



# Safeguarding and Child Protection Policy and Procedure

Document Control	
Manager Responsible	Wellbeing Development Lead/Head of FE
Version Number	7.0
Approved By	Corporation
Approval Date	December 2022
Review Date	September 2023

\*Although based on previous policies new document control standardization introduced in 2019

\*\*Annual review or in response to any changes to legislation or recommended safeguarding procedures

## **Accessibility Statement**

If you have any learning difficulty, disability or health problem, that means you are unable to use the admissions policy and procedure in the way laid out in this document, or you may require additional support to help you with the process, please contact the College to discuss how the process can be adjusted to support your needs. Should you require this guide in an alternative format please contact the College.

## Safeguarding and Child Protection Policy and Procedures

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## Safeguarding and Child Protection Policy

### 1. INTRODUCTION

- 1.1. Safeguarding children and adults is everyone's responsibility. This policy sets out the roles and responsibilities of Hereford College of Arts in working together with other professionals and agencies to safeguard young students and vulnerable adults. "Young students" refers to "children and young people". This term is used to mean "those under the age of 18". A vulnerable adult is defined as a person aged 18 and above (see definition for vulnerable adults below). The policy promotes students' welfare and safeguards them from abuse, neglect and radicalisation.

### 2. OUR AIMS

Hereford College of Arts is committed to:

- 2.1 Ensuring that it maintains the highest possible standards to meet its social, moral and legal responsibilities in safeguarding the wellbeing of children, young people and adults in a vulnerable situation within its capacity as an education provider.
- 2.2 Improving and promoting best practice throughout the College ensuring that the wellbeing of students is safeguarded and that they are protected from harm. This will, in turn, promote opportunities for students to thrive and benefit from their learning experience, and foster a culture where students are valued and their right to be safe is respected.
- 2.3 Maximising young people's and adult students' resilience, choice, control and inclusion and protecting their human rights.
- 2.4 Nurturing a culture of listening to students and taking account of their wishes and feelings, both in individual decisions and the development of services.
- 2.5 Working in partnership with other external organisations in order to safeguard vulnerable and at-risk students, including referring concerns to Herefordshire Safeguarding Board, Social Services, the Police or in cases of radicalisation, to the Channel Scheme as appropriate.
- 2.6 Ensuring safe, compliant and effective working practices are in place in order to protect the welfare of students.
- 2.7 Supporting staff within the organisation to create a culture of transparency and best practice.

### 3. SCOPE

- 3.1 In line with the law, this policy defines a child as anyone under the age of 18 years.
- 3.2 A vulnerable adult is defined as an adult aged 18 years and over who is at risk of harm abuse, neglect and unable to protect themselves against exploitation due to their emotional and/or physical care and support needs.

(Source: Herefordshire Safeguarding Adults Board.)

- 3.3 The College will not act in *loco parentis*. Ultimate responsibility for young people under the age of 18 lies with parents or those with parental responsibility.
- 3.4 This policy applies to all staff, permanent, seconded, temporary or volunteers, governors and students as well as all people who work on behalf of Hereford College of Arts and visitors.

#### 4. THE LEGAL FRAMEWORK

- 4.1 Hereford College of Arts has a statutory and moral duty to ensure that the College functions with a view to safeguarding and promoting the welfare of children and young people and adults “at risk” receiving education and training at the College.
- 4.2 Under section 10 of the [Children Act 2004](#), all maintained schools, Further Education colleges and independent schools, including free schools and academies, are required to cooperate with the Local Authority to improve the well-being of children in the local authority area.
- 4.3 Under section 14B of the [Children Act 2004](#), the Local Safeguarding Children Board can require a school or further education institution to supply information in order to perform its functions. This must be complied with.
- 4.4 This policy and the accompanying procedures have been developed in accordance with the following statutory guidance and local safeguarding procedures:
  - [Working Together to Safeguard Children: July 2018](#)
  - [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/729914/Working\\_Together\\_to\\_Safeguard\\_Children\\_-\\_2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729914/Working_Together_to_Safeguard_Children_-_2018.pdf)
  - [Working Together to Safeguard-Children.pdf](#)
  - [Keeping children safe in education 2022- GOV.UK \(www.gov.uk\)](#)
  - Herefordshire Safeguarding Board [Right Help Right Time Levels of Need Framework 2020 1.pdf](#) (procedures.org.uk)
  - [Children's Policies & Guidance - Herefordshire Safeguarding Boards and Partnerships](#)
  - [Child Sexual Exploitation: Definition and Guide February 2017](#)
  - [CS and CE Safety Plan Practice Guidance V4 -Mar2020.pdf](#) (procedures.org.uk)
  - <https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners>
  - [Child Exploitation and Missing Sub Group - Herefordshire Safeguarding](#) (herefordshiresafeguardingboards.org.uk)
  - [CS and CE Safety Plan Practice Guidance V4 -Mar2020.pdf](#) (procedures.org.uk)
  - [The Prevent Duty in further education and skills providers Updated April 2021](#)
  - <https://www.gov.uk/government/publications/prevent-duty->

[guidance/prevent-duty-guidance-for-further-education-institutions-in-england-and-wales](#)

- [Multi-Agency Statutory Guidance on Female Genital Mutilation April 2016 Updated July 2020](#)
- [HM Government - Multi-agency statutory guidance on Female Genital Mutilation \(publishing.service.gov.uk\)](#)
- [Sexual Violence and Sexual Harassment Between Children in Schools and Colleges Now inc in KSCIE 2022](#)
- [Research and analysis overview: Review of sexual abuse in schools and colleges - GOV.UK \(www.gov.uk\)](#)
- [Information Sharing Advice for Practitioners – July 2018](#)  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721581/Information\\_sharing\\_advice\\_practitioners\\_safeguarding\\_services.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf)
- [Childrens Act 2004](#)
- [http://www.legislation.gov.uk/ukpga/2004/31/pdfs/ukpga\\_20040031\\_en.pdf](http://www.legislation.gov.uk/ukpga/2004/31/pdfs/ukpga_20040031_en.pdf)
- [What to do if you are worried about a Child is being abused](#)
- [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419604/What\\_to\\_do\\_if\\_you\\_re\\_worried\\_a\\_child\\_is\\_being\\_abused.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf)

4.5 This policy and procedures cannot cover all eventualities. The major aim is to encourage a consistent approach and a standard of good practice. They cannot take the place of supervision and they must be used in conjunction with professional judgement and vigilant practice. In this policy abuse and neglect are defined as forms of maltreatment to any student. This may be made by omission or commission i.e. inflicting harm or failing to prevent harm.

## 5. ROLES AND RESPONSIBILITIES

- 5.1 The designated senior member of staff with lead responsibility for safeguarding is the Head of Further Education. This person is a senior member of the College management team. Designated Safeguarding Lead have a key duty to take lead responsibility for raising awareness with the staff of issues relating to the welfare of young people and adults perceived to be “at risk” from abuse or radicalisation, and the promotion of a safe environment for all students within the College. The other designated members of staff with responsibility for young people and adult protection issues are the Deputy Designated Safeguarding Leads. Responsibilities for both these roles are described in Appendix A.
- 5.2 The governing body has a Designated Governor with special responsibility for safeguarding issues. This role is also described in Appendix A. The designated governor is responsible for liaising with the Principal and Head of FE/HE over matters regarding safeguarding young people and adults in a vulnerable situation.
- 5.3 The case manager for dealing with allegations of abuse made against members of staff of the College is the Principal. The case manager for dealing with allegations against the Principal is the Chair of Governors. The procedure for managing allegations is detailed in Appendix B.

- 5.4 The Principal will ensure that the policies and procedures adopted by the governing body are fully implemented and sufficient resources, updated training and time are allocated to enable staff members to discharge their safeguarding responsibilities.
- 5.5 The governing body is committed to ensuring that the College meets the seven aims stated at the start of this policy. In pursuit of these aims, the governing body approve and annually review the Safeguarding and Child Protection Policy and Procedures with the aim of:
- Raising awareness of issues relating to the welfare of young people and adults and the promotion of a safe environment for all students learning within the College.
  - Aiding the identification of young people and adults at risk of significant harm, or radicalisation, and providing procedures for reporting concerns, establishing procedures for reporting and dealing with allegations of abuse against members of staff.
  - Ensuring the safe recruitment of staff.
  - In developing the policy and procedures, the governing body take account of guidance issued by the Department for Education and other relevant bodies and groups such as the Herefordshire Safeguarding Board.
- 5.6 The governing body receive an annual report from the designated senior member of staff with lead responsibility for safeguarding which will review how the duties have been discharged. The Head of FE/HE should inform the Senior Leadership Team of any significant issues as necessary.
- 5.7 Responsibilities of ALL Staff. It is the responsibility of ALL staff to make themselves aware of this document and to be able to implement it as part of the College procedures. Recognition of actual or suspected abuse in any form is the responsibility of ALL staff.

ALL staff must;

- Familiarise themselves with and follow the College's Safeguarding and Child Protection Policy and Procedures at all times if concerns arise about the safety or welfare of a student.
- Participate in safeguarding training and maintain current working knowledge in line with the Herefordshire Safeguarding Board.
- Discuss any concerns about the welfare of a student with the student's Curriculum Leader, Wellbeing Development Lead and Designated Safeguarding Leads.
- Contribute to actions required, including accurate and factual record keeping and information sharing in line with [Data Protection Act – 2018 Updated August 2020](#) following the procedure for reporting safeguarding issues using [MyConcern](#) (see Appendix B 7).
- Work collaboratively with other agencies to safeguard and protect the welfare of students who use these services, and attend meetings

- both statutory and non- statutory where required.
- Remain alert at all times to the possibility of all forms of abuse or radicalisation.
- Maximise opportunities to embed safe practice/safeguarding in the curriculum, including schemes of work and lesson plans.
- Ensure students are aware of where to seek support in the event of abuse, suspected abuse use or radicalisation.

## 6. SAFEGUARDING PROTECTION PROCEDURES

- 6.1 Dealing with Disclosure of Abuse. On learning of an allegation from a young person or adult “at risk” that abuse has or may have occurred, College staff should adopt the procedure detailed in Appendix B, *with particular reference to the process in reporting and recording a disclosure (Appendix B 7)*.
- 6.2 In conjunction with College procedures it is expected that all staff will follow the policy and procedures according to Herefordshire Safeguarding Children Board (HSCB) and National, regional and local policies, procedures and guidance for West Midlands Safeguarding Children Group (WMSCG)
- 6.3 [Home Page - Herefordshire Safeguarding Boards and Partnerships](#)  
[West Midlands Safeguarding Children Group \(procedures.org.uk\)](#)
- 6.4 In respect of safeguarding individuals from radicalisation, the College works to the Prevent element of the Government’s Counter Terrorism Strategy, and where deemed appropriate, will seek external support for students through referrals to the Channel Programme. This programme aims to work with the individual to address their specific vulnerabilities, prevent them becoming further radicalised <http://www.preventforfeandtraining.org.uk/>.
- 6.5 Any member of staff who receives a disclosure of abuse or radicalisation, or has reasonable concern to believe that abuse or radicalisation has or may take place, must immediately inform the Designated Senior Safeguarding Lead, Deputy Designated Safeguarding Leads, Wellbeing Development Lead and/or the Head of FE/HE (unless they suspect that the Designated Safeguarding Lead, Wellbeing Development Officer or Head of FE/HE is implicated.) In such circumstances the Principal should be consulted first. See Appendix B for Safeguarding Procedures.
- 6.6 Details of ALL suspected safeguarding issues and disclosures should be recorded on [MyConcern](#). Information recorded should be factual, accurate, first hand and updated with file notes and actions by ALL those who are dealing with the issue. Relevant documents relating to the concern should also be uploaded to MyConcern.
- 6.7 In line with the procedures, the relevant Children’s Services Duty and Assessment Team (MASH Multi- Agency Safeguarding Hub) will be notified as soon as there is a significant concern, or in the case of



radicalisation, the Channel Programme through the West Midlands Counter Terrorism Unit.

