



Safeguarding Vulnerable Groups

Essential Recruitment and Selection Practice Procedure

New College Durham is committed to safeguarding and promoting the welfare of children and young people, as well as vulnerable adults, and expects all staff and volunteers to share this commitment.

New College Durham
Safeguarding Vulnerable Groups-
Essential Recruitment and Selection Procedure
(Equality and Diversity Assessment)

We will consider any request for this procedure to be made available in an alternative format.

We review our policies and procedures regularly to update them and to ensure that they are accessible and fair to all. All policies and procedures are subject to equality impact assessments. Equality Impact Assessments are carried out to see whether the policy has, or is likely to have, a different impact on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or human rights.

We are always keen to hear from anyone who wants to contribute to these impact assessments and we welcome suggestions for improving the accessibility or fairness of the policy.

To make suggestions or to seek further information please contact:

Human Resources Department
human.resources@newdur.ac.uk
Tel: 0191 375 4025/4023

If any employee has difficulty understanding this policy or needs assistance completing any documentation associated with the policy, please contact either your trade union representative or the College's Human Resource Department.

Equality Impact Assessed: January 2021

Procedure Title	Safeguarding Vulnerable Groups – Essential Recruitment and Selection Practice Procedure
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New College Durham

Safeguarding Vulnerable Groups- Essential Recruitment and Selection Practice Procedure

1. Introduction

- 1.1 New College Durham (the College) is committed to Safeguarding and promoting the welfare of all vulnerable groups (children and adults). As part of this commitment the College ensures that key Human Resource processes, notably recruitment decisions, are well informed through a consistent and thorough process of obtaining, collating, analysing and evaluating information from and about applicants and new members of staff or volunteers. The overall aim of this data collection is to provide greater protection for vulnerable members of society, staff and students. All staff and volunteers are required to share this commitment to support and engage in measures that afford greater protection to such vulnerable members.
- 1.2 This procedure should be read in conjunction with the following College Policies:
 - Recruitment and Selection Procedure;
 - Safeguarding Young People Procedure;
 - Safeguarding Adults at Risk Procedure.
- 1.3 This procedure focuses on the recruitment of staff under the prevailing legislation and details explicitly employment checks that will be undertaken in relation to the recruitment of staff. This Procedure is based on guidance issued by the Department for Education (DfE) in their publication “Keeping Children Safe in Education” (latest version).
- 1.4 All staff of the College should read part 1 of Keeping Children Safe in Education (latest version) which can be found on the College’s HR intranet page.

- 1.5 This Procedure is designed to inform staff of the College's legal responsibility to safeguard vulnerable groups and to ensure safe working practices apply.
- 1.6 As part of the recruitment process, the College will utilise the principles and services of the Disclosure and Barring Service (DBS), to identify candidates who may be unsuitable for certain work with certain groups. Further details on the College's DBS procedure can be found at Annex A of this procedure.

2. Prevailing Legislation and Check Levels

- 2.1 The level of checking procedures that must be undertaken for a potential College employee, is dependent on the level of responsibility associated with caring for, training, supervising, or being in sole charge of persons under 18 and/or adults at risk.
- 2.2 The Further Education (Providers of Education) (England) Regulations 2006 (supported by 'Keeping Children Safe in Education', requires institutions to check (for all new members of staff) their:
 - Identity;
 - Right to work in the UK;
 - Possession of relevant qualification(s);
 - Enhanced DBS clearance with appropriate barred list check. The nature of the College establishment means that for the purposes of this, all posts will be subject to an Enhanced DBS check with Children's Barred List as it falls under the definition of a role that is undertaken within a specified establishment - *"an educational institution exclusively or mainly for the provision or full-time education of children"* - additional checks on those who have lived outside the UK will take place (for example, via the embassy or police force of the relevant country/countries).
- 2.3 In relation to this procedure and our practices the College will comply with the relevant prevailing legislation.

3. The Recruitment Process

- 3.1 The College will ensure that all applicants are made aware of the College's commitment to safeguarding vulnerable groups, by including

a detailed statement within the recruitment literature they are required to read as part of any application for employment.

3.2 Relevant job descriptions and person specifications will make reference to responsibilities towards safeguarding vulnerable groups (SVG) and the suitability of the post holder to work with these groups.

3.3 Applicants will be asked to provide the following:

- full identity details (including full name, address, date of birth and NI number);
- statement of qualifications;
- full history since leaving Secondary Education or post compulsory education employment (and reasons for leaving), voluntary work and explanations of any gaps;
- declaration of any family, or close relationship to a member of the Corporation;
- details of referees, one of which should be the current or most recent employer;
- statement of personal qualities;
- declaration of suitability and/or subject to investigations regarding working with vulnerable groups;
- applicant's commitment to Safeguarding principles and affirmation of the commitment detailed in this Procedure.
- Applicant's commitment to upholding the College's commitment to the embedding of PREVENT and Fundamental British Values in all aspects of work and learning.

3.4 All applications will be scrutinised by those tasked with shortlisting potential employees. Any member of staff who undertakes shortlisting activities must have completed specific training on Safe Recruitment. Additionally, the HR department will check all applications and any forms with missing information relating to declarations will not be accepted. Any forms which detail gaps in employment or education history will be highlighted to the relevant manager, so that further information can be obtained during any subsequent interview (if the individual has been short listed).

3.5 Applicants will be asked to bring with them to interview, proof of identity, proof of right to work in the UK and essential qualifications.

- 3.6 For appropriate posts, students will be used as part of the interview process. Interview panels will consist of a minimum of two, appropriately trained members of staff, with the necessary authority to make recruitment decisions.
- 3.7 All interview panels will consist of at least one member who has undertaken Safer Recruitment Training, which covers as a minimum, the guidance as outlined in Keeping Children Safe in Education (latest version).
- 3.8 Offers of employment will be conditional upon:
- receipt of at least two satisfactory references (one of which must be from current or last employer/school);
 - verification of identity;
 - appropriate DBS Disclosure and relevant overseas checks;
 - verification of medical fitness;
 - verification of qualifications;
 - a prohibition from teaching check (for applicable posts)
 - a criminal record check from the relevant country's embassy or police force if the candidate has lived abroad for a period of 12 months or more in the last 5 years;
 - Satisfactory completion of all mandatory training (including Safeguarding and Safer Recruitment (for applicable posts);
 - commitment to participate in the relevant probationary period.
- 3.9 All new staff will be appropriately inducted with training and information regarding the College's Policies and Procedures including those related to SVG.
- 3.10 Monitoring of this procedure and the College's policies and procedures on recruitment and selection and induction etc. will be monitored through staff turnover, reasons for leaving and Employment Reflection surveys and/or interviews.

4. Checking Procedures and Information

4.1 Identity Checks

- 4.1.1 The HR department will verify the identity of all new employees (and volunteers). The criterion includes checking a person's

name (including any previous names used), date of birth and address verification.

- 4.1.2 The identification should be either a valid passport or a birth certificate and proof of NI number, together with a document containing a photograph (eg driving licence). All documents must be originals. Photocopies are not accepted.

4.2 **Right to Work in the UK**

- 4.2.1 All staff will be asked to provide evidence that they are legally entitled to work in the UK, as part of the recruitment process (at interview) and upon appointment. The law on preventing illegal working is set out in sections 15 to 25 of the Immigration, Asylum and Nationality Act 2006 (the 2006 Act), section 24B of the Immigration Act 1971, and Schedule 6 of the Immigration Act 2016.

In accordance with the Act, guidance is provided to all applicants/employees as to acceptable documentation that can be used to verify their right to work in the UK.

4.3 **Barred Lists**

- 4.3.1 The DBS hold two barred lists – the Children’s Barred List and the Adults Barred List. The barred lists can only be checked when carrying out an Enhanced DBS check and where the applicant/employee role involves regulated activity. The full legal definition of regulated activity which is used to determine the appropriateness of and undertaking of the relevant DBS check is set out in Schedule 4 (Parts 1 and 2) of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012.

4.4 **DBS Checks**

- 4.4.1 The College ensures compliance with the DBS Code of Practice and ensures checks are undertaken in accordance with relevant legislation to determine ‘eligibility’ (ie. Rehabilitation of Offenders Act 1974 (ROA) 1974 (Exceptions Order / Police Act 1997).

4.4.2 There are three types of check that can be undertaken:

Type of Check	What it will check for
Standard	this provides information about convictions, cautions, reprimands, and warnings held on the Police National Computer (PNC), regardless or not of whether they are spent under the ROA Act 1974. The law allows for certain old and minor matters to be filtered out.
Enhanced	As above – plus any approved information held by the police which a chief officer reasonably believes to be relevant and ought to be disclosed
Enhanced with list checks	As above – plus a check of the appropriate DBS barred lists

4.4.3 The College has established guidance based on government’s statutory guidance on the supervision of children and the definition of ‘Regulated Activity’ and the appropriateness of the level of check.

4.4.4 Any offer of employment will be conditional until the individual receives a copy of their DBS certificate and presents this document to the HR department for verification. Failure to do this will either lead to a delay in employment commencing, or the conditional offer of employment being withdrawn.

Should any information be disclosed on the certificate, the decision to employ rests with the Principal and Chief Executive, with guidance from the Director of HR.

4.4.5 The College ensures that they adhere to the requirements of the Data Protection Act 2018 in terms of the storage and handling of DBS certificates. When a DBS certificate is presented to the HR department, a scanned copy is made, and this is stored electronically in line with the retention period (ie. for no longer than 6 months).

4.4.6 Individuals are eligible to join the DBS Update Service at the point a new DBS check is made. The DBS Update service allows for the portability of a certificate across employers. Where an individual details that they have joined the DBS Update Service, the HR department will:

- obtain written consent from the applicant to access their record via the Update service;
- see the original DBS certificate and confirm that it matches the individual's identity; and
- ensure that the appropriate level of check e.g. Enhanced certificate including relevant barred list information matches the requirements of the post that the individual has been appointed to

The College will then check the individuals online record to see if any changes to the record have been made since the initial certificate was issued.

