and Prevent Policy and Procedures to the SLT
* Make the decision to investigate any allegations or concerns about abuse
* Address any immediate Safeguarding or Prevent issues
* Carry out any internal investigations regarding Safeguarding and Prevent
* Make the decision to refer to an appropriate statutory agency such as the Police, Social Services, Local Authority or Channel
* Liaise with Local Safeguarding Board and Prevent coordinators
* Work with all staff to develop the confidence when speaking with students regarding Safeguarding and Prevent.
* Undertake regular and appropriate training for this role
* Keep up to date with safeguarding and Prevent policy changes
* Complete any and all relevant training by an approved training provider as appropriate

The DSOs are;

Associate Director for Quality and Partnerships

Higher Education Manager

**Identifying Harm**

All staff should have an awareness of safeguarding issues that can put students at risk of harm. Behaviours linked to issues such as drug taking, alcohol abuse, deliberately missing education and sexting (also known as youth produced sexual imagery) put students in danger. All staff should be aware that students can abuse other students (often referred to as peer on peer abuse). This is most likely to include, but may not be limited to:

* Bullying (including cyberbullying)
* Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
* Sexual violence, such as rape, assault by penetration and sexual assault
* Sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse
* Upskirting, which typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm.
* Sexting (also known as youth produced sexual imagery)
* Initiation/hazing type violence and rituals.

Physical Abuse - actual or likely physical injury to a student, or failure to prevent injury. This may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer feigns symptoms of, or deliberately causes, ill health to a student. This form of physical harm is recognised as fabricated or induced Illness.

Sexual Abuse - actual or likely sexual exploitation of a student, including prostitution. Involving forcing or enticing a student to take part in sexual activities without their consent or understanding. The activities may involve physical contact including penetration or non- penetrative acts. For example, it may also include involving the student looking at or being involved in the production of, pornographic material or watching sexual activities, or encouraging the victim to behave in sexually inappropriate ways which can include grooming a student in preparation for abuse.

Emotional Abuse - emotional abuse is the persistent emotional ill treatment of a student with the intent to cause severe and persistent adverse effects on the victim’s emotional development. It may involve conveying to the victim that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. The exploitation or corruption of students will also constitute emotional abuse. This may also include overprotection and limitation of exploration and learning or participating in normal social interaction. It can include seeing or hearing ill treatment of another person. It may include serious bullying, including cyber-bullying. It may include not giving the student opportunities to express their views, deliberately silencing them, or making fun of what they say or how they communicate.

Neglect - neglect is the persistent failure to meet a student’s basic physical and/or psychological needs, likely to result in the serious impairment of their health or development such as failing to provide adequate food, shelter and clothing, medical care or treatment or neglect of, or unresponsiveness to, their basic emotional/physical needs. It can include not protecting a student from emotional harm or danger.

Peer to Peer Abuse - Peer on peer abuse is behaviour by an individual or group of individuals which can be a one-off incident or repeated over time. Peer on peer abuse is behaviour that intentionally hurts another individual or group either physically or emotionally. It is more likely that females will be victims and males perpetrators, but all peer on peer abuse is unacceptable and will be taken seriously. Peer on peer abuse can take many forms including serious bullying (including cyberbullying), relationship abuse, domestic violence, child sexual exploitation, youth and serious youth violence, financial abuse, harmful sexual behaviour and/or gender-based violence and is often motivated by prejudice against particular groups steered by a dislike for a person’s:

* race
* religion
* gender
* special educational needs or disabilities; or where a student:
* has caring responsibilities
* is suffering from a health problem
* is frequently on the move (e.g. those from military families or the travelling community)
* is experiencing a personal or family crisis
* has actual or perceived differences, (e.g. physical or cultural differences)

Abuse is abuse and will never be tolerated or passed off as ‘banter’ or ‘just having a laugh’ The College will not dismiss abusive behaviour between students and staff as ‘normal’ and our thresholds for investigating claims and allegations are the same as for any other type of abuse.

Bullying and Harassment - Bullying can include a variety of behaviours from one individual or group to another individual or group such as name calling, offensive language, coercion, hitting, pushing, theft or damage to belongings, cyber, spreading harmful messages, hate crime or mate crime which is befriending someone with the intent to exploit them in some way.

Cyber Bullying - The safe and responsible use of technology, is sometimes presented as primarily a student protection issue. While students do need support to keep themselves safe online the risks associated with the use of technology (e.g. internet, text or video messaging, email, chatrooms, social media networking sites) to embarrass, humiliate, threaten, intimidate or bully an individual in an attempt to gain power and control over them. There is also the mismanagement of personal data, risks of financial scams, identity theft, grooming, and radicalisation.