## 7. STUDENTS WITH SPECIAL EDUCATIONAL DISABILITY & (SEND)

### 7.1 WE RECOGNISE THAT CHILDREN WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES CAN FACE ADDITIONAL SAFEGUARDING CHALLENGES AND THESE ARE DISCUSSED IN STAFF TRAINING. THESE ADDITIONAL BARRIERS CAN INCLUDE:

- Assumptions that indicators of possible abuse such as behaviour, mood, injury and presentation relate to the child's disability without further exploration.
- The potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any sign.
- Communication barriers and difficulties in overcoming these barriers.
- A tendency for professionals to focus on the needs of the parent/carer rather than the lived experience of the young person.

7.2 The College will endeavour to provide bespoke and appropriate safeguarding training for staff that will allow them to make reasonable adjustments to ensure students with SEND are kept safe.

7.3 The College will ensure that safeguarding information and resources are accessible to all students with SEND through a variety of different methods.

## 8. STUDENTS – CRIMINAL CONVICTIONS

8.1 The College recognises that before application, or during their studies, a student may be subject to a criminal investigation and or charged with a criminal offence.

8.2 The College requires new applicants to declare any relevant convictions, cautions or pending criminal investigations. Where a student is charged with a criminal offence during their studies, they must inform the College immediately; any information provided will be treated in line with the Data Protection Act 2018.

8.3 Where a criminal conviction is disclosed that indicates a student may pose a risk to fellow students or those who work in the College, the College has the right to deny admission or continuation to a student. Relevant offences would be:

- Sexual offences to include those listed in the Sexual Offences Act 2003
- Offences including firearms
- Offences including terrorism
- Offences relating to hate crime

- Offences including violent attacks or the intention to harm that resulted in actual bodily harm

8.4 With any criminal disclosure or significant safeguarding incident that relates to a potential or current student the College will assess the risk relating to the incident or conviction. The relevant Head of FE or HE together with the Principal, will make the final decision as to the student's admission or continuation at the College. This will be based primarily on the risk assessment together with other relevant information from other agencies or staff.

Domestic abuse, Sexual Violence and stalking The Home Office defines domestic abuse as:

“Any incident or pattern of incidents of controlling, coercive or threatening behaviours, violence or abuse between those aged 16 or over (2013). This can encompass but is not limited to the following types of abuse:

“Psychological Physical Sexual Financial Emotional”

The College acknowledges that domestic abuse, sexual abuse and stalking may have a negative impact on students' studies and learning therefore HCA are committed to:

- 8.4.1 Providing a safe and non-judgemental environment within which students feel able to make a disclosure.
- 8.4.2 Disclosures will be recorded accurately and with the permission of the student, with relevant referrals being made.
- 8.4.3 The College will treat the safety of the student experiencing the abuse as a high priority acting to minimise risk and maximise safety.

## 9. POLICY REVIEW

This policy and the procedures will be reviewed annually by the Designated Senior Safeguarding Officers FE/HE, approved by the Board of Governors. The review should include (where relevant) consultation with staff and students through a safeguarding team. An annual report on Safeguarding is produced for the Governing body by the Designated Senior Safeguarding Officer and in consultation with the head of FE/HE each year.

## 10. LINKED POLICIES AND PROCEDURES

- 10.1 The following College policies and procedures linked with this policy will include:
- Admissions Policy
  - Bullying Harassment and Sexual Misconduct Policy
  - Complaints procedure

- Disciplinary (Senior Postholders) Procedures
- Disciplinary (Staff) Procedures
- Educational Visits Policy and risk assessments
- E-safety Policy
- Fitness to Study Procedure
- Health and Safety Policy and other linked policies and risk assessments
- IT Acceptable Use Policy
- Child on Child Abuse Policy – Previously Peer on Peer Abuse Policy
- Personal Relationships Code of Conduct
- Procedures for Recruitment, Selection and Appointment of Staff
- Single Equality Scheme
- Whistleblowing Procedures

## APPENDIX A

### **The role of the senior member of staff with Lead Responsibility**

The Designated Senior Safeguarding Lead is responsible for:

- Overseeing the referral of cases of suspected abuse/radicalisation or allegations to the relevant investigating agencies as agreed within the Herefordshire Safeguarding framework or other appropriate agencies (such as the Police, Channel) as appropriate.
- Providing advice and support to other staff on issues relating to safeguarding adults “at risk”/young people.
- Maintaining a proper record of any safeguarding or radicalisation referral, complaint or concern (even where that concern does not lead to a referral).
- Ensuring that all staff, parents, guardians, carers within the College are aware of the College’s Safeguarding and Child Protection Policy and Procedure.
- Liaising with the Children’s and Adult Social Care Teams, the Herefordshire Safeguarding Board via MASH, the Police, Channel and other appropriate agencies.
- Liaising with employers and training organisations that receive young people or adults from the College on placements to ensure that appropriate safeguards are put in place.
- Ensuring that staff receive basic safeguarding awareness training, followed by training as appropriate to their role and training in radicalisation and extremism, and are aware of the College safeguarding procedures.
- Providing an annual report to the governing body of the College setting out how the College has discharged its duties.
- Reporting deficiencies in procedure or policy identified by the Herefordshire Safeguarding Partnership (or others) to the governing body at the earliest opportunity.
- They have received training in safeguarding issues and inter-agency working, as required by the Herefordshire Safeguarding Board, and will receive refresher training at least every 2 years. They should keep up to date with developments in safeguarding issues.
- The Designated Safeguarding Lead and any deputies should liaise with the three safeguarding partners and work with other agencies in line with [Working Together to Safeguard-Children.pdf](#)

### **The role of the Deputy Designated Safeguarding Lead**

The other designated members of staff with responsibility for young people and adult protection issues are the Deputy Designated Safeguarding Leads. These designated staff members report to the senior member of staff with lead responsibility and:

- Knows how to make an appropriate referral; using the procedures.
- Are available to provide advice and support to other staff on issues relating to safeguarding young people and adults “at risk”, including at risk of radicalisation.
- Have particular responsibility to be available to listen to young people and vulnerable adults whilst studying at the College.
- Will deal with individual cases, including attending case conferences and review meetings as appropriate; liaises with other members of staff to undertake assessments under the Early Help processes.
- Have received training in safeguarding issues and inter-agency working, as required by the Herefordshire Safeguarding Board, and will receive refresher training as required.

### **The role of the Designated Governor**

The governor with designated responsibility for safeguarding is communicated to all staff and students and publicised on the College website. The designated governor is responsible for liaising with the Principal and Head of FE/HE over matters regarding safeguarding young people and adults, including:

- Ensuring that the College has procedures and policies which are consistent with the Herefordshire Safeguarding Board procedures ensuring that the governing body considers the College policy on safeguarding each academic year.
- Ensuring that each academic year the governing body is informed of how the College and its staff have complied with the policy.
- Is aware of cases that have been escalated and outcomes.
- The Designated Governor is responsible for overseeing the liaison between appropriate agencies such as the Police, Social Services (as defined by Herefordshire Safeguarding Board) in the event of any allegation against the Principal or the Senior Staff Member with Lead Responsibility. This will not involve undertaking any form of investigation but will ensure good communication between the parties and provide information to assist enquiries.

### **Multi-agency working**

The College has a pivotal role to play in multi-agency safeguarding arrangements. Governing bodies and proprietors should ensure that the College contributes to multi-agency working in line with statutory guidance [Working Together to Safeguard-Children.pdf](#). Locally, the three safeguarding partners (the local authority, a clinical commissioning group for an area within the local authority, and the chief officer of police for a police area in the Local Authority area) should work together with appropriate relevant agencies to safeguard and promote the welfare of local children, including identifying and responding to their needs.

The three safeguarding partners will set out in their published

arrangements which organisations and agencies they will be working with and the expectations placed on any agencies and organisations by the new arrangements. A list of relevant agencies is available at: [legislation.gov.uk](https://legislation.gov.uk).

### **Information sharing**

Information sharing is vital in identifying and tackling all forms of abuse and neglect. The college recognises this and acknowledges the importance sharing between practitioners and local agencies where a safeguarding issue is evident or suspected. Arrangements should be in place that set out clearly the process and principles for sharing information within the College and with the three safeguarding partners, other organisations, agencies and practitioners as required.

College staff should be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of young people. The College recognises it is obliged to share information fairly and lawfully and within the parameters of the Data Protection Act 2018 and GDPR do not prevent the sharing of information for the purposes of keeping children safe.

Further details on information sharing can be found at:

[https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing- advice](https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice)

<https://ico.org.uk/for-organisations/in-your-sector/education/>

## APPENDIX B

### Safeguarding Procedures

#### DEFINITIONS

- Abuse is behaviour towards a person that either deliberately or unknowingly causes a person harm or endangers their life or their civil rights. It can be passive. For example, failing to take care for someone, or failing to raise the alert about abuse; or active, e.g. hitting, stealing or doing something that causes harm. Abuse can be one-off or something that is repeated.
- A vulnerable adult is defined as an adult aged 18 years and over who is at risk of harm abuse, neglect and unable to protect themselves against exploitation due to their emotional and/or physical care and support needs. (Source: Herefordshire Safeguarding Adults Board.)
- Children are any people who have not yet reached their 18<sup>th</sup> birthday; a 16-year-old, whether living independently, in Further Education, in the armed forces or in hospital, is a child and is entitled to the same protection and services as anyone younger.
- Child protection is part of safeguarding and promoting the welfare of children and refers to activity undertaken to protect specific children who are suffering, or likely to suffer, significant harm.
- Early Help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years to teenage years. Where a child would benefit from co-ordinated Early Help, an Early Help inter-agency assessment should be arranged. Chapter one of "Working Together to Safeguard Children" provides detailed guidance on the early help process.
- Harm is ill treatment or impairment of health and development, including impairment suffered from seeing or hearing the ill treatment of another.
- Safeguarding children is the action we take to promote the welfare of children and protect them from harm. Safeguarding and promoting the welfare of children is defined in *Working Together to Safeguard Children: A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children – July 2018* as:
  - Protecting children from maltreatment.
  - Preventing impairment of children's health and development.
  - Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
  - Taking action to enable all children to have the best outcomes.

- Significant harm is the threshold that justifies compulsory intervention in the family in the best interests of the child. Section 31 of the Children Act 1989 states “where the question of whether harm suffered by a child is significant turns on the child’s health or development, his health or development shall be compared with that which could reasonably be expected of a similar child.”

## **CATEGORIES OF THE TYPES OF ABUSE**

All school and College staff should be aware that abuse, neglect and serious violence and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

Abuse: a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or by another child or children.

