

Policy Title **Safeguarding (Including Easter 2020 Covid19 Revision)**

Author/Responsible Manager	Director of Curriculum – The Arts, and Service Industries & Designated Safeguarding Lead
Original Issue Date	June 2007
Approved By and Date	Board 20 th May 2020
Next Review Date	May 2021
EIA Completion date	
Risk Assessment (please note here any identified risks of non-compliance with the policy)	<ul style="list-style-type: none"> • Children / young people & vulnerable adults are subjected to manageable Safeguarding risks, potentially resulting in harm being caused. • Breach of child protection legislation • Staff are subjected to false allegations • Staff and volunteers are recruited inappropriately. • Staff are unclear about their professional responsibilities. • Students are exposed to safeguarding risks due to social isolation caused by Corvid 19 epidemic

CONTENTS	PAGE NUMBER
1. Equality Impact Assessment	1
2. Introduction	3
3. Policy Statement	4
4. Procedure	6
5. Reference to Other Policies	18
6. Appendices	22

Equality Impact Assessment				
Characteristic	No impact	Positive impact	Negative impact	Evidence
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Pregnancy/Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Religion/belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Marriage & civil partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Carried out by: M Burke				

Actions required:

Action	Date	Reviewed by	Date

1. Introduction

Everyone who comes into contact with children, young people and their families has a role to play in safeguarding. College staff are important as they are in a position to identify concerns early and provide help for students to prevent concerns (or events) from escalating.

This policy and procedure has been developed to address the responsibilities of the College in respect of providing a safe environment for students, staff and visitors to the College in line with our legal responsibilities towards children, young people and vulnerable adults. It provides guidelines on the fully-inclusive and integrated safer practices adopted by the College to ensure safeguarding and arrangements to address concerns. It should be read in conjunction with other key policies identified at the end of this document (Health & Safety, Recruitment, Equality, Bullying & Harassment and Whistleblowing, Premises and Protective Security). Sensitivity will always be applied where disclosure involves someone with a protected characteristic.

In developing the policy, we have taken account of statutory guidance issued by the *Department for Education in its publication: "Keeping Children Safe in Education (September 2019)"* and taken account of the changes to the way in which Local Authorities have been required to organise the Safeguarding of Children in response to the Children and Social Work Act 2017. Under this relatively new legislation, three agencies (a local authority, their Chief Police Officer, and their Clinical Commissioning Groups (CCGs)) must work together with other relevant agencies to safeguard and protect the welfare of Children in their geographical area, or for whom they have responsibility.

Kendal College works principally with three local authorities (Cumbria, Lancashire, and North Yorkshire), although 'Children Looked After' from other local authorities also attend the College, and therefore safeguarding work is also undertaken with other regions of the UK.

Local Authorities, CCGs, and Chief Officers of Police now have equal and joint accountability for safeguarding children (*Working Together 2018*). Adult responsibilities remain unchanged in line with the Care Act 2014. Each local authority has published its new guidelines for partnership working (in June 2018), and it is these guidelines that form the basis for the majority of our work with Cumbria Safeguarding Children Partnership (CSCP). A section of this new guidance describes 'Safeguarding Thresholds' which explain the levels of potential vulnerabilities, and appropriate responses that can be expected from the three Safeguarding Partners, these have proved to be very useful in conducting more structured conversations around individual cases since September 2019, and have enabled an increased level of advocacy for our learners.

This policy includes additional guidance to address:

The risks to children and young people through sexual exploitation, female genital mutilation, peer on peer abuse, 'honour based violence' (HBV), 'County Lines', and the prevention of extremism and includes specific reference to the responsibilities of the College under the Counter Terrorism Act 2015 (from revisions made to KCSIE in 2018).

The requirements to deliver content to learners aged 18 and under about safeguarding, including online safety (KCSIE 2019).

The practice of 'Upskirting', as a form of sexual harassment, which has been made a criminal offence (KCSIE 2019).

The implications for post 16 learners being entitled to receive education on 'Relationships and Sex' as part of the review of Secondary provision.

The noticeable increase in students presenting with mental health issues, and the responsibility of staff to ensure that students are supported and provided with links to external support agencies, and through the Early Help Assessment process.

The management of Safeguarding whilst the College is in lockdown due to the Covid 19 virus.

2. Policy Statement

Kendal College has a statutory and moral duty to ensure that it safeguards and promotes the welfare of children, young people and vulnerable adults receiving education and training or accessing other services at the College. In addition, the policy addresses responsibility for ensuring that all of its staff and volunteers are aware of what is expected of them, and the actions they must take to prevent allegations of abuse being made against them under a theme of ***Notice, Check and Share***.

Throughout this policy and procedure, reference is made to "children and young people". For this purpose, a child is anyone under the age of 18. To ensure we provide a safe environment for all our young students, this policy also applies to young people aged over 18 and those who are considered vulnerable and who may be in need of community care services by reasons of mental health, age or illness. Appendix 1 provides further definitions, as well as a list of definitions of abuse.