Female Genital Mutilation (FGM) - Victims of FGM are likely to come from a community that is known to practice FGM. Professionals should note that students at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject.

The FGM mandatory reporting duty is a legal duty provided for in the FGM Act 2003 (as amended by the Serious Crime Act 2015). The legislation requires staff to report where, during their professional duties, they either are informed by student that an act of FGM has been carried out on her for without reason to believe that the act was necessary for their physical or mental health or for purpose with labour or birth. For the purposes of the duty, the student’s age is relevant, it does not apply where a woman aged 18 or over discloses she had FGM when she was under 18).

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. A clear distinction must be made between a forced marriage 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 to accept the arrangement remains with the young people.

Modern Slavery - Encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Abuse Relating to Faith and Culture - It is important to remember that students are a part of a family. Some families have certain values and beliefs that can cause harm to the student. An example of this can include strong beliefs or a sense of honour or shame that can prevent people from seeking or accepting the help they need. A strong cultural or religious belief in the sanctity of marriage may dissuade people from leaving their partners, even if they are violent. In addition, many religions and cultures have strong beliefs around sex outside marriage, making it very hard for young, unmarried, pregnant women to get the help they need. Differences in culture or religion between partners, or between parents and children, may also make it more difficult for individuals to understand and support each other. Where one partner perceives their faith and heritage to be superior to, or more important than, their partner's it can lead to a power imbalance and an erosion of the other partner's self-esteem. In extreme cases children who are perceived as “disobedient” or “different” are believed to be possessed by a spirit controlling their behaviour. The children can be physically and emotionally abused to exorcise the spirit.

Sexting - This is when someone sends or receives a sexually explicit text, image or video. This includes sending ‘nude pics’ or ‘rude pics’ or ‘nude selfies’. Pressuring someone into sending a nude picture can happen in any relationship and to anyone, whatever their age, gender or sexual preference. Once the image is taken and sent, the sender has lost control of the image and the image could end up anywhere. By having in their possession or distributing to others indecent images of a person under 18, many students are not aware that they could be committing a criminal offence under the Sexual Offences Act 2003.

Hazing or Initiation - Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as a sports team. Hazing can also be used as initiation into a street or other ‘gang’ and therefore has implications for both Safeguarding and Prevent. There are several different forms, from relatively mild rituals to severe and sometimes violent ceremonies. The idea behind this practice is that it welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older or established members of the organisation or ‘gang’, because they have all experienced this is part of a ‘rite of passage’. Many rituals involve humiliation, embarrassment, abuse and harassment.

**Ethos**

City College recognises the importance of students feeling safe, and feel they are in an environment to disclose abuse. The College will endeavour to support students by:

* Ensuring the content of the curriculum, particularly tutorials include relevant information and content.
* Providing a positive secure environment where students feel valued and supported.
* Implementing a code of conduct to which students sign up.

**Safe Working Practices**

City College has developed procedures for Codes of Practice for staff to understand and agree in relation to professional conduct with students.

Health and Safety and risk assessments are carried out in lessons and indicated on lesson plans.

City College has fully operational Health and Safety Policy and Procedures.

**Safeguarding Procedures**

Any suspicion, allegation or incident relating to Safeguarding or Prevent must be reported to the DSO at the earliest reasonable opportunity, this must not exceed 24 hours. Data protection guidelines should be observed when recording sensitive information. All recorded information should be handled sensitively, and all conventions of confidentiality must always be adhered to as outlined below.

When responding to an allegation staff should:

* Make sure the individual is safe
* Assess whether emergency services are required and if needed call them
* Listen
* Offer support and reassurance
* Ascertain and establish the basic facts
* Make careful notes and obtain agreement on them. Ensure notation of dates, time and persons present are correct and agreed
* Follow correct procedure
* Explain areas of confidentiality; immediately speak to your Line Manager for support and guidance
* Take all necessary precautions to preserve forensic evidence, if applicable
* Explain the procedure to the individual making the allegation
* Remember the need for ongoing support.

Staff should not:

* Confront the alleged abuser or extremist individual
* Be judgmental or voice your own opinion
* Be dismissive of the concern
* Investigate or interview beyond that which is necessary to establish the basic facts
* Disturb or destroy possible forensic evidence
* Consult with persons not directly involved with the situation
* Ask leading questions
* Assume information
* Make promises
* Ignore the allegation
* Elaborate in your notes
* Panic

It is important to remember that the person who first encounters a case of alleged abuse or extremism is not responsible for deciding whether abuse or extremism has occurred. This is a task for the professional adult protection agencies or, in the case of Prevent channel panels, following a referral from the DSO

Where an allegation concerns the actions of a member of staff (who may also be colleague) it is the clear duty of all those concerned to report the matter as set out above.