The individual, via their own online record, will be able to see the full list of those organisations that have carried out a status check on their record.

Further information on this and the DBS service can be found in Annex A of this procedure.

4.5 Overseas Checks

4.5.1 Staff who have lived overseas will undergo the same checks as those who have lived solely in the UK. Where appropriate, DBS checks will be sought and where the DBS check is deemed as not sufficient for making a recruitment decision, further criminal records information should be sought from countries where individuals have worked or lived. The information will be sought by obtaining certificates of good conduct from relevant embassies or from the High Commission of the country in question by the Human Resources Department

4.5.2 A DBS check, will be deemed as insufficient in situations where an individual has, since leaving secondary education, lived and/or worked (not on holiday or travelling) in a country outside of the UK. Managers are required to review this information

during the recruitment process (short listing and interview), and should notify, and seek further guidance from, HR Department.

- 4.5.3 Staff may commence employment prior to the College receiving an appropriate DBS check (and any overseas checks if applicable), provided **ALL** other checks (paragraph 3.8) have been carried out with satisfactory results, and the employee is continuously and appropriately supervised, and the criminal records checks have been requested and a separate barred list has been undertaken. Only the Director of HR and Corporate Services can give this authorisation once a written request and appropriate supervision measure have been arranged by the recruiting manager.

4.6 Qualification Checks

- 4.6.1 The College will verify that the candidate has obtained any professional qualifications required for the job including those detailed as 'essential' within the person specification and that they claimed for on their application form. Sight of original qualification certificates, or where not available, a letter from the awarding institution, will be required.
- 4.6.2 Where a newly appointed lecturer does not hold a recognised teaching qualification, it will be the College's expectation that they undertake the College's "Teaching, Learning and Assessment Toolkit" programme within their probationary period.

4.7 References

- 4.7.1 At least two references will be sought for all new employees, one of which should be from the current or most recent employer. The College will not accept references that are provided by candidates, or that are open, for example, references that are addressed "*To Whom it May Concern*". If a candidate for a teaching post (unless this is their first teaching post) is not currently employed as a teacher the College will check with the school, college or local authority at which they were most recently employed and previously undertook teaching, to confirm details of their employment and their reasons for leaving. References will be scrutinised and any concerns

resolved before the appointment is confirmed. Where the candidate allows (as stated on the application form) references will be requested prior to interview. However, where a candidate expressly states that they do not wish for the referees to be contacted prior to interview, the HR department will ensure that this is adhered to, and the offer of employment will be subject to satisfactory references.

- 4.7.2 Reference requests will include a copy of the job description and person specification and will ask for the referee's opinion in relation to the suitability of the candidate to the role, and where appropriate, their suitability to work with children and adults. They will also ask about the relationship between the candidate and the referee.
- 4.7.3 Where information that has been requested is missing from the reference, this will be sought by contacting the referee and requesting the information be returned in writing.
- 4.7.4 Where references are received electronically, the HR department will ensure that that they originate from a legitimate source/email address.
- 4.7.4 Other information that will be sought via reference requests includes:
 - confirmation of current/most recent post and salary;
 - comments about the applicant's performance history and conduct;
 - details of any disciplinary procedures the applicant has been subject to (including any related to the safety and welfare of children or adults).

4.8 Occupational Health Check

- 4.8.1 All appointees new to the College must undergo an occupational health check. This is to ensure that they are both mentally and physically fit for work in their appointed role and to enable the College to provide for any adaptations/adjustments for the appointee to do the role, for example a special chair, keyboard etc as necessary.

4.8.2 The individual will be asked to complete a health questionnaire which should be returned to the Occupational Health Department, via the online Cohort system, for assessment. A report will then be issued to the HR department declaring whether or not the individual is fit to work, including any recommended adjustments (if applicable).

4.9 Prohibition Check

- 4.9.2 A Prohibition from teaching check is undertaken for all staff that undertake “teaching work” and ensures that no sanction or restriction has been imposed on the individual by the Secretary of State following consideration by a professional conduct panel convened by the Teaching Regulation Agency.
- 4.9.3 The College is required to undertake such a check by virtue of the Terms and Conditions of funding in respect of the Education and Skills Funding Agency (ESFA) where the College cannot employ or engage a person who is subject to a prohibition order to carry out teaching work.
- 4.9.4 For the purposes of carrying out a Prohibition Check, “teaching work” is defined as “*planning and preparing lessons and courses for pupils; delivering lessons to pupils; assessing the development, progress and attainment of pupils; and reporting the development progress and attainment of pupils*”.

5. The Single Central Record

5.1 The College will maintain a record of all staff/volunteers who are employed/engaged at the College, and also any that are employed as supply staff, whether employed directly via the College Supply Pool; through an external agency, or through a contracted service. The record will indicate whether or not the following are required, have been completed and when, and by whom:

- Identity checks;
- Qualification checks;
- Checks of right to work in the UK;
- Barred List checks;
- DBS checks;
- Further overseas records checks.

Prohibition Checks (where applicable)

5.2 In addition to the above checks, the College will record:

- whether the person's position involves 'relevant activity' ie. Regularly caring for, training, supervising, or being solely in charge of persons under the age of 18;
- all mandatory training, including Safeguarding Training which is undertaken prior to commencement at the College, and then refreshed on a three-yearly basis, in addition to Safer Recruitment training (where relevant).

6. Agency and Third-Party Staff

At times there may be a requirement to engage the services of staff from an external agency/third party to provide cover on a short-term basis. Where such occurrences are approved, the HR department will ensure that written confirmation is obtained from the agency/third party that declares that they have carried out all appropriate recruitment checks (as detailed above in section 4, and the same checks had the College undertaken to recruit that individual themselves). At the point all checks are in place, the HR department will agree a start date. On the first day of the assignment, and prior to undertaking any work at the College the individual must present themselves to HR with appropriate photo identification to confirm that they are who they say they are. This information is recorded on a SCR for External Agency staff.

7. Contractors

All contractors working on College premises are subject to the appropriate level DBS check prior to the commencement of any work on-site. Any contractor engaged in regulated activity will undertake a DBS check including the relevant barred list check.

Where work is needed to be undertaken in advance of a DBS check being received, approval must be sought from the Deputy Chief Executive and permission will only be given if the activity/attendance on-site is fully supervised by an individual that has all appropriate checks in place.

The identity of all contractors to site is checked upon arrival to site.

8. Staff Code of Conduct

The College's Staff Code of Conduct applies to all College employees and is published separately on the College's HR and Safeguarding intranet pages.

Section 3 of the Staff Code of Conduct details behaviour /conduct that is expected of all staff specifically in relation to Safeguarding.

Employees should be aware that failure to comply with the Code of Conduct could result in disciplinary action including dismissal. The Code of Conduct is designed to give clear guidance on the standards of behaviour all staff are expected to observe.

9. Procedure Review

- 9.1 The effectiveness of this Procedure will be monitored annually and reviewed every five years in light of experience, guidance from the Department for Education, the Disclosure and Barring Service, changes in legislation and best practice. This mechanism recognises that changes to employment legislation may prompt a review of the Procedure before the five years stipulated.
- 9.2 In considering the effectiveness of this Procedure, consultation will be undertaken with Trade Unions, staff and managers to assist in the review and monitoring of this Procedure.

Implementation	June 2009
First Review (completed)	June 2013
Second Review (completed)	December 2015
Third Review (completed)	January 2021
Fourth Review Due	January 2026

Guidance issued by Disclosure and Barring Service (DBS)

1. Background

- 1.1 The Disclosure and Barring Service (DBS) is designed to identify candidates who may be unsuitable for certain work.
- 1.2 The DBS further maintains the registers which indicate where an individual is barred from working with children or adults. The College is able to access these lists: the children's barred list and the adult's barred list, via an Enhanced DBS check.
- 1.3 DBS checks have to be requested by or through a Registered Body (RB). The College is registered through the DBS and is therefore able to request such checks. However, these can only be undertaken by the lead counter-signatory or designated counter-signatories.
- 1.4 The College can only apply for a DBS check if the position is exempt from the Rehabilitation of Offenders Act and falls under the occupations that are known as the exceptions.

2. Guidance

- 2.1 There are three types of checks that can be undertaken:
 - Standard Check;
 - Enhanced Check ;
 - Enhanced Check with barred lists.
- 2.2 The College follows established guidance based on the government's statutory guidance on the supervision of children/vulnerable adults and the definition of Regulated Activity to determine the appropriate level of check to be undertaken.
- 2.3 The College recognises and welcomes that the DBS have the right to conduct audits to check compliance with its procedures and codes and to provide advice on good practice. The College gives an unequivocal commitment to adhere to the DBS Code of Practice.

- 2.4 The College recognises that any individual can refuse to apply for a DBS check; however, some posts require disclosure by law. In this instance, if an individual refuses to apply for a DBS check, the College will not progress the job application (where such a check is required for the post). If an individual is currently working for the College and changes role and/or type/age of student, which prompts the need for a DBS check, this requirement would be regarded as a “*Reasonable Management Instruction*” and failure to comply fully result in more formal action.
- 2.5 Individuals registered with New College Durham Supply Pool, are required to apply for a DBS check upon registration. If the individual refuses to apply for such a check, then their application will not be progressed.

3. Responsibilities

- 3.1 DBS checks for staff can only be processed by the College’s HR department. The Deputy Chief Executive, Lead Counter Signatory has ultimate responsibility for ensuring that the DBS Code of Practice is adhered to at all times, by the College.
- 3.2 Recruiting Managers must not agree on a start date until the HR Department has provided the authority to do so. Only in exceptional circumstances, and with the agreement of the Director of HR will staff be allowed to commence work prior to receiving the appropriate clearance and only subject to a separate barred list being undertaken and all other checks completed.

