

# **SAFEGUARDING POLICY**

## **SAFEGUARDING CHILDREN AND VULNERABLE ADULTS**

November 2018

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**COLCHESTER INSTITUTE**

**SAFEGUARDING POLICY**

## 1. Introduction

Colchester Institute is fully committed to the well-being of its students. The College works to actively support and promote the positive welfare of all students including vulnerable adults and those with additional needs and expects all staff and volunteers to share, promote and practise this commitment at all times. Safeguarding and promoting the welfare of our students is everyone's responsibility.

This Policy represents Colchester Institute's response to the need to protect all students, especially children, young people and vulnerable adults and those with identified needs at all College Campuses and organisations that carry out work on behalf of Colchester Institute.

The intent of the Safeguarding Policy is to ensure that:

- a safe environment is provided for students at all times;
- students (child or adult) who are at risk of and/or likely to suffer significant harm are identified, and appropriate action taken with the aim of making sure they are kept safe, both at College and at home or elsewhere;
- there exist safe recruitment practices in checking the suitability of staff and volunteers to work with or in proximity to students
- staff are made aware of issues relating to the welfare of students;
- this policy applies to all students regardless of gender, ethnicity, disability, sexuality or religion.

Working within this policy and linked policies demonstrates Colchester Institute's compliance to the duty placed on Colleges to keeping children, young people and vulnerable adults safe and promoting their welfare in these ways:

- Protecting from maltreatment
- Preventing impairment of health or development
- Growing up in a safe and cared for environment
- Taking action to enable the best outcomes

This policy should be read in conjunction with Colchester Institute Staff Code of Conduct and Safeguarding Protocol for Staff.

The Code of Conduct states that relationships between staff members and vulnerable adult students are strictly prohibited as well as relationships between staff members and students under 18 years of age. These types of relationship could be viewed as an abuse of the staff member's position of trust and breach of the standards of professional conduct expected at Colchester Institute. Any member of staff who enters into such a relationship should be subject to the college's disciplinary procedure. This behaviour is likely to constitute gross misconduct, which could lead to summary dismissal and a referral to the Disclosure and Barring Service, and could also potentially be a criminal offence under the Sexual Offences Act 2003.

In addition to Colchester Institute's Safeguarding Policy staff must have an awareness of Keeping Children Safe in Education 2018 and the Southend, Essex and Thurrock (SET) Procedures for Safeguarding Children and Adults and use for reference where necessary.

## 2. Aims and Principles

The College is committed to the rights of students within all its learning locations; it is committed to promoting their welfare, protecting their physical and emotional wellbeing and safeguarding them from all forms of abuse. Colchester Institute expects all staff, volunteers and contracted staff to share this commitment. The College will act in ways that best safeguard the interests of students.

The College is committed to the following safeguarding principles and practices:

- the needs and interests of students are paramount;
- all people working under the auspices of the College carry a responsibility for safeguarding and promoting the welfare of students
- all College staff should be prepared to identify children and vulnerable adults who may benefit from early help

### **3. Purpose**

The purpose of this Policy is to ensure that Colchester Institute has effective systems in place for safeguarding students.

The College fully supports the objectives outlined in the guidance [‘Keeping Children Safe in Education \(2018\)’](#) and [‘Working Together to Safeguard Children’ \(2018\)](#), [SET Procedures for Children and Young People](#) and [SET guidelines for Safeguarding Adults](#) in order to help keep students safe by contributing to:

- providing a safe environment for students to learn in education settings;
- identifying students who are suffering or who are likely to suffer significant harm and taking appropriate action with the aim of making sure they are kept safe both at home and in College;
- implementing safer recruitment policies and the development of safe and secure environments for learning with appropriate supervision and support for staff;
- creating supportive environments which enable students to be able to speak out;
- managing concerns sensitively and promptly referring to statutory agencies including Children’s Social Care, Adult Social Care and/or Police;
- actively participate when required in Child in Need Panels, Child Protection Panels, Channel Panels and/or, Counter Terrorism Local Profile Meetings;
- maintain a relationship with the Essex Safeguarding Children Board by attending Local Stay Safe meetings and, when requested, the Local Children’s Partnership Board and subgroups;
- maintaining confidentiality and only sharing information relating to individual students/families on a strictly ‘need to know’ basis;
- recognising that the College does not have an investigatory role in child protection; the role is to ensure that concerns are passed on without delay to agencies that have a statutory responsibility to investigate i.e. Social Care and the Police;
- ensuring that all employees of the College have access to an appropriate level of information, instruction and training to ensure that the College’s policies, practices and procedures are used and understood by all members of staff;
- supporting Students who may have been abused in accordance with his/her child protection plan;
- ensuring that where the College sub-contracts to outside agencies, the service provider is required to have an up to-date Safeguarding and Child Protection policy or subscribe to the principles of the College’s Safeguarding Child Protection Policy and is responsible for ensuring that those working closely with or supervising students are DBS checked appropriately.

This policy will be subject to continual revision to reflect statutory review.

### **4. Statutory Responsibilities and Background**

The Police and Social Services have primary responsibility in the field of child protection. The Children's Act 2004 places a duty on local authorities to take steps to protect students in appropriate circumstances.

The Education Act 2002 ensures that responsibilities under the Education Acts are carried out with a view to safeguarding and promoting the welfare of students.

Working Together to Safeguard Children publishes the legislative requirements placed on individual services in relation to inter-agency working to safeguard and promote the welfare of children.

The Sexual Offences Act 2003 makes it an offence for a person over 18 (e.g. a lecturer or other member of staff) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies where the child is an enrolled student and the person works in the same establishment as the child, even if s/he does not teach the child. It can also potentially be an offence under this Act for such a staff member to have a sexual relationship with a vulnerable adult.

The Counter-Terrorism and Security Act, which received Royal Assent on 12 February 2015, places a duty on specified authorities, including local authorities and childcare, education and other children's services providers, in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism ("the Prevent duty").

Keeping Children Safe in education 2018 outlines statutory guidance that specifically schools and colleges must have regard to when carrying out their duties to safeguard and promote the welfare of children.

The College takes account of guidance issued by the Department for Education, the Disclosure and Barring Service and other relevant bodies and groups.

The College is committed to working with and assisting the local children's departments with regard to child protection matters and is committed to liaising with the Essex Safeguarding Children Board or Stay Safe Groups.

## 5. Definitions

For the purposes of this policy the term "student" will be used to cover the following categories:

**Child:** – The definition of 'child' in the Children Act of 1989 and 2004 is 'any person who has not reached their 18<sup>th</sup> birthday'

**Vulnerable Adult** - For the purposes of defining an adult student as being a vulnerable adult, Colchester Institute relies on the Safeguarding Vulnerable Groups Act 2006 as amended by the [Protection of Freedoms Act 2012](#).

In summary, where an adult is receiving any one, or more, of the following services, they will meet the definition of being a vulnerable adult:

Healthcare: receiving care from a regulated health care professional (e.g. doctors, nurses, psychiatric nurses, healthcare assistants and physiotherapists) or are receiving health care under the direct supervision of such a health care professional.

Personal care: receiving assistance with washing and dressing, eating, drinking and toileting or prompting or teaching some-one to do one of these tasks.

Social work: receiving provision by a social care worker of social work which is required in connection with any health services or social services.

General household matters: receiving assistance with handling cash, bills or shopping because of their age, illness or disability.

Conduct of affairs: receiving assistance with the conduct of own affairs e.g. power of attorney

This Safeguarding Policy will also apply to any other adult deemed to be at immediate risk of harm and

therefore needing additional help or support in a crisis situation.

**Work experience (GAP at Colchester Institute)** - short and clearly defined as work experience which has a focus and aim of improving employability skills.

**Work placement:** - students undertaking work placement over a long period (one or two days per week over a period of two months or more)

## 6. Scope and Application

The Safeguarding Policy applies to all College staff, Governors, contractors, contracted staff, sub-contracted staff, volunteers and all students whether they work or study in the main College campuses, satellite centres or other designated areas. The policy is applicable to all College on and off site activities undertaken by students whilst they are actively enrolled at Colchester Institute.

The policy applies to students on work experience and placement programmes and those engaged on any College organised off-site activity.

The policy applies to working arrangements with other agencies including schools, employers and support agencies.

The policy applies to students who are external candidates and on the premises for the purpose of taking an examination.

The policy applies to apprentices who are enrolled at Colchester Institute. The College recognises that safeguarding apprentices who may not be geographically based near the College or come onto College site is not without its challenges. Where it is not possible to meet the student in person to discuss concerns, due to geographical constraints, safeguarding advice and procedures will be followed by telephone with the apprentice to ensure their safety.

Employers of Apprentices are able to access the College's Safeguarding Officers for advice and signposting.

## 7. Types of Abuse and Neglect

**Neglect:** The persistent failure to meet a student's basic physical and psychological needs, likely to result in the serious impairment of the student's health or development.

**Emotional Abuse:** The persistent emotional ill-treatment of a student such as to cause severe and persistent adverse effects on the student's emotional development.

**Physical Abuse:** Actual or likely physical injury to a student, or failure to prevent physical injury or suffering to a student including deliberate poisoning, suffocation or inducing or fabricating illness (formally known as "Munchausen's syndrome by proxy").

**Sexual Abuse:** Involves forcing or enticing a student to take part in sexual activities, whether or not the student is aware of what is happening. Includes Child Sexual Exploitation.

**Financial Abuse** - financial abuse takes many forms, from denying someone access to funds, to making someone solely responsible for money while the other person is handling money irresponsibly. Money becomes a tool by which the abuser can further control the victim

**Appendix 9 gives information on specific Safeguarding issues**

## 8. Radicalisation and Prevent

Radicalisation is the process by which a person comes to support terrorism and forms of extremism leading to terrorism. Keeping Children Safe in Education (September 2016) states: *From 1 July 2015, specified authorities, including all schools (and, since 18 September 2015, all colleges) as defined in the summary of this guidance, are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have “due regard to the need to prevent people from being drawn into terrorism”. This duty is known as the Prevent duty.*

The Counter-Terrorism and Security Act 2015 also places a duty on local authorities to ensure Channel Panels are in place. The panel must include the local authority and chief officer of the local police. Panels will assess the extent to which identified individuals are vulnerable to being drawn into terrorism, following a referral from the police and where considered appropriate and necessary consent is obtained, arrange for support to be provided to those individuals. The Act will require partners which includes FE Colleges to co-operate with the Channel Panel in the carrying out of its functions and with the police in undertaking the initial assessment as to whether a referral is appropriate.

Colchester Institute will engage with the Channel Panel, Police Engagement Officer for Radicalisation and Counter Terrorism Local Profile Meetings as required.

Young people and vulnerable adults are particularly targeted by groups who may promote extremist activity.

College staff should be aware of the signs of radicalisation and have confidence to report concerns to a Safeguarding Officer.

The College will also promote the ethos of the “prevent” agenda by encouraging free and open debate but challenging extreme views. It will encourage through its classroom practice, College themed events (Respect) and induction activities, a belief in Equality of Opportunity and celebration of Diversity.

The College will not host or allow its premises to be used by extreme groups and will seek to prevent the distribution of extreme literature.

The College has a legal responsibility to forbid the promotion of partisan political views in the teaching of any subject in the College and must take steps as are reasonably practicable to secure that where political issues are brought to the attention of students they are offered a balanced presentation of opposing views. Promotion of any organisations linked to violent extremism is contrary to the values of the Colleges and could constitute misconduct.

The College will provide appropriate support through its own staff or by referral to external agencies, for any student in danger of radicalisation.