The College is committed to ensuring that it:

- Provides a safe environment (both physical and online) in which children, young people and vulnerable adults can learn
- Establishes a definition of public and private spaces within college campuses to restrict people who are not staff or students from accessing classroom or workshop spaces unless accompanied by a member of staff
- Requires visitors to the College, subcontractors / trades people and short term contractors working at the College to sign in through signage directing them to reception or through advising them when appointments to visit the college are made (see Visitor's Policy for further detail). In respect of outside people using public spaces eg conference facilities, attending meetings or using the College Restaurant and Salons, or undertaking longer term contractual work, their attendance is logged through minutes, bookings, contracts or participation records. Under ***Notice, Check and Share***, it is the responsibility of all staff to challenge people in College who are not identified as visitors (through the

absence of a College Lanyard) or whose presence in College is in question and report any concerns to a member of the Duty manager, a Senior Leadership Team member, Student Services or the Estates Team as appropriate.

- Incorporates design features into its buildings which takes the safeguarding of all its users into account, such as: clear vision panels in doors, extensive CCTV coverage of corridor areas, well-lit external areas; and reviews access points to the college on an annual basis through robust risk assessment.
- **Notice, Check and Share** puts in place procedures to identify children, young people and vulnerable adults who are suffering, or likely to suffer harm including, but not limited to: risk of sexual exploitation, female genital mutilation, honour based violence, exploitation related to County Lines, and radicalisation.
- Takes appropriate action to see that such children, young people and vulnerable adults are kept safe, at the College and out of college through appropriate referral and advocacy to specialist support services and external agencies.
- Never agrees to confidentiality where a safeguarding concern is raised, but always acts in the interests of the child or young person, particularly in relation to 'sharing of information'.
- Prepares staff and volunteers for work with children, young people and vulnerable adults through safeguarding training including an awareness of preventing allegations of abuse against themselves and through introduction to the Staff Code of Conduct.
- Contributes to or leads on inter-agency working in providing a co-ordinated offer of early help where additional needs are identified including through Section 17 or 47 assessment
- Develops a training programme to support staff understanding of key issues within safeguarding under **Notice, Check and Share**, including those linked to the Prevent strategy, and emerging Safeguarding themes. Training will ensure staff are aware of their Safeguarding responsibilities and procedures to follow if they identify a concern. Refresher training will be provided annually for all staff and more regularly for those working with vulnerable groups as part of College CPD programme along with email bulletins on updated policy where required.
- Provides a range of training for students as part of their curriculum programme to raise awareness of wellbeing strategies, and the risks they face both in person and on-line.
- Ensuring that young people receive an 'Relationships Education' and 'Relationships and Sex Education' (formerly known as 'Sex and Relationships Education') through a PSHE (Personal, Social, Health and Economics Education) curriculum, at a level appropriate to their individual or group needs. [this will be mandatory for Secondary Schools from September 2020]
- Provides training for Governors on the College safeguarding responsibilities as a minimum every three years as part of the governor development programme and included in the new governor induction programme.
- Ensures a senior member of the Senior Management Team holds special responsibility for safeguarding (known as the Designated Safeguarding Lead - DSL). That person shall be assisted by other members of staff in the Safeguarding Team with responsibility for safeguarding.

3. Procedure

3.1 Senior Staff Member with Lead Responsibility

The Designated Safeguarding Lead (DSL), and senior member of staff with lead responsibility for safeguarding is Matt Burke

The DSL will receive training in child protection issues and multi-agency working, as required, and will keep up to date with developments in child protection issues.

The DSL is responsible for:

- Raising awareness with staff on issues relating to the welfare of children, young people and vulnerable adults and the promotion of a safe environment for the young people and vulnerable adults engaging in education and training on College courses or accessing College facilities
- Referring cases of suspected abuse or allegations to the relevant Safeguarding Partnership or Children's Social Care (usually Cumbria, but also Lancashire, North Yorkshire and others as required), or through an Early Help referral team of the Cumbria Safeguarding Hub or Adult Safeguarding team or in more serious cases to the Police
- Being a first reference point in College for enquiries from a Safeguarding Children Partnership, the Police and Social Services; and ensuring that Team Around the Family (TAF) meetings are set up, following registration for Early Help
- Providing advice and support to staff on issues relating to safeguarding in particular support for the emotional impact of disclosure and referral
- Ensuring that the College Principal is informed of Safeguarding matters that require referral, or are more serious in nature.
- Maintaining a proper and confidential record of any referrals, complaints or concerns (even where that concern does not lead to a referral) and ensuring the security of the records including password protection of electronic records
- Making available via the College website and literature a summary of the College's policy on safeguarding
- Liaising with the Local Authority 'Safeguarding Children Partnership', Police, Social Services, 'Safeguarding Adults at Risk' and other appropriate agencies
- Liaising with South Lakes Federation secondary schools that send students to the College to ensure that appropriate arrangements are made and referral procedures are in place for those young people.
- Ensuring that all risks to students aged under 16 who attend the College both through SLF programmes and as independent applicants are acknowledged, and control measures put in place.
- Ensuring there is appropriate liaison with employers and training organisations that receive young people from the College on long term placements to ensure that appropriate safeguards and work placement checks are put in place in line with the work placement risk assessment policy
- Ensuring that staff receive basic training in safeguarding issues, including online safety, and are aware of the College's Safeguarding Children and Vulnerable Adults policy/procedure, including their responsibilities for understanding and applying referral processes, and in having an awareness of circumstances that could lead to allegations of abuse made against them (e.g. 1:1 working).