4. Disclosure Processes and Charges

- 4.1 The DBS charge a fee for checking applications. The fee charged will be paid for by the staff member.
- 4.2 The process for applying for such a check will involve the completion of an application form (either electronic or paper), The individual will also be required to provide identification, including proof of name, date of birth and current address. The College will not accept photocopies of

any documentation required to verify identity. The College will issue guidance to offer assistance on suitable forms of identification.

5. Posts eligible for DBS checks within the College

- 5.1 The process used by the HR department to identify if a post is eligible for a DBS check is in line with the statutory guidance.
- 5.2 Where an individual is appointed to a new role and has not previously been subject to the required level of DBS check then the relevant check will be undertaken prior to their commencement in the new post

6. Secure Storage, Handling, Use, Retention and Disposal of Disclosure Information

- 6.1 The College will comply with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosure information. It also complies fully with its obligations under the General Data Protection Regulation and other relevant legislation pertaining to the safe handling, use storage, retention and disposal of Disclosure information and with the consent of the individual to retain such information.
- 6.2 In accordance with the relevant prevailing legislation, certificate information is only passed to those who are authorised to receive it in the course of their duties. The College maintains a record of all those to whom certificate information has been revealed and recognises that it is a **criminal offence** to pass this information to anyone who is not entitled to receive it. Hence, the College will use certificate information only for the specific purpose for which it was requested and for which the applicant's full consent has been given.
- 6.3 Once a recruitment decision has been made, the College does not keep certificate information for longer than six months. This is to allow for the consideration and resolution of any disputes or complaints. If the College considers it necessary to keep certificate information for longer than this period, consultation with the appropriate body or bodies will take place, giving full consideration to the data protection and human rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

- 6.4 Once the retention period has elapsed, the College will ensure that any certificate information is destroyed by secure means, ie file deletion. The College will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. The College keeps a record of the name of the individual; the date a copy of the certificate was taken; the date of the certificate; the certificate type; the position for which the certificate was requested, the unique reference number of the certificate and the details of the recruitment decision made.

7. The Recruitment of Ex-Offenders

- 7.1 For those positions where a DBS check is required, staff will be asked to make declarations regarding criminal offences in accordance with the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 noting that some convictions are deemed as ‘protected’ under current legislation. Staff/Applicants are directed to the Ministry of Justice Website for detailed guidance as to whether a conviction or caution should be disclosed. Any failure to disclose relevant convictions/cautions in line with the above legislative requirements could result in dismissal or disciplinary action by the College. Applicants applying for such posts will be informed during interview that a DBS check is required and the process to be followed.
- 7.2 Having a criminal record will not necessarily bar an individual from working with the College. This will depend on the nature of the position, nature of the offence (s) and the circumstances and background of the offence(s).
- 7.3 The College will not engage any individual with a criminal record that includes sexual offences of any nature, whether the individual is on the sex offenders register or not.
- 7.4 When a DBS certificate reveals information regarding a conviction or other matter, the College will endeavour to consider the following when reaching a recruitment decision:
- Whether the information is relevant to the position in question;
 - The seriousness of any offence or other matter revealed;
 - The length of time since the conviction or other matter occurred;

- Whether the applicant has a pattern of offending behaviour or other relevant matters;
- Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters, and;
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

7.5 Where it is felt the nature of the offence(s) places an individual's employment in question, this will be raised with the Director of HR S/he will discuss the matter with the Principal and Chief Executive whose decision will be final.

8. DBS Code of Practice

- 8.1 The DBS Code of Practice exists to ensure that information made available through DBS Certificates is used fairly and is intended to provide assurance to applicants that this is the case.
- 8.2 The Code of Practice is an important document that sets out the obligations that must be met by Registered Persons and other recipients of DBS certificate information.
- 8.3 The College seeks to ensure that all individuals subject to DBS checks through the College are aware of the existence of the Code of Practice. A copy of this document is available from the HR department.
- 8.4 If it is perceived by an individual that the practices explained in this Procedure are not applied fairly, they should in the first instance write to the Director of HR, outlining their concerns and outcome sought from their enquiry

9. Referrals to the DBS

- 9.1 Where a member of staff or volunteer has been dismissed or leaves the College due to causing harm or potential harm or damage to a child or adult, the Director of HR will formally write to inform the DBS as per the Code of Practice. The employee concerned will further receive written confirmation that such actions will occur.

Glossary of Terms

Safeguarding Vulnerable Groups Essential Recruitment and Selection Practice Procedure

Adult: People aged 18 years or over who are not defined as vulnerable.

Applicant: An individual that applies for a job.

Barred Lists: There are two types of lists – the Children’s Barred List and Adults Barred List which are held by the Disclosure and Barring Service (see DBS below). These are checked to ensure that an applicant is suitable for working with children and/or adults.

Child: A person under the age of 18 years. A child becomes an adult on the date of their 18th birthday

Counter-signatory: An individual that works for the College that has been approved by the DBS (see DBS below) to make a request for a police check to be undertaken on a prospective member of staff.

DBS: Disclosure and Barring Service. A Government agency that helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups and children. They are responsible for processing requests for criminal records checks.

Employment Checks: Robust recruitment checks that are carried out on all individuals working with children and vulnerable groups in educational establishments.

Enhanced Disclosure: This shows details of all spent and unspent convictions, cautions reprimands and final warnings and includes a check on all local police records.

Overseas Check: The practice of obtaining further criminal records checks from the embassies or High Commission of a country where a prospective employee has lived and worked.

References: A statement from a previous employer or teacher that can attest to an applicant's skills, qualities and abilities and suitability for the role applied for.

Right to Work in the UK: A check of an employee's eligibility to ensure that they are legally entitled to work in the UK in accordance with the Immigration, Asylum and Nationality Act.

Safeguarding: Protecting children, young people and vulnerable adults from physical, emotional or sexual abuse and neglect.

Single Central Record: A register that is kept and maintained by the College detailing all employment checks that have been carried out on all individuals employed by the College.

Vulnerable groups: Disadvantaged groups that require additional support or interventions to enable them to progress.

Young Person: A term used to define 'children' of college age who are under the age of 18.



***Safeguarding Children and Adults at Risk Policy
and Procedure 2024/25***

New College Durham is committed to safeguarding and promoting the welfare of children and young people, as well as adults at risk, and expects all staff and volunteers to share this commitment.

Policy Title	Safeguarding Children and Adults at Risk Policy and Procedure
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Document Owner	Deputy Principal (HR & Corporate Services)
Owning Directorate	Corporate Services
Owning Department	ASC

Directorates and Departments affected by this Policy	All staff
Policy Effective From	1 September 2024
Next Review Date	31 August 2025

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New College Durham

Safeguarding Children and Adults at Risk Policy and Procedure

(Equality and Diversity Assessment)

We will consider any request for this policy to be made available in an alternative format.

We review our policies regularly to update them and to ensure that they are accessible and fair to all. All policies are subject to equality impact assessments. Equality Impact Assessments are carried out to see whether the policy has, or is likely to have, a different impact on grounds of race, gender, disability, age, religion, sexual orientation or human rights.

We are always keen to hear from anyone who wants to contribute to these impact assessments and we welcome suggestions for improving the accessibility or fairness of the policy.

To make suggestions or to seek further information please contact:

Emma Crosskey
Head of ASC and School Engagement
Tel: 0191 375 4907

New College Durham

Safeguarding Children and Adults at Risk Policy and Procedure

1. Introduction

- 1.1 New College Durham is committed to protecting all our students and adults at risk. The fundamental principles of this policy and procedure are based on our legal duty under the Education Act 2011, Keeping Children Safe in Education (2024), Working Together to Safeguard Children Act (2018), Human Rights Act 1998 (HRA), Equality Act 2010, Public Sector Equality Duty (PSED), Working together to Safeguard Children 2023, Safeguarding Vulnerable Groups Act (2006), DfE Statutory guidance and regulations as stated by the Disclosure and Barring Service (DBS).
- 1.2 The College wants to ensure that children, young people and adults at risk are protected from abuse. All complaints, allegations or suspicions will be taken seriously and in accordance with this policy and procedure, and the student **WILL** be supported and kept safe. What is paramount for the College is that any student who feels unsafe is able to report any concerns at the earliest opportunity to the College. An overriding principle of this document is that every victim will be taken seriously, kept safe and never made to feel like they are creating a problem for reporting abuse, sexual violence or sexual harassment.
- 1.3 The College recognises that some students may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful. For example, the learner may feel embarrassed, humiliated, or being threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. Indeed, making such a disclosure takes courage and is difficult, but the College staff are keen to listen and support such disclosures. We have highly trained staff who will carefully allow the student to make the disclosure at a pace they feel comfortable, and it will be their welfare which is our central focus and will remain so. The College will take active steps not only to support the student during and after the disclosure, but we will work with others to ensure that they are kept safe. Often victims of safeguarding concerns just want the abuse to stop, we will work with the victim and others to ensure that we achieve this goal together. By reporting such concerns, the students can help us to stop these inappropriate actions of others. The College staff will determine how best to build trusted relationships with the learner which facilitate

communication and disclosure.