## **9. Forced marriage**

A distinction should be made between ‘forced’ and ‘arranged’ marriage. The Forced Marriage Unit describes the difference between a forced and an arranged marriage thus: *“There is a clear distinction between a forced marriage and an arranged marriage. In arranged marriages, the families of both spouses take a leading role in arranging the marriage but the choice whether or not to accept the arrangement remains with the prospective spouses. In forced marriage, one or both spouses do not (or, in the case of some adults with disabilities, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, sexual, financial and emotional pressure. Consent is essential to all marriages –*

*only the spouses will know if they gave their consent freely.”*

All suspicions of forced marriage must be reported to a Safeguarding Officer; this applies even if the marriage has already taken place.

Full credence should be given to information about forced marriage supplied by third parties (e.g. a friend of the student).

The College will follow the guidance issued by the Forced Marriage Unit (Foreign & Commonwealth Office, <http://www.fco.gov.uk/en/fco-in-action/nationals/forced-marriage-unit/>)

Concerns around forced marriage must be reported to a Safeguarding Officer the same as all other Safeguarding concerns.

## **10. Female Genital Mutilation**

Female Genital Mutilation (FGM) is illegal in England and Wales under the FGM Act 2003 (“the 2003 Act”). **It is a form of child abuse and violence against women.** FGM comprises all procedures involving partial or total removal of the external female genitalia for non-medical reasons.

Section 5B of the 2003 Act<sup>1</sup> introduces a mandatory reporting duty which requires regulated health and social care professionals and teachers in England and Wales to report ‘known’ cases of FGM in under 18s which they identify in the course of their professional work to the police. **The duty came into force on 31 October 2015.**

‘Known’ cases are those where either a girl informs the person that an act of FGM – however described – has been carried out on her, or where the person observes physical signs on a girl appearing to show that an act of FGM has been carried out and the person has no reason to believe that the act was, or was part of, a surgical operation.

For the purposes of the Act Teachers - includes qualified teachers or persons who are employed or engaged to carry out teaching work in schools and other institutions, and, in Wales, education practitioners regulated by the Education Workforce Council;

## **11. Allegations of abuse student to student (sexual, violent, other)**

In addition to the student Bullying and Harassment Concerns which are handled under the student Bullying and Harassment Policy and Procedures, allegations of abuse between students are dealt with under this policy. Disclosures of student to student abuse which are made direct to College will follow the same procedure as detailed in sections 14 and 15.

### **Disclosure to College**

Where abuse is reported to the College and handled as per section 14 and 15 the College will then meet with each student to discuss the case and a risk assessment will be carried out to ensure their safety. The College will seek advice, liaise and work in partnership with parents (for under 18 year olds or if students over 18 years old consent) and external agencies (for example the Police) to support both students.

### **Disclosure to College – agencies already involved**

When reports of student to student abuse are received after key agencies have a been informed (Police/Social Care) by parents/other, the College will hold a meeting with each student individually (with parents if under 18 years old or consent to parental involvement over 18 years old) to discuss the case and

a risk assessment will be carried out to ensure their safety. The College will seek advice, liaise and work in partnership with parents (for under 18 year olds or if students over 18 years old consent) and external agencies (for example the Police) to support both students.

Where information is received from the Police the Criminal Convictions and Pending Prosecution Policy and Procedures will be implemented.

## **12. Children and vulnerable adults with special educational needs and disabilities**

Children and vulnerable adults with special educational needs and disabilities can face additional safeguarding challenges. It is important that these additional challenges are remembered when recognising abuse and neglect in this group. Keeping Children Safe in Education publishes the additional barriers as:

- assumptions that indicators of possible abuse such as behaviour, mood, injury relate to the child's disability without further exploration;
- being more prone to peer group isolation than other groups
- the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these barriers.

Keeping Children Safe in Education 2018 Page 26 -27 section 96.

## **13. Students missing College**

The College recognises that for some children, young people and vulnerable adults, absence from College may be a potential indicator for abuse, neglect and increase their risk of radicalisation, exploitation and harm.

The College's attendance policy and procedures details that students should notify the College of absence (whatever reason, in advance of the absence or on the day) by telling their tutor or Progress and Destination Tutor (PDT) they will be absent or by reporting their absence on the absence reporting form, available on the College's website.

If the student has failed to notify the College about the absence, either through direct communication with tutor(s) or via the Absence reporting button on the website, the tutor or PDT should phone the student to establish their whereabouts; this initial call should be made by the PDT in their daily attendance checks or tutor of the session the Student is absent from or following the agreed process within the team (e.g. Personal Tutor, Course Leader etc.).

The College requests two NOK contact numbers for each student.

If no contact can be made then the absence should be notified to the Course Leader and the Admissions and Curriculum Support Officer (ACSO) on the same day, so that follow up can be made and the parent/guardian, if the Student is under 18 is contacted (\*or was under 18 at the point of enrolment.) For areas that have a PDT, the PDT will continue trying to make contact throughout the day.

All information relating to student absence must be recorded on ProMonitor and shared with the Course Leader.

If absence continues for more than 1 day and either phone contact has been unsuccessful or no satisfactory reason for absence is given the, Course Leader should request an attendance letter to be sent by their course administrator, see Appendix 4 for wording templates, these can, and should, be adapted if necessary.

If the tutor or PDT is concerned for the student's welfare or feels that they are vulnerable they will refer this concern to a Safeguarding Officer, who will seek the advice of Adult/ Children's Social Care and/or the Police.

#### **14. Looked after children missing college**

Looked after children, as identified through partnership working with the Local Authority, are known by the Student Safeguarding Team. It is requested by the safeguarding team that if tutors or PDTs have concerns in relation to a looked after child, including persistent absence, they contact the safeguarding team.

The College engages with Welfare Call who is commissioned by the Local Authority (Essex County Council) to collect attendance information relating to Essex Looked After Children.

#### **15. The 5 Rs of Safeguarding – For All Staff**

- Recognise – Ability to recognise behaviour which may indicate abuse
- Respond – Promptly, appropriately and sensitively to the student and the situation
- Report – Report concerns to a Safeguarding Officer
- Record –
  - Record precisely and promptly what has been alleged, ensuring details are accurate & factual,
  - Do not ask questions and do not investigate
  - Do not record yours or others opinions as your report may be used as legal evidence
  - Give notes to the Safeguarding Officer
- Refer - The Safeguarding Officer will decide if referral is appropriate and to which agency referral is made

#### **16. Procedures for reporting concerns – All Staff**

##### **Allegations or concerns of harm or abuse against students.**

Staff may become aware of possible concerns or actual harm or abuse either by observation of behaviour or through direct disclosure by the student themselves or a third party for example a friend or family member.

If a student starts to be abused, their behaviour may change; a calm person may become loud and disruptive; a lively person may become quiet and withdrawn. Students may:

- present with bruises and injuries that they have difficulty explaining or that are in places where it is difficult to sustain injury accidentally e.g. neck, cheeks, eyes, shoulders and top of the arms;

- be scared, tearful and may present unusual, difficult or strange behaviour;
- self-harm or place themselves in risky situations;
- attempt suicide

The staff member who receives the concern/has concerns must not investigate but it may be necessary to ask straightforward, non-leading questions of students where possible abuse has taken place. Notes should be taken and recorded on a SGC1 Form and passed onto a Safeguarding Officer within the relevant time frames. The record should state date, time, people present as well as what was said. It might be appropriate to make a note on a skin map (See **Appendix 7**) of any marks or bruises.

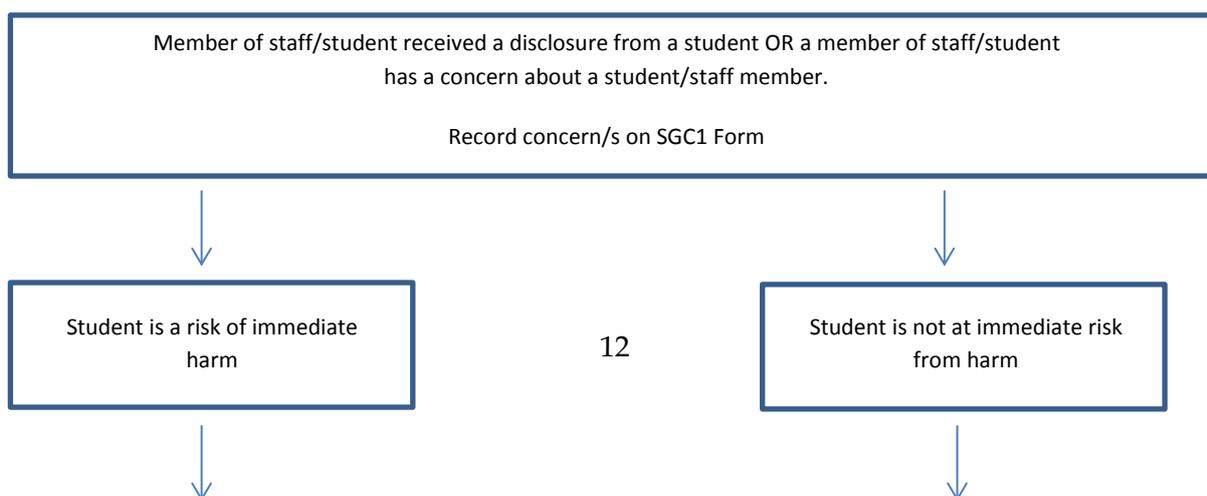
### Confidentiality

**Staff must never give an undertaking of absolute confidentiality.** If staff do give an undertaking of absolute confidentiality, this could be regarded as an act of misconduct which would be addressed under the college’s disciplinary procedure.

The College has a professional responsibility to share relevant information about the protection of students with other professionals, particularly investigative agencies such as Essex County Council Social Care, the designated person at the relevant school (if appropriate) and the Police (if appropriate). If a student confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells the student that he or she has a responsibility to refer safeguarding and child protection concerns to the appropriate agencies for the student’s sake. Within that context, the student should, however, be assured that the matter will be disclosed only to people who need to know about it. Staff who receive information about students and their families in the course of their work should share that information only within appropriate professional contexts.

**Staff should not make enquiries into concerns or allegations themselves but MUST report them immediately to a Safeguarding Officer in person or by phone.**

### 17. Flow Chart - Staff referral to a Safeguarding Officer



If you are concerned that student may be at risk from immediate harm outside of College hours please phone the emergency services on 999. Please then inform a College Safeguarding Officer as soon as you can

## **18. Procedures for the Safeguarding Officer**

The Safeguarding Officer will make a decision about referral following preliminary enquiries and taking into account the seriousness of the allegations. Before making a referral to Social Care the Safeguarding Officer may wish to seek advice from the Family operations Hub Consultation Line (Essex Children's Social Care), Children's Social Care, Adult Social Care, EWMHS, Adult Mental Health or the Police.

Once the Safeguarding Officer receives the SGC1 form/details of concern from the member of staff/student/third party the Safeguarding Officer depending on the nature of the concern may inform Essex County Council Social Care by telephone. The referral may need to be followed up in writing either on an FORS (Family Operations Request for Support Form) (children) or SET SAF 1 (Adults). In the case of a student still on school roll, the Safeguarding Officer will inform the Designated person at the relevant school so that the school designated person can make the informed decision regarding referral (please also see

procedure outlined in Allegations of Abuse against a member of staff below).

The Safeguarding Officer will require the information below to make a referral:

- Student's name, address, date of birth, family composition;
- other agencies involved with the student;
- reason for referral;
- name of person receiving the referral and any advice given;
- name and contact details of referrer.

A written record of concerns about students must be kept even where there is no need to refer the matter immediately.

All notes and documentation relating to the safeguarding and child protection are to be kept locked in the Safeguarding filing cabinet and not in the student's educational file.

## **19. Consent**

Where possible consent to share information with agencies and internal staff should be sought from the student and recorded. GDPR and the Data Protection Act 2018 are not barriers to sharing information for the purposes of keeping children, young people and vulnerable adults safe.

Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers July 2018 states;

"Information which is relevant to safeguarding will often be data which is considered 'special category data'

"Where practitioners need to share special category personal data, they should be aware that the Data Protection Act 2018 includes "safeguarding of children and individuals at risk" as a condition that allows practitioners to share information without consent"

## **Life Threatening Situations**

In situations where a student's life is at risk (suicide plans/attempts/threats of violence/harm against them) information will be shared with the emergency services, social care (where appropriate) and the students named NOK, (unless this would place the student at risk) regardless of the student's age.

The College is committed to preserving life.

## **20. Sharing Safeguarding information with internal staff**

Sharing information with staff internal to Colchester Institute will be assessed by the Safeguarding Officer on a case by case basis. Safeguarding Officers will always ask for consent from the student to share safeguarding information with internal staff. Where consent is not given but there is a need for a tutor to know, in order to support the protection of the student, information will be shared. The student will be

informed of this and advised with whom the information will be shared.

For example: a student who self-harms may be using sharp objects (in a kitchen or art environment) for the purposes of their studies. Extra vigilance would be required by staff directly involved in the teaching and support of the student, in order to safeguard the student.

Situations where students need no additional protection, for example: historic concerns, in College and there is no need for staff directly involved in the teaching and support of the student to know about the safeguarding concern, the staff will not be told unless the student consents to sharing the information.

Staff members should respect the privacy, wishes and confidentiality of students in relation to Safeguarding Officers sharing safeguarding concerns about the student. Staff should be confident that Safeguarding Officers will share if there is a need to share.

Safeguarding Officers will record information sharing decisions and reasons why in relation to cases when consent is not given.

## **21. Circumstances for referral by a non- Safeguarding Officer including out of hours**

Safeguarding is everyone's responsibility. The role of Designated Person, Deputy and Safeguarding Officers exist to ensure a main point of contact, that Safeguarding procedures are followed consistently, records are made and kept and the safety of the student is paramount.

In exceptional circumstances it may be necessary for staff to make a referral to external agencies (Social Care/Police/Mental Health). These exceptions may be:

If you have concerns about a student:

- outside of College hours or
- if you are unable to contact a Safeguarding Officer/ Designated Person/Deputy and have exhausted all internal Safeguarding Contacts or
- you have concerns that the Safeguarding Officer is not executing their role

If the student is at immediate risk from harm please dial 999. Please notify a Safeguarding Officer as soon as is reasonably possible.

If you do make a referral to Childrens Social Care/Adult Social Care/ EWMHS/Police. Please ensure you notify a Safeguarding Officer as soon as is reasonably possible after the referral has been made.

To make referral you will need

- Student's name, address, date of birth, family composition;
- other agencies involved with the student;
- reason for referral;
- name of person receiving the referral and any advice given;
- name and contact details of referrer.

### **Contact numbers including out of hours**

Essex Children's and Adult's Social Care out of hours – 0345 606 1212

Essex Children's and Adult's Social Care 8.45 – 5.30pm Mon-Thu and Fri 8.45 – 4.30  
0345 603 7627

Emotional Health Wellbeing and Mental Health Service up to 18 years of age – 0300 300 1600

Mental Health referrals for 18 years plus can only be made by a Health Professional ie: GP

Police – Non emergency 101

Emergency 999

NHS – Non emergency advice 111

Emergency 999

## **22. Allegations of abuse or raising a concern against a member of staff, volunteer or governor**

The procedures apply to all College staff, whether they work in the main College campuses, outreach centres or other designated areas, volunteers and governors. Staff are uniquely placed to have a positive role in safeguarding and child protection. They are in a position to observe students on a daily basis and therefore spot physical and emotional signs that might indicate they are being abused. Close interaction can also make staff vulnerable to allegations being made against them. The College recognises that an allegation of child abuse or concern in relation to a staff member's behaviour or language towards a student made against a member of staff, volunteer or governor may be made for a variety of reasons. Such allegations may be unfounded, or, where there is evidence of some harm, may be either deliberate or innocent of such intent. Regrettably, on occasions, staff do commit acts of abuse or ill-treatment.

The College recognises that the welfare of the student is paramount. It is also recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence and career. Therefore, those dealing with such allegations within the College will do so with care and sensitivity and will work to ensure allegations are dealt with quickly and fairly.

Any complaint, concern or allegation with a safeguarding child or vulnerable adult element should be responded to as a safeguarding allegation in the first instance. Allegations must be taken seriously and acted upon as a matter of priority.

The procedures are detailed below.

### **Establishing initial facts**

A member of staff who receives an allegation or concern or about another member of staff from a student, or who has witnessed something they are concerned about in relation to a staff member should refer the concern immediately to a safeguarding officer. The staff member who received the allegation from the student or the staff member who has the concern should provide this in writing, signed and dated. Information about times, dates, locations and names of potential witnesses should be recorded. SGC 1 form (Appendix 2) can be used for this purpose.

All allegations of abuse or concerns against a member of staff must be reported to the Executive Director of Human Resources by the Safeguarding Officer. The written and signed concern will be securely handed to the Executive Director of Human Resources.

Where the allegation of abuse concerns a student still on school roll, the Designated Lead Safeguarding Officer or Deputy will inform the school Designated Person that such an allegation has been received, and the decision regarding referral to Social Services will take place thereafter.

If the allegation is against the Principal, the Designated Governor with responsibility for Safeguarding must be informed.

If the allegation is against the Designated Lead Safeguarding Officer, the Principal will be informed.

If the allegation is against the Designated Governor with responsibility for Safeguarding, the Chair of Governors must be informed.

If the allegation is against a member of staff senior to the staff member raising the concern/receiving the allegation, the concern must be raised directly and immediately with the Executive Director of Human Resources or their deputy.

Staff can raise concerns about any member of staff either directly with the named persons above or via the College Whistleblowing Policy.

It is essential that a full investigation is not undertaken at this stage. This means that interviews should not be conducted with students, members of staff or potential witnesses. However, it will be necessary for the Executive Director of Human Resources to establish basic facts to inform further action. He/she may undertake some brief preliminary enquiries or ask line management to do so. He/she may seek advice from the Local Authority Designated Officer (LADO). He/she, or the line manager if it is them undertaking preliminary enquiries, will determine whether an internal investigation or action under the provisions of the College's Disciplinary Procedure is required.

Guidelines on undertaking preliminary enquiries undertaken are contained in **Appendix 3**.

#### Where the allegation requires referral to LADO

The Executive Director of Human Resources will act in accordance with the Southend, Essex, and Thurrock (SET) procedures and will ask the Designated Lead Safeguarding Officer to make an immediate referral to the Local Authority Designated Officer (LADO) if the allegation suggests that the person has:

- behaved in a way that has harmed a student or may have harmed a student ;
- possibly committed a criminal offence;
- behaved towards a student or students in a way that could make them unsuitable to work with children or vulnerable adults whether in a paid or voluntary capacity.

Once the referral has been made, the LADO will make a judgement as to the seriousness of the allegation and whether further formal action is required. They will also make contact or ask the College to make contact with the Police, as necessary. In some cases, the LADO may wish to call a Strategy meeting. The Executive Director of Human Resources 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.

If the outcome of the referral/strategy meeting is that the LADO and/or the Police wish to investigate the matter, the College must take no further action at this stage until given leave to do so by the LADO or the Police; to do otherwise could prejudice the investigation. However the College will consider the necessity to suspend or make alternative working arrangements whilst the investigation is underway. This will be dealt with in accordance with the College's Disciplinary procedures

Subject to objections from the police or other investigating agency, the Designated Lead Safeguarding Officer or their Deputy shall:

- inform the student making the allegation that the investigation is taking place and what the likely process will involve;
- ensure that the parents/carers of the student making the allegation have been informed that the allegation has been made and what the likely process will involve.

The Executive Director of Human Resources or their Deputy will:

- 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;
- keep a written record of the action taken in connection with the allegation.

#### Where the allegation does not require referral and/or the allegation is without foundation

Instances where the allegation does not require referral include:

- Where the allegation relates to use of reasonable force to restrain a student from injuring themselves or others;
- Where, following the initial consideration, it is absolutely clear that the allegation is false e.g. the immediate circumstances of the allegation show that it would not be possible for the allegation to be true; however, in these circumstances, it should be borne in mind that if a student has made an obviously false allegation, this may be a strong indicator of abuse elsewhere which requires further investigation. A record will be kept and consideration given to a referral to Essex County Council Social Services;
- where the allegation represents inappropriate or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the students.

### **23. Relationships between Staff and Students**

It is important that all staff at the college understand the level of professional conduct expected of them in respect of relationships with students.

#### **Relationships with students under the age of 18**

Relationships between staff and students under the age of 18 are strictly prohibited.

Colleges act *in loco parentis* for students under 18 and there should be a clear expectation that no member of staff, whether in a teaching or support role, should enter into a relationship with any student under the age of 18.

Moreover, teaching staff in particular should be made aware that having a relationship with a student under 18 could be treated as a criminal offence that may result in imprisonment.

The Sexual Offences Act 2003 contains provisions that specifically deal with offences against children and sections 16 - 24 of the Act deal with the abuse of a position of trust, including sexual activity with a child under the age of 18. The purpose of these provisions is to protect young people who are considered to be particularly vulnerable to exploitation by those who hold a position of trust or authority in their lives. In such cases, it is not relevant that the sexual activity was consensual, due to the particular relationship between the student and the abuser. These offences are designed to protect 16 and 17 year olds from being

persuaded to engage in sexual activity, which would not be criminal except for the member of staff's position of trust in relation to the student.

Positions of trust are defined in sections 21 and 22 of the Act and include looking after persons under 18 in an educational establishment, residential settings, where duties involve regular unsupervised contact with children in the community.

Staff entering into close personal relationships with students under 18 and vulnerable adults will be subject to the college's disciplinary procedure. This behaviour is likely to constitute gross misconduct, which could lead to summary dismissal and a referral to the Disclosure and Barring Service.

### **Relationships with students who are vulnerable adults**

Relationships between staff and vulnerable adult students are strictly prohibited.

This type of relationship could be viewed as an abuse of the staff member's position of trust and breach of the standards of professional conduct expected at Colchester Institute. Any member of staff who enters into such a relationship should be subject to the college's disciplinary procedure.

This behaviour is likely to constitute gross misconduct, which could lead to summary dismissal and a referral to the Disclosure and Barring Service, and could also potentially be a criminal offence under the Sexual Offences Act 2003.

For the purposes of defining an adult student as being a vulnerable adult, Colchester Institute relies on the Safeguarding Vulnerable Groups Act 2006 as amended by the [Protection of Freedoms Act 2012](#).

In summary, where an adult is receiving any one, or more, of the following services, they will meet the definition of being a vulnerable adult:

Healthcare: receiving care from a regulated health care professional (e.g. doctors, nurses, psychiatric nurses, healthcare assistants and physiotherapists) or are receiving health care under the direct supervision of such a health care professional.

Personal care: receiving assistance with washing and dressing, eating, drinking and toileting or prompting or teaching some-one to do one of these tasks.

Social work: receiving provision by a social care worker of social work which is required in connection with any health services or social services.

General household matters: receiving assistance with handling cash, bills or shopping because of their age, illness or disability.

Conduct of affairs: receiving assistance with the conduct of own affairs e.g. power of attorney.

### **Relationships with students aged 18 or above who are not Vulnerable Adult students**

Personal relationships between an staff member and a student who is not under 18 years of age or a vulnerable adult student, that are different to a normal and/or reasonable professional relationship are strongly discouraged by the College,

All students are entitled to equality of treatment and it is important that this is maintained and also perceived to be maintained. The College and its staff have a professional responsibility to protect the interests of all students. Relationships between staff and students are not generally equal, as staff members will clearly have a higher hierarchical status at the college than the student. A relationship between a member of staff and a student poses risks to both parties: the student may become isolated

from peers, particularly if other students perceive there to be favourable treatment from the member of staff, which could affect the student's group work and general college experience. The member of staff may find relationships with colleagues strained, and may risk allegations of harassment from the student, particularly if the relationship were to break up.