**Emotional or psychological abuse** (may also include the use of text, social media networks and email). This may involve:

- The persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development.
- Conveying to children that they are worthless, unloved, inadequate or valued only insofar as they meet the needs of another person.
- Not giving the child opportunities to express their views, deliberately silencing them or “making fun” of what they say or how they communicate.
- Age or developmentally inappropriate expectations imposed on children. These may include interactions that are beyond the child’s developmental capability as well as over protection and limitation of exploration and learning, or preventing the child participating in normal social interaction.
- Seeing or hearing the ill treatment of another, e.g. domestic abuse.
- Serious bullying (including cyberbullying, causing children frequently to feel frightened, or in danger, or the exploitation or corruption of children.

Some level of emotional abuse is involved in all types of maltreatment of a child and young person, although it may occur alone. Emotional abuse covers obstructing a person’s choices through the use of fear, intimidation and or bribes, intentionally affecting independence and self-esteem. The



environment may depict a pervasive atmosphere of deceit and distrust. Impaired performance and development may be a product of overdependence and isolation may result from side effects of such an environment or prevent the adult from having access to helpful services.

### **Neglect/act of omission**

- Involves the persistent failure to meet a child's basic physical and/or psychological needs and is likely to result in the serious impairment of the child's health or development.
- May occur during pregnancy as a result of maternal substance misuse/abuse.
- May include failing to provide adequate food, clothing or shelter, (including exclusion from home or abandonment) or failing to protect from physical and emotional harm or danger.
- May include failing to ensure adequate supervision, (including the use of inadequate care givers) or access to appropriate medical care or treatment.
- May also include neglect of, or unresponsiveness to, a child's basic emotional needs.

This includes both the physical and emotional neglect/acts of omission. It concerns a failure to keep an individual clean and warm, and to promote optimum health. This could also include giving the improper quantity of medication or distributing the wrong medicine(s). Neglect can be as simple as giving a person inadequate nutrition and preventing him/her from making independent choices. A person may choose to self-neglect, and while it may be a symptom of a form of abuse, it is not abuse itself within the definition of these procedures.

### **Discriminatory abuse**

This may focus on the perceived vulnerability of an adult in the form of prejudice or sexism or solely on the basis of targeting an adult's disability. Discriminatory abuse can take the form of any of the other forms of abuse, harassment, verbal abuse or similar mistreatment. Discriminatory abuse can include serious, pervasive or repeated discrimination, which may lead to diminishing opportunities, significant harm or exclusion, provision of poor standards of care, or a failure to protect or provide redress through the criminal or civil justice system.

### **Physical abuse**

Physical abuse covers physical injuries which have no satisfactory explanation, or where there is a definitive knowledge, or a reasonable suspicion, that the injury was inflicted with intent, or through lack of care, by the person having custody, charge or care of that person. This may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

## **Adult abuse**

Adult abuse is defined as; “a violation of an individual’s human and civil rights by any other person or persons which may result in significant harm. When something is said or done to an adult who cannot protect him or herself, and when this leaves the person harmed, upset and frightened. It is abuse whether or not it is unintentional.” Source: Herefordshire Safeguarding Board.

## **Sexual abuse**

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, not involving a high level of violence, whether or not the child is aware of what is happening. Activities may involve physical contact, including assault by penetrative acts of any part of the body, (e.g. rape or oral sex) or non- penetrative acts such as masturbation, kissing, rubbing and touching outside clothing.

- They may include non-contact activities, such as involving children looking at or in the production of sexual images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).
- Sexual abuse is not solely perpetrated by men. Women can also commit acts of sexual abuse as can children.
- Force and coercion are signatures of sexual abuse. Forced sexual acts which might be abusive include: non-contact abuse such as looking at pornographic images, harassment, indecent exposure, innuendo or teasing; or physical contact, such as masturbation, touching breasts, genitalia or anus, penetration or attempted penetration of vagina, anus or mouth.

Sexual Exploitation is also sexual abuse; it involves children and young people receiving something, for example accommodation, drugs, gifts or affection, as a result of them performing sexual activities, or having others perform sexual activities on them. It could take the form of grooming of children, e.g. to take part in sexual activities or to post sexual images of themselves on the internet.

Sexual Trafficking is a form of slavery, and involuntary servitude resulting in grave human rights violations. Sex trafficking involves individuals profiting from the sexual exploitation of others and has severe physical and psychological consequences for its victims.

The Child Sexual Exploitation Guide February 2017 provides the following definition of child sexual exploitation; “*Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or*

*young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.”*

Like all forms of child sexual abuse, child sexual exploitation:

- Can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex.
- Can still be abuse even if the sexual activity appears consensual;
- can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity.
- Can take place in person or via technology, or a combination of both.
- Can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence.
- May occur without the child or young person’s immediate knowledge (through others copying videos or images they have created and posting on social media, for example).
- Can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse.
- Is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

Puppet on a String (Barnados 2011) identifies three different models of activity based upon the research they have done into exploitation which is often hidden.

- Inappropriate relationships: usually involving one perpetrator who has inappropriate power or control over a young person (physical, emotional or financial). One indicator may be a significant age gap. The young person may believe they are in a loving relationship.
- Boyfriend model of exploitation and peer exploitation: the perpetrator befriends and grooms a young person into a “relationship” and then coerces or forces them to have sex with friends or associates. Sometimes this can be associated with gang activity but not always.
- Organised/networked sexual exploitation or trafficking: young people (often connected) are passed through networks, possibly over geographical distances, between towns and cities where they may be forced/coerced into sexual activity with multiple men. Often this occurs

at “sex parties” and young people who are involved may be used as agents to recruit others into the network. Some of this activity is described as serious organized crime and can involve the organised “buying and selling” of young people by perpetrators.

It is important to recognise that these are not exhaustive but show a spectrum of exploitation.

### **Strategic Principles:**

- Child Sexual Exploitation (CSE) is a form of child abuse which can involve the sexual, physical and emotional abuse of children as well as neglect.
- Children do not make informed choices to enter into or remain within sexually exploitative situations, as they do so via coercion, manipulation, grooming and/or other forms of enticement.
- Children under 16 years cannot consent to sexual activity with an adult, and sexual activity with a child aged less than 13 years is statutory rape.
- Children who are sexually exploited will experience difficulty and/or confusion around their autonomy to make choices, and their understanding around sex, sexuality and the sexual activity into which they have been coerced.
- Sexually exploited children must be treated as victims of child abuse, and not as offenders.
- Law enforcement efforts must involve disruption or sexually exploitative activity, and target offenders as sexual abusers, who may be adult, but could also be the child’s peers and/or other young people.

Refer to HSCB’s Child Sexual Exploitation webpage

[Child Exploitation - Herefordshire Safeguarding Boards and Partnerships](#) and use the tools and pathways for Herefordshire [Children's Policies & Guidance - Herefordshire Safeguarding Boards and Partnerships](#)

### **Financial abuse**

Financial abuse covers the inappropriate use of an individual’s resources or funds by a third person. This includes the unsanctioned or inappropriate use of another’s money to enter the adult “at risk” into financial contracts, or financial commitments to their disadvantage when the adult at risk may not understand. In cases involving potential abuse by people holding Lasting or Enduring Powers of Attorney, the Office of the Public Guardian should be informed. The growth of personalised budgets and self-funding suggests the need for extra vigilance in relation to financial abuse.

All staff should be aware that safeguarding issues can manifest themselves via peer-on-peer abuse. This is most likely to include, but may not be limited to, bullying (including cyber bullying), gender-based violence/sexual assaults and

sexting. Staff should be clear as to the College's policy and procedures with regards to peer-on-peer abuse.

### **Child on Child Abuse (previously Peer on Peer Abuse)**

Child on child abuse is considered to be any form of physical, emotional, sexual and financial abuse, and coercive control, between children and adults within or outside of a relationship (both intimate and non-intimate). Abuse can take many forms, including: emotional and domestic abuse, CSE, gender-based violence and bullying (including cyber-bullying).

Child on child behaviour is considered abusive if harm is caused because:

- There is a significant power imbalance between the young people/adults concerned. Imbalances may be based around gender, social status, intellectual ability, physical disabilities, religious beliefs and race.
- The perpetrator has repeatedly tried to cause physical or emotional harm to one or more young people/adults, with patterns of behaviour evident.
- There are concerns about the intentions of the perpetrator due to there being evidence to suggest that there was/is an intention to cause severe harm to a peer.
- This should be regarded as abusive whether harm was caused or not.

### **Upskirting**

Upskirting typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm.

- The criminal offence of "Upskirting" was created under the Voyeurism Act, in April 2019 it became a criminal offence.
- "Upskirting" offenders can be arrested and face up to two years in prison.

### **Contextual safeguarding**

Safeguarding incidents and/or behaviours can be associated with factors outside the College and/or can occur between young people outside of college. All staff, but especially the Designated Safeguarding Lead (and deputies) should consider the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding.

Assessments of young people should consider whether wider environmental factors are present in a young person's life that are a threat to their safety and/or welfare. Additional information about contextual safeguarding can be found at

<https://contextualsafeguarding.org.uk/>.

### **Serious violence**

All staff should be aware of indicators, which may signal that young people are at risk from, or are involved with serious violent crime. These may include increased absence from College, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs. If involvement on violent crime is suspected this should be reported immediately to the DSL and the three safeguarding partners (the Local Authority, a clinical commissioning group for an area within the Local Authority and the Chief Officer of Police for a Police area in the Local Authority area).

*There should be a clear boundary between incidents that are considered as abusive and those where the College's behavioural and disciplinary systems and polices should be applied.*

### **Female Genital Mutilation (FGM)**

FGM is the partial or complete removal of external female genitalia for a non-medical reason. FGM can also be other forced injury to female genitalia. (FGM link)

### **Forced Marriage**

Forced marriage occurs when a young person or adult is forced into marriage without their explicit consent.

## **SPECIFIC SAFEGUARDING ISSUES**

College staff members need to be aware of specific safeguarding issues and be alert to any risks. Herefordshire Safeguarding Children Board, Levels of Need Threshold Guidance has detailed information about specific issues such as child sexual exploitation, fabricated or induced illness, female genital mutilation, private fostering, etc.

The Herefordshire Government website, [Protect someone - Herefordshire Council](#) has broad government guidance on a variety of issues. The following is not a comprehensive list and staff should search the *Herefordshire Safeguarding Board* for advice on other issues.

- Bullying, including cyberbullying.
- Child sexual exploitation.
- Drugs.
- Fabricated or induced illness.
- Faith abuse.

- Female genital mutilation.
- Gangs and youth violence.
- Trafficking.
- Radicalisation.

## RECOGNITION – WHAT TO LOOK FOR

Staff members should refer to the detailed information about the categories of abuse and risk indicators in the *Right Help Right Time Levels of Need Framework that can be found at: [Children's Policies & Guidance - Herefordshire Safeguarding Boards and Partnerships](#)* for further information.

In an abusive relationship, the child may:

- Appear frightened of their parent(s).
- Act in a way that is inappropriate to their age and development, although full account needs to be taken of different patterns of development and different ethnic groups.

In an abusive relationship, the parent or carer may:

- Persistently avoid child health services and treatment of the child's illnesses.
- Have unrealistic expectations of the child.
- Frequently complain about or to the child and fail to provide attention or praise.
- Be absent.
- Be misusing substances.
- Persistently refuse to allow access on home visits by professionals.
- Be involved in domestic violence and abuse.
- Be socially isolated.

Serious case reviews have found that parental substance misuse, domestic abuse and mental health problems, sometimes referred to as the “toxic trio”, if they coexist in a family could mean significant risks to children. Problems can be compounded by poverty, frequent house moves or eviction.