1.4 Through this policy and procedure the College aims to:

- Ensure the promotion of a culture of safeguarding throughout the College.
- Listen to the concerns of the learner at risk with an open and supportive approach.
- Minimise the risks to health and wellbeing of learner at risk.
- Promote safe practices and challenge poor and unsafe practice.
- Identify instances in which there are grounds for concern about the welfare of children, young people and adults at risk and take action to keep them safe.
- Enable children, young people and adults at risk to raise concerns relating to safety and for those concerns to be actioned and early help be provided
- Take appropriate action to prevent unsuitable people working with children, young people and adults at risk.
- Ensure staff receive adequate training and supervision in relation to Child Protection, Safeguarding, e-Safety and Prevent.
- Ensure that all recruitment complies with safer recruitment practices.
- Set and communicate clear expectations of staff about personal conduct and responsibility to promote the wellbeing of young people and adults at risk at all times.
- Ensure that the Designated Safeguarding Lead (DSL) and three Deputy DSLs are trained to provide access to specialist advice on child protection and the protection of adults at risk.
- Clearly define the procedures for investigating allegations of harm to young people or adults at risk by persons in positions of trust within the College including independent advice and referral to the police as necessary.
- Define a process to consider 'low-level' concerns and analysis of such concerns.
- Ensure effective reporting/monitoring of safeguarding practices and processes via both the Senior Leadership Team and College Governors.
- Ensure effective online safety mechanisms which are underpinned by appropriate filtering and monitoring
- Define an accessible procedure/process to allow concerns to both be raised and effectively addressed.

- 1.5 Safeguarding and promoting the welfare of learner at risk is defined for the purpose of this guidance as:
- Protecting children/young people/ adults at risk from maltreatment;
 - Preventing the impairment of children's /young person's/adult's at risk mental and physical health or development;
 - Ensuring that children/ young person/adults at risk develop in circumstances consistent with the provision of safe and effective care; and
 - Taking action to enable all children/young people/adults at risk to have the best outcomes.
- 1.6 This policy relies on utilising a number of key definitions to underpin this policy and procedure – clarity on these are provided at:
- Appendix A – Key Definitions
 - Appendix B – Indicators of abuse, neglect, exploitation and specific safeguarding issues.

Further detailed guidance can also be obtained on the College Safeguarding portal. Students are encouraged to download the College safeguarding app as it gives access to a wealth of information, guidance and support.

2. Scope and Purpose

- 2.1 This policy and procedure applies to all students and is in place to ensure children, young people and adults at risk are protected from all forms of abuse, definitions which are contained in Appendix B – Indicators of abuse and neglect. The purpose of this policy and procedure is to safeguard and protect the welfare of all our students and help to encourage all staff to achieve and maintain the highest standards of Safeguarding Children and Adults at Risk.
- 2.2 Safeguarding and promoting the welfare of children, young people and adults at risk is everyone's responsibility. Everyone who comes into contact with children, young people and adults at risk and their families has a role to play in safeguarding. In order to fulfil this responsibility effectively, all staff should make sure their approach is centred on the student, taking seriously any concerns, and ensuring that the child/ adult at risk is kept safe and never made to feel like they are creating a problem for reporting abuse, sexual violence or sexual harassment. The central focus of staff will always be what is in the best interests of the child/adult at

risk, and reflective of the practice in key guidance/legislation e.g. Keeping Children Safe in Education (KCSIE) 2024.

2.3 The policy and procedure should be read in conjunction with the following:

- Staff Code of Conduct
- Recruitment and Selection Procedures
- Procedure for Prevention of Bullying and Harassment
- Prevention of Bullying Policy
- Health, Safety and Welfare Policy
- Mental Health and Wellbeing Strategy (Staff)
- Mental Health and Wellbeing Strategy for Effective Learning (Students)
- Prevention of Harassment, Bullying and Victimisation in the Workplace Policy
- Work Placement Health & Safety Policy
- First Aid Policy
- Prevention and Management of Substance Misuse Policy
- Young Persons Health and Safety Policy
- Disciplinary Procedure
- Tutorial Policy
- PREVENT Strategy
- Engagement in learning policy

3. Key Responsibilities

Safeguarding is the responsibility of everyone; however, it is recognised that some individuals have some specific roles/responsibilities to enable effective discharging of the key safeguarding obligations:

3.1 The Role and Responsibilities of the Governing Body

The Governing Body is committed to ensuring that the College:

- Raises awareness of issues relating to safeguarding and promotes the welfare of all learners in the College.
- Has an effective Safeguarding Children and Adults at Risk Policy and Procedure which complies with KCSIE.
- Provides a safe environment for children, young people and adults at risk.
- Identifies those who are suffering or at risk of suffering significant harm and takes appropriate action to ensure they are kept safe.
- Has procedures for reporting and dealing with allegations of abuse

- against members of staff and volunteers.
- Operates safe recruitment procedures.
- Designates a member of staff with sufficient authority to take the lead on protection for safeguarding.
- Ensure that the College has appropriate online filters and monitoring systems in place and regularly review their effectiveness
 - Remedies any weaknesses and areas for improvement relating to safeguarding that are brought to the attention of the Corporation.
 - Ensure all staff members receive appropriate safeguarding protection training which is regularly updated.

Any new addition to the Governing Body will receive a comprehensive induction which will include appropriate safeguarding and child protection. This training will equip new Governors with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place in College are effective and support the delivery of a robust College approach to safeguarding.

Safeguarding Training for Governors will be updated, and Governors will annually read and understand their obligations under Part 1 and Part 2 of KCSIE.

3.2 Designated Link Governor Responsibilities

The role of the Safeguarding Link Governor is to ensure that the wider Corporation is in a position to satisfy itself that the duties of safeguarding are being met by the College. The Safeguarding Link Governor liaises with the DSL, designated senior members of staff with responsibility for safeguarding and the Head of Governance & Corporation Secretary, and reports back to the Corporation. The role of the Safeguarding Link Governor is a strategic one, and not operational. The Safeguarding Link Governor will:

- ensure, with the assistance of the Head of Governance & Corporation Secretary, that Members review policies annually and that any identified weaknesses or amendments are addressed by the Senior Leadership Team;
- attend meetings once a term with the designated senior members of staff with responsibility for safeguarding. The purpose of such meetings is for the Safeguarding Member to be updated regarding safeguarding and prevent practice in College, any actions being

taken and the most prevalent issues. The Safeguarding Member will then report to the board at the next meeting;

- maintain an understanding of the College's safeguarding policy and associated procedures and practices;
- keep up to date with developments in legislation, policy and best practice by undertaking recommended training;
- promote safeguarding knowledge and understanding amongst Corporation Members;
- raise safeguarding issues as and when they apply to the business of the Corporation;
- Limit the learners (children, young people, and adults) exposure to the online risks from the college's IT system by ensuring the College has appropriate web/IT filters and monitoring systems in place and regularly review their effectiveness
- ensure, with the assistance of the Head of Governance & Corporation Secretary, that the board receives an annual report in respect of safeguarding issues and to contribute to that report if responsibility to safeguard and promote the welfare of learners and provide them with a safe environment in which to learn, governing bodies and proprietors should be doing all that they reasonably can to appropriate to do so.

3.3 Staff Responsibilities

All staff (including supply/external agency staff) will always have the best interest of the student in mind. Staff will be able to deal effectively with any safeguarding issues and to this end will:

- Maintain the currency of their knowledge on safeguarding issues and engage with the regular training provided by the College to support this obligation, however, if any additional training is required staff are obliged to either raise this with their line manager or undertake independent research (e.g. College Safeguarding Portal).
- Be aware of and comply with their obligations under the Staff Code of Conduct.
- Work together to continue to create an environment in which students feel able to make such life changing disclosures in a safe and supportive environment.
- Maintain accurate record of any disclosure which provides:
 - a clear and comprehensive summary of the concern.
 - details of how the concern was followed up i.e. referral to

DSL/DDSL

- Comply with the obligations in this policy and key external documents notably KCSIE.
- Promote both safeguarding and the College as an environment for learning and being a safe and caring place.

3.4 Designated Safeguarding Lead and Deputies Responsibilities

- Promote positive safeguarding procedures and practices so that all students feel safe.
- 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 Practice and procedures, notably the obligations of KCSIE 2024, e-Safety and Prevent.
- Maintaining a proper record of any safeguarding referral, complaint or concern (even where that concern does not lead to a referral).
- Liaising with the local authority, LSCB and LADO and other appropriate agencies.
- Liaising with employers and training organisations who receive students on long-term placements to ensure appropriate safeguards are put in place.
- Ensuring staff receive basic training in safeguarding issues (including Prevent) appropriate to their roles and are aware of the College's safeguarding procedures.
- Ensuring there is liaison with employers and training organisations providing student placements to ensure proper safeguarding arrangements are in place.
- Ensuring that all staff receive relevant training about safeguarding matters and the College procedures.
- Providing an annual report to the Corporation.
- Reporting any refinement or enhancement to the safeguarding procedure to the Corporation as soon as possible.
- Liaising with secondary schools to ensure that appropriate arrangements are made for pupils who may be at risk or who are subject to a CP or CIN plan.
- To receive training in safeguarding issues and inter-agency working, as required by the Local Safeguarding Board, and to undergo refresher training at least every 2 years.
- To storing all information and recordings in a secure manner in accordance with the Data Protection Act 2018.
- To ensure the College is represented at case conferences and review

meetings as appropriate.

- To ensure maintenance of accurate records and record all concerns, discussions and decisions made and the reasons for these decisions, ensuring:
 - A clear and comprehensive summary of the concern
 - Details of how the concern was followed up and resolved
 - A note of any action taken, decisions reached and the outcome.

In the absence of the DSL, a nominated Deputy DSL will carry out the responsibilities of the DSL.

3.5 Student Responsibilities

It is an expectation of the College that students comply with this policy and procedure and its central aims. The College will not accept behaviour from any student that falls below these expectations, so in cases where the action/behaviour of a student falls below this (e.g. child to child abuse) the College will take appropriate internal action under prevailing procedures as well as following the external avenue detailed in this procedure. To aid students to understand College expectations a safeguarding app has been developed which gives access to a library of information to aid and support students in these issues. This app allows for students to report safeguarding concerns from any location directly to a DSL or DDSL.

The College will teach students about safeguarding, including online, through teaching and learning opportunities as part of providing a broad and balanced curriculum. This may include covering relevant issues through personal, social health and economic education (PSHE) and/or through sex and relationship education.

3.6 Contractors/Visitors

All contractors and visitors to New College Durham will be required to adhere to our safeguarding practices/process.