- Managing the delivery of training to all new staff on the College's Safeguarding procedures as part of their mandatory induction programme to include the **Notice, Check & Share** ethos and expectations under the Code of Conduct.
- Ensuring that students receive training through the induction and tutorial programme, drawing attention to 'peer on peer' abuse as an emerging issue.
- Carrying out risk assessments with students who disclose a criminal conviction in respect of violence, sex offences or drug offences at application or enrolment stage to ensure the conviction does not pose a risk to young people and vulnerable adults in College
- Meeting with agencies (e.g. probation service) who seek to enrol a student with a conviction to review the risk that person may pose to other young people and vulnerable adults in the College
- Attending case meetings, 'child protection conferences', 'child in need' meetings called by Safeguarding Children Partnership, Children's and Adult Social Care, the Police and other agencies, as required; where it involves a young person attending College or planning to attend College
- Manage the sharing of information (including 'child protection files') related to Safeguarding, both inward and outward, from other education providers, social services and the Police, as described in the DfE guidelines
- Always be available for staff to discuss any Safeguarding Concerns whilst the College is open, and through an organised process during College holiday periods.
- Work closely with the IT Network Manager to ensure that the online safety of students and staff is appropriately managed and monitored.
- Work closely with Learning Services, and in particular SENCOs and the Wellbeing and Safeguarding Officer to ensure that student support, and the College's response to Safeguarding concerns is coherent and proportionate.
- Refer cases to the 'Channel' programme where a radicalisation concern exists.
- Through a joint approach with the HR Department, ensure that the Single Central register is maintained (and available) relating to the DBS status of all College staff, volunteers, and others accessing young people and vulnerable adults.
- Ensure that the College follows best practice with regards to identifying a 'Designated Teacher' for 'Children Looked After' and 'Care Leavers' (this is Georgina Boswell).
- Monitor applications to study from 'Children Looked After' and 'Care Leavers', in order to conduct appropriate transition work through the 'Designated Teacher'.
- Support the HR Department in undertaking 'Safer Recruitment' in line with DfE guidelines, including building capacity in suitably trained managers.
- Initiating Early Help processes, and leading implementation with other agencies and families as appropriate, where they make themselves available.
- Managing allegations of abuse made against teachers and other staff, supported by the Principal; and including potential referral to a LADO

The DSL will provide an annual report to the Corporation setting out how the College has discharged its duties. The DSL is also responsible for reporting deficiencies in procedure or policy identified by the DfE, Safeguarding Children Partnership (or others) to the Corporation at the earliest opportunity.

3.2 Designated Team with Responsibility for Child Protection

Having a team for safeguarding provides the College with a collaborative approach, ensuring greater opportunity for emerging parts of a potential safeguarding “jigsaw” to be pulled together. The team can also provide emotional support for colleagues when dealing with particularly harrowing cases. Communication between members of the team is key to its success.

The team’s role is to:

- Provide support for the emotional impact of disclosure
- Build partnerships with key referral organisations to ensure the College receives appropriate and timely responses
- Create a culture where staff and students feel able to disclose areas of concern
- Respect confidentiality relating to information shared within the Team
- Ensure that record keeping both in the Safeguarding Log are accurate, complete, and timely, and record all contact with other persons/organisations
- Ensure that record keeping within the Promonitor System, for pastoral and wellbeing matters that may later be defined as a Safeguarding Concern are accurate, timely and complete and are shared with colleagues to support safeguarding principles
- Review the Safeguarding Log of incidents to provide assurance that processes have been carried out appropriately with a positive outcome in relation to each case
- Undertake an initial review of the College Safeguarding Policy to ensure it is up-to-date and meets the requirements of DfE guidelines, and the local authority’s ‘Safeguarding Children’s Partnership’, and ‘Safeguarding Adults’ processes.
- Review training requirements and the impact of training carried out as well as training for the team to keep up to date with changes in processes and legislation
- identify any emerging issues including inter-agency communication, referral processes and response to new legislation
- review on an annual basis the risk assessment for premises security and make a recommendation to the Senior Leadership team on identified improvements to student safeguarding.

Membership of the Safeguarding Team, has been designed to ensure there is a balance of male and female representatives as well as coverage of the two College sites, the Team consists of:

- Matt Burke – Director of Curriculum – The Arts, and Service Industries & DSL
- Georgina Boswell – Wellbeing and Safeguarding Manager & DDSL
- Gayle Salt – Director of Curriculum - STEM, and Care & DDSL
- Hilary Pezet- HoD – Arts and Media & DSO
- Beth Mainwaring – Learning Services Coordinator & DSO

The Team will meet as a minimum of once per half term and the College Management Team will have safeguarding as a fixed agenda item. An annual report to governors will include a breakdown of disclosure and referrals by type and equality strands to identify any causal links or gaps in support for learners.