## SAFEGUARDING CHILDREN LEVELS OF NEED THRESHOLD GUIDANCE

The Safeguarding Children Levels of Need Threshold Guidance has been developed so that everyone working with children and young people or “adults at risk” has a common language for understanding the needs and risks surrounding children and their families.

For example, if the College has concerns about a child and needs advice or support from a Duty and Assessment Social Worker, they will use the document as a guide to understand the school’s concerns and provide advice about what to do or to decide whether the child and family need Social Care

involvement. The Levels of Need guidance does not replace professional judgement, but it is intended to support decision-making and discussions between services and practitioners.

It is important that staff members are familiar with the Levels of Need Guidance tool. It shows levels of need (see below) and an indicator tool describing a range of conditions about the child and family that the College (and other practitioners the College has discussions with) can use to identify their level of need.

The Herefordshire Levels of Need Guidance, *Right Help Right Time Levels of Need* and detailed guidance are available on Herefordshire Safeguarding Children Board website. [Children's Policies & Guidance - Herefordshire Safeguarding Boards and Partnerships](#)

The Levels of Need Guidance shows that a child's or family's additional needs can be on a range from none to very high. The guidance will help practitioners to identify the right level of support for the child or young person in the least intrusive way while keeping them safe.



By referring to the Levels of Need Guidance and indicators, the College can identify when assessment and support for a child, or young person and family need “stepping up” to a referral to the MASH Team.



## **WHAT ACTION TO TAKE IF YOU HAVE CONCERNS ABOUT A CHILD, YOUNG PERSON, OR ADULT “AT RISK”**

If staff suspect a student is being abused or is at risk of abuse, or are becoming radicalised, they are expected to report concerns to the safeguarding team through the MyConcern Process (*Appendix 7*).

If at any time staff feel that the person needs urgent medical assistance, they have a duty to call for an ambulance, the College first aid team should also be called in the first instance to respond before emergency support arrives.

If, at the time, staff have reason to believe the student is in immediate and serious risk of harm, or that a crime has been committed, this should be reported to a member of the safeguarding team who will ensure appropriate swift action is taken.

In the event of the, Designated Safeguarding Leads or safeguarding team not being available, the member of staff who has concerns regarding abuse of a student should make an external referral. To assist in deciding whether a referral to Social Care is the correct option for the child and for support in ensuring a good quality referral is submitted, refer to the following guidance when completing this form:

- Herefordshire Levels of Need Threshold, “A Guide to Support Professional Judgement”.
- HSCB’s Multi-Agency Referral Forms for MASH referrals and guidance notes.
- HSCB’s Escalation Form and Process Chart.
- HSCB’s Standards and Guidance for Multi-Agency Referrals to Children’s Social Care.
- Right Help Right Time Levels of Need - Herefordshire Safeguarding ([herefordshiresafeguardingboards.org.uk](http://herefordshiresafeguardingboards.org.uk)).

### **Alleged Abuser and Victims are Both Students**

It is important that consideration be given to a co-ordinated approach where it is identified that both the alleged abuser and alleged victim are students. Referral information should capture comprehensive information regarding both students.

## **PROCEDURE FOR DEALING WITH DISCLOSURE OF ABUSE/ RADICALISATION AND REPORTING CONCERNS – ADVICE FOR ALL MEMBERS OF STAFF**

On learning of an allegation from a young person or adult “at risk” that abuse/or radicalisation has or may have occurred, College staff or volunteers should follow this guidance:

Receive what is said:

- Listen to what is being said without displaying shock or disbelief.
- Accept what is said you do not need to decide whether or not it is true but record accurately.
- Do not ask them to write down what has happened it should be recorded by the person receiving it.

Reassure the student:

- Concerns are taken seriously and relevant action will be taken.
- Make it clear that this information is not confidential but will only be shared with relevant parties; this will be reported through MyConcern.

React and respond to the student, but do not interrogate them:

- Allow them to talk freely – do not put words in their mouth.
- Do not ask leading questions but ask open-ended questions such as How? What? When? Where?
- Only ask questions when necessary to clarify anything you do not understand.
- Explain what you will do next and who has to be told.
- Inform the safeguarding team without delay.

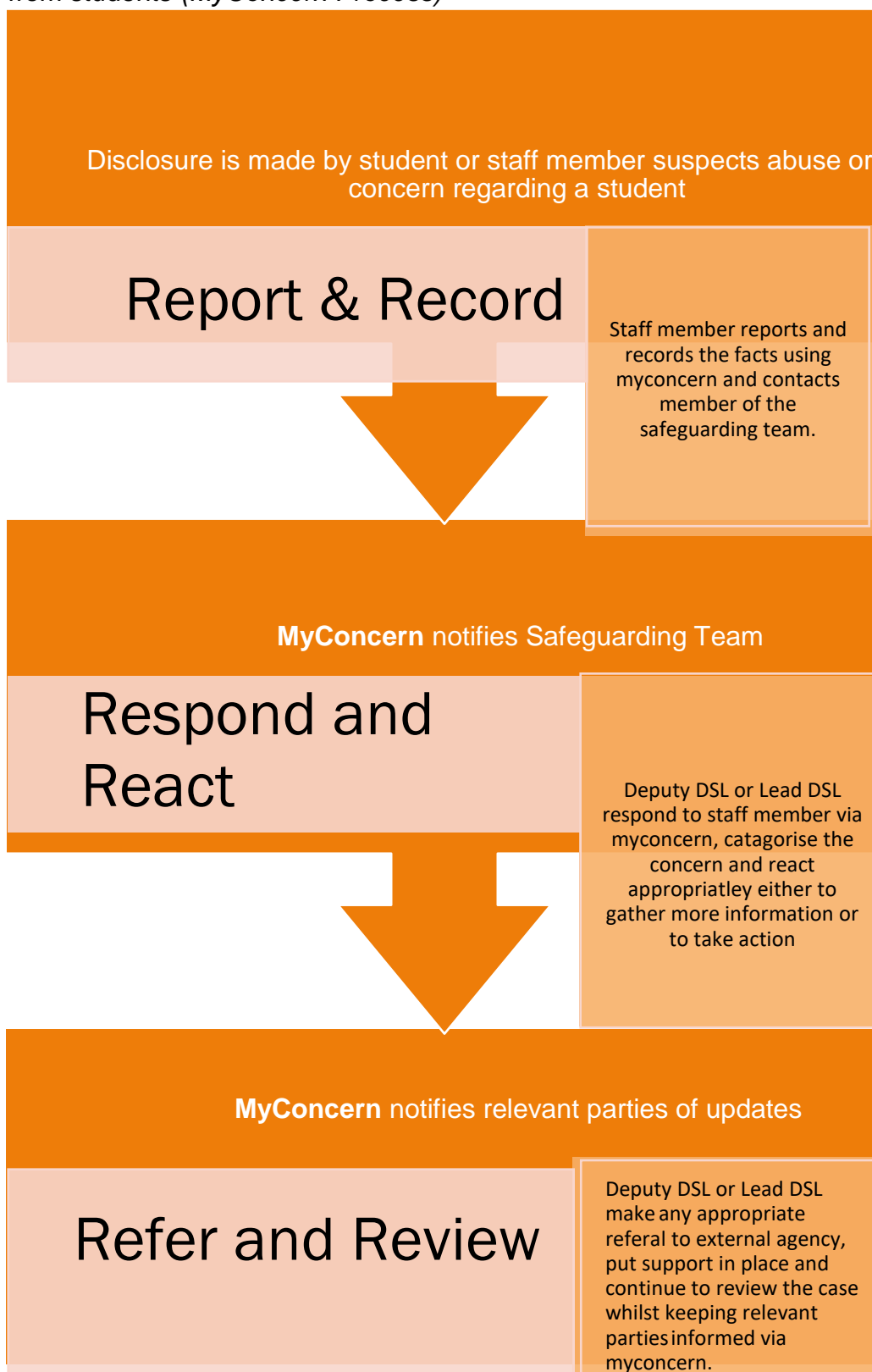
Record the discussion:

- Through MyConcern
- Stick to facts about what was disclosed
- Upload any original notes to MyConcern

Support the Student:

- Consider what support is needed for the student; dealing with a disclosure and safeguarding issues can be stressful.
- Consider seeking support for yourself and discuss this with the Designated Safeguarding Lead.

Process for reporting and recording safeguarding concerns and disclosures from students (*MyConcern Process*)



## WHAT HAPPENS NEXT?

When someone refers a case to children's Social Care, the MASH (Multi agency Safeguarding Hub) staff gather information from every agency and use this to inform children's Social Care's decision about the most appropriate intervention to respond to young person's identified needs. The MASH team can immediately trigger a response when required which means they are able to respond to a young person's needs quickly and effectively.

- To speak to someone in the MASH about appropriate actions to take in a case, you can call them on 01432 260800.
- More information about the MASH, including a short storyboard example of how the MASH works to safeguard families and children, is available at [www.herefordshire.gov.uk/MASH](http://www.herefordshire.gov.uk/MASH)

Name/Department/Organisation	Contact Details
MASH (Multi agency Safeguarding Hub)	01432 260800 <a href="http://herefordshiresafeguardingboards.org.uk">Report concerns about a child - Herefordshire Safeguarding (herefordshiresafeguardingboards.org.uk)</a> <a href="http://herefordshiresafeguardingboards.org.uk">Right Help Right Time Levels of Need - Herefordshire Safeguarding (herefordshiresafeguardingboards.org.uk)</a>
Family Assessment and Safeguarding Team	01432 261 628 01905 768 020 (Out of Hours)
Herefordshire Safeguarding Children Board	01432 260 100 <a href="http://herefordshiresafeguardingboards.org.uk">Report concerns about a child - Herefordshire Safeguarding (herefordshiresafeguardingboards.org.uk)</a>
Herefordshire Council Switchboard	01432 260 000
West Mercia Women's Aid  West Mercia Rape & Sexual Abuse Support Centre (to include support for males)	<a href="http://westmerciawomensaid.org">West Mercia Women's Aid   WMWA is a full member of the Women's Aid Federation of England. (westmerciawomensaid.org)</a>  <a href="#">Home - WMRSASC</a>

E-Safety (see West Mercia Consortium for more information)	Initial Contact Team - 0345 6789021 SSCB Development Officer - 01743 254251 West Mercia Police - 0300 333 3000 SITSS - 01743 254230 Child Exploitation Online Protection Centre <a href="http://www.ceop.police.uk">www.ceop.police.uk</a> Internet Watch Foundation - <a href="http://www.iwf.org.uk">www.iwf.org.uk</a>
West Mercia Police	Emergency – 999 Switchboard - 0300 333 3000 Non–Emergency - 101
Freedom of Information and Data Protection	01905 331 565 01905 331 545

### What is an Early Help Assessment?

In recent years, the Common Assessment Framework has been replaced by an Early Help Assessment (EHA). The EHA is based on the same principles as the CAF but it is much simpler and more straightforward to use.

An Early Help Assessment is an initial assessment and planning tool that facilitates and coordinates multi-agency support. It assesses the situation of the child or young person and their family and helps to identify the needs of both the children and the adults in the family.

It is a shared tool that multiple agencies can use to develop a coordinated response. This improves involvement between agencies and ensures that the child and their family are getting all the support that they need from wherever they need it. By doing this, the assessment aims to resolve any problems in their early stages and therefore removes the need for the intervention of social care.