4. Responding to a disclosure of abuse, neglect, exploitation and specific safeguarding issues

- 4.1 All staff should be aware of the indicators of abuse, neglect, exploitation and specific safeguarding issues, definitions which are contained in Appendix B – Indicators of abuse, neglect, exploitation and specific

safeguarding issues (further guidance is available on the College safeguarding portal). Knowing what to look for is vital for the early identification of abuse and neglect and specific safeguarding issues, such as children/young people/ adults at risk criminal exploitation and sexual exploitation, so staff are able to identify cases of children, young people and adults at risk who may be in need of help and protection.

- 4.2 Safeguarding incidents and/or behaviours can be associated with factors outside the College and/or can occur between children/students /adults in these external environments.
- 4.3 Technology is a significant component in many safeguarding and wellbeing issues. Children/young people/ adults at risk are at risk of abuse/bullying online as well as face to face. In many cases abuse will take place concurrently via online channels and in daily life. During the Covid-19 pandemic lockdowns, the National Society for the Prevention of Cruelty to Children (NSPCC) helpline saw a 60% increase in contacts from people worried about children/young people experiencing online sexual abuse. The College has a separate policy to set out the key protection for students to maximise online protection and further guidance is provided on the College's Safeguarding Portal.
- 4.4 Whilst College staff are not responsible for investigating abuse, exploitation or neglect, it is essential that any suspicions of significant harm or allegations of abuse are promptly recorded and acted upon and treated seriously. The following procedure provides guidance for staff who receive a disclosure or who have concerns about allegations or abuse against a child/young person (under 18) or Adult at Risk (18 or over).
- 4.5 Where a member of staff suspects that a child, young person or adult at risk is being abused, they must:
 - ✓ Take all allegations or suspicions of abuse seriously.
 - ✓ Show acceptance of what they are told – even if it seems unlikely or too awful to be true. Reassure the person that they have done the right thing in raising the matter and that you are taking the information seriously.
 - ✓ Respond with tact and sensitivity to anyone who confides in them and clarify that they are not creating an issue or problem.
 - ✓ Reassure the learner and let them know they were right to report the matter and that their concerns will be taken seriously.
 - ✓ Always ask enough questions to clarify understanding but not probe or interrogate.
 - ✓ Be honest – explain that you may have to share what they say with the

College specialist staff (e.g. the DSL/DDSL) but this information will be shared on a 'need to know' basis only and why (i.e. the appropriate person in College who will seek further advice and help). Don't delay in making this notification.

- ✓ Ensure tact and diplomacy and discretion (only the people who need to know will be told).
- ✓ Allow the learner to speak freely in her/his own way and time and at her/his own pace. Avoid interrupting when the learner is recalling significant events.
 - ✓ Only clarify what the learner is trying to say and ascertain whether there are any immediate issues of safety for the learner or any other learner(s).
 - ✓ Take notes as accurately as possible of what was said, use the learner's own words; what you said in response, and an explanation of how the conversation took place. Include the date, time and your signature. Keep the notes, even if not typed up, as they could be used as material evidence in court.
 - ✓ Seek immediate guidance from a DSL/DDSL but make sure the student remains safe.

If the concern is about what has been observed, for example bruises, marks, suspicions of neglect or sexually explicit/abusive behaviour, then it is important to write a full account of what was seen. Include:

- ✓ Size, shape, colour, position on the body of any bruises or marks, consider taking a picture unless location of that picture is inappropriate.
- ✓ Person's appearance e.g. ragged or dirty clothing, smell, emaciated body, pain or difficulty in moving.
- ✓ Description of sexually explicit or abusive behaviour.
- ✓ The date and time of your report and your signature.

In any instance, as a result of dealing with safeguarding and supporting students, both the student and, if required, the member of staff to whom the disclosure was made can access support from the College's Counselling and Support Services. The service can be accessed by emailing asc@newdur.ac.uk, contacting 0191 3754400 or booking an appointment in ASC.

4.6 Actions following a Disclosure

After making sure that the student is safe. immediately contact one of the College's DSLs:-

- Kay Wilson (Deputy Designated Safeguarding Lead)
Safeguarding Support Officer
T: 0191 375 4089
E: kay.wilson@newdur.ac.uk
Room: B0.17
- Emma Crosskey (Deputy Designated Safeguarding Lead)
Head of ASC and School Engagement Team
T: 0191 375 4907
E: emma.crosskey@newdur.ac.uk
Room: B0.10
- Andy Stephenson (Deputy Designated Safeguarding Lead)
Vice Principal for Curriculum and Quality
T: 0191 375 4286
E: andrew.stephenson@newdur.ac.uk
Room: G3.07
- Karl Fairley (Designated Safeguarding Lead)
Deputy Chief Executive
T: 0191 375 4022
E: karl.fairley@newdur.ac.uk
Room: G3.22

If, at any point, there is a risk of immediate serious harm to a person ring 999.

For out of hours referrals contact – First Contact 03000 267 979.

- 4.7 Upon disclosure of abuse, the DSL will report the matter to Children’s Social Care/Adult Services or the police by phone immediately, followed up by written confirmation or email within 48 hours. Where a request for service form or an early help assessment is completed and sent via email to Local Authority social care, staff can expect a response via email within 48 hours.

A written record of the date and time of the report must be made, and the department should include the name and position of the person to whom the matter is reported. The telephone contact must be confirmed in writing using the appropriate Local Authority form within 24 hours.

The DSL should note down the detail of the discussion, including the action

to be taken, to inform the parents/carers, depending on the circumstances. The process for keeping the College informed of further action should also be discussed.

- 4.8 Where there is a safeguarding incident the Education Skills Funding Agency (ESFA) must be made aware, when an institution is itself the subject of an investigation by the local authority or the police

In such circumstances, they require the Chair or Chief Executive of the institution (or DSL) to email enquiries.ESFA@education.gov.uk.

- 4.9 All staff are responsible for complying with this policy, reporting incidents and co-operating with any investigations or incidents in line with procedures.

5. Responding to child-on-child abuse

- 5.1 It is recognised that on occasions the abuse may be from children and young people, in this respect the College has developed a specific response to this abuse (often referred to as child-on-child abuse). Such abuse can happen anywhere both inside and outside of College and face to face or virtually online.

- 5.2 Child on child abuse is most likely to include, but not limited to:

- Bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- Abuse in intimate personal relationships between children/young people/students;
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- Sexual violence, such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- Sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;
- Causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- Consensual and non-consensual sharing of nude and semi-nude

images and/or videos (also known as sexting or youth produced sexual imagery). It is recognised that the sharing of such images of children is illegal and abusive even in the case that such image sharing is consensual. For further guidance please see the UKCIS guidance on the College Safeguarding Portal;

- Upskirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm; and
- Initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

5.3 New College Durham adopts a zero-tolerance approach to all kinds of child on child abuse. Staff must challenge inappropriate behaviour between children/young people/students and ensure that unacceptable behaviours are not downplayed or dismissed as 'just banter', 'part of growing up', 'just having a laugh' or 'boys being boys'.

5.4 New College Durham maintains an attitude that 'it could happen here' and has a whole-college approach to developing a culture to recognise and address child on child abuse. Although girls are more likely to be victims and boys perpetrators, the College does not tolerate any child-on-child abuse, and it will be taken seriously. Staff and students must report all concerns of child-on-child abuse, both online and offline, including those that have happened outside of the College.

5.5 The following procedure provides guidance for staff who receive a disclosure of child-on-child abuse and/or recognise signs of abuse.

- If staff have any concerns about the welfare of a child or adult at risk they should act on these immediately.
- Reassure the victim that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe.
- Don't promise confidentiality as it is very likely a concern will have to be shared further.
- Listen carefully, reflecting back, not asking leading questions and only prompting with open questions.

- Take notes as accurately as possible what was said, use the learner's own words; do not interpret.

5.6 Actions following a Disclosure:

You must make sure the student is safe and then contact one of the College's Designated Safeguarding Leads immediately and log the report through the College's MyConcern system.

The College will consider every report of child-on-child abuse on a case-by-case basis and the DSL and/or DDSL will make an immediate risk and needs assessment to respond to the concern and support all students affected. The potential actions following a report of child-on-child abuse are:

- Manage internally using the appropriate College procedure.
- Early help.
- Referrals to Local Authority social care team.
- Report to the police.

These actions are explored in more detail at Appendix 3.

The designated member of staff must notify the DSL or Deputy DSL as soon as possible of a serious disclosure or suspicion being raised.

6. Key Safeguarding Information for Students

- 6.1 Students can report safeguarding concerns to any member of staff or directly to one of the College's Designated Safeguarding Leads (DSL), each of whom has the responsibility to act as a source of support and have expertise within the College to support students to address these concerns.
- 6.2 Students can also report safeguarding concerns via the College's dedicated safeguarding app or via the report a concern form which can be accessed on New College Durham's Safeguarding Portal.
- 6.3 The College's tutorial programme strongly promotes key messages relating to all aspects of safeguarding, including online safety, highlighting the monitoring and filtering arrangements in place across the College. These key safeguarding messages will be raised during induction and throughout the academic year.
- 6.4 The College provides for information on safeguarding to be displayed

around the College, but the key source of information is the safeguarding portal and/or tutorial programme.

7. Radicalisation and Acts of Terrorism

7.1 The Counter Terrorism & Security Act (2015) & The Prevent Duty

Prevent is 1 of the 4 elements of CONTEST, the government's counter-terrorism strategy. It aims to stop people becoming terrorists or supporting terrorism.

The Prevent strategy:

- responds to the ideological challenge we face from terrorism and aspects of extremism, and the threat we face from those who promote these views.
- provides practical help to prevent people from being drawn into terrorism and ensure they are given appropriate advice and support.
- works with a wide range of sectors (including education, criminal justice, faith, charities, online and health) where there are risks of radicalisation that we need to deal with.