However, it may be that a personal relationship already exists between a member of staff and a student or a relationship may develop between a member of staff and a student of 18 years or more who is not a vulnerable adult student.

- If a personal relationship exists prior to the student being enrolled this must be declared to the Executive Director of Human Resources.

#### Declaration of a staff and student personal relationship

Staff who embark on personal relationships with students over the age of 18 who are not vulnerable adult students which are different to a normal and/or reasonable professional relationship must disclose the relationship to the Executive Director of Human Resources immediately. The Executive Director of Human Resources will then:

- Inform the Line Manager, Area Head/Head of School and the College Executive member relevant to their role. Principal/ Executive Vice Principal Finance and Corporate Development/ Executive Vice Principal Curriculum, Planning and Quality/ Vice Principal for Student Services and Support/Vice Principal for Curriculum Delivery and Performance/ Dean of Higher Education.
- Determine whether the student is considered to be a Vulnerable Adult by checking with the Designated Person for Safeguarding whether this student is a Vulnerable Adult as defined in this policy this check will be made in confidence by the Executive Director of HR or their Deputy.

If the student is deemed to be a Vulnerable Adult Staff as defined in this policy, disciplinary procedures will be initiated.

If the student is not deemed to be a Vulnerable Adult the staff member will be informed that safeguards need to be put in place in order to protect both the staff member and the student professionally. This may include:

- If the staff member has a direct professional relationship with the student or any influence on the student at college, the College will put in place appropriate arrangements to ensure that the student's learning and assessment procedures are free of bias.
- The college will also advise the member of staff and the student that their personal relationship should be conducted entirely off campus. This is to avoid negative perceptions from other members of staff and students.
- There is a possibility that due to the personal relationship, the student may be in a position to gain greater knowledge from the staff member. The [line manager / Area Head/Head of School] should consider this possibility when ensuring that the student's assessments are free from bias.
- Although the Area Head/Head of School will treat the disclosure sensitively and in confidence, it is likely that other members of staff will need to be informed. This will be on a strictly need-to-know basis and this will be discussed with the member of staff first. Examples of when the disclosure might need to be shared, in confidence, include advising those assessing the student's work, which

may include external verifiers or moderators. This may be necessary in order to maintain the integrity of the assessment process.

Failure to disclose a personal relationship at the earliest opportunity for the staff member with any student will be dealt with under the college's disciplinary procedure and is likely to constitute gross misconduct

Failure to disclose conflicts of interest in any meeting requiring such disclosure of staff members where they are in a relationship with any student will be dealt with under the college's disciplinary procedure and is likely to constitute gross misconduct.

If a student declares a relationship with a member of staff, the college will follow the same procedure above.

It would be completely unacceptable for a member of staff to form a relationship with a student based on preferential treatment in return for sexual favours. Any such behaviour will be subject to the college's disciplinary procedures and is likely to constitute gross misconduct.

## **24. Whistleblowing**

All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the college's safeguarding regime and know that such concerns will be taken seriously by the senior leadership team. This can be done via the [College's Whistleblowing procedure](#).

Where a staff member feels unable to raise an issue with their employer via the College's whistleblowing procedure or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:

- General guidance can be found at- <https://www.gov.uk/whistleblowing>
- The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

If a staff member has a concern related to an adult working with children and does not wish to raise the concern via the College's Safeguarding or whistleblowing procedure they can contact the Essex Local Area Designated Officer (LADO)

- LADO - 03330 139 797

## **25. Students on alternative year 11 programmes**

The College has a duty of care towards students who are studying on the alternative year 11 programs whilst on College premises. In arranging provision for students of compulsory school age, the College will;

- Monitor attendance – daily phone call to NOK is made when a student does not attend with overall attendance summarised in a weekly report that is shared with both the NOK and school/Education provider. This also includes. a brief weekly progress report shared with NOK and schools
- Gain and record written permission from students NOK for students to go off site at lunch/break times and keep on file

- Students will wear an orange lanyard whilst at CI to identify them as 14-16 years old
- Regular 1:1 tutorials undertaken with students with Education and Pastoral Support Officer
- Hold the majority of timetabled sessions in 'base room' close to staff office
- Deliver Safeguarding/keeping safe topics in the tutorial programme
- Undertake a comprehensive admission/interview procedure to assess a young person's suitability to the New Approach programme. Referral to the program is made by Education Provider and requires comprehensive overview of a young person's background and barriers to learning. An interview with the core team is undertaken also as part of the referral process.
- Provide schools or education providers/Local Authority with relevant details of provision to enable the school to obtain parental consent (or, where appropriate, consent from a guardian or foster parent) for their child to participate. The College will require evidence of this written consent;
- Request details from the school or education provider/ Local Authority any medical or special educational needs or disability requirements including EHCPs that a student may have and agree with the school how the support can be provided;
- Ensure that students are made aware of the general standards of safety with which they should comply.

All concerns regarding safeguarding for students on the alternative year 11 programs must be referred, for action, to the Child Protection Officer at the school or education provider where the student is on roll (or the child's social worker if the student is not on a school roll) and then centrally recorded with the College's Safeguarding Team. Colchester Institute will act in the best interest of the student in order to secure their immediate safety.

## 26. Student Work Experience and Work Placements

**Definition: Work experience (GAP at Colchester Institute)** - short and clearly defined as work experience which has a focus and aim of improving employability skills. Students enrolled on Study Programmes are required to undertake a minimum of 30 hours' work experience.

Staff who arrange, vet and monitor work experience and work placements must have undertaken the College Safeguarding training.

Employers will be vetted through the HASS process to ensure that the locations and environments in which students will be completing their work experience are appropriate, and that the employer has sufficiently considered the Health and Safety policies in place. Safeguarding guidelines are given to businesses and sole traders who accept Colchester Institute students for work placement or work experience.

The HSE is clear in its advice that the management of health & safety for placements should not be a barrier. Their advice states that 'there are very few work activities a student cannot do due to health and safety law'.

We need to:

- take reasonable steps to satisfy ourselves that the employer is managing any significant risks
- rely on past experience with the employer where no significant change has taken place

- work with parents to ensure employers know in advance about students who might be at greater risk
- keep checks in proportion to the environment
- check that the employer understands about the specific factors relevant to employing young people
- check that students know how to raise any health and safety concerns
- Ensure that factors relating to individual students are taken into consideration where necessary (medical conditions, allergies, support needs, etc.)

### Sole Traders

We are defining a Sole Trader as a person who normally conducts their business on their own and works on a Self Employed basis by arrangement or under contract to others.

GAP placements can be completed with sole traders, but only where the learner is already employed by the sole trader. New placements cannot be arranged with sole traders.

Prior to commencing work experience with a sole trader the parents/carers of a student who is under the age of 18 years is asked to read and sign a special consent form for their child to commence work experience with the sole trader. The consent form gives information about possible additional risks of working with a sole trader.

**If a student is concerned for their safety whilst on work experience they should call the College Safeguarding Team on 01206 712828 (this is not a 24 hour line, calls will be answered Mon-Thurs 8.30-5.00pm and Fri 8.30 – 4.30pm College Term Time Only). If a student is at immediate risk of harm at any time please phone the emergency services on 999.**

### **Work Placements**

Students over 16 years whose course work placement includes unsupervised access to children and young people will be required to have a clear enhanced DBS check. If the student will be working with children under 8 years old they will also need to complete a Childcare Disqualification Regulation form 2009.

Organisations that offer work placements for College students will be vetted for their suitability before a student is allocated a place with that employer.

The vetting arrangements for employers used for work placements will be:

A workplace risk assessment will be carried out on each employer. The assessment will include a check on whether an employer carries out DBS checks on staff who work with young learners and vulnerable adults and the employer's Safeguarding Policy and Procedure.

Employers hosting learners on work placements will receive site visits from tutors, or other appropriately trained staff, to carry out the check prior to any learner placements.

When a Workplace Risk Assessment check suggests that an employer does not have appropriate safeguarding and child protection policies or awareness of safeguarding and child protection issues or is unwilling to subscribe to the principles of Colchester Institute's Safeguarding and Child Protection policy or where there is evidence of risks to child safety, tutors will be instructed to ensure that no learners are placed with that employer.

Completed Workplace Risk Assessments will be checked and authorised by the relevant Head of Area.

Copies of this policy will be made available to all those involved in placements.

Through the guidance notes for students on placements, learners who are placed with employers will be given clear advice about whom to report concerns in relation to Health, Safety or Safeguarding.

## **27. Records**

The Designated Lead Safeguarding Officer will be responsible for maintaining records, in a secure place, of all child protection and safeguarding referrals.

Documents relating to investigations or action taken under the staff disciplinary procedures will be kept by Human Resources in accordance with those procedures.

## **28. Designated people with responsibility for Safeguarding**

### **Designated senior staff member with lead responsibility for Safeguarding**

The designated person with lead responsibility for safeguarding children and vulnerable adults at Colchester Institute is: - **Maeve Borges, Vice Principal: Student Services and Support**

The designated person with lead responsibility must be a member of the College Management Group. He/she has a key duty to take lead responsibility for raising awareness within the staff of issues relating to the welfare of students, and the promotion of a safe environment for students within the College.

He/she must receive appropriate training in child protection issues and inter-agency working, and will receive refresher training at least every 2 years.

The designated lead with responsibility for Safeguarding is responsible for:

- overseeing the referral of cases of suspected harm or abuse or allegations against staff to Essex County Council Social Services and the relevant investigating agencies;
- ensuring that advice and support is given to staff on issues relating to safeguarding and child protection, including e-safety;
- ensuring that a proper record of any child protection and safeguarding referral, complaint or concern is maintained (even where that concern does not lead to a referral);
- ensuring that parents of students within the College are aware of the College's Safeguarding and Child protection policy;
- ensuring that the College liaises with the LA and ESCB and other appropriate agencies;
- ensuring that the College liaises with secondary schools which send students to the College to ensure that appropriate arrangements are made for the students;
- ensuring that the College liaises with employers and training organisations that receive students from the college on long term placements to ensure that appropriate safeguards are put in place;
- ensuring that staff receive training, appropriate to their role, in safeguarding and child protection issues and are aware of the College Safeguarding and Child Protection Policy and Procedures.
- ensuring that staff receive updates on Safeguarding and Child Protection matters at the very minimum annually.

## **Designated Staff Members for Safeguarding Children and Vulnerable Adults (Safeguarding Officers)**

Deputy to the Designated Leads:-responsible for deputising for the Safeguarding Lead in their absence

**Kirsty Russell, Student Services Manager,**

**Mark Shillaker, Learning Support and SEND Manager,**

**Cathryn Dodge, Senior Welfare Advisor**

### **Safeguarding Officers:-**

The College will appoint Safeguarding Officers. The list of current safeguarding officers is given in **Appendix 4**.

The Safeguarding Officers will:-

- report to the Designated Lead Safeguarding person or his/her Deputy;
- know how to make an appropriate referral; be available to provide advice and support to other staff on issues relating to child protection; have particular responsibility to be available to listen to students studying at the College;
- deal with individual cases, including case conferences and review meetings as appropriate;
- have received training in safeguarding issues and inter-agency working, as required by the Essex Safeguarding Children Board, and refresher training at least every 3 years.

### **Designated Governor for Safeguarding**

The **Vice Chair of the Corporation, Kevin Prince**, is the Designated Governor with responsibility for safeguarding students and vulnerable adult.

The Designated Governor is responsible for liaising with the Principal and the Designated lead over matters regarding safeguarding students and vulnerable adult, including:-

- ensuring that the College has procedures and policies which are consistent with the Essex Safeguarding Children Board and Essex Safeguarding Adults Board procedures;
- ensuring that the Corporation Board considers the College policy on Safeguarding and Child Protection each year;
- ensuring that the Corporation Board is informed of how the College and its staff have complied with the policy, including but not limited to a report on the training that staff have undertaken.