The College sets out clear reporting procedures for unethical or improper conduct within the additional policies listed below. When it comes to raising Safeguarding or Prevent concerns, no distinction should be made between staff and other persons.

It is important to ensure that the action taken:

* Protects the rights and wishes of the student at risk
* Protects the rights of the member of staff concerned
* Enables managers to take appropriate action either on behalf of the student at risk or against the staff member where appropriate; and
* Does not compromise any criminal investigation.

Any member of staff who is alleged to have had an inappropriate relationship with a student will be suspended whilst an investigation is carried out. On completion of investigation written records for any member of staff who is found to be innocent will be destroyed immediately.

If any staff member believes there may be issues in respect of Safeguarding or Prevent but do not have direct witness testimony or explicit disclosure they should raise the issues with the DSO examples of when to use this include:

* Concerns that a child or adult may be harmed
* Concerns that a member of staff or an adult is behaving inappropriately
* Concerns that a student or staff member may be at risk of extremism

Similarly, staff members or students directly experiencing or witnessing a safeguarding issue or extremism, the procedure above should be followed. This recording can be done in conjunction with the DSO if required.

**External Agencies**

Information should be referred to the DSO. No information should be referred to an external agency by any staff member other than the DSO or a member of the Senior Management Team unless that information pertains to an act or action of concern relating to the DSO. On receiving information relating to a concern about a student the DSO will undertake consultation in order to be able to decide as to appropriate action.

Three decisions may be made:

* No further action required – concerns have been allayed but written documentation regarding the concern and the reasons for no further action being taken will be kept.
* Continued monitoring of the situation – concerns have not been fully allayed, however, continued monitoring of the situation is required. Involved parties will continue to listen, observe, record, consult and report.
* Formal referral – referral will be made to the most relevant agency by the Designated Safeguarding Officer.

If the decision is a formal referral, the DSO shall report the matter to the appropriate Local Safeguarding Officer or regional Prevent Coordinator, as appropriate. They may also engage with other appropriate external agencies. If an allegation of abuse is made, the Designated Group Safeguarding Officer should make a referral to one of the local authorities.

The Department of Health - The Department of Health’s recent ‘No secrets’ guidance document requires that authorities develop a local framework within which all responsible agencies work together to ensure a coherent policy for the protection of learners at risk of abuse.

Local Authorities - All local authorities have a Safeguarding Adults Board, which oversees multi-agency work aimed at protecting and safeguarding vulnerable adults. It is normal practice for the board to comprise of people from partner organisations who can influence decision making and resource allocation within their organisation.

The Police - The Police play a vital role in Safeguarding and Prevent with cases involving alleged criminal acts. It becomes the responsibility of the police to investigate allegations of crime by preserving and gathering evidence. Where a crime is identified, the police will be the lead agency and they will direct investigations in line with legal and other procedural protocols.

**Record Keeping**

All safeguarding records are kept centrally and securely by the DSO. Staff are aware that they must report all safeguarding issues to the DSO.

Issues of Safeguarding and Prevent raise concerns of confidentiality which should be clearly understood by all. The following guidelines apply to Safeguarding and Prevent.

* Staff have a professional responsibility to share relevant information about the protection of vulnerable adults with other professionals, particularly investigative agencies and adult social services.
* Clear boundaries of confidentiality will be communicated to all.
* All personal information regarding a vulnerable adult will be kept confidential. All written records will be kept in a secure area for a specific time as identified in data protection guidelines.
* Records will only record details required.
* If a student confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells that student sensitively that he or she has a responsibility to refer cases of alleged abuse to the appropriate agencies.
* Within that context, the student should, however, be assured that the matter will be disclosed only to people who need to know about it.
* Where possible, consent should be obtained from the student before sharing personal information with third parties. In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the vulnerable adult is the priority.
* Where a disclosure has been made, staff should let the student know the position regarding their role and what action they will have to take as a result.
* Staff should assure the student that they will keep them informed of any action to be taken and why. The student’s involvement in the process of sharing information should be fully considered and their wishes and feelings considered.

The views of the student at risk should be considered throughout the process of dealing with a Safeguarding or Prevent matter. The DSO will keep the student informed while the matter is within the jurisdiction of the College and will provide support as required. Students and staff will be provided with information on child and adult protection procedures.

**Related Policies**

This policy needs to be read in conjunction with other policies including:

* Whistleblowing Policy
* Health and Safety Policy
* Equality and Diversity Policy
* E Safety Policy
* Prevent Strategy
* Academic Freedom Policy
* Governance Code
* Safe Recruitment Policy
* Fitness to Practice Policy
* Fitness to Study Policy
* Bullying and Harassment Policy
* Complaints Policy