3.3 Responsibility of the Board of Governors

The Board of Governors will ensure they comply with their duties under the legislation and that policies and procedures and training are effective and comply with legal and statutory requirements by:

- Ensuring the College has in place up to date policies and procedures in line with the expectations of the DfE, and 'Safeguarding Children's Partnerships' and 'Safeguarding Adults at Risk' arrangements (for each local authority).
- Receiving an annual report on compliance with the Safeguarding policy, including what training has been undertaken by the Safeguarding Team, and by the whole College staff body, and that a safeguarding check of governors has been conducted under their annual declaration of interests.
- All full Board members are required to undertake an enhanced DBS check and a risk assessment is completed whilst awaiting receipt of the DBS certificate. Governors are classed as volunteers for the purpose of DBS checks.
- Ensuring a member of the Board, usually the Chair, is nominated to liaise with external agencies, especially if there are allegations made against the Principal or the designated person
- Designating a member of staff with sufficient authority to take lead responsibility for safeguarding and who is trained at an appropriate level
- Ensuring all staff are trained to an appropriate level for their role
- Ensuring systems for the safe recruitment and induction of staff and governors are in place and being used by all staff
- Ensuring that a staff behaviour policy, known as the Code of Conduct, is in place and is provided to all new staff through their induction, including temporary and volunteer staff

During the Covid 19 Lockdown, the NSPCC have recommended that Governors also adopt a role which includes the following:

- acting as a 'critical friend' to the school's leadership team and talking through decisions
- checking how the school/college is safeguarding children and young people during the pandemic
- approving policy changes at short notice
- asking safeguarding leads about any challenges they are facing
- finding out what support the school needs to be able to keep children safe.

3.4 Radicalisation of Students and Counter Terrorism (Prevent)

The effects of terrorism and violent extremism have an impact on everyone in society and it is important that the College recognizes the positive contribution it can make to empowering young people to create communities that are resilient to extremism and to protect the well-being of any student who may be vulnerable to being drawn into violent extremist activity.

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

“Prevent” is part of the Government’s strategy (CONTEST) to counter violent extremism as part of the Counter-terrorism and Security Act (CTSA) 2015. Prevent aims to stop people becoming terrorists or supporting terrorism. The Prevent Duty is the statutory guidance under section 29 of the CTSA and applies to all institutions funded by the ESFA.

It is recognised that the nature and extent of the threat from violent extremism will vary across the country and that all communities can be affected, either directly or indirectly. It is therefore important that we equip Kendal College students with the knowledge and skills they need for the future through the identification of potential risk of violent extremism and how to keep themselves safe. Where a concern is raised that a student is vulnerable to being drawn into terrorism or vulnerable to radicalisation, they can be referred to the Channel Programme which is a voluntary programme focussing on providing support at an early stage.

The College will meet the requirements of the Prevent duty through achievement of the following objectives:

- Make specific reference to Prevent duty in policies and procedures
- Undertake active engagement with Police, local authorities and Prevent Co-ordinators
- Have a single point of contact for Prevent (Designated Person)
- Have in place processes for risk assessment where students may be drawn into terrorism including on external visits
- Providing training for staff and students on Prevent awareness, British values and factors/risks of being drawn into terrorism
- Have in place internet filters that exclude extremist content
- Ensure those who promote extremist views are not allowed in to college although the college needs to maintain particular regards to the duty to secure freedom of speech (see External Speaker’s policy and risk assessment)

To promote and reinforce shared values within our student community, the College will:

- Break down any identified segregation amongst different student communities and to engage all students in playing a full and active role in wider engagement in society
- Ensure student safety through a College that is free from bullying, harassment and intimidation
- Provide support for students who may be at risk
- Ensure staff and students are aware of their roles and responsibilities in preventing violent extremism
- Under **Notice, check and share**, ensure that all concerns are followed through

- Include training through the tutorial programme to students to make them more aware of Fundamental British Values including democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs

Concerns raised about an individual should be reported to the Designated Person in line with this policy and the ethos of **Notice, Check & Share**. Where there is a noticeable change in behaviour or appearance that suggests radicalisation, referral will be made via a Safeguarding Children Partnership or via the Police.

If a concern is raised about a member of staff, then the College whistle-blowing policy will be invoked to ensure the safety of the person making the disclosure.

To ensure compliance with the duty, any incidences that are linked to Prevent Duty, will be noted and included in the annual safeguarding report to governors.

3.5 Child Sexual Exploitation

The sexual exploitation of children and young people has been identified across the United Kingdom, in both rural and urban areas. It affects boys and young men as well as girls and young women and can have a profound effect on every aspect of their lives. Sexual exploitation of children and young people is a crime where young people receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money, mobile phones) as a result of their performing, and/or another or others performing on them, sexual activities. (See appendix 1- definitions of abuse).

There are strong links between children involved in sexual exploitation and other behaviours such as running away from home or care, bullying, self-harm, teenage pregnancy, truancy and substance misuse. In addition, some children are particularly vulnerable, for example, children with special needs, those in residential or foster care, those leaving care, migrant children, unaccompanied asylum seeking children, victims of forced marriage and those involved in gangs.

Under the **Notice, Check & Share** ethos, staff should raise concerns about any young person about whom they notice change or concern to a member of the Safeguarding team who will follow the procedure below in ensuring the concern is followed through.

3.6 Female Genital Mutilation

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) will place a statutory duty upon teachers, along with social workers and healthcare professionals, 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.

3.7 Dealing with Disclosure of Abuse and Procedure for Reporting Concerns

Staff are made aware of their responsibilities under safeguarding through training and induction including how to make an internal referral. Guidance provided in a summary document outlines how they should handle disclosure or awareness of a risk to a student.

Staff should never investigate concerns or allegations. Their role is to establish the basic facts and report them immediately to a member of the Safeguarding Team who will require the following information where available:

- a) Name, status and contact point

- b) Full name, address and date of birth of the young person or vulnerable adult
- c) Other information about household members e.g. siblings
- d) Professionals known to be involved with the family
- e) Reason for their concern and the way the information came to their attention.