Information for professionals on the Early Help Assessment can be found at: [Behaviour and support – Herefordshire Council](#) with Early Help Assessment resources found at: [Early Help Assessment - resources for practitioners and professionals – Herefordshire Council](#)

## RADICALISATION AND EXTREMISM

Young people in the UK are potentially vulnerable to engagement with extremist ideologies or to targeting by extremist organisations. It is important that the College should be aware of these risks and be familiar with the support networks and processes in place to protect vulnerable individuals from becoming radicalised or drawn into terrorism.

### Definition of Radicalisation

The Institute of Strategic Dialogue defines radicalisation as “the process through which an individual changes from passiveness or activism to become more revolutionary, militant or extremist, especially where there is intent towards, or

support for, violence”. Driving factors behind radicalisation can include:

- Lack of integration and/or polarisation.
- Identity crisis and/or isolation.
- Political and/or democratic disenfranchisement.
- Discrimination.
- Foreign policy and/or international crises or disputes.
- Political movements.
- Ideologies and/or faiths.

There is no stereotype for people who hold extremist views. Vulnerability, isolation and personal grievances added to strong political, religious or social views, can result in a person searching for a cause. People can become vulnerable for many reasons including:

- Low self-esteem.
- Guilt.
- Loss.
- Isolation.
- Family breakdown.
- Fear.
- Lack of purpose.
- Anger.
- Peer pressure.

It is not intended to suggest that one or all of these characteristics or circumstances will drive someone to terrorism. But they often lead to a sense of injustice, be that on a personal or more far-reaching scale. Their vulnerabilities or susceptibilities are then exploited towards crime or terrorism by people who have their own agenda.

There is no typical gender, age, religion or background that extremists will target, but they use a sense of “Duty” (belonging to a specific group), “status” (need for reputation) and “Spiritual Rewards” (test of faith) as a way of drawing them in.

This raises the question of “What will those signs of radicalisation look like?” They will look a lot like troubling behaviour:

- Emotional - angry, mood swings, new found arrogance.
- Verbal - expressing opinions that are at odds with generally shared values.
- Physical- appearance (tattoos), change in routine.

Possible signs of radicalisation include:

- The individual’s views become increasingly extreme regarding another section of society or government policy.
- The individual becomes increasingly intolerant of more moderate views.
- The individual expresses a desire/intent to take part in or support extremist activity.

- They are observed downloading, viewing or sharing extremist propaganda from the web.
- They become withdrawn and focused on one ideology.
- The individual may change their appearance, their health may suffer, (including mental health) and they may become isolated from family, friends, peers or social groups.

**What to do if you believe someone to be at risk of radicalisation.**

The College will adopt the ethos of “Notice, Check, Share”, where there are concerns that an individual may be vulnerable.

**Notice:** recognition of any changes in behaviour or appearance similar to those outlined above.

**Check:** Speak with one of the Colleges’ safeguarding team, and see what they recommend but trust your instinct if you are still concerned.

**Share:** Speak to one of the safeguarding team or the Designated Safeguarding Leads to report your concerns. Remember to trust your instinct.

- If a student is concerned about another student they should “check” with their course tutor in the first instance and “share” with the safeguarding team.
- If a student is concerned about a member of staff or a person who is not a member of the College e.g. guest speakers, they should “check” with the safeguarding team and “share” with the Designated Safeguarding Leads.
- If a member of staff is concerned about a student, they should “check” and “share” with the safeguarding team or the Designated Safeguarding Leads.
- If you are a member of staff and concerned about another member of staff you should “check” with your Line Manager and “share” with the Personnel Manager.
- If you are a member of staff and concerned about a person who is not a member of the College, e.g. a guest speaker, please “check” and “share” with the Designated Safeguarding Leads.

**Responsibility for contacting PREVENT following the requirements of the Counter Terrorism and Security Act 2015.**

Any of the following people are responsible for making the decision to contact the Counter Terrorism Team at West Mercia Police if serious concerns are raised about a student:

- Designated Safeguarding Lead
- Deputy Designated Safeguarding Lead
- Principal

Any of the following people are responsible for making the decision to contact the Counter Terrorism Team at West Mercia Police if serious concerns are raised about a member of staff:

- Personnel Manager
- Principal

Any of the following people are responsible for making the decision to contact the Counter Terrorism Team at West Mercia Police if serious concerns are raised about a person who is not a member of the College, e.g. a guest speaker:

- Designated Safeguarding Lead
- Head of Further Education
- Head of Higher Education
- Principal

N.B. As outlined in “Keeping Children Safe in Education (September 2022)”, anyone has the right to refer to Social Care regarding any concerns for an individual. The College gives this right with regards to extremism and anyone can report a concern to West Mercia Police via 101. Where this does occur, please inform the Designated Safeguarding Lead with regards to student or member of the public who visits the College and the Personnel Manager with regards to a member of staff.

*For further details refer to PREVENT Procedure: Detecting and Preventing Radicalisation & Extremism. PREVENT is part of the Home Office and Police counter-terrorism strategy and aims to stop people from becoming terrorists or supporting terrorism by working with individuals and communities to address issues before they become a criminal matter to stop people moving from extremism into terror-related activity.*

*For further information relating to The Counter Terrorism strategy – CONTEST see: [Counter-terrorism strategy \(CONTEST\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/counter-terrorism)*

*For further information relating to Safer Stronger Communities – Preventing Extremism – Prevent Herefordshire see: [Safer stronger communities – Herefordshire Council](https://www.herefordshire.gov.uk/safer-stronger-communities)*

## **CONFIDENTIALITY AND INFORMATION SHARING**

Research and experience have shown that keeping students safe from harm requires professionals and others to share information about that individual's health and development and exposure to possible harm and about a parent who may need help, or who may not be able, to care for a student/adult “at risk”. It is therefore important that, should a member of staff have concerns regarding someone's welfare, the student's Curriculum Leader, the Designated Safeguarding Lead or the Principal is informed in order to ensure that support is given to a student in a timely manner.

Sharing of information between agencies is vital for the identification and reduction of abuse, neglect or risk through effective safeguarding practice.

Information should be shared between the relevant professionals to explore how to protect the individual wherever abuse is alleged or suspected.

It is important to identify an abusive situation as early as possible so that the individual can be protected. Withholding information may lead to abuse not



being dealt with in a timely manner.

Confidentiality must never be confused with secrecy. Staff have a duty to share information relating to suspected abuse with the Curriculum Leader, Head of Further Education, (Designated Safeguarding Lead) Deputy Designated Safeguarding Lead, Principal, the Safeguarding Team (MASH; Multi Agency Safeguarding Hub), Care Quality Commission, Social Care Teams, or West Mercia Police.

Consent is not required to breach confidentiality and to make a safeguarding referral where:

- A serious crime has been committed (Crime and Disorder Act).
- The student is deemed to be at serious risk.
- Where the alleged perpetrator may go on to abuse other adults/young people.
- There is a statutory requirement e.g. Children's Act 1989, mental Health Act 1983, Care Standards Act 2000.
- The public interest overrides the interest of the individual.
- A member of staff of a statutory service, a private or voluntary service or a volunteer is the person accused of abuse, malpractice or poor professional standards.

Try to get consent from the student to share information, if possible. However, you do not need consent if you have serious concerns about a student's safety and wellbeing. If you decide to share information without consent, you should record this with a full explanation of your decision.

If a member of staff has any doubt about the legality of sharing information, they must in the first instance consult the Curriculum Leader, Designated Safeguarding Lead or the Head of Further Education.

Consent is not necessary in cases where Children's Social Care are making child protection enquiries under section 47 of the Children Act 1989. Information needs to be shared with Children's Social Care; staff members must make sure to record what information has been shared.

Consent is necessary for:

- Children's Social Care investigations or assessments of concerns under section 17 of the Children Act 1989. Children's Social Care will assume that we have obtained consent from the parents to share information unless we make them aware that there is a specific issue about consent. This must be discussed with a Social Worker in the Duty and Assessment Team.
- Early Help assessments. Assessments are undertaken with the agreement of the child and their parents or carers.

If you are in any doubt about the need for seeking consent, get advice from the Designated Safeguarding Lead or from the Children's Social Care Duty and Assessment Team.

Keep a record of your decision to share information, with or without consent, and

the reasons for it. Remember also that it is just as important to keep a record of why you decided not to share information as why you did so.

## **DEALING WITH THREATENED OR ATTEMPTED SUICIDE BY STUDENTS**

The normal developmental issues associated with adulthood and challenges related to the learning experience place some students under emotional pressures that occasionally manifest as a threat or an attempt by the student to take his or her own life. The College treats all threats or attempted suicides as serious regardless of the degree of lethality involved. When a student threatens or attempts suicide, the College takes the steps necessary to protect the student.

Procedures to follow when threatened or attempted suicide by a student.

Upon learning that a student has threatened or attempted suicide, the Head of Further Education or Designated Safeguarding Lead (DSL) or Principal or Course/Curriculum Leader (CL) should be contacted.

The Head of Further Education or DSL or CL will notify:

- Medical emergency personnel (as needed)
- College Counselling Service (during office hours) or Herefordshire Mental Health Service (other times).

If a student has threatened suicide and has left college premises unexpectedly and without agreement with tutors (FE), or has left staff and students worried for his/her safety (HE) the Police will be called and a "Safe and Well check" requested. The Head of Further Education or Principal should be informed as soon as possible if a student has left the College campus in such circumstances and if a "Safe and Well Check" has been requested. In the absence of the designated persons the CL (or in their absence any member of staff) should make this call. The number to call is 0300 333 3000.

The Head of Further Education, DSL or CL will contact the family/carers/guardians or significant others, of the student who threatened or attempted suicide, as appropriate.

A student who has attempted suicide will be put in the care of family/carers/guardians or significant others immediately. If a short period of time is necessary to make arrangements to return home, the College will strive to keep the student safe through, for example, hospitalisation, staff supervision or local Police involvement.

Students who threaten or attempt suicide will be referred to the College Counsellor, and/or to local mental health professionals for ongoing treatment.

If a student has attempted suicide or threatened to commit suicide, and wishes to return to complete their studies, care and consideration must be taken to safeguard them and other students, and a decision made as to whether a return to college is indeed appropriate. Refer to "Fitness to Study" Policy. The CL, in agreement with the student, parents, carers or guardians (if the student

is under 18 or 25 if student has severe learning disabilities), should meet and agree a carefully planned return to college which should include a detailed risk assessment.

## **PROCEDURE FOR DEALING WITH APPLICANTS AND STUDENTS WITH CRIMINAL CONVICTIONS**

We actively promote equality of opportunity and we are keen to encourage a diverse student population with a wide range of talents, backgrounds and experiences. Having a criminal conviction will not necessarily prevent applicants from gaining admission to the College. In reaching decisions on those with criminal convictions, the College will consider not only its responsibilities and duties, but also the safety and well-being of the individual and its ability to provide any appropriate support arrangements.

Applicants on undergraduate programmes or postgraduate programmes will be asked to declare any relevant criminal convictions on their UCAS or College application form.

### **Relevant convictions are currently defined as:**

Those convictions for offences against the person, whether of a violent or sexual nature, and convictions for offences involving unlawfully supplying controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking. Unless the nature of the programme of study requires the College to ask questions about an applicant's entire criminal record, applicants are not required to tell the College about "spent" convictions as defined in the Rehabilitation of Offenders Act 1974. Please note that custodial sentences of more than two and a half years can never become "spent". Applicants sometimes voluntarily bring information about convictions in relation to other types of offence to our notice. Under these circumstances the College reserves the right to consider whether admission carries any risks relating to any other persons involved in the College, such as any student under 18, (F.E.) or adults defined as "at risk".