The strategy covers all forms of terrorism, including far right extremism and some aspects of non-violent extremism.

The Home Office works with local authorities, a wide range of government departments, and community organisations to deliver the Prevent strategy. The police also play a significant role in Prevent, in much the same way as they do when taking a preventative approach to other crimes. The Home Office uses a range of measures to challenge extremism in the UK, including:

- where necessary, preventing apologists for terrorism and extremism from travelling to this country.
- giving guidance to local authorities and institutions to understand the threat from extremism and the statutory powers available to them to challenge extremist speakers.
- funding a specialist police unit which works to remove online content that breaches terrorist legislation.
- Supporting community-based campaigns and activity which can effectively rebut terrorist and extremist propaganda and offer alternative views to our most vulnerable target audiences - in this context they work with a range of civil society organisations.
- supporting people who are at risk of being drawn into

terrorist activity through the Channel process, which involves several agencies working together to give individuals access to services such as health and education, specialist mentoring and diversionary activities.

This Act places a duty on specified authorities including Further and Higher Education, to have due regard to the need to prevent people from being drawn into terrorism (the Prevent Duty).

The College is committed to supporting students at risk (or may be vulnerable) through its safeguarding policies and procedures and recognises that this can support the College's contribution to the Prevent duty.

The College is represented at silver level within the Local Authority task groups.

7.2 Contact with external services

Where a member of staff has any concerns about the risk of possible or actual radicalisation of an individual, then she/he is required to report that immediately to a Designated Safeguarding Lead (DSL).

The DSL will then refer the concern via CHANNEL, which uses existing collaboration between local authorities, statutory partners, the police and the local community to identify individuals at risk of being drawn into terrorism, assess the nature and extent of that risk and develop the most appropriate support for the individuals concerned.

8. Dealing with allegations made against/concerns raised in relation to College staff/Governor/Contractor

8.1 Any member of staff who receives an allegation about another member of staff should follow the guidelines for dealing with disclosures (see para 3.3). The primary concern of the College is to ensure the safety of the students. It is essential that in all cases of suspected abuse by a member of staff, action is taken quickly and professionally.

8.2 The allegation should be reported immediately to the Executive Director of Human Resources and Corporate Services or the DSL. If the Principal is the person against whom the allegation is made, the DSL/Executive Director of Human Resources and Corporate Services will notify the Chairperson of the

Corporation. The DSL or the Chairperson of the Corporation, if the allegation is against the Principal, 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/Chairperson of the Corporation.
- Record information about times, dates, locations and names of potential witnesses.

8.3 Initial Assessment by the designated person

The Executive Director of Human Resources and Corporate Services should make an initial assessment of the allegation, consulting with the DSL or Chairperson of the Corporation and the relevant Local Authority's Services Safeguarding Team as appropriate.

An allegation is information which indicates that a person who works with a child, young person or adults at risk has:

- Behaved in a way that has harmed or may have harmed a child/ young person or an adult at risk; and/or
- Possibly committed a criminal offence against or related to a child/young person or an adult at risk; and/or
- Behaved towards a child/young person or an adult at risk in a way that indicates he or she may pose a risk of harm to children/young people/adults and/or
- Behaved towards a child, young person or adults at risk in a way that indicates s/he or she is unsuitable to work with children, young people or adults at risks (this includes behaviour that may have happened outside of the College, that might make an individual unsuitable to work with children, young people or adults at risk. (This is known as transferrable risk).

It is important that the Executive Director of Human Resources and Corporate Services does not investigate the allegation. The initial assessment should be on the basis of the information received and is a decision whether or not the allegation warrants further investigation.

In the case of concerns which relate to a Governor these concern(s) will be shared by the DSL (or deputies) with the Head of Governance & Corporation Secretary and the Chair of the Corporation.

If the assessment of the allegation is that it requires to be investigated, then an investigation will take place in accordance with the College's disciplinary

policy. The Local Authority Designated Officer (LADO) will be advised and advice sought. They will further be kept fully informed of progress and outcome.

8.4 Initial Response to an allegation

Where the College identify a child/young person or an adult at risk has been harmed, that there may be an immediate risk or of the situation is an emergency, the DSL (or in his/her absence a Deputy DSL) will contact children's/ adult social care and as appropriate the police immediately.

The priority will be twofold:

- Looking after the welfare of the child/ an adult at risk
- Investigating and supporting the person subject to the allegation. The Executive Director of HR & Corporate Services will ensure that reasonable support is provided/offered.

8.5 Enquiries and Investigations

Enquiries by Social Services or the police are not to be confused with internal, disciplinary enquiries by the College. The College may be able to use the outcome of external agency enquiries as part of its own procedures. The child/adult protection agencies, including the police, have no power to direct the College to act in a particular way however, the College should assist the agencies with their enquiries.

The College will instigate its own internal enquiries regardless of any formal police or social services investigations but will ensure that this will not prejudice the investigation. Any internal investigation shall conform to the existing College staff disciplinary procedures.

If there is an investigation by an external agency, for example the police, the DSL and/or Executive Director of Human Resources and Corporate Services should normally be involved in, and contribute to, the inter- agency strategy discussions. The 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 DSL (or Executive Director of Human Resources & Corporate Services) shall advise the member of staff that he/she should consult with a representative, for example, a trade union.

The Executive Director of Human Resources and Corporate Services will consult with Social Services, the police or the relevant Integrated Services Safeguarding Team, particularly in relation to timing and content of the information to be provided, and shall:

- Inform the learner 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 learner making the allegation have been informed verbally and in writing 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 member of staff making the allegation that the investigation is taking place and what the likely process will involve.
- Inform the Chair of the Corporation and/or the Designated Governor of the allegation and the investigation.

The Executive Director of Human Resources and Corporate Services shall keep a written record of the action taken in connection with the allegation.

8.6 Suspension

Suspension should not be automatic. In respect of staff, other than the Principal or Senior Post Holders, suspension can only be carried out by the nominated member of the senior management team. In respect of Senior Post Holders, suspension can only be carried out by the Principal or Chairperson (or Vice Chairperson). In respect of the Principal, suspension can only be carried out by the Chairperson (or Vice Chairperson).

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

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

- An allegation(s) or likelihood, of a risk to students, staff or members of the public;
- An allegation(s) or likelihood of damage or loss of property belonging to students, members of staff, public or the College;
- An allegation(s) of an offence which might amount to gross

- misconduct;
- A perception that evidence regarding the allegation(s) may be destroyed

If suspension is being considered, this will be conducted in accordance with the existing College disciplinary procedures.

8.7 External Agency/Third Party / Contracted Services Staff

Where allegations are made against individuals that are not college staff and therefore, we are not the employer, the College will ensure that allegations are dealt with properly; establishing the facts; liaising with the Local Authority Designated Officer (LADO) to determine a suitable outcome and ensuring that the agency/third party is involved and cooperates fully.

8.8 Governors

Where an allegation is made against a Governor, the above-mentioned process will apply. Where an allegation against a governor is substantiated, the governor will be removed from office in accordance with internal procedures.

8.9 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 relevant Integrated Services Safeguarding Team in order that other agencies may act upon the information. In consultation with the DSL and/or the Chairperson of the Corporation, the Principal shall:

- Inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or protection action will be taken. Consideration should be given to offering counselling and support in order to rebuild the member of staff's confidence.
- Inform the parents/carers of those involved that the allegation has been made and of the outcome.
- Where the allegation was made by a learner/learner other than the alleged victim, consideration to be given to informing the parents/carers of that learner.
- 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.
- In some circumstances, consider the broader disclosure of details of

the outcome of the investigations, for example if the matter is of general importance, has become common knowledge or the subject of general gossip. There is a need to provide accurate details for public information.

8.10 Records

It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the member of staff's personal and confidential file. Where the allegation is found to be without foundation, a record of the allegation, investigation and outcome should be retained.

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 notify the Disclosure and Barring Service.

8.11 Low Level Concerns

Occasionally, some concerns may be viewed in isolation as "low-level" concerns or an allegation may not meet the harm threshold. It is still important that such concerns are reported, and data collected to form a potential pattern/picture.

A low-level concern is any concern that an adult has acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work.
- Does not meet the allegations threshold or is not considered serious enough to refer to the LADO.

Examples of low-level concerns could include:

- Being overly friendly with learners
- Having favourites
- Taking photographs of learners on their mobile phone (or other devices)
- Using inappropriate sexualised, intimidating or offensive language.

Low-level concerns must be reported to the DSL or a deputy. If there are concerns about a DSL, these should be reported to the Principal. The College seeks to create an environment where staff are encouraged and feel confident to self-refer if they have found themselves in a situation which might be misinterpreted, or they have behaved in a way that falls below

professional standards.

The DSL or DDSL will record all low-level concerns. Records should include the details of the concern, how the concern arose, and the actions taken. Records will be reviewed by the DSL/DSLs so that patterns of concerning “low-level” behaviour can be recognised and appropriate action can be taken. The College has a detailed policy on addressing low level concerns, which provides for sharing confidentially such concerns, which is clear, easy to understand and implement.

Low-level concerns which are shared about external supply staff and contractors will be notified to their employers so that any potential patterns of inappropriate behaviour can be identified.

If the College is in any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, we will consult with the DCC LADO.

9. Training

- 9.1 The Designated Safeguarding Lead and Deputy Safeguarding Leads, as indicated in this policy, will undertake Designated Safeguarding Lead training, provided by the local authority, including refresher training every two years.
- 9.2 All College staff, including supply staff, and volunteers, who work with students and/or adults at risk, must undertake appropriate training to equip them to carry out their responsibilities effectively. This is kept up to date by mandatory safeguarding training, on a 3-year basis and ensuring they read and understand their obligations under Keeping Children Safe in Education Part 1 annually. In addition, Governors will be required to read and understand their obligations under both Part 1 and Part 2 of KCSIE.
- 9.3 Safeguarding, including online safety training, is covered at both staff and student induction.