The Safeguarding Team member will review the information received and decide how to proceed through consultation with other Safeguarding Team members including a DDSL or the DSL, and also potentially the Principal where wider issues related to student safety may be involved. Where there is uncertainty, a meeting of the two DDSLs and the DSL may be called to review the information provided and to support a decision. The level of support will be agreed and the appropriate referral made i.e. the relevant Safeguarding Children Partnership or to make an Early Help referral using the Early Help Registration form available from each local authority.

3.8 Safeguarding Checks Against Learners with Criminal Records

All full time applicants and part time enrollees to any training provision delivered in College or off site are asked to identify if they have a serious criminal conviction in respect of:

- Inclusion on the Sex Offenders Register
- Crimes related to violence against others e.g. GBH
- Possession with intent to supply or supplying controlled substances
- Schedule 1 offences against an under 18-year-old

Interviews for full time students include a specific question on previous convictions and the College enrolment forms requires all enrollees to complete a yes/no question in respect of the offences listed above.

Where a potential student discloses such a conviction, a referral is made to the DSL to follow up with a further interview, or if appropriate, a risk assessment is completed (Appendix 3). The risk assessment identifies the potential risk being posed to young people and vulnerable adults. No enrolment can be confirmed without a risk assessment taking place and the enrolment form being signed and dated by the DSL or, in their absence, a DDSL.

Applicants with a criminal conviction as identified above will be asked to provide the name of an appropriate support worker so that checks can be made for the purpose of risk assessment. Alternative checks can be made with contacts such as the Public Protection Unit of the relevant police force where there is a cause for concern.

3.8 Consent for Use of Data and Photographs Used in College Publicity

Good publicity for the College includes the use of photographs and information about current students both in publications and in a wide range of media. To ensure the safety of students, it is a requirement that they give consent for the use of their image, information about them or quote attributed to them. Any consent collected will be valid for 5 years in total without the need for acquiring additional consent. Consent can be withdrawn at any time by the 'subject' of the photograph or video recording.

For students aged under 18 years of age, parental or nominated adult consent will also be required.

The consent form will be completed at the time of enrolment as part of the induction process and marketing personnel will be required to check that consent has not been withdrawn prior to any use of student image or information that is included in College promotional materials or publicity.

Where a student has a history of involvement with a Safeguarding Team, either at the College, or prior to this, additional scrutiny will be applied to the decision making related to consent and the sharing of images.

3.9 Reporting and Dealing with Allegations of Abuse Against Members of Staff

The following procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers or temporary staff. The word “staff” is used for ease of description.

In rare instances, staff of educational institutions have been found responsible for child abuse. Because of their frequent contact with young people, staff may have allegations of child abuse made against them. The College recognises that an allegation of child abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation to maintain an open mind, and that investigations are thorough and not subject to delay. The College must ensure it provides effective support to anyone facing an allegation under its duty of care to employees.

Allegations about a member of staff who no longer works at the College or an historic allegation of abuse must be reported directly to the Police, and the relevant local authority’s Safeguarding Children Partnership should be made aware.

Procedures for dealing with allegations need to be applied with common sense and judgement, recognising that many cases may well either not meet the criteria below or can be resolved without either a police investigation or enquiries by the local authority’s Safeguarding Children Board. Where an allegation listed below has been reported to the DSL, then appropriate escalation to the Police or Safeguarding Children Board should be made.

- Behaved in a way that has harmed or may have harmed a child/young person
- Possibly committed a criminal offence related to a child/young person
- Behaved in a way that indicated that he/she would pose a risk of harm if they worked regularly or closely with children or young people

The following definitions should be used when determining the outcome of allegation investigations:

- Substantiated – sufficient evidence to prove the allegation
- Malicious – sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- False – there is sufficient evidence to disprove the allegation
- Unsubstantiated – there is insufficient evidence to either prove or disprove the allegation
- Unfounded – there is no evidence to support an allegation being made

Staff are provided with guidelines for keeping themselves safe through the staff induction programme and safeguarding training. A code of conduct has been drawn up to provide staff with recommendations for behaviour in front of students, both at

work and away from work. Staff are advised not to provide personal contact details to students or to the parents of students but to maintain contact only through College means such as email address and telephone number. Staff using social media sites must only communicate with students via official College or course sites, for example 'closed' Facebook groups. Staff who do not comply with this directive may be subject to College disciplinary policies.

Receiving an Allegation from a Young Person or Vulnerable Adult

A member of staff who receives an allegation about another member of staff from a young person or vulnerable adult should follow the guidelines within 3.7

The allegation should be reported immediately to the DSL or in their absence a a DDSL. The DSL should:

- Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the DSL.
- Record information about times, dates, locations and names of potential witnesses. Establish the existence of CCTV footage which could potentially be accessed.
- The allegation must be reported within one working day to Cumbria's Local Authority Designated Officer (LADO).

Enquiries and Investigations

Child protection enquiries by a Safeguarding Children Partnership or the police are not to be confused with internal, disciplinary enquiries by the College. The College may use the outcome of external agency enquiries as part of its own procedures. The child protection agencies, including the police, have no power to direct the College to act in a particular way, however, the College will assist the agencies with their enquiries.