He/she is also responsible for overseeing the liaison between Essex County Council Social Services in connection with allegations against the Principal and Governors. This will not involve undertaking any form of investigation, but will ensure good communication between the parties and provide information to assist enquiries.

## **29. Awareness of Safeguarding - Students and Parents**

Students will be made aware of potential safeguarding issues (including online-bullying, bullying, radicalisation) and what to do if they have concerns through: student induction, student services video, group tutorials (Safeguarding, Radicalisation and British Values are mandatory topics) their College ID card, posters around College, College Portal and in the course of studying at the College.

The College will ensure that parents are aware of the College's commitment to Safeguarding and Child Protection by including its commitment to this in corporate publications including the College website.

Where the College has a Safeguarding concern about a student under the age of 18 years of age, or under

25 years if they are a vulnerable adult, parents or next of kin will be informed of the concern. The College will not contact parents or next of kin if informing them would place the student at risk of harm.

Parents/Carers and next of kin are encouraged to seek and engage with support for the student outside of College in addition to the support the College can offer. This is vital to safeguard the student both inside and outside of college.

**Appendix 10** lists links to advice and information on Safeguarding and Child Protection

### **30. Recruitment of Staff and Volunteers**

The College will implement procedures to ensure that all appropriate checks are carried out on all staff working at the College. This will be documented in a Single Central Record as set out in Keeping Children Safe in Education guidance. Enhanced DBS disclosures will be obtained and the barred list checked for all staff appointed to positions where the person will be engaging in regulated activity with children and vulnerable adults

“Unsupervised” (as defined by Department for Education) Volunteers to the College where regulated activity will be taking place will also require an Enhanced DBS check and the barred list checked.

### **31. Staff Training and Support**

The College will provide safeguarding training for all staff working with students.

The training will;

- help staff to recognise the signs of possible harm to students.
- ensure that staff know how to proceed when possible harm is suspected and whom to contact;
- inform staff of College procedures and policies in the area, relevant legislation and the role of the designated members of staff for child protection.

Safeguarding training is included within the Induction programme for all new staff.

Refresher training for all staff will be required at least every 3 years. Failure to complete this refresher training could be deemed an act of misconduct and if so would initiate actions under the College’s disciplinary procedure

Safeguarding and Child Protection updates relevant to all staff will be shared when they arise.

An annual Safeguarding Information update will be communicated to all staff.

Support is available for members of staff who have received disclosures. In many cases, this can be a painful and disturbing experience for the recipient, who may in some cases require counselling support. Staff Counselling can be arranged via Human Resources Employee Assistance Programme.

Informal support can be sought from Safeguarding Officers however it must be made clear that the support is informal and that they are not drawn in to a pseudo-counselling relationship with the staff member who received the disclosure.

Safeguarding Officers will receive monthly supervision with an external supervisor to ensure their emotional wellbeing is supported. Peer support from other Safeguarding Officers, the Designated Person for Child Protection and their deputies is available daily as and when required either as a way of escalating concerns, talking through options or sharing difficult cases. Safeguarding Officers can also access Staff Counselling via the Human Resources Employee Assistance Programme.

### **32. Communication of this Policy and Safeguarding Officers Contact Details**

Staff, students, Volunteers and visitors will be made aware of the College Safeguarding Policy, Safeguarding Officers, and where and how to seek help through the following communication channels:-

- Insight, Portal and email
- Induction procedures for new staff and students
- Prospectus
- ID cards
- Fold out Z card for Part time students and visitors
- Posters listing Safeguarding Officer Contact number
- Publication on the College Portal of helpful information accessible to students e.g. Childline, NSPCC
- Promotion of support provided through Student Services.

### **33. Corporation Board**

The Designated lead will report to the Corporation Board on safeguarding, systems and statistics. These will include any changes to the policy, training undertaken and numbers of child protection and safeguarding incidents.

In addition the child protection/safeguarding incidents will be reported to each Curriculum and Quality Committee (or as they occur if there is nothing to report). Such reports will be made with due regard to confidentiality i.e. names will not be included.

### **34. Monitoring and Review**

This policy will be reviewed annually or when statutory updates are required in year.

### **35. Associated Policies**

This policy should not be read in isolation and should be cross-referenced with all relevant College policies, procedures and guidelines including:-

- Safeguarding Protocol for Staff
- Staff Code of Conduct
- Staff Disciplinary Policy
- Student Criminal Conviction and Pending Prosecution Policy
- Staff recruitment policy
- Equality and Diversity policy
- Safeguarding Guidelines for Businesses or Sole Traders: Colchester Institute External placements
- Student E-Safety policy
- Staff Induction procedures
- Staff and student bullying/harassment procedures
- Student disciplinary policy
- Student attendance policy
- Prevent Strategy
- Health & Safety policy
- Work experience for Study Programmes policy
- Student Emotional Wellbeing Strategy
- Student Fitness to Study Policy
- UCC Fitness to Study Policy

**APPENDIX 1**

# **SAFEGUARDING STUDENTS**

## **Protocol for Staff**

August 2018

**Safeguarding  
Protocol for Staff  
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**SAFEGUARDING**  
**PROTOCOL FOR STAFF**

**1. Introduction**

As an employee of Colchester Institute or any other organisation working with students, staff are required to demonstrate high standards in their exercise of authority, their management of risk and in the active protection of students from discrimination and avoidable harm. This document is designed both to be useful to staff in avoiding situations that might lead to allegations against them and to reassure other parties, e.g. parents, schools, the Ofsted, DFE, LEA, SFA and EFA, that a strategy exists to safeguard students.

The vast majority of adults who work with students in education settings act professionally. They seek to provide a safe and supportive environment, which secures the wellbeing and very best outcomes for children, young people and vulnerable adult students in their care. It is recognised that achieving these aims is not always straightforward. Much relies on student and staff interactions where tensions and misunderstandings can occur. It is here that staff behaviours can give rise to allegations being made against them. Allegations may be genuine, malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned.

Staff need to be prudent about their own conduct and vigilant about the conduct of others, so that their relationships with students remain, and are seen to remain entirely appropriate and professional. Staff working with students often feel vulnerable and require advice on what constitutes acceptable behaviour and what might be considered as misconduct. This document addresses this and seeks to ensure that the duty of care towards students and staff is promoted by raising awareness of unacceptable, unsafe and unwise behaviour.

**2. Underpinning Principles**

- The welfare of the student is paramount.
  
- Staff must promote the general progress and wellbeing of individual students and of any class or group of students assigned to them.

- Staff must ensure the health and safety of students while they are within their responsibility.
- Staff are required to provide advice and information to students on educational, personal and social matters, including the provision of information about sources or more expert advice on specific questions.
- Staff must maintain good order and discipline among students and promote their development.
- Staff are responsible for their own actions and behaviour and must avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Staff must work, and be seen to work, in an open and transparent way.
- Staff must discuss and/or take advice promptly from their line manager, Area Head or CMG manager over any incident, which may give rise to concern.
- Staff must apply the same professional standards regardless of gender, ethnicity or sexual orientation.

These principles are intended to guide staff members and ensure that they give paramount consideration to students' wellbeing by respecting and being sensitive to the following:

- The ascertainable wishes and feelings of the student concerned – (considered in the light of her/his age and understanding);
- The student's physical, emotional and learning needs;
- The student's age, gender, background and any other relevant characteristics;
- Any harm that the student has suffered or is at risk of suffering.
- All staff must be familiar with the College's Safeguarding policy and the name of the college's Designated Lead and deputy who are:-  
[Safeguarding Officers](#)

### **3. Confidentiality**

Members of staff may have access to confidential information about students in order to undertake their everyday responsibilities. In some circumstances staff may be given additional highly sensitive or private information. They should never use confidential or personal information about a student or his/her family for their own, or others' advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the student.

Confidential information about a student must never be used casually in conversation or shared with any person other than on a strictly need to know basis. In circumstances where the student's identity does not need to be disclosed the information should be used anonymously.

There are some circumstances in which a member of staff may be expected to share information about a student, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay to a Safeguarding Officer, Deputy Designated Lead or Designated Lead.

If a member of staff is in any doubt about whether to share information or keep it confidential he or she should seek guidance from the Designated person. Any media or legal enquiries should be passed to senior management.

This means that staff:

- are expected to treat information they receive about a student in a discreet and confidential manner.
- in any doubt about sharing information they hold or which has been requested of them should seek advice from their Area Head or CMG Manager.
- need to be cautious when passing information to others about a student.
- must never give an undertaking of absolute confidentiality. If staff do give an undertaking of absolute confidentiality, this could be regarded as an act of misconduct which would be addressed under the college's disciplinary procedure.

### **4. Propriety and Behaviour**

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of students. They must adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, students and the public in general.

An individual's behaviour should not compromise her/his position within the work setting.

This means that staff must not:

- behave in a manner which would lead any reasonable person to question their suitability to work with students or act as a role model.
- make sexual remarks to a student via any means (including email, text messages, phone or letter). Remarks about a student's physical appearance or clothing are only justified in the context of the requirements of curriculum or health and safety. Students may find any other such remarks intrusive or offensive.
- discuss their own sexual relationships with or in the presence of students.
- discuss a student's sexual relationships in inappropriate settings or contexts.
- make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such.

## **5. Dress and Appearance**

A person's dress and appearance are matters of personal choice and self-expression. However staff must consider the manner of dress and appearance appropriate to their professional role which may be different to that adopted in their personal life. Staff must ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegation.

This means that staff must wear clothing which:

- promotes a positive and professional image.
- is appropriate to their role.
- is not likely to be viewed as offensive, revealing, or sexually provocative.
- does not distract, cause embarrassment or give rise to misunderstanding.
- is absent of any political or otherwise contentious slogans.
- is not considered to be discriminatory.

## **6. Gifts and money**

It is against the law for public servants to take bribes. Staff need to take care that they do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

There are occasions when students or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

Similarly, it is strongly inadvisable to give personal gifts or money (loan or given) to students. This could be misinterpreted as a gesture either to bribe, or single out a student. It might be perceived that a 'favour' of some kind is expected in return.

This means that staff must:

- ensure gifts received or given in situations which may be misconstrued are declared.
- generally, only give gifts to an individual student as part of an agreed reward system.
- Ensure, that when giving gifts other than those above, that these are of insignificant value and given to students equally.
- Ensure that line managers are made aware of gifts received
- Ensure that they do not lend or give money to students

## **6. Infatuations**

Staff need to be aware that it is not uncommon for students to be strongly attracted to a member of staff and/or develop heterosexual or homosexual infatuation. All situations must be responded to sensitively to maintain the dignity of all concerned. Staff must also be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff.

A member of staff who becomes aware that a student may be infatuated with themselves or a colleague must discuss this at the earliest opportunity with their manager so that appropriate action can be taken. In this way, steps can be taken to avoid hurt and distress for all concerned.

This means that staff must:

- Report to line management any indications (verbal, written or physical) that suggest a student may be infatuated with a member of staff.

## **8. Social contact**

Staff must not establish or seek to establish social contact with students for the purpose of securing a friendship or to pursue or strengthen a relationship. Even if a student seeks to establish social contact, or if this occurs coincidentally, the member of staff must exercise her/his professional judgement in making a response and be aware that such social contact could be misconstrued.

Staff must not give their personal details such as home/mobile phone number, home or email address to students unless the need to do so is agreed with their line manager.