For applicants, if you indicate that you have a conviction or other penalty, we will not take this any further until your application has been considered on academic grounds. Our primary selection criteria are those relating to the qualification, skills, abilities and personal qualities you have to offer your chosen programme of study. Once we have reached an academic decision in principle, though, we will not make an offer until we are satisfied that your admission will not pose any unacceptable risks in relation to the factors set out in Section 5.

In order to reach an informed decision, we will therefore ask you to provide further details on the nature of your offence. We will need an independent account of what happened and the subsequent penalties. This may be a pre-sentence report or other statement on the circumstances surrounding your conviction and supporting information.

## **SAFER RECRUITMENT**

The College has robust recruitment and vetting procedures to help prevent unsuitable people from working with children.

Our job advertisements and application packs make explicit reference to the College's commitment to safeguarding children, including compliance with disclosure and barring regulations and clear statements in the job description and person specification about the staff member's safeguarding responsibilities.

All staff members who have contact with children, young people and families will have appropriate pre-employment checks in line with [Keeping children safe in education - GOV.UK \(www.gov.uk\)](#) 2022

At least one member on every short listing and interview panel will have completed safer recruitment training.

The Principal and the nominated governor for child protection are responsible for ensuring that our Single Central Record of pre-employment checks is accurate and up to date.

## **PROCEDURE FOR REPORTING AND DEALING WITH ALLEGATIONS OF ABUSE MADE AGAINST A MEMBER OF STAFF, A COLLEGE GOVERNOR, OR A COLLEGE VOLUNTEER**

All College staff, governors and volunteers should be aware that abuse is a serious matter that can lead to a criminal conviction. Should concerns arise regarding any allegations of abuse by individuals in these positions, the College procedure for dealing with allegations of abuse must be followed. These are attached as Appendix C. The Herefordshire Safeguarding Adults Framework Section II.15 "Staff Disciplinary Procedure" must be referred to in conjunction with College procedures. This may be accessed through the following link: [http://hscb.herefordshire.gov.uk/docs/Managing Allegations against professionals 12 1 1 1.pdf](http://hscb.herefordshire.gov.uk/docs/Managing_Allegations_against_professionals_12_1_1_1.pdf)

## APPENDIX C

**The first part of this section outlines guidelines for staff conduct based on the additional of Low level concerns to KCSIE 2022**

### **Social Situations and the CRC Bar**

If a member of staff finds themselves in a social situation with students (for example mature students present at a private party the member of staff attends) they should log the occasion with the Principal/Designated Safeguarding Lead as a low level concern (see section 4.0) in order to protect themselves against possible misinterpretation.

Staff should be careful to maintain professional boundaries at all times in the College Road Campus bar.

Staff may use the bar for a meeting or immediately after a work event, for example a course group may have a drink with a visiting speaker.

The duty manager staff may stay later in the bar as part of their monitoring and engage in conversation with students, as may staff involved in supporting a college or SU event in the bar. Other staff should not normally stay late in the bar.

### **Employing students**

The college recognises there may be occasions when staff, within their college role, or externally, want to offer paid/unpaid work to students and this may give students valuable work experience. However, each occasion needs to be assessed in advance to ensure it does not put either party at risk.

Staff shall not employ students to undertake work either internally or externally, without prior permission from a member of SLT. If a staff member wishes to employ a student then they must put a request in writing to HCA People, stating the purpose of the employment and how long the employment will be for.

Issues to be considered before approval include (but are not limited to):

- Whether the staff have or will be involved in assessment of this student's work
- If employment will compromise the independence of assessment
- The location and the nature of employment
- Risks around access to staff personal data

Staff may be required to complete a written risk assessment.

### **Low level concerns and reporting of incidents**

All staff must understand the importance of reporting low level concerns

#### **What is a low-level concern?**

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

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work
- Doesn't meet the threshold of harm or is not considered serious enough for the College to refer to the local authority (LADO)

Low-level concerns are part of a spectrum of behaviour. This includes:

- Inadvertent or thoughtless behaviour by a member of staff
- Behaviour that might be considered inappropriate depending on the circumstances
- Behaviour which is intended to enable abuse

Examples of such behaviour could include:

- Being over friendly with students
- Demonstrating favouritism or preferential treatment to one student over another
- Engaging with students on a one-to-one basis in a secluded area or behind closed doors
- Embracing or touching a student
- Using inappropriate sexualised, intimidating or offensive language

## Reporting

By having a clear procedure for responding to low-level concerns the College is encouraging a culture of openness and trust. Staff should be clear that low level concern reporting is also in place to protect staff from potential false allegations or misunderstandings. Low level concerns should be reported to the Principal or Designated Safeguarding Lead in person or through email [lowlevelconcern@hca.ac.uk](mailto:lowlevelconcern@hca.ac.uk).

## Procedure for Dealing with Allegations of Abuse Against a Member of Staff, a Governor or a Volunteer

### Introduction

In some instances, staff of education institutions have been found responsible for abuse of children, young people or adults who are, or become, vulnerable. Because of their frequent contact with children and young people, staff may have allegations of abuse made against them. The College recognises that an allegation of abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and that investigations are thorough and not subject to delay.

The College policy will be to:

- Accept nothing
- Believe no-one
- Check and clarify everything

The College recognises that the Children Act 1989 states that the welfare of the child is the paramount concern. "No Secrets" (2000) with supplementary guidance provided by 2005's "Association of Directors of Social Services Safeguarding Adults" (ADASS) provides a national framework of standards for good practice and outcomes in safeguarding work. The Herefordshire Safeguarding Adults Framework has been developed, using these as a reference, to enable all agencies to work

effectively together to support safeguarding processes that emphasise prevention and early intervention. 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 should do so with sensitivity and should act in a careful, measured way.

### **Receiving an allegation from a young person or adult “at risk”.**

A member of staff who receives an allegation about another member of staff (including the Principal, Governors, Clerk to the Governors or a volunteer) from a young or vulnerable person should immediately report the allegation to the designated safeguarding team who will inform the Principal, unless the Principal is the person against whom the allegation is made. In cases where members of the designated team are the subject of the allegation staff may pass on the allegation directly to the Principal. In cases where the Principal is the subject of the allegation the report should be made to the Senior Staff Member with lead responsibility or the Designated Governor. The Principal (or designated person if the allegation is against the Principal) should:

- Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the Principal (or designated person).
- Record information about times, dates, locations and names of potential witnesses.

### **Initial assessment by the Principal (or designated person)**

The Principal (or designated person) should make an initial assessment of the allegation, consulting with the Senior Staff Member with Lead Responsibility, the Designated Governor, and Herefordshire Safeguarding Board as appropriate (Local Authority Designated Officer LADO, by contacting the LADO office on: 01432 260554. Where the allegation is considered to be either a potential criminal act or indicates that the child or vulnerable person has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the Police.

It is important that the Principal (or designated person) does not investigate the allegation. The initial assessment should be on the basis of the information received and is a decision as to whether or not the allegation warrants further investigation.

Other potential outcomes are:

- The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the child or vulnerable person adult “at risk”. The matter should be addressed in accordance with the College disciplinary procedures and a note placed on the member of staff's file.
- If, after a warning, a subsequent report is received, this may escalate to the next level.

- The allegation can be shown to be false because the facts alleged could not possibly be true.

## **Enquiries and investigations**

Where initial assessment indicates the need for further enquiry the Principal (or designated person) should consult with the Senior Staff Member with Lead Responsibility, the Designated Governor and report to the Local Authority Children's Social Care and seek a LADO (Local Authority Designated Officer) referral (part V of *Working Together to Safeguard Children 2015*).

The Social Care referral team will advise on 3 strands in the consideration of an allegation:

- A police investigation of a possible criminal offence.
- Enquiries and assessment by children's Social Care about whether the student is in need of protection.
- Consideration of disciplinary action in respect of the individual, which includes guidance for suspending a member of staff/volunteer.

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

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

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

Subject to objections from the Police or other investigating agency, the Principal (or designated person) shall:

- Inform the person and/or parent/carer making the allegation that the investigation is taking place and what the likely process will involve.
- Ensure that the parents/carers of the person making the allegation have been informed that the allegation has been made and what the likely process will involve.
- Inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve and keep him/her informed of the progress of the



case. If the person is a member of a union, they should be advised to make contact with that body at the outset. The identity of the person making the allegation shall not normally be shared with the member of staff.

- Inform the Chair of Governors and/or the Designated Governor of the allegation and the investigation.

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

## **Suspension of staff**

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

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

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

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

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

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

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

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

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

Where a member of staff is suspended, the Principal should address the following issues:

- The Chair of Governors should be informed of the suspension in writing.
- The Governing Body should receive a report that a member of staff has been suspended pending investigation, the detail given to the governing body should be minimal.
- Where the Principal has been suspended, the Chair or Vice Chair of Governors will need to take action to address the management of the College.
- The parents/carers of the person making the allegation should be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the vulnerable adult “at risk” making the allegation of the suspension.
- Senior staff who need to know of the reason for the suspension should be informed.
- Depending on the nature of the allegation, the Principal should consider with the nominated Governor whether a statement to the students of the College and/or parents/carers should be made, taking due regard of the need to avoid unwelcome publicity. Only designated press liaison staff (after consultation with Principal or Chair of Governors) will have the authority to have contact with the media.

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

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

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

## **The Disciplinary Investigation**

The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures.

The member of staff should be informed of:

- The disciplinary charge against him/her.
- His/her entitlement to be accompanied or represented by a trade union representative or friend.

Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension should be lifted immediately and arrangements made for the member of staff to return to work. It may be appropriate to offer counselling.

The person making the allegation and/or their parents/carers should be informed of

the outcome of the investigation and proceedings. This should occur prior to the return to College of the member of staff (if suspended).

The Principal (or designated person) should give consideration to what information should be made available to the general population of the College.

### **Allegations without foundation/unproven allegations**

Any malicious accusations made by a student will be addressed by following the Student Disciplinary Policy.

Obviously false allegations may be indicative of problems of abuse elsewhere. A record should be kept and the Safeguarding Team should determine whether the person concerned is in need of services or may have been abused by someone else.

In consultation with the designated senior member of staff and/or the designated Governor, the Principal shall:

- Inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or safeguarding action will be taken. Consideration should be given to offering counselling/support.
- Inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.
- Where the allegation was made by a vulnerable adult “at risk” other than the alleged victim, consideration to be given to informing the parents/carers of that person.
- Prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.

### **Records**

It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details are retained on the member of staff's personal and confidential file.

If a member of staff is dismissed or resigns before the disciplinary process is completed, they should be informed about the College's statutory duty to inform the Independent Safeguarding Authority (ISA).

If the allegation is substantiated, Hereford College of Arts will ensure that ISA have been notified (usually via the Safeguarding Team).

### **Monitoring effectiveness**

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

## **RESPONDING AND DEALING WITH A STAFF MEMBER'S CONCERNS OR ALLEGATIONS AGAINST OR ABOUT A COLLEAGUE**

This policy and its related procedures needs to emphasise a culture of openness and accountability. It is the responsibility of all staff (including volunteers) to ensure that the welfare of students is paramount. In the spirit of openness, it is important that staff can raise concerns about a colleague's behaviour towards, or relationship with a student(s) that could be construed as being, or may lead to putting the safety or wellbeing of the student in danger/at risk.