The College shall hold in abeyance its internal enquiries while the formal police or Safeguarding Children Partnership investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform to the existing staff disciplinary procedures.

If there is an investigation by an external agency, for example the police, the Principal (or DSL) should normally be involved in, and contribute to, the inter-agency strategy discussions. The Principal (or DSL) is responsible for ensuring that the College gives every assistance with the agency's enquiries. He/she will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The Principal (or DSL) shall advise the member of staff that he/she should consult with a representative, for example, a trade union.

Subject to confirmation from the police or other investigating agency, the Principal (DSL) should usually:

- inform the young person or parent/carer making the allegation that the investigation is taking place and what the likely process will involve.
- ensure that the parents/carers of the young person making the allegation have been informed that the allegation has been made and what the likely process will involve.

- inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve.
- inform the Chair or Vice Chair of Governors of the allegation and the investigation.

In the event that sharing information with parents/carers may further endanger the young person, the Safeguarding Children Partnership will be consulted to agree an appropriate course of action.

The Principal (or DSL) shall keep a written record of the action taken in connection with the allegation.

Suspension of Staff

Suspension should not be automatic. In respect of staff other than the Principal, suspension can only be carried out by the Principal. In the absence of the Principal, the matters will be raised with the Chair of Governors. In respect of the Principal, suspension can only be carried out by the Chair of Governors (or in his/her absence, the deputy chair).

Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary, act and shall be on full pay. Consideration should be given to alternatives: e.g. paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.

Suspension should only occur for a good reason. For example:

- where a young person is at risk.
- where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.
- where necessary for the good and efficient conduct of the investigation.

If suspension is being considered, the member of staff should be encouraged to seek advice, for example from a trade union.

Prior to making the decision to suspend, the Principal (or Chair/Vice Chair of Governors) should interview the member of staff. This should occur with the approval of the appropriate agency from the Safeguarding Children Partnership. In particular, if the police are engaged in an investigation, the officer in charge of the case should be consulted.

The member of staff should be advised to seek the advice and/or assistance of his/her trade union and should be informed that they have the right to be accompanied by a trade union representative or a work colleague. The member of staff should be informed that an allegation has been made, and that consideration is being given to suspension. It should be made clear that the interview is not a formal disciplinary hearing, but solely for raising a serious matter which may lead to suspension and further investigation.

During the interview, the member of staff should be given as much information as possible, in particular the reasons for any proposed suspension, provided that doing so would not interfere with the investigation into the allegation or further endanger the potential 'victim'. The interview is not intended to establish the member of staff's innocence or guilt, but gives the opportunity for the member of staff to make representations about possible suspension. The member of staff should be given the opportunity to consider any information given to him/her at the meeting and prepare a response, although that adjournment may be brief.

If the Principal (or Chair/Vice Chair of Governors) considers that suspension is necessary, the member of staff shall be informed that he/she is suspended from duty. Written confirmation of the suspension, with reasons, shall be despatched as soon as possible, and ideally within one working day.

Where a member of staff is suspended, the Principal (or Chair/Vice Chair of Governors) should address the following issues:

- the Chair of Governors should be informed of the suspension in writing.
- where the Principal has been suspended, the Chair/Vice Chair of Governors will need to take action to address the management of the College
- the parents/carers of the young person making the allegation should be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the young person making the allegation of the suspension
- senior staff who need to know of the reason for the suspension should be informed
- depending on the nature of the allegation, the Principal should consider with the Chair/Vice Chair of Governors whether a statement to the students of the College and/or parents/carers should be made, taking due regard of the need to avoid unwelcome publicity. A decision on whether or not the incident should be reported to all Board members in light of possible external publicity relating to the reputation of the College will also be made.

The Principal shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The Safeguarding Children Partnership and external investigating authorities should be consulted.

The suspended member of staff should be given appropriate support during the period of suspension. He/she should also be provided with information on progress and developments in the case at regular intervals.

The suspension should remain under review in accordance with the College disciplinary procedures.

Allegations without Foundation

False allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to a referral to the Safeguarding Children Partnership in order that other agencies may act upon the information.

In consultation with the DSL and/or the Chair/Vice Chair or Governors, the Principal shall:

- inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or child protection action will be taken. Consideration should be given to offering counselling/support.
- inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.
- where the allegation was made by a young person other than the alleged victim, consideration to be given to informing the parents/carers of that young person.
- prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.

Records

Where an allegation is investigated relating to a member of staff and is found to be without substance no record of the investigation should be maintained. Instead a record should be made that an allegation was made, a summary of that allegation, that it was investigated and the outcome.

If a member of staff is dismissed or resigns before the disciplinary process is completed, he/she should be informed about the College's statutory duty to inform the Disclosure and Barring Service (DBS)

Monitoring Effectiveness

Where an allegation has been made against a member of staff, the Chair/Vice Chair of Governors, together with the DSL should, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of the College's procedures and/or policies and/or which should be drawn to the attention of the Safeguarding Children Partnership. Consideration should also be given to the training needs of staff.

3.10 Staff Recruitment and Selection Procedures

Recruitment and selection of staff and volunteers should be carried out in accordance with the College's Recruitment and Selection policy & procedure, being mindful of the College's responsibilities under 'Safe Recruitment and Safer Recruitment in Education' Guidelines.