The use of social networking sites such as Facebook, Twitter and Instagram has raised new challenges for staff working with students. Individuals are encouraged to post information of a personal and, sometimes, intimate nature, which in former times, would have been considered private and only accessible to close confidants. By posting this information it is now available to a wider public, including students, and can no longer be valid to hold that, because the activity takes place outside the place or work, it is personal and private and nothing to do with third parties such as employers or the authorities. Where the information is potentially compromising – for example, when it touches upon aspects of a member of staff's private life in the areas of sexual behaviour, alcohol or drug misuse, activity that may be construed as being violent or illegal etc – there is a real danger that it will become common knowledge and, as a result, seriously impact upon that member of staff's professional relationship with students and they will become compromised.

This means that staff must:

- always approve any planned contact with students outside of College with their manager, for example, when it is part of an award scheme or pastoral care programme.
- advise management of any regular contact they have with a student which may give rise to concern from any other person – work colleague, line manager, other students, or the public generally.
- record and report to their line manager any situation which they feel might compromise the college or their own professional standing.
- be aware of the potential ramifications of posting private information onto a social networking site
- Not invite/follow students to “be their friend” or follow them on Social Media or access the student pages/social media account

## **9. Physical Contact**

As a general principle, staff should not engage in physical contact with their students. However, there may be occasions when it is appropriate for staff to have physical contact with students but it is crucial that they only do so in ways appropriate to their professional role.

When physical contact is made with students this should be in response to their needs at the time, of limited duration and appropriate given their age, stage or development, gender, ethnicity and background. It is recognised, for example, that some students

require physical assistance due to the nature of their disability; however, such contact must always be acceptable to the student and be within their agreed plan of care. Any such contact should be the subject of an agreement with the Area Head or CMG manager and should be subject to review. Where feasible, staff should seek the student's permission before initiating contact. Staff should listen, observe and take note of the student's reaction or feelings and – so far as is possible - use a level of contact which is acceptable to the student for the minimum time necessary.

Physical contact must never be secretive or for the gratification of the member of staff, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances must be reported to the relevant Area Head or CMG manager as soon as possible.

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one student in one set of circumstances may be inappropriate in another, or with a different student. Staff should therefore use their professional judgement at all times.

Extra caution is required where it is known that a student has suffered previous abuse or neglect. In the student's view, physical contact might be associated with such experiences and lead to staff being vulnerable to allegations of abuse. It is recognised that many such students are extremely needy and seek out inappropriate physical contact. In such circumstances staff must deter the student sensitively by helping them to understand the importance of personal boundaries.

The general culture of 'limited touch' must be adapted, where appropriate, to the individual requirement of each student. As mentioned, students with special needs may require more physical contact to assist their everyday learning. The arrangements must be understood and agreed by all concerned, justified in terms of the student's needs, consistently applied and open to scrutiny.

This means staff must:

- be aware that even well-intentioned contact may be misconstrued by the student, an observer or by anyone to whom this action is described. Staff must not assume that because a student does not react adversely to physical contact that they either want or welcome it. Teenagers, in particular, may dislike physical contact from an adult but be too embarrassed to say so.
- never touch a student in a way which may be considered indecent.
- always be prepared to explain actions and accept that all physical contact be open to scrutiny
- never get involved in horseplay, tickling or fights.

- be aware that any form of physical punishment of students is unlawful as is any form of physical response to misbehaviour unless it is by way of restraint. It is particularly important that staff understand this, both to protect their own position and that of the organisation.

There may be occasions where it is necessary for a member of staff to physically restrain a student to prevent him/her from inflicting injury to himself/herself or others. In such circumstances, only the minimum force necessary must be used and any action taken must be to restrain the student. Where the member of staff has taken action to restrain a student, he/she must report the matter to their manager without delay.

## **10. Physical Education and other activities which require physical contact**

Some staff are likely to come into physical contact with their students from time to time in the course of their training activities, for example when showing a student how to use a piece of apparatus or equipment. Staff must be aware of the limits within which such contact should properly take place and must consider the possibility of such contact being misinterpreted by the student.

This means that staff must:

- consider alternatives, where it is anticipated that a student might misinterpret any such contact, perhaps involving another member of staff, or a less vulnerable student in the demonstration.
- always explain to a student the reason why contact is necessary and what form that contact will take.

## **11. Showers and Changing**

Students are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard students, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision must be appropriate to the needs and age of the student concerned and sensitive to the potential for embarrassment.

Staff therefore need to be vigilant about their own behaviour and be mindful of the needs of the students.

This means that staff must:

- avoid any physical contact when students are in a state of undress.
- avoid any visually intrusive behaviour and where there are changing rooms:
  - Announce their intention of entering.

- Avoid remaining in the room unless the student needs require it.

This means that staff must not:

- change in the same place as students.
- shower with students.

## **12. Students in distress**

There may be occasions when a distressed student needs comfort and reassurance. This may include age appropriate physical contact. Staff must remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.

Where a member of staff has a particular concern about the need to provide this type of care and reassurance she/he should seek further advice from the relevant Area Head or CMG manager.

This means that staff must:

- consider the way in which they offer comfort to a distressed student.
- always tell their line manager when and how they offered comfort to a distressed student.
- record situations which may give rise to concern and advise their line manager.

## **13. Behaviour Management**

All students have a right to be treated with respect and dignity. Staff must not use any form of degrading treatment to punish a student. The use of humour can help to defuse a situation. The use of sarcasm, demeaning or insensitive comments towards students is not acceptable in any situation.

This means that staff must:

- not use force as a form of punishment.
- try to defuse situations before they escalate.
- keep parents informed of any sanctions.
- adhere to the College's behaviour management and student discipline procedures.

#### **14. Physical Intervention**

Physical intervention can be defined as 'the reasonable application of the minimum necessary force to overpower a student with the intention of preventing them from harming themselves or others, or from causing serious damage to property.'

Physical intervention must only be used exceptionally, when unavoidable and in keeping with the incident leading to it. It should be primarily for the benefit of the student/s and, though immediate, should as far as possible be a considered response.

Physical intervention must not be used as a form of punishment or, in normal circumstances, to enforce compliance with instructions. It must not be attempted where the member of staff is put at undue risk. The use of unwarranted physical force is likely to constitute a criminal offence.

The circumstances in which staff can intervene with a student are covered by the 1996 Education Act. Staff may legitimately intervene to prevent a student from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Staff must have regard to the health and safety of themselves and others.

Incidents of physical intervention must, where appropriate, be subject to de-briefing for staff involved and lead to a review of strategies for managing the behaviour of students.

Staff must always seek to defuse situations. Where physical intervention is deemed necessary, it is advised that two staff be involved. Minimum force must be used and for the shortest period necessary.

In all cases where physical intervention is deemed necessary, the incident and subsequent actions must be documented and reported. All physical intervention should be recorded on the Physical Intervention Record form (Appendix 8) and submitted to the Area Head within one working day of the physical intervention.

#### **15. One-to-one situations**

Staff working in one to one situations with students may be more vulnerable to allegations. Lecturers and others must recognise this possibility and plan and conduct such meetings accordingly. Every attempt must be made to ensure the safety and security needs of both staff and students are met.

Managers must ensure that risk assessments are undertaken in relation to the specific nature and implications of one to one work for each member of staff. In addition, each assessment must take into account the individual needs of each student. Any arrangements must be reviewed on a regular basis. Managers must hold risk assessments in document form; any verbal coverage for the risk assessment must be documented. Any risk assessment must be known by the staff member's line manager.

Pre-arranged meetings with students away from the college must not take place unless approval is obtained from their parent if under 18 years of age and in all cases the Area Head and CMG manager.

This means that staff must:

- avoid meetings with students in remote, secluded areas of college.
- ensure there is visual access and/or an open door in one to one situations.
- inform other staff of the meeting beforehand, assessing the need to have them present or close by.
- avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy.
- always report any situation where a student becomes distressed or angry to the relevant Area Head or CMG manager.
- Consider the needs and circumstances of the student involved.

## **16. Transporting Students – College planned activities and visits**

In certain situations e.g. out of college activities and visits, staff or volunteers may be required to transport students. A designated member of staff must be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties that may arise.

It is advisable that transport is undertaken in College vehicles, and not private vehicles, with at least one member of staff additional to the driver acting as an escort.

Staff must ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. Facilities staff must ensure that College vehicles are roadworthy and appropriately insured and that the maximum capacity is not exceeded.

This means that staff must:

- plan and agree arrangements for transport with all parties and parents/carers (for under 18 year olds) in advance.
- Carry out a risk assessment for the transport/journey
- ensure that they are alone with a student for the minimum time possible.
- be aware that the safety and welfare of the student is their responsibility until this is safely passed over to a parent/carer.

- report the nature of the journey, the route and the expected time of arrival in accordance with agreed procedures.
- ensure that their behaviour and all arrangements ensure, vehicle, passenger and driver safety.
- take into account any specific need that the student may have.

In exceptional circumstances it may be necessary for a staff member to transport a student alone and/or in their own vehicle. The staff member and their Line Manager must:

- gain the written consent from the students parents – if the student is under 18 years old or up to 25 years if they have SEN
- gain the written consent of the student if they are over 18 years old
- record with their Line Manager, the reason for the journey
- be aware of potential concerns which may arise from transporting a student alone;
- be aware of potential concerns which may arise from transporting a using their own vehicle.
- ensure that their private vehicle is road worthy and has relevant insurance
- be aware that the safety and welfare of the student is their responsibility until this is safely passed over to a parent/carer.
- plan and agree arrangements with all parties in advance, responding sensitively and flexibly to disagreements.
- ensure that they are alone with a student for the minimum time possible
- report the nature of the journey, the route and the expected time of arrival in accordance with agreed procedures.
- ensure that their behaviour and all arrangements ensure, vehicle, passenger and driver safety.
- take into account any specific need that the student may have.

## **17. Transporting Students – Students who are relatives, family friends or neighbours**

### **Please also see Social contact**

Staff who have children studying at College may provide transport for their son/daughter to get to College. Staff may also provide transport for other relatives, family friends or neighbours. In order to safeguard staff from concerns being raised staff must advise their line manager of the situation and the name of the student they are transporting. The staff member must also ensure that the students' parents/guardians are content with the arrangement. This is a private arrangement made between the staff member and the parents/guardian of the student and is not connected to Colchester Institute. However to safeguard themselves the staff member must ensure the safety of the student at all times whilst in their vehicle.

### **The staff member must:**

- ensure that their private vehicle is road worthy and has relevant insurance
- be aware that cause for concern may be raised by work colleagues, other students, the public, college staff
- be aware of potential ramifications of providing transport to a student via private arrangement
- be aware that in certain roles transporting relatives, family friends or neighbours may create a conflict of interest for the staff member in their role.

## **18. Educations visits and residentials**

Staff must take particular care when supervising students in the less formal atmosphere of a residential setting or educational visit.

During college activities that take place off the college site or out of college hours, a more relaxed discipline or informal dress and language code may be acceptable. However, staff remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

Where out of college activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Students, staff and parents must be informed of these prior to the start of the trip.

Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in an out of college activity. Staff must be aware of and follow guidance.

This means that staff must:

- always have another adult present in out of college activities, unless otherwise agreed with the Area Head or CMG manager.
- undertake risk assessments.

- have parental consent to the activity if the student is under 18 years of age.
- ensure that their behaviour remains professional at all times.

## **19. First Aid and Administration of Medication**

If a student complains of injury or sickness, a judgement must be made as to whether she/he should be referred to a person qualified in First Aid or advised to see her/his own doctor. The College has trained first aiders who are responsible for administering first aid to students and staff. These first aiders are not permitted to administer medication.

Staff who have to administer first aid are advised that, wherever possible, another adult is present, if they are in any doubt as to whether necessary physical contact could be misconstrued.

### **Medical Advice/Treatment or Transfer to Hospital**

If the student is under 18 the parent must be contacted. Wherever possible, the person should be accompanied to the Hospital. If the student has learning difficulties, parents, guardians or carers must be contacted and the student must be accompanied to Hospital.