10. GDPR

This guidance has been updated to reflect the General Data Protection Regulation (GDPR) and Data Protection Act (DPA) 2018, and it supersedes the HM Government Information sharing: guidance for practitioners and managers published in March 2015. The DPA and UK GDPR places duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure.

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (see principles).
7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf

11. Safeguarding in Partner Organisations

11.1 New College Durham expects all partner organisations to have the following in place:

- A safeguarding policy including PREVENT or two separate policies which fully complies with the relevant guidance.
- A member of staff who has completed the respective Local Authority Safeguarding Training who can act as named Designated Safeguarding Lead for their organisation.
- A robust procedure for dealing with and recording allegations.

12. Communication

12.1 As part of New College Durham's commitment to safeguarding, we have developed an online safeguarding portal. The portal will allow staff, students and partner organisations to view key information and documents relating to safeguarding and Prevent.

12.2 The College will develop and issue a termly safeguarding newsletter to keep all staff informed of key developments.

12.3 The DSL/DDSLs will ensure that:

- The policy is reviewed annually.
- The procedures and implementation will be updated and reviewed regularly.
- The policy is publicised and parents will be made aware of the fact that referrals about suspected abuse or neglect may be made to external parties by the College.
- Staff are aware of safeguarding training opportunities and the latest local policies on safeguarding.
- Should learners leave the College, if appropriate, their protection file will be copied for any new school or College as soon as possible but transferred separately from the main learner file.

13. Review

The effectiveness of this Policy will be judged annually and reviewed every five years in light of experience and best practice. The appropriate Corporation Committee will undertake the review of the Policy.

Appendix 1

Key Definitions

a) Children

Within the context of this policy a 'child' is defined as anyone under the age of 18 (the Children Act 1989, Education Act 2002).

b) Adults at Risk (formerly known as Vulnerable Adults)

It is recognised within this policy that any adult may be vulnerable or become a victim of abuse. Specifically, an 'adult at risk' is defined as any person who is 18 years of age or over and has a reduced capacity to give consent to disclosure of abuse allegations or suspicions. As defined by the Law Commission (1995) the following definitions for the purpose of this policy have been used:

An individual:

- a. is or may be in need of community care services by reason of mental or other disability, age or illness;
- b. is or may be unable to take care of themselves ;
- c. is unable to protect themselves against significant harm or serious exploitation

Whilst not definitive, the main categories of people covered by the definition of "adult at risk" for the purpose of this policy include those who;

- d. have a learning disability
- e. have a physical or sensory impairment
- f. have a mental illness
- g. are considered vulnerable and who may experience abuse due to problems with alcohol or drugs (or be vulnerable due to other circumstances such as being an asylum seekers.

c) Looked after Children

The College has a separate policy for Looked after Children and is reviewed within the guidelines of this policy and our safeguarding procedures.

d) Preventing Radicalisation and Terrorism (PREVENT)

Prevent is 1 of the 4 elements of CONTEST, the UK Government's counter-terrorism strategy, defined as:

“Stopping people becoming or supporting terrorists or violent extremism. Violent extremism in the name of ideology or belief is defined as violence, incitement to violence, terrorism, incitement to terrorism, or other activities that may result in violent behaviour or terrorist activity in the name of an ideology or a set of beliefs.”

An integral element of the College's Safeguarding ethos is encouraging students to respect the Fundamental British Values of:

- a. democracy;
- b. the rule of law;
- c. individual liberty and mutual respect;
- d. tolerance of those with different faiths and beliefs.

The College works with the Local Authority and partners, including our Regional Prevent Lead to ensure that we are kept informed of any potential risks to our locality and to ensure that our staff and students have the most up to date information that is available.

e) Contextual Safeguarding

Safeguarding incidents and/or behaviours can be associated with factors outside the college and/or can occur between children/young people/students outside the college. All staff, but especially the Designated Safeguarding Lead (or Deputy) should be considering the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children, young people or adults at risk should consider whether wider environmental factors are present in a student's life that are a threat to their safety and/or welfare. These threats can take a variety of different forms and children, young people or adults at risk can be exposed to multiple threats, including: exploitation by criminal gangs and organised crime groups such as county lines; trafficking, online abuse; sexual exploitation and the influences of extremism leading to radicalisation.

- f) Children, Young People or adults at risk staying with host families (Homestay/Private Fostering)

Schools and colleges quite often make arrangements for their children, young people or adults at risk to have learning experiences where, for short periods, the children, young people or adults at risk may be provided with care and accommodation by a host family to whom they are not related. This might happen, for example, as part of a foreign exchange visit or sports tour, often described as ‘homestay’ arrangements.

In some circumstances the arrangement where children or young people stay with UK families could amount to “private fostering”. Private fostering occurs when a child under the age of 16 (under 18, if disabled) is provided with care and accommodation by a person who is not a parent, person with parental responsibility for them or a relative in their own home. A child is not privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer.

Such arrangements may come to the attention of School/College staff through the normal course of their interaction, and promotion of learning activities, with children, young people or adults at risk and they should contact the DSL who will notify the local authority to allow the local authority to check the arrangement is suitable and safe for the child or an adult at risk

- g) Students who are lesbian, gay, bi, or trans (LGBT)

The fact that a child or a young person may be LGBT is not in itself an inherent risk factor for harm. However, children/young people who are LGBT can be targeted by other children/young people. In some cases, a child/young person who is perceived by other children/young people to be LGBT (whether they are or not) can be just as vulnerable as children/young people who identify as LGBT. These risks can be compounded where children/young people who are LGBT lack a trusted adult with whom they can be open. College staff will seek to reduce the additional barriers faced and provide a safe space for LGBT students to speak out or share their concerns with members of staff.

When considering how to support/proceed Children who are gender questioning the College will refer to the Department for Education “**Guidance for Schools and Colleges in relation to Gender Questioning Children**”.

- h) Early Help

Early help is providing support as soon as a problem emerges, at any point in a child’s life, from the foundation years through to the teenage years. Early help can also prevent further problems arising; for example, if it is provided as part of a

support plan where a child has returned home to their family from care, or in families where there are emerging parental mental health issues or drug and alcohol misuse. College Staff should be particularly alert to the potential need for early help for a child who:

- is disabled or has certain health conditions and has specific additional needs
- has special educational needs (whether or not they have a statutory Education, Health and Care plan)
- has a mental health need
- is a young carer
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups or county lines
- is frequently missing/goes missing from education, home or care,
- has experienced multiple suspensions, is at risk of being permanently excluded from schools, colleges and in Alternative Provision or a Pupil Referral Unit.
- is at risk of modern slavery, trafficking, sexual and/or criminal exploitation
- is at risk of being radicalised or exploited
- has a parent or carer in custody, or is affected by parental offending
- is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse
- is misusing alcohol and other drugs themselves
- is at risk of so-called 'honour'-based abuse such as Female Genital Mutilation or Forced Marriage
- is a privately fostered child.

The College DDSL/DSL's may decide that the children involved do not require referral to statutory services but may benefit from early help. Early help is support for children of all ages that improves a family's resilience and outcomes or reduces the chance of a problem getting worse. Providing early help is more effective in promoting the welfare of children than reacting later

Appendix 2

Indicators of abuse, neglect, exploitation and specific safeguarding issues

In respect of this policy, the College recognises the following as definitions of abuse, neglect, exploitation and specific safeguarding issues:

- Physical abuse: a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child/young person or an adult at risk. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child, young person or an adult at risk.
- Emotional abuse: the persistent emotional maltreatment of a child or an adult at risk such as to cause severe and adverse effects on the child's, young person's or an adult at risk emotional development. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse, including where they see, hear or experience its effects.
- Sexual abuse: involves forcing or enticing a child, young person or an adult at risk to take part in sexual activities, not necessarily involving violence, whether or not the individual 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 a child/young person/adult at risk in looking at, or in the production of, sexual images, watching sexual activities, encouraging the child/young person/adult at risk to behave in sexually inappropriate ways, or grooming a child/young person/adult at risk in preparation for abuse.
- Neglect: the persistent failure to meet a child/young person/adult at risk basic physical and/or psychological needs, likely to result in the serious impairment of the child/young person/adult at risk health or development
- Child Criminal Exploitation (CCE) and Child Sexual Exploitation (CSE)

Both CSE and CCE are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child/young person into taking part in sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and

CCE can affect children, young people or adults at risk, both male and female and can include children/young people/ adults at risk who have been moved (commonly referred to as trafficking) for the purpose of exploitation.

- Child Criminal Exploitation (CCE)

Some specific forms of CCE can include children/young people being forced or manipulated into transporting drugs or money through county lines, working in cannabis factories, shoplifting or pickpocketing. They can also be forced or manipulated into committing vehicle crime or threatening/committing serious violence to others.

Children/young people can become trapped by this type of exploitation as perpetrators can threaten victims (and their families) with violence or entrap and coerce them into debt. They may be coerced into carrying weapons such as knives or begin to carry a knife for a sense of protection from harm from others.

As children/young people involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognised by adults and professionals and they are not treated as victims despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to.

It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

Although, the generally accepted terminology refer to “child” exploitation the College will extend similar consideration to adult(s) at risk

Indicators of such behaviour are detailed on the College Safeguarding Portal.

- Child Sexual Exploitation (CSE)

Child Sexual Exploitation involves a victim being targeted and groomed by adults, with the intention of sexually assaulting and/or raping them. The children/young people are targeted because they are vulnerable; due to their age.

Grooming can take place in many forms - e.g. online via social media, via mobile phones, or in person. The child/young person will not always realise that (s)he is being groomed. Often the grooming starts with friendship or a relationship, where the offender may supply gifts such as clothes, money, mobile phones, which may

progress to the supply of alcohol and drugs. Further information on grooming is detailed on the College Safeguarding Portal.