3.11 Recruitment and management of volunteers (including Kendal Museum)

Under no circumstances should a volunteer be left unsupervised or allowed to work in regulated activity until the relevant checks have been conducted.

Volunteers, who on an unsupervised basis, teach or look after young people regularly, or provide personal care on a one-off basis in schools and colleges, will be in regulated activity.

The college will obtain an enhanced DBS certificate (which should include barred list information) for all volunteers who are new to working in regulated activity.

Existing volunteers in regulated activity do not have to be re-checked if they have already had a DBS check (which includes barred list information). However, the College may conduct a repeat DBS check (which should include barred list information) on any such volunteer should they have concerns.

There are certain circumstances where the College may obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in regulated activity. This is set out in DBS workforce guides, which can be found on GOV.UK.

Employers are not legally permitted to request barred list information on a supervised volunteer as they are not considered to be engaged in regulated activity.

The list of offences is set out in the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009 (SI 2009 No. 37) (amended).

Sections 141D and 141E of the Education Act 2002 do not apply to colleges (other than sixth form colleges).

4. Documentation

Appendix 1	Definitions
Appendix 2	List of relevant agencies contact details
Appendix 3	Risk Assessment for those disclosing a criminal record
Appendix 4	Safeguarding Adaptations during the Covid 19 Epidemic

5. Reference to Other Policies

- Health & Safety
- Disciplinary
- Criminal Record Check for Staff
- Recruitment
- Relationships at Work
- IT Code of Conduct
- Bullying & Harassment
- Equality
- Whistleblowing
- External Speakers Policy
- Premises and Protective Security

Definitions

Categories of Abuse

The following are recognised as definitions of abuse as applied to a child, young person or vulnerable adults. Abuse is defined as a form of maltreatment of a child or young person. Somebody may abuse or neglect them by inflicting harm or by failing to act to prevent harm. They may be abused by an adult or adults or another children or young person.

Physical Abuse: Physical abuse causes harm to a person. It may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning or suffocating. It may be done deliberately or recklessly, or be the result of a deliberate failure to prevent injury occurring.

Neglect: Neglect is the persistent or severe failure to meet a person's basic physical and/or psychological needs. It could result in serious impairment of health or development.

Sexual Abuse/Exploitation: involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children

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 activities. Sexual exploitation can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks 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 cyberbullying and grooming. However, it is also important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

Female Genital Mutilation: Female Genital Mutilation (FGM) comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM.

Emotional Abuse: Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It may cause severe and adverse effects on the person's behaviour and emotional development, resulting in low self-worth. Some level of emotional abuse is present in all forms of abuse.

Self-Harm: Self harm is the deliberate infliction of damage to oneself. The term also includes the harm inflicted on the body by those with eating disorders.

Cyber / Online Abuse: Occurs when a person is subjected to threats of abuse, teasing, peer on peer 'bullying'/abuse, and grooming for sexual or other forms of exploitation, via social networking sites, texting or other electronic forms of communication.

Radicalisation/counter terrorism: the process through which an individual changes from passiveness or activism to become more revolutionary, militant or extremist, especially where there is intent towards, or support for, violence. Driving factors can include lack of integration, identity crisis and self-image, political disenfranchisement, discrimination, political movements, ideologies or faiths

Peer on peer abuse:

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

County Lines:

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

Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
- can affect any vulnerable adult over the age of 18 years;
- can still be exploitation even if the activity appears consensual;
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
- can be perpetrated by individuals or groups, males or females, and young people or adults; and
- is typified by some form of power imbalance in favour of those perpetrating the exploitation.

Whilst age may be the most obvious difference between exploiter and 'victim', this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

So-called 'honour-based' violence:

So-called 'honour-based' violence (HBV) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBV are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

Upskirting:

So-called 'Upskirting' is a highly intrusive practice, which typically involves someone taking a picture under another person's clothing without their knowledge, with the intention of viewing their genitals or buttocks (with or without underwear). It can take place in a range of places, eg British Transport Police have seen a rise of reports on public transport. The new law captures instances where the purpose of the behaviour is to obtain sexual gratification, or to cause humiliation, distress or alarm. Anyone, and any gender, can be a victim and this behaviour (and as such awareness of the breadth of this activity) should be raised through Safeguarding training.

Definition of Children, Young People and Vulnerable Adults

Definitions of each of these categories is complex and varied and the definitions below should be used as a guideline only. Within the College context, all students who seek assistance will be covered by our safeguarding policy.

Definition of Vulnerable Adult:

Under section 115 (4)(a) Police Act 1997, a person may be considered to be vulnerable if he receives:

- Accommodation and nursing or personal care in a care home, or
- Personal care in his own home through a domiciliary care agency or
- Health care services provided by an independent hospital, independent clinic, independent medical agency or National Health Service body, or
- Services provided in an establishment catering for a person with learning difficulties
- And, in consequence of any one, or any combination, of the following factors, namely:
 - A substantial learning or physical disability, or
 - A physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs, or
 - A substantial reduction in physical or mental capacity due to advanced age.
 - He is substantially dependent upon others in performing basic physical functions, or his ability to communicate with those providing services, or to communicate with others, is severely impaired, and, as a result he would be incapable to protecting himself from assault or other physical abuse, or there is a potential danger that his will or his moral well-being may be subverted or overpowered.