In both cases this is the responsibility of the appropriate Area Head or CMG Manager and should be arranged through the Support Offices for students.

A casualty may be transported to the hospital by ambulance or taxi, depending upon the severity and nature of the injury.

If a casualty is sent to hospital please inform Secretariat on ext 2307 by sending them the incident form with the details on it.

If the student is under the age of 18 and requires further medical advice/treatment, for example from a GP or a Walk in Centre, the First Aider attending must advise the relevant tutor so that they can determine whether or not they need to be accompanied.

If the student needs to be accompanied this is the responsibility of the appropriate Area Head or CMG Manager and should be arranged through the Support Offices for students.

Some students may need medication during college hours. In circumstances where students need medication regularly, the relevant Area Head must ensure that a Student Support Plan is drawn up in liaison with the Additional Learning Support (ALS) Team to ensure the safety and protection of students and staff. With the permission of the parents, the students must be encouraged to administer the medication themselves.

The Area Head will nominate a member of staff with responsibility to ensure that the Student Support Plan is carried out and the medication taken.

If a member of staff is concerned about the Student Support Plan, medication or the student's adherence to it he/she should inform the Area Head, who may contact the parent, ALS should also be informed.

## **20. Intimate Care**

All students have a right to safety, privacy and dignity when contact of an intimate nature is required (for example assisting with toileting or removing wet/soiled clothing). A support plan must be drawn up by Additional Learning Support Team and agreed with parents for all students who require intimate care on a regular basis.

Students must be encouraged to act as independently as possible and to undertake as much of their own personal care as is practicable. When assistance is required, staff must ensure that another appropriate adult is in the vicinity and is aware of the task to be undertaken.

Additional vulnerabilities that may arise from a physical disability or learning difficulty must be considered with regard to individual teaching and support plans for each student. As with all arrangements for intimate care needs, agreements between the student, their parents/carers and the college must be agreed and recorded. In addition, the views and/or emotional responses of students with special educational needs, regardless of age and ability must be actively sought in regular reviews of these arrangements.

This means that staff must:

- make other staff aware of the task being undertaken.
- explain to the student what is happening.
- consult with colleagues where any variation from the agreed support plan is necessary.
- record the justification for any variations to the agreed support plan and share this information with parents.

Where it is necessary for a staff member to assist with/supervise dressing or undressing, staff must be of the appropriate gender and be careful to protect the dignity of the student.

Male staff should not, as a general rule, enter female toilets nor should female staff enter male toilets except for the purposes of cleaning or maintenance repairs or in extreme situations such as fire, or where they may be a threat to life or limb.

When entering the toilets for cleaning and maintenance purposes the cleaner/maintenance worker will announce their intention to enter and when the toilets

are clear the toilets will be temporarily closed whilst the cleaner/maintenance enters and carries out his/her duties

Another adult should accompany employees who have to help students with personal care and young students should, wherever possible, be encouraged to deal with such matters themselves.

## **21. Provision of wellbeing support**

Staff may from time to time be approached by students for advice. Students may also appear distressed and staff may feel the need to ask if all is well. In such cases staff must judge whether it is appropriate for them to offer advice or whether to refer the student services and welfare and Safeguarding team who have experience or responsibility for welfare or safeguarding.

Staff are advised never to stop a free-flowing account/disclosure of abuse but to make sure that at an appropriate point they inform the student that they cannot keep such information confidential and they must tell someone else to get help.

A student may ask a member of staff to 'keep a secret' or to promise not to tell other people what they are about to tell them or have told them; where this happens, the member of staff must explain that they are not able to promise confidentiality as they may need to tell someone else if they are to help the student.

Staff must never give an undertaking of absolute confidentiality. If staff do give an undertaking of absolute confidentiality, this could be regarded as an act of misconduct which would be addressed under the college's disciplinary procedure.

## **22. Curriculum**

Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. For example discussions around radicalisation. Care must be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan must highlight particular areas of risk and sensitivity. A list of legitimate study topics which are sensitive should be kept by the Course Areas to ensure they can be legitimately accessed on College computers.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to students' questions can require careful judgement.

Care must also be taken to abide by the College's Equality and Diversity policy.

This means that staff must:

- have clear written lesson plans.

- Where relevant attend relevant training made available by the College on tackling difficult and sensitive issues.
- Be aware and sensitive to students who may be affected by these topics and discussion and refer the student to Student Services (welfare/safeguarding/Counselling) for additional support

### **23. Marketing, Photography, Videos and other Creative Arts**

Many college activities involve recording images. These may be undertaken as part of the curriculum, for marketing and publicity, or to celebrate achievement.

Staff need to be aware of the potential for these aspects of teaching to be misused for pornographic or 'grooming' purposes. Careful consideration must be given as to how these activities are organised and undertaken. Particular regard needs to be given when they involve young or vulnerable students who may be unable to question why or how the activities are taking place.

Students who have been previously abused in this way may feel threatened by the use of photography, filming etc in the teaching environment.

Staff must remain sensitive to any students who appear uncomfortable and recognise the potential for misinterpretation.

Using images of students for publicity purposes will require the age-appropriate consent of the individual concerned and their legal guardians. Images must not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the college have access.

More information on the use of images and student consent can be found in "Media Capture – Policy and Guidelines for Staff".

It is recommended that when using a photograph the following guidance must be followed:

- If the photograph is used, avoid naming the student.
- If the student is named, avoid using the photograph.
- The college should establish whether the image will be retained for further use.
- Images should be securely stored and used only by those authorised to do so  
This means staff must:
  - be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded.

- ensure that the Area Head or CMG Manager is aware that the photography/image equipment is being used and for what purpose.
- ensure that all images are available for scrutiny in order to screen for acceptability.
- be able to justify images of students in their possession.
- avoid making images in one to one situations.

This means that staff must not:

- take, display or distribute images of students unless they have consent to do so.

## **24. Internet Use**

Under no circumstances should staff in College access inappropriate images. Accessing child pornography or indecent images of children on the internet, and making, storing or disseminating such material, is illegal and, if proven, will invariably lead to the individual being barred from work with children and young people.

Using college equipment to access inappropriate or indecent material, including adult pornography, is likely to give cause for concern particularly if as a result students might be exposed to inappropriate or indecent material.

This means that staff must:

- follow the College policy on Security and Acceptable use of IT provision.

**APPENDIX 2**

**Safeguarding Concerns 1 Record Form**

**Colchester Institute**

*To be completed by the staff member who has a concern or received a disclosure of concern from a student/third party.*

**When should I complete this form?**

This form should be completed when you have a Safeguarding Concern about a student or have received a disclosure and the student is **not** at risk from immediate harm.

This form must be submitted to Safeguarding **within one working** day of the disclosure/concern.

**Submitting the form**

Please bring this form to Student Services: Safeguarding (Colchester and Braintree)

**Safeguarding Team Locations Colchester and Braintree** Ground Floor B Block (Colchester), Student Services – adjacent to Student Common Room (Braintree).

For Clacton please type onto the form and email it password protected to Colchester Safeguarding Officers [patricia.graves@colchester.ac.uk](mailto:patricia.graves@colchester.ac.uk) ; [dawn.wormull@colchester.ac.uk](mailto:dawn.wormull@colchester.ac.uk); [nicky.withycombe@colchester.ac.uk](mailto:nicky.withycombe@colchester.ac.uk) or [hayley.burkhill@colchester.ac.uk](mailto:hayley.burkhill@colchester.ac.uk)

If the student is at immediate risk from harm please bring the student down with you to Student Services: Safeguarding immediately (Colchester and Braintree) Once the Safeguarding Officer is handling the case and the student is safe you will be asked to complete this form.

**By phone Safeguarding can be contacted on ext 2828 8.30am – 5pm Monday – Thursday and 8.30am – 4.30pm Friday, Term Time Only. Out of hours, if the student is at risk please call the emergency services on 999.**

Clacton staff please ring ext 2828 to speak to a Safeguarding Officer.

**Details of Concern/Disclosure**

Date	
Time	
Name of Student/s	
Student Number	
Student D.O.B	
Student Age	
Student Course	
Staff Member Name:	

**Details of concern/disclosure: (Please attach extra sheets if required)**  
Record the following factually using the learner's words:

**Who? What? Where? When (date and time of any incident/s), Any witnesses?**

**What has been done to ensure the immediate safety of the student?**

**Signature of Staff Member:**

### **APPENDIX 3**

#### **Guidelines on undertaking preliminary enquiries – Allegation made against a member of staff**

These will be undertaken by the Executive Director of Human Resources or their Deputy or line management

- Adult witnesses should be the primary source of information at this stage i.e. avoids talking to the student.
- If the student has made a direct complaint e.g. to a member of staff there should be no further need to talk to him/her at this stage.
- The member of staff should be advised as soon as possible of the likely course of action. However where the allegation is of a serious nature liaison must take place with Social Services/the Police about what information can be given to the employee.
- Talk to as few people as is absolutely necessary to gather a general idea of what may/may not have happened.
- Only brief open questions should be asked about what happened.
- Statements must not be taken, though notes should be made.
- Parents will need to be informed, at any early stage that an allegation has been made and the likely course of action. If a referral is to be made, parents must be advised that it is in accordance with the Safeguarding procedures and does not indicate that any impropriety has been found.
- The staff member should be advised as soon as practicable that an allegation has been raised and be advised what is being done about it – i.e. preliminary enquiries at this stage
- Consideration must be given to the welfare and anxiety the staff member may feel about the allegation being made and any necessary steps taken – e.g. separating the staff member from the student for the benefit of both parties and to minimise the risk of any further allegations being made
- The staff member must be advised at the close of preliminary enquiries that the enquiries are closed and whether there will be any further action such as initiation of college disciplinary procedures/investigation under those procedures, or whether any such action will not be taking place
- Throughout, the staff member must be advised they can access counselling support via the college employee assistance programme