Reference the Whistleblowing Policy & Procedures, Sections 4, 5, and 6:

### *"Procedure for Making a Disclosure*

*Information which a worker reasonably believes tends to show one or more of the situations given in Section 4 should promptly be disclosed to their line manager so that any appropriate action can be taken.*

*If it is inappropriate to make such a disclosure to their line manager, a worker can raise the issue with a member of the Senior Leadership Team."*

In order to develop and promote a culture of openness and to encourage staff and students to disclose information about any wrong-doing or malpractice in the College, the College will (as a matter of course) investigate, objectively check and clarify all reports, for the safety and benefit of all parties.

- Accept nothing.
- Believe no-one.
- Check everything.

## **RECRUITMENT AND SELECTION**

The College has recruitment and selection procedures which are followed for all staff appointments and for any volunteers working with children and young people and/or adults. These are attached as Appendix D.

## APPENDIX D

### **Recruitment, Selection and Appointment of Staff Policy**

#### **Definition**

This policy is in place to ensure that all Recruitment, Selection and Appointments are handled in line with College policy and procedure and fully incorporate the features of a safer recruitment process.

The following policy gives details of the stages that all vacancies within the College should follow and applies equally to voluntary posts that require a formal recruitment process and paid positions.

#### **Actions and Responsibilities**

##### **Authorisation**

Written authorisation for recruitment must be obtained, via the Request/Authorisation for New/Replacement Staff form, before any action is taken to advertise posts or to recruit staff, whether to permanent or temporary positions within the College. Appropriate placement of the advertisement in relation to the type of post advertised must be considered at this point. SLT will be notified, via their regular meetings, of any upcoming vacancies/appointments.

##### **Job Description and Person Specification**

Before any post is advertised, an up-to-date job description and person specification must be agreed with the relevant Line Manager and the Personnel Manager.

The job description should provide information for candidates about the post and should inform the person specification. It should also include a statement of responsibility and requirements for safeguarding including notifying candidates that they will be required to obtain a Disclosure from the Disclosure and Barring Service.

The person specification establishes the selection criteria for the post i.e. the skills, knowledge, experience and other qualities required to perform the job effectively. It enables a focused and systematic approach to be adopted in the interview and reduces the risk of interviewers forming unsubstantiated judgements about candidates.

Criteria in the person specification should be divided into “essential” and “desirable”. All criteria must be capable of justification. It is important also to avoid the inclusion of any requirements that may be inadvertently discriminatory.

##### **Recruitment Process**

All advertisements for job vacancies must be placed by the Personnel Manager and include a statement on Safeguarding and DBS checks. An independent advertising agency will normally be used to place the advertisement and a copy be provided to them. A requisition form for the cost should be completed and sent to Finance. All advertisements will also be placed on the College Website.

The advertisement will state how the applicants can request an application pack. This will normally be by contacting Reception or emailing [jobs@hca.ac.uk](mailto:jobs@hca.ac.uk). Once an applicant requests information on a post their details will be added to the Job Vacancies Database.

All applicants will be sent:

- an application form
- an equal opportunities recording form
- a job description and personnel specification
- any further specific information as necessary

Once the completed applications are received the Equal Opportunities data is entered on to the Job Vacancies Database and the Equal Opportunities Recording Form is detached from the application and kept in a separate file. The Job Vacancies Database can only be accessed by Personnel staff and therefore the Equal Opportunities information remains confidential at all times.

A short-listing and interview panel will be appointed for each position. At least one member of the short-listing panel and interview team for each position must have undergone Safer Recruitment training. Safeguarding and promotion of the welfare of young people and vulnerable people is an integral part of human resources (HR) management in Hereford College of Arts and is seen as an essential part of creating a safe environment.

Applications are sent to a short-listing panel. Once this process has been completed the panel will complete a short-listing form and this will be returned to the Personnel Department and letters will be sent out for those invited to interview. Letters will also be sent to those not short-listed to inform them and thank them for their interest in the College. This will be done in two stages. Those who are placed in a reserve shortlist will be sent letters once there is confirmation of an appointment. References will be obtained before interview where possible for all short-listed candidates. This will include specific enquiries about the applicant's background in relation to safeguarding and ensure references are given proper weight and consideration in the selection process.

In the event that the job specification changes during or after the selection process the College will consider whether to re-advertise the post.

Candidates should normally be contacted by post and e-mail, including a map showing how to get to the College and requesting information about any adjustments that need to be made to allow the person to attend interview as well as details of allowable interview expenses. For travel out of the area, expenses to the amount of second class rail fare will be refunded. If any candidates need overnight accommodation, this should be arranged as appropriate locally and the account sent to the College for payment. A request should also be made for all candidates to bring evidence to the interview of their ability to work in the UK and photographic identification (normally a passport will suffice).

At least two members of staff must interview for any position, normally the Line Manager and Personnel Manager and/or SLT member.

There should be at least one question about Safeguarding included in every interview.

A list of interviewees should be provided for the Receptionist. Papers for all candidates will be copied to the interviewers, including job description and person specification.

All unsuccessful candidates will be sent a letter from the College informing them of the outcome of their application.

Agency candidates will not normally be considered for a post that has been advertised in the press. Agencies may be used on occasions where recruitment for a particular post proves difficult. Preferred suppliers should be used wherever possible and costs agreed beforehand. To ensure that any staff supplied to the College have been subject to proper safeguards Hereford College of Arts will obtain written confirmation from an agency that it has carried out all the appropriate checks on staff it supplies to the College and that those are satisfactory. Similarly, the College requires such confirmation from contractors used to provide services that entail staff employed by the contractor working with or providing services for young people and vulnerable adults for whom the College is responsible.

It is expected that all vacancies will be filled within 2 months of advertising the position, however this may be amended depending on the vacancy type.

All internal candidates who meet the essential criteria will be offered an interview.

Candidates who declare a disability and meet the essential criteria will be offered an interview.

### **Offer Letter**

All new staff should receive an appropriate offer letter as soon as possible containing details of their job title, start date (if known), salary, working hours and holidays. Offers are subject to satisfactory references, a satisfactory Disclosure, a satisfactory medical check and verification of academic and/or professional qualifications.

Relevant forms to be sent with the offer letter are:

- New Starter/Bank Details form
- Occupational health questionnaire and return envelope for Hereford Council
- Pensions Information

Any specific conditions will be attached to the offer of employment (e.g. teaching qualification) and details of the probationary period applicable will be made clear at the time when an offer is made and confirmed in the offer letter.

At this stage, a request should be made to see documentary evidence of relevant certificates/qualifications.

Staff are required to return a signed copy of their offer letter to formally accept the post prior to signing a contract of employment.

### **Other Information**

A file should be opened for new staff and their details placed on the new starters checklist.

Identify the probationary review date and let the Line Manager know when this is due. The probationary period will vary depending on the post type.

Where candidates will start work before the Disclosure process is completed they should be checked on the ISA Children's barred list and the ISA Vulnerable Adults barred list. Only employees assessed with MINIMAL risk would be allowed to begin employment before the Enhanced DBS Disclosure is received. All other checks must have been completed and appropriate references received. The curriculum leader or manager and senior staff would be notified and the level of supervision approved by the Principal or a nominated member of SLT. This could include one or more of the following options:

- The employee should be supervised by the Curriculum Leader, manager, or another member of staff at all times.
- The employee should not be allowed to work 1:1 with a student (or must be supervised if unavoidable).
- The employee should not work in a closed room (i.e. the door should be left open).
- The employee should wear his/her identity badge at all times.
- The employee's working hours should not coincide with the hours that students are in College (for example, the cleaning staff who would be supervised by the Cleaning Supervisor).

In line with the Safeguarding Children Legislation all new staff will be contacted to complete a DBS disclosure which will be held on a Single Central Register for all staff. This is done on-line via a DBS Umbrella Body. Staff will then need to provide the Personnel office with original documentation which can also be entered into this system.

Inform IT of new starters for computer access purposes. They will be asked to attend for a short induction before they are allocated their username and password.

Inform the Estates Manager of new starters for health and safety induction purposes.

A note is sent to all staff via email informing them of staff changes.

Ensure they are given a staff pigeonhole in the Staff Room. Car parking permits are available from Reception.

All new employees will be required to undertake the necessary levels of Safeguarding and Equality and Diversity Training. This will be recorded by the Personnel Department.

When all paperwork has been completed, prepare and issue the contract of employment.

If it is found that an employee has been employed under false pretences, this will be seen as Gross Misconduct and will result in immediate dismissal.

## Summary

This policy is in place to ensure that all the necessary procedures are completed in the recruitment, selection and appointment of all staff.

This policy will be reviewed every 2-3 years or upon change in policy



## APPENDIX E

### **FGM – Mandatory Reporting Guidance**

The FGM mandatory reporting duty is a legal duty provided for in the FGM Act 2003 (as amended by the Serious Crime Act 2015). The legislation requires regulated health and Social Care professionals and teachers in England and Wales to make a report to the police where, in the course of their professional duties, they either:

- Are informed by a girl under 18 that an act of FGM has been carried out on her or
- Observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe that the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth (see section 2.1a for further information).

For the purposes of the duty, the relevant age is the girl's age at the time of the disclosure/identification of FGM (i.e. it does not apply where a woman aged 18 or over discloses she had FGM when she was under 18).

Complying with the duty does not breach any confidentiality requirement or other restriction on disclosure which might otherwise apply.

The duty is a personal duty which requires the individual professional who becomes aware of the case to make a report; the responsibility cannot be transferred. The only exception to this is if you know that another individual from your profession has already made a report; there is no requirement to make a second.

The duty does not apply in relation to at risk or suspected cases or in cases where the woman is over 18. In these cases, you should follow local safeguarding procedures. For more information, please see *Working Together to Safeguard Children* (in England) or *Working Together to Safeguard People* (in Wales) as appropriate, and/or the multi-agency statutory guidance on FGM.

Where there is a risk to life or likelihood of serious immediate harm, professionals should report the case immediately to police, including dialling 999 if appropriate.

#### **Visually identified cases – when you might see FGM**

The duty applies to cases you discover in the course of your professional work. If you do not currently undertake genital examinations in the course of delivering your job, then the duty does not change this. Most professionals will only visually identify FGM as a secondary result of undertaking another action.

For healthcare professionals, if, in the course of your work, you see physical signs which you think appear to show that a child has had FGM, this is the point at which the duty applies – the duty does not require there to be a full clinical diagnosis confirming FGM before a report is made, and one should not be carried out unless you identify the case as part of an examination already under way and are able to ascertain this as part of that. Unless you are already delivering care which includes a genital examination, you should not carry one out.

For teachers and Social Workers, there are no circumstances in which you should be examining a girl. It is possible that a teacher, perhaps assisting a young child in the toilet

or changing a nappy, may see something which appears to show that FGM may have taken place. In such circumstances, the teacher must make a report under the duty, but should not conduct any further examination of the child.

### **Verbally disclosed cases**

If you are a relevant professional and a girl discloses to you that she has had FGM (whether she uses the term “female genital mutilation” or any other term or description, e.g. “cut”) then the duty applies. If, in the course of delivering safe and appropriate care to a girl you would usually ask if she has had FGM, you should continue to do so.