Definition of a Child

Any reference to a child includes, in addition to a person under the age of 18, a person aged 18, 19 or 20 who has been looked after by a local authority at any time after attaining the age of 16; or has a learning disability.

Persons over the age of 19 who are receiving services under sections 23C to 24D of the Children Act 1989 (c. 41)

Persons over the age of 19 but under the age of 25 who have a learning difficulty, within the meaning of section 13 of the Learning and Skills Act 2000, and are receiving services under that Act.

Contact Details

Agency	Contact Details
Cumbria Safeguarding Hub	<p>Tel: 0333 240 1727</p> <p>https://cumbriasafeguardingchildren.co.uk/parents/default.asp</p> <p>Single Referral Form: https://www.cumbria.gov.uk/secure/LSCBContact/</p> <p>Early Help: https://cumbriasafeguardingchildren.co.uk/LSCB/earlyhelp.asp</p>
Lancashire Safeguarding Children Board	0300 123 6720 or out of hours 0300 123 6722 (8pm - 8am)
Safeguarding Adults at Risk Cumbria	<p>https://www.cumbria.gov.uk/AdultSafeguarding/sections/howto.asp</p> <p>01228 526690</p>
Cumbria Police	999/101

Allegations Against Staff

All allegations against people who work with children must be reported by the employer within one working day to Cumbria's Local Authority Designated Officers (LADO):

To speak to a LADO for advice please contact Multi-Agency Business Support Team on:
 Phone 01768 812267
 email lado@cumbria.gov.uk or complete the linked form
<http://cumbrialscb.com/elibrary/Content/Internet/537/6683/6687/6755/4168713469.docx>

If the LADO is not available, contact should be made with the Cumbria Safeguarding Children Partnership on: 0333 240 1727

Risk Assessment following Disclosure Of Criminal Record (DBS)

Name of Student: [Click here to enter text.](#) Course Enrolled on: [Click here to enter text.](#)

Summary of Conviction(s): [Click here to enter text.](#)

Contact details for Offender Manager: [Click here to enter text.](#)

Meeting with Student and/or Support worker Date [Click here to enter a date.](#)

Telephone assessment Date [Click here to enter a date.](#)

Indicate whether the risk to others is high, medium or low

Risk identified	Level of Risk L/M/H	Assurance gained from:
The nature of the offence likely to put children, young people or vulnerable adults at risk.	Choose an item.	Click here to enter text.
The student will have responsibility for money or items of value.	Choose an item.	Click here to enter text.
The student will have unsupervised access to children, young people or vulnerable adults.	Choose an item.	Click here to enter text.
The student may be put in a position where they are likely to offend again.	Choose an item.	Click here to enter text.
The frequency of the offences is a cause for concern.	Choose an item.	Click here to enter text.
The offence is recent.	Choose an item.	Click here to enter text.
Are there any restrictions linked to the conviction eg tag, computer use, location	Choose an item.	Click here to enter text.
Any additional comments/risks identified		Click here to enter text.

Following discussion with the student and carrying out a risk assessment of the student, it is recommended that:

The student is accepted on the course/work placement

The student is asked to withdraw from the course/placement because of the nature of the offences

The following people are advised of the nature of the offence on a need to know basis: [Click here to enter text.](#)

Agreed by Designated Person/Safeguarding Team: ..

Date [Click here to enter a date.](#)

Safeguarding Adaptations during the Covid 19 Epidemic:

The epidemic has created a unique set of challenges for Colleges, in that the College's duty to Safeguard Children and Vulnerable Adults remains in place, whilst contact with students 'in person' has ceased (with a very small number of exceptions).

To ensure that the College has continued to provide access to support for vulnerable students, and also a 'channel' through which Safeguarding concerns can be raised without the potential barriers created by lack of personal contact, the College has applied the following measures:

- Safeguarding mobile phone contact remains live, with Georgina Boswell as the initial recipient within office hours, and call forwarding to Matt Burke at all other times. This number is available on the College Hub, which is accessible publicly through the College Website.
- All existing wellbeing and safeguarding 'cases' have received contact from Georgina Boswell following lock down to 'check in', and plan for remote contact. Which has included online wellbeing sessions (these have worked very well for some learners, and been extremely challenging for others).
- Contact with between 6 and 8 students in relation to more serious safeguarding circumstances is ongoing, with a roughly even split between adults and children/young people
- MB and GB discuss safeguarding cases on a weekly basis, or more frequently as necessary
- Advocacy to external support agencies involved with College students has continued, to check that they are functioning as expected/agreed and that the College's students are receiving ongoing support
- Students have received communication referring them to both existing, and new (related to lock down and social isolation) wellbeing resources on the College Hub
- All staff have been required to undertake their annual Safeguarding Training online
- Planning for reopening is intending to adopt an approach which includes an 'Equality Impact Assessment' type approach to ensure that vulnerable learners are not disadvantaged in terms of participation by control measures / mitigations introduce to support health and safety risk assessment. This could for example include altered travel times/arrangements, or assumptions about the appropriacy of the home environment for distance learning.
- Recruitment of new staff to the College continues to adopt 'Safer Recruitment' measures via virtual interviews.

The Safeguarding Team continue to monitor this dynamic situation, and are likely to introduce further changes to practice / processes in the period up until resuming 'business as usual'.