## APPENDIX 4

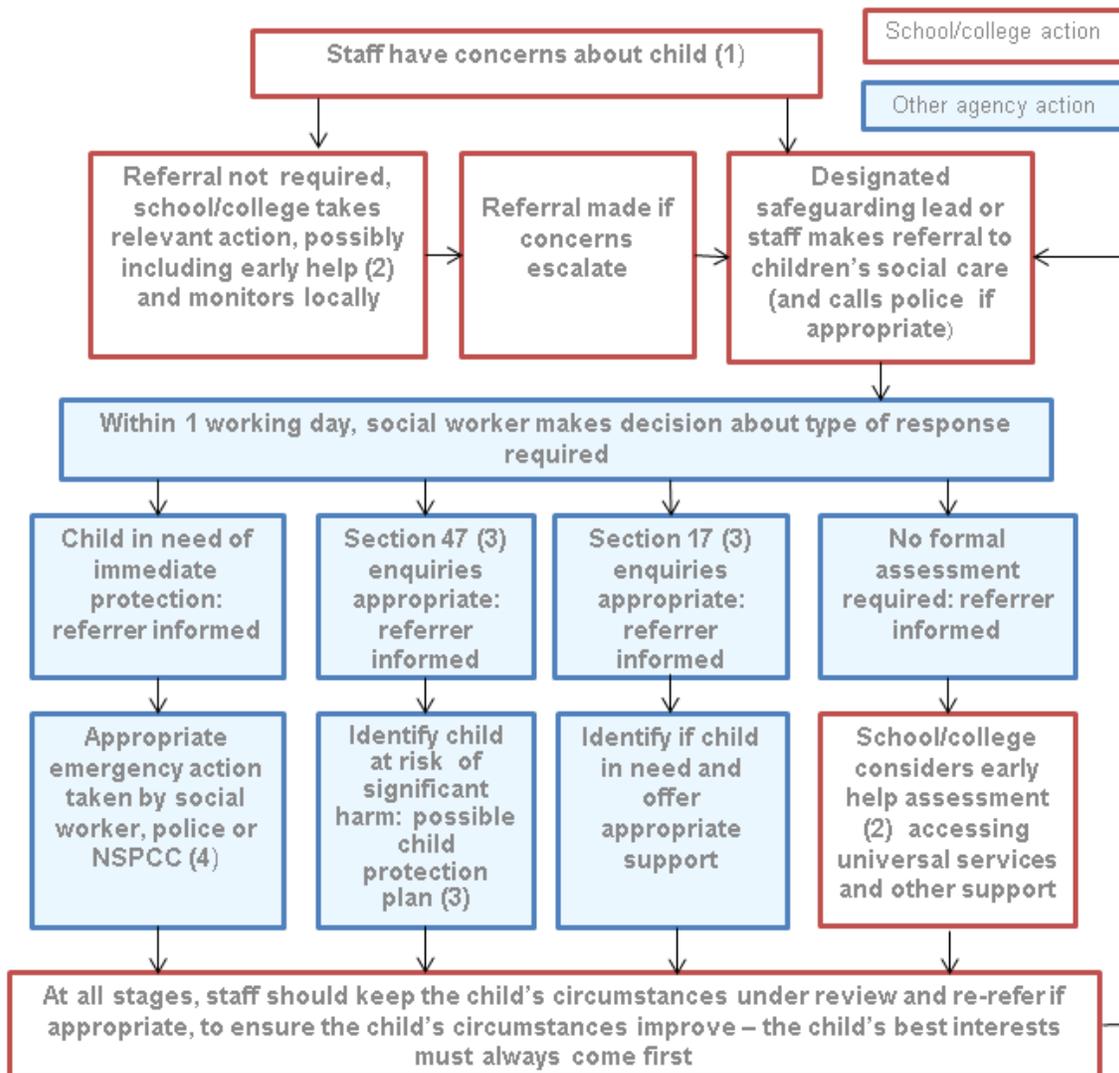
### Current Safeguarding Officers

## APPENDIX 5

Flow Chart followed by Safeguarding Officers – Concern about a child

Taken from Keeping Children Safe in Education 2016

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

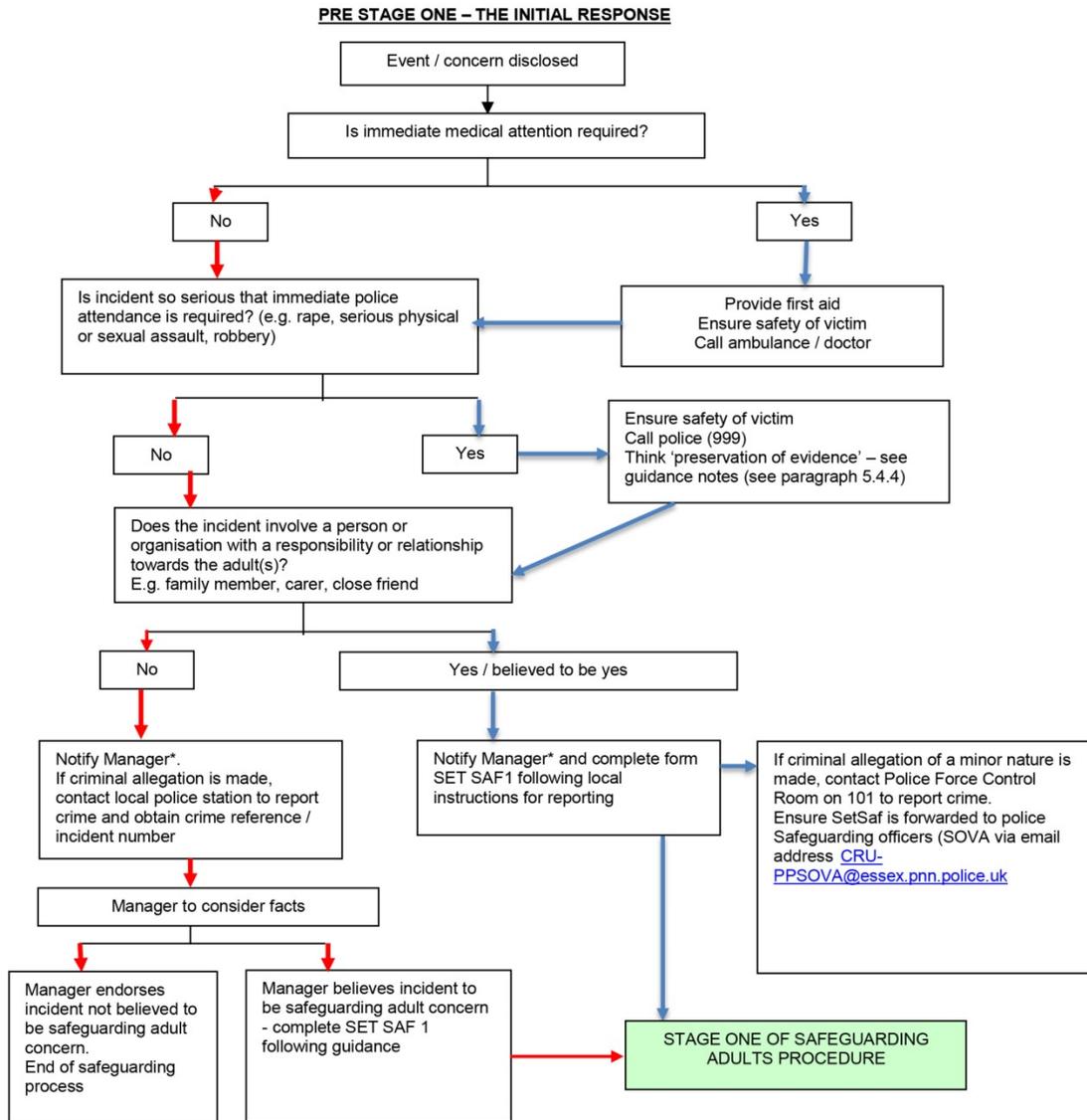


## APPENDIX 6

Flow Chart followed by Safeguarding Officers – Concern about Adult with needs for care and support

Taken from SET Safeguarding Adult Guidelines 2015

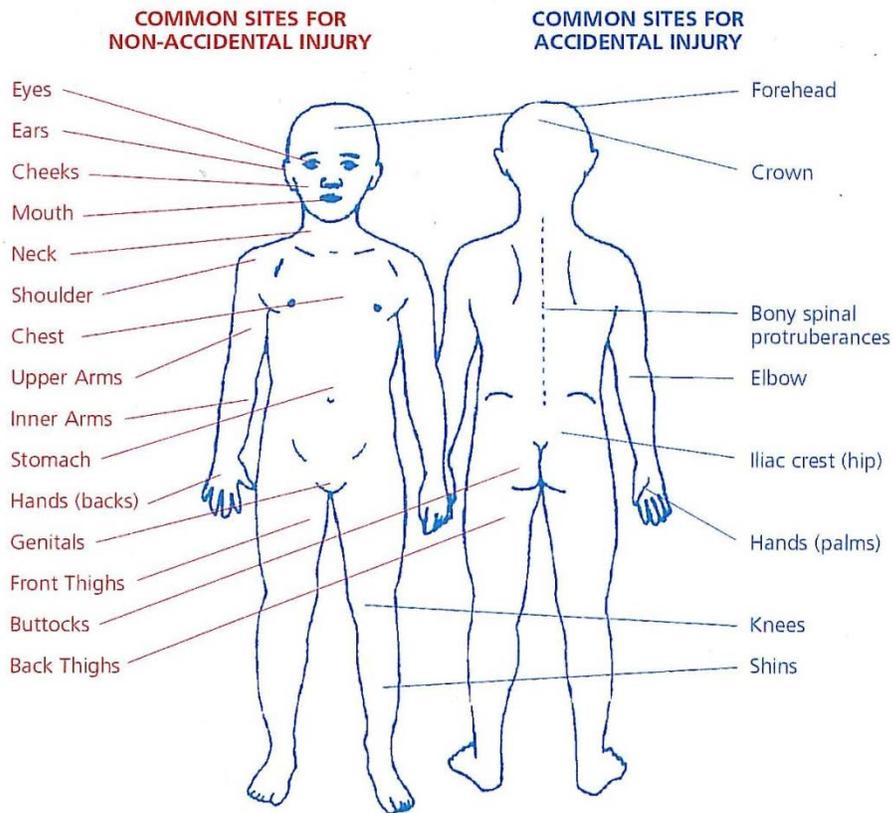
**This flowchart is aimed at all staff**



\*Unless manager is alleged perpetrator or implicated in concern. In these circumstances identify alternative manager or discuss directly with social services

## APPENDIX 7

### SKIN MAP



## **APPENDIX 8**

### **Physical Intervention Record Form**

To be completed by staff and returned to their Line Manager within one working day of Physical Intervention being used.

Date of intervention:	
Time of intervention:	
Staff Name:	
Student/s Name:	
Location of Intervention: i.e: room number; stairwell	
Description of situation leading to Physical Intervention	
Approximate Duration of PI	
Description of physical Intervention used i.e: placing your body between two students, leading by the arm etc	

Name/s of staff witness:	
Name/s of student witnesses	
Aftercare for Student	
Aftercare for Staff/witnesses	
Outcome	
Name of Line Manager/Senior Person who you have verbally informed that PI was used	
Further Information:	
Signature of staff member:	Date:

## **APPENDIX 9**

### **SPECIFIC SAFEGUARDING ISSUES**

- [child sexual exploitation \(CSE\)](#)
- [bullying including cyberbullying](#)
- [domestic violence](#)
- [drugs](#)
- [fabricated or induced illness](#)
- [faith abuse](#)
- [female genital mutilation \(FGM\)](#)
- [forced marriage](#)
- [gangs and youth violence](#)
- [gender-based violence/violence against women and girls \(VAWG\)](#)
- [mental health including Self Harm and Suicidal Ideation](#)
- [private fostering](#)
- [preventing radicalisation](#)
- [sexting](#)
- [teenage relationship abuse](#)
- [trafficking](#)

Guidance on all of these issues is contained on the GOV.UK website.

Further Information is available from [Keeping Children Safe in Education 2016](#), staff should read Annex A as it contains information on CSE, Honour Based Violence and the Prevent Duty.

## **APPENDIX 10**

### **Links to Advice and Information**

#### **Disclosure and Barring Service Guidance**

<https://www.gov.uk/disclosure-barring-service-check/overview>

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

#### **Keeping children safe in education – September 2018**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550511/Keeping\\_children\\_safe\\_in\\_education.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf)

#### **NSPCC**

<http://www.nspcc.org.uk/>

Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Phone: **0808 800 5000**

#### **Childline**

<https://www.childline.org.uk/Pages/Home.aspx>

Phone: **0800 1111**

#### **Ofsted Common Inspection Framework: education, skills and early**

**years** [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461767/The\\_common\\_inspection\\_framework\\_education\\_skills\\_and\\_early\\_years.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/461767/The_common_inspection_framework_education_skills_and_early_years.pdf)

#### **Essex County Council – Child Protection**

<http://www.essex.gov.uk/Health-Social-Care/Families-and-childrens-social-care/Protecting-Vulnerable-Children/Pages/Children-at-Risk-of-Abuse-or-Neglect.aspx>

Phone: **0345 603 7627**

**Out of Hours contact:** 5.30pm - 9.00am Monday - Thursday, 4.30pm-9.00am - Friday and Bank holidays) Telephone: **0345 606 1212**

#### **Essex County Council – Adult Protection**

<https://www.livingwellessex.org/staying-safe/abuse-and-neglect/what-to-do-if-you-think-someone-is-at-risk-of-abuse>

Phone: **0345 603 7630**.

#### **Essex Safeguarding Children Board**

<http://www.escb.co.uk/>

#### **Essex Safeguarding Adults Board**

<http://www.essexsab.org.uk/>