The duty applies to cases directly disclosed by the victim; if a parent, guardian, sibling or other individual discloses that a girl under 18 has had FGM, the duty does not apply and a report to the police is not mandatory. Any such disclosure should, however, be handled in line with wider safeguarding responsibilities - in England, this is likely to include referral to children’s social services, and in Wales the disclosure must be immediately referred to the local authority.

Further information, including advice and support on how to talk to girls and parents/guardians about FGM, is available in the multi-agency statutory guidance on FGM.

More information is available in the General Medical Council’s guidance on intimate examinations and the child protection examinations section of their guidance on protecting children and young people

### **Timeframe for reports**

Reports under the duty should be made as soon as possible after a case is discovered; best practice is for reports to be made by the close of the next working day, unless any of the factors described below are present. You should act with at least the same urgency as is required by your local safeguarding processes.

In order to allow for exceptional cases, a maximum timeframe of one month from when the discovery is made applies for making reports. However, the expectation is that reports will be made much sooner than this.

A longer timeframe than the next working day may be appropriate in exceptional cases where, for example, a professional has concerns that a report to the police is likely to result in an immediate safeguarding risk to the child (or another child, e.g. a sibling) and considers that consultation with colleagues or other agencies is necessary prior to the report being made. If you think you are dealing with such a case, you are strongly advised to consult colleagues, including your Designated Safeguarding Lead, as soon as practicable, and to keep a record of any decisions made. It is important to remember that the safety of the girl is the priority.

Where you become aware of a case, the legislation requires you to make a report to the police force area within which the girl resides. The legislation allows for reports to be made orally or in writing.

When you make a report to the Police, the legislation requires you to identify the girl and explain why the report is being made. While the requirement to notify the Police of this information is mandatory and overrides any restriction on disclosure which might otherwise apply, in handling and sharing information in all other contexts you should continue to have regard to relevant legislation and guidance, including the Data

Protection Act 1998 and any guidance for your profession. The provisions of the Data Protection Act 1998 do not prevent a mandatory report to the Police from being made.

While the legislation requires a report to be made to the Police, it does not specify the process for making the report. If you have a formal agreement with the relevant team in the Police that reports can be made to them directly, then reports may be made this way. In all cases you should ensure that you are given a reference number for the case and that you keep a record of it.

## **Making a report**

It is recommended that you make a report orally by calling 101, the single non-emergency number.

When you call 101, the system will determine your location and connect you to the police force covering that area. You will hear a recorded message announcing the police force you are being connected to. You will then be given a choice of which force to be connected to; if you are calling with a report relating to an area outside the force area which you are calling from, you can ask to be directed to that force.

As required by section 5B (5)(c) of the 2003 Act (as amended by the Serious Crime Act 2015).

Calls to 101 are answered by trained police officers and staff in the control room of the local police force. The call handler will log the call and refer it to the relevant team within the force, who will call you back to ask for additional information and discuss the case in more detail.

You should be prepared to provide the call handler with the following information:

Explain that you are making a report under the FGM mandatory reporting duty

- Your details:
  - name
  - contact details (work telephone number and e-mail address) and time when you will be available to be called back or role or place of work
  - details of your organisation's Designated Safeguarding Lead:
  - contact details (work telephone number and e-mail address) or place of work
- The girl's details:
  - name
  - age/date of birth
  - address

If applicable, confirm that you have undertaken, or will undertake, safeguarding actions, as required by the Working Together to Safeguard Children (in England) or Working Together to Safeguard People (in Wales) as appropriate.

You will be given a reference number for the call and should ensure that you document this in your records (see section 2.3b).

## **Record keeping**

Throughout the process, you should ensure that you keep a comprehensive record of any discussions held and subsequent decisions made, in line with standard safeguarding practice. This will include the circumstances surrounding the initial identification or disclosure of FGM, details of any safeguarding actions which were taken, and when and how you reported the case to the Police (including the case reference number). You should also ensure that your organisation's Designated Safeguarding Lead is kept updated as appropriate.

## **Informing the child's family**

In line with safeguarding best practice, you should contact the girl and/or her parents or guardians as appropriate to explain the report, why it is being made, and what it means. Wherever possible, you should have this discussion in advance of/in parallel to the report being made. Advice and support on how to talk to girls and parents/guardians about FGM is available in the multi-agency statutory guidance on FGM.

However, if you believe that telling the child/parents about the report may result in a risk of serious harm to the child or anyone else, or of the family fleeing the country, you should not discuss it. For more information, please see information sharing advice for safeguarding practitioners. If you are unsure or have concerns, you should discuss these with your Designated Safeguarding Lead.

## **Your responsibilities after you have made a report**

In relation to any next steps, you should continue to have regard to your wider safeguarding and professional responsibilities, including any relevant standards issued by your regulatory body. For example, in a health context, your responsibilities include responding to the physical and psychological needs of the girl.

Depending on your role and the specific circumstances of the case, you may be required to contribute to the multi-agency response or other follow up to the case which will follow your report (see Section 3). If you are unsure, you should seek advice from your Designated Safeguarding Lead.

## APPENDIX F

### COVID 19 – Additional Safeguarding Measures – March 2020

Response to COVID-19 March 2020 (Updated May 2020)

There have been significant changes within our setting in response to the outbreak. Many young people are now at home and staffing is likely to be significantly affected through illness and self-isolation.

Despite the changes, Hereford College of Arts' Safeguarding and Child Protection Policy is fundamentally the same: Staff should respond robustly to safeguarding concerns and contact the DSL in line with our established safeguarding procedure.

This appendix sets out some of the adjustments we are making in line with the changed arrangements in the College and following [advice from government](#) and local agencies.

#### Reporting arrangements

The College arrangements continue in line with our Safeguarding and child protection policy. The Designated Safeguarding Lead is: Xaviere Hughes ([x.hughes@hca.ac.uk](mailto:x.hughes@hca.ac.uk))

The Deputy DSLs are: Melissa Williams ([m.williams@hca.ac.uk](mailto:m.williams@hca.ac.uk)) / Justin Gregory ([j.gregory@hca.ac.uk](mailto:j.gregory@hca.ac.uk)). The College's approach ensures the DSL or a deputy is always contactable while the College site is open or when online teaching is taking place. In the unusual circumstance when this is not possible, the Deputy DSL will be contactable and/or a member of the Senior Leadership Team.

Staff will continue to follow the Safeguarding and Child Protection procedure (utilising MyConcern) and advise the safeguarding leads immediately about concerns they have about any child or vulnerable adult, whether in College or not. COVID-19 means a need for increased vigilance due to the pressures on services, families and young people, rather than a reduction in our standards.

Children's services may be affected by the impact of the virus on staff and an increased demand for services. Where a child is at risk of significant harm there may be a need to be persistent in referring concerns to the local authority. The arrangements for contacting children's services are: Herefordshire Multi Agency Safeguarding Hub on 01432 260800.

Should a child or vulnerable adult in the College's view be at risk of significant harm and local agencies are not able to respond, the College will immediately follow the safeguarding children partnership escalation procedure or call 101.

#### Identifying vulnerability

We have undertaken a scoping exercise to identify the most vulnerable children/adults. We have put in place arrangements in respect of the following groups:

- Looked After Children.

- Children subject to a Child Protection Plan.
- Children or a vulnerable adult who have, or have previously had, a Social Worker.
- Children with an EHCP.
- Other children or adults that College considers vulnerable.
- Adults staying in halls of residence or in student accommodation.

Each of these children/adults has an individual plan which where appropriate is shared with other agencies involved in their care, including where appropriate their Social Worker.

Based on the government guidance, our students have had the opportunity to attend the College site and engage with their learning if they are:

- Children of key workers.
- Students who have an EHCP.
- Vulnerable.

The College reviews this arrangement every month and ensures that all students with an EHCP are contacted directly by either a tutor or the Wellbeing Development Lead weekly, this is over and above their usual contact via their online course of study.

### **Holiday arrangements**

The College will continue to provide access to the building and support for students within the above categories over the Easter break. Summer break is to be reviewed.

### **Attendance**

The College is following the [attendance guidance issued by government](#). Where a student is expected and does not arrive, the College will contact the student. If contact is not possible by 1pm the DSL must be informed. The DSL will attempt a range of methods to contact the student and if required, the parent/guardian but if necessary, arrange a home visit by the College or another appropriate agency. A risk assessment will be undertaken to consider manage the implications of COVID-19 alongside other risks perceived to the student. The risk of COVID-19 does not override the duty on the College to ensure people are safe.

### **Staff will be aware of increased risk**

The pressures on students and their families at this time are significant. There will be heightened awareness of family pressures through being contained in a small area, [poverty](#), and financial or health anxiety. These areas should be considered in the setting of any work for students to undertake at home, however due to the nature of creative work this could also highly benefit the students mental health and sense and general wellness. Staff will be aware of the mental health of both [children](#) and their [parents and carers](#), informing the DSL about any concerns.

### **Peer-on-peer abuse**

We recognise the potential for abuse to go on between young people, especially in the context of a college closure or partial closure. Our staff will remain vigilant to the [signs of peer-on-peer abuse](#), including those between young people who are not currently attending our provision.

## **Risk online**

Young people will be using the internet more during this period. The College will be using online approaches to deliver learning and support. Staff will be aware of the signs and signals of [cyberbullying](#) and [other risks online](#) and apply the same child-centred safeguarding practices as when children were learning at the College.

The College continues to ensure [appropriate filters and monitors are in place](#)

The College has taken on board guidance from the [UK Safer Internet Centre](#) on safe remote learning and guidance for [safer working practice](#) from the Safer Recruitment Consortium. We have reviewed the code of conduct and information sharing policy, and produced additional information to promote safe and best practice in remote learning with students.

Staff have discussed the risk that professional boundaries could slip during this exceptional period and been reminded of the College's code of conduct and importance of using colleges systems to communicate with students and their families as appropriate.

Staff have read the [20 safeguarding considerations for livestreaming](#) prior to delivering any livestreamed sessions.

Children and young people accessing remote learning receive guidance on keeping safe online and know how to raise concerns with the College, [Childline](#), the [UK Safer Internet Centre](#) and [CEOP](#).

Parents and carers have received information about keeping children safe online with peers, parents have been offered the following links:

- [Internet matters](#) - for support for parents and carers to keep their children safe online
- [London Grid for Learning](#) - for support for parents and carers to keep their children safe online
- [Net-aware](#) - for support for parents and careers from the NSPCC
- [Parent info](#) - for support for parents and carers to keep their children safe online
- [Thinkuknow](#) - for advice from the National Crime Agency to stay safe online
- [UK Safer Internet Centre](#) - advice for parents and carers

Free additional support for staff in responding to online safety issues can be accessed from the [Professionals Online Safety Helpline at the UK Safer Internet Centre](#).

## **Allegations or concerns about staff**

With such different arrangements young people could be at greater risk of abuse

from staff or volunteers. We remind all staff to maintain the view that “it could happen here” and to immediately report any concern, no matter how small, to the safeguarding team.

We have confirmed the arrangements to contact the LADO at the local authority remain unchanged.

If necessary, the College will continue to follow the duty to refer to DBS any adult who has harmed or poses a risk of harm to a child or vulnerable adult, and to the Teacher Regulation Agency in line with paragraph 166 of Keeping Children Safe in Education 2019 using the address [Misconduct.Teacher@education.gov.uk](mailto:Misconduct.Teacher@education.gov.uk).