The offenders are very organised and deliberate in their actions, in some cases working together within a group. They are predatory sex offenders, targeting specifically vulnerable children/young person.

Sometimes the children/young people are given lifts and transported around. The offender will usually encourage the child/young person to distance themselves further from their usual family and friends. Soon into this friendship/relationship, sexual assaults and rapes may occur upon the child.

Although, the generally accepted terminology refer to “child” exploitation the College will extend similar consideration to adult(s) at risk

Indicators of such behaviour are detailed on the College Safeguarding Portal.

- Children with family members in prison

Approximately 200,000 children in England and Wales have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. The College will utilise the guidance from the National Information Centre on Children of Offenders (NICCO) to help mitigate negative consequences for those children.

- Children and the court system

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed, support will be offered in such cases.

- Children who are absent from education

All staff should be aware that children being absent from school or college, particularly repeatedly and/or for prolonged periods, and children deliberately missing education (i.e. unexplainable and/or persistent absence from education) can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect such as sexual abuse or exploitation and can also be a sign of child criminal exploitation including involvement in county lines. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation, so called ‘honour’-based abuse or risk of forced marriage.

Early intervention is essential to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. It is important that

staff are aware of their school's or college's unauthorised absence procedures and children missing education procedures.

- Mental Health

All staff should be aware that mental health problems can, in some cases, be an indicator that a child/young person/adult at risk has suffered or is at risk of suffering abuse, neglect or exploitation. The College has a Mental Health Strategy for staff and a separate one for students both can be accessed on the College internet.

- Serious Violence

There are indicators, which may signal that children/ young people/adults at risk are at risk from, or involved with serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children/young people/ adults at risk have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation

Recent guidance suggests that risk factors that might increase the likelihood of involvement in serious violence are:

- being male
- having frequent absences or permanently excluded from school
- having experienced maltreatment in early life
- having been involved in offending, such as theft or robbery

- County Lines

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs using dedicated mobile phone lines or other form of "deal line". This activity can happen locally as well as across the UK - no specified distance of travel is required. Children, young people and adults at risk are exploited to move, store and sell drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children/young people/adults at risk can be targeted and recruited into county lines in a number of locations including schools (mainstream and special), further and higher educational institutions, pupil referral units, children's homes and care homes.

Further information on the signs of a child's involvement in county lines is available in guidance published by the Home Office and The Children's Society County Lines Toolkit For Professionals

- Domestic Abuse

The Domestic Abuse Act 2021 received Royal Assent on 29 April 2021. The Act introduces the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children/ young people/adults at risk, as victims in their own right, if they see, hear or experience the effects of abuse

Domestic abuse can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. That abuse can be, but is not limited to, psychological, physical, sexual, financial or emotional. Children, young people and adults at risk can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). All of which can have a detrimental and long-term impact on their health, well-being, development, and ability to learn.

- Modern Slavery

Modern slavery encompasses human trafficking and slavery, servitude and forced or compulsory labour. Exploitation can take many forms, including: sexual exploitation, forced labour, slavery, servitude, forced criminality and the removal of organs

- Cybercrime

Cybercrime is criminal activity committed using computers and/or the internet. It is broadly categorised as either 'cyber-enabled' (crimes that can happen off-line but are enabled at scale and at speed on-line) or 'cyber dependent' (crimes that can be committed only by using a computer).

- Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's/ an adult at risk welfare. The designated safeguarding lead (and any deputies) should be aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity.

- Forced Marriage

So-called 'honour'-based abuse (HBA) 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 HBA 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 HBA, or already having suffered HBA.

If staff have a concern regarding a child who might be at risk of HBA or who has suffered from HBA, they should speak to the designated safeguarding lead (or a deputy). As appropriate, the designated safeguarding lead (or a deputy) will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with the police and local authority children's social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on lecturers. If a lecturer, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the lecturer must report this to the police.

- Extremism

Is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.

- Radicalisation

Refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

- Terrorism

Is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

- Sexual violence and sexual harassment

Sexual violence and sexual harassment can occur between two or more individuals at any point of their lives. It can occur also through a group of children/young

people/adults sexually assaulting or sexually harassing a single child/young person/adult or group of children/young people/adults. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face-to-face (both physically and verbally).

At New College Durham there is a zero-tolerance approach to sexual violence and sexual harassment. It will not be passed off as “banter”, “just having a laugh”, “a part of growing up” or “boys being boys”. Staff will recognise that students who are victims of sexual violence and sexual harassment wherever it happens, may find the experience stressful and distressing, and may adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school or college. Occasionally this abuse may result in intra familial harms and the College working with appropriate authorities will ensure that any necessary support for siblings is provided/sourced following such incidents.

All staff working with learners at the College will always maintain an attitude of ‘it could happen here’. Any report of sexual violence or sexual harassment will be taken seriously, staff should be aware it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys. Children/young people/adults with special educational needs and disabilities (SEND) are also three times more likely to be abused than their peers.

Ultimately, it is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. The assurance will extend to relating to the child/young/adult the importance of ensuring that they understand the law on abuse is there to protect them rather than criminalise them.

- Child on child Abuse

Young people can abuse other young people. This is generally referred to as child on child abuse and can take many forms and it can happen both inside and outside of College and online. This can include (but is not limited to):

- bullying (including cyberbullying, prejudice-based and discriminatory abuse in intimate personal relationships between children/young people/ students;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault;(this may include an online element which facilitates, threatens and/or encourages sexual violence);

It is essential that inappropriate behaviours between children/young people/students is challenged, downplaying certain behaviours, for example dismissing sexual harassment as “just banter”, “just having a laugh”, “part of growing up” or “boys being boys” can lead to a culture of acceptance of unacceptable behaviour - inappropriate behaviour must be challenged.

- Online Safety

Online Safety – In simple terms, online safety refers to the act of staying safe online. It is also commonly known as internet safety, e-safety and cyber safety. It encompasses all technological devices which have access to the internet from PCs and laptops to smartphones and tablets. Being safe online means individuals are protecting themselves and others from online harms and risks which may jeopardise their personal information, lead to unsafe communications or even effect their mental health and wellbeing. Student’s are more engaged online than they’ve ever been in online activities. Ownership of smart devices is increasing and the range of content they are viewing is expanding. In an ever-changing world, ensuring learners’ safety online has never been more important and where a student needs to engage in remote learning the College will speak with parents/carers/students to reinforce the importance of children/young people being safe online and what systems colleges use to filter and monitor online use.

The College may also use online approaches to deliver training or support. Staff will be aware of the signs and signals of cyberbullying and other risks online and apply the same child-centered safeguarding practices as when students are learning at the College. The College continues to ensure appropriate filters and monitors are in place and staff must understand their roles and responsibilities in supporting these key aspects of online safety and indeed specific training will be provided to aid staff in understanding these key obligations.

The College has taken on board the guidance from the UK Safer Internet Centre on safe remote learning and guidance for safer working practice from the Safer Recruitment Consortium and the College’s accreditation by Cyber Essentials Plus provide key assurances on the effectiveness of our online safety systems/processes.

The College provide specific guidance on on-line safety on it Safeguarding Portal.

- Children with unexplainable and/or persistent absences from education

Children with unexplainable and/or persistent absences from education is often an indicator for other potential safeguarding concerns. The College has measures, though its attendance reporting and follow up procedures, to ensure it is following up on students, who present with unexplainable and/or persistent

absences need to look at Student Engagement in Learning policy.

- Upskirting

The Voyeurism (Offences) Act 2019, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any sex, can be a victim.

Appendix 3

Actions following a disclosure (child on child abuse)

- Manage Internally – In some cases of child on child abuse, for example, one-off incidents, the College may take the view that the children/ young people/adults at risk concerned are not in need of early help or that referrals need to be made to statutory services, and that it would be appropriate to handle the incident internally, through utilising their behaviour policy and by providing pastoral support.
- Early Help – The College may decide that the children/ young people/ adults at risk involved do not require referral to statutory services but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a student's life. Providing early help is more effective in promoting the welfare of children/ young people/adults at risk than reacting later.
- Referrals to children's (or adult) social care - Where a learner has been harmed, is at risk of harm, or is in immediate danger, the College will make a referral to local children's (or adult) social care. At the point of referral to children's (or adult) social care, the College will generally inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the child/ an adult at risk at additional risk). Any such decision should be made with the support of children's (or adult) social care. If a referral is made, children/adult social care will then make enquiries to determine whether any of the learner at risk involved are in need of protection or other services.
- Where statutory assessments are appropriate, the College (especially the DSL or a deputy) will work alongside, and cooperate with, the relevant lead social worker. The College will be mindful that early information sharing is vital for the effective identification, assessment, and allocation of appropriate service provision, whether this is when problems first emerge, or where a learner is already known to local authority children's/adult social care (such as a child in need, a child with a protection plan, Look after Children).
- Providing Safeguarding Services to Children, Young People, Parents and Carers supports staff who must make decisions about sharing information. For further information see:

<https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

Considerations with regard to the Data Protection Act 2018 (DPA) and UK General Data Protection Regulation (UK GDPR). DPA and UK GDPR places duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure. This legislation does not

prevent the

sharing of information for the purposes of keeping learners at risk safe and promoting their welfare. Fears about sharing information will not be allowed to stand in the way of the need to safeguard and promote the welfare of children/young people/ adults at risk. The College recognises that Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator(s) and any other learner at risk that requires support.

- Reporting to the Police - Any report to the police will generally be in parallel with a referral to children's/ adult social care (as above). Where a report has been made to the police, the College will consult the police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator(s) and their parents or carers. The College will also discuss the best way to protect the victim and their anonymity. In some cases, it may become clear very quickly that the police (for whatever reason) will not take further action. In such circumstances, the College continue to engage with specialist support for the victim and alleged perpetrator(s) as required.