

PROCEDURE

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| Document Title | Safeguarding young people and adults at risk Procedure |
| Version | 1.0 |
| Equality Impact Assessment Status | Low impact |
| Approved by | Board of Corporation |
| Date approved | Draft |
| Effective date | 1/9/21 |
| Date of next review | |
| Lead responsibility | Vice Principal for Curriculum and Quality |

1. Purpose

- 1.1.** The purpose of the procedure is to safeguard and protect the welfare of all our learners and help to encourage all staff to achieve and maintain the highest standards of Safeguarding Young People and Adults at Risk.
- 1.2.** Safeguarding and promoting the welfare of Children is everyone's responsibility. "Everyone who encounters children, their families and carers have a role to play in safeguarding" (Keeping Children Safe in Education (KCSIE) 2020).

2. Scope

- 2.1.** This procedure applies to all employees of Derwentside College. The College has an important role to play in helping to promote and safeguard the welfare of Young People and Adults at Risk to help protect them from abuse.

3. Key Definitions and Concepts

- 3.1.** This procedure applies to all learners and is in place to ensure that young people and adults at risk are protected from all forms of abuse; definitions of which are contained in Appendix 1 - Key Definitions, which is detailed in our policy.
- 3.2.** All complaints and allegations or suspicions will be taken seriously and in accordance with both our policy and this procedure.
- 3.3.** Safeguarding incidents and/or behaviours can be associated with factors outside the College and/or can occur between young people and adults at risk outside the College. All staff, but especially the designated safeguarding lead (DSL) or deputy should be considering the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare.
- 3.4.** College staff who have regular contact with learners are well placed to observe significant changes in a learner's behaviour, a failure to thrive or outward signs of abuse. In addition, Young People and Adults at Risk may choose to share their concerns with staff whom they feel they can trust and with whom they are comfortable. Staff need to know how to respond sensitively to a learner's concerns and whom to approach for advice.
- 3.5.** Any staff member who have concerns about a young person under the age of 18 living outside of the family home and who is being provided with care and accommodation by someone who they are not related to should inform the DSL. The concerns may extend to 'informal fostering' or host family provision.
- 3.6.** The College has developed a dedicated intranet portal for aiding staff and learners understanding safeguarding and prevent. The link is dewentside.ac.uk/safeguarding-hub

4. Responding to Disclosure and Allegations of Abuse

- 4.1. The college has a number of well promoted channels for learners to refer or report a concern. This extends to a specific email address and a phone text number to help when a learner might not want to approach a member of staff in the first instance.
- 4.2. Noexcuseforabuse@derwentside.ac.uk or text **07984 404 691**
- 4.3. Where there is a safeguarding concern the college will as far as possible ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide.
- 4.4. Whilst College staff are not responsible for investigating abuse it is essential that any suspicions of significant harm or allegations of abuse are promptly recorded and acted upon and treated seriously.
- 4.5. The following brief notes provide guidance for staff who receive a disclosure or who have concerns about allegations of abuse against a Young Person (under18) or Adult at Risk (18 or over). Full details of the Safeguarding Young People and Adults at Risk Policy is available on the College Intranet.
- 4.6. Where a member of staff has any concerns about the risk of possible or actual radicalisation of an individual, then she/he is required to report that immediately to a Designated Safeguarding Lead (DSL).
- 4.7. The DSL will then refer the concern via CHANNEL, which uses existing collaboration between local authorities, statutory partners, the police and the local community to identify individuals at risk of being drawn into terrorism, assess the nature and extent of that risk and develop the most appropriate support for the individuals concerned.
- 4.8. The College provides guidance to all staff and learners on the key contact details for additional support and it is reflected in Appendices C and D of this document.
- 4.9. A member of staff receiving a Disclosure must:
- take all allegations or suspicions of abuse seriously;
 - respond with tact and sensitivity to anyone who confides in you;
 - stay calm and reassure the learner that she/he is right to tell someone of their concerns;
 - reassure the learner that it is right to speak to someone;
 - inform the learner that information will be passed on to whom, and why (i.e. the appropriate person in College who will seek further advice and help);
 - ensure tact and diplomacy and discretion (only the people who need to know will be told);
 - allow the learner to speak freely in her/his own way and time and at her/his own pace.;
 - avoid interrupting when the learner is recalling significant events.;
 - only clarify what the learner is trying to say and ascertain whether there are any immediate issues of safety for the learner or any other learner(s);
 - take notes as accurately as possible what was said, use the learner's own words; do not interpret.

4.10. Key information to note when receiving a Direct Disclosure

4.7.1. Include the time, context and location of the disclosure. Please record the following information about the learner:

- Name
- Address
- Date of birth;
- Telephone contact
- College course, if known
- Date and sign the notes

4.7.2. Please keep a written record of the conversation. These notes should be taken at the time of disclosure. Report as soon as practicable (or within the hour) to a Designated Safeguarding Officer and ensure all notes and further information are passed over to the DSL.

4.11. On receiving a disclosure, you must not:

- promise confidentiality (only those who need to know will be told);
- make judgements;
- investigate the allegation or suspicion of abuse;
- ask leading questions or probe for details (this may jeopardise future investigations);
- interpret what has been said or make assumptions/judgements about the situation;
- contact parents/carers before seeking advice;
- talk to the alleged perpetrator(s) or pass on any information about the learner.

4.8.1. You or the learner may wish to record the allegation on the College's Disclosure Form (Appendix 1). Alternatively, learners may wish to simply record concerns via an email and use one of the DSL email addresses to submit the concern. Learners should provide:

- Time
- Context
- Location
- Name, address and date of birth
- Contact details
- Course details

4.12. Actions following up a Disclosure

4.9.1. You must make sure the learner is safe and then contact one of the College's Designated Safeguarding Officers immediately:

Patrick O'Doherty (DSL)
Head of Student Services
+44 207 585936,
Patrick.O'Doherty@derwentside.ac.uk

Karen Hankey (Deputy DSL)

Curriculum Leader for Foundation Learning

+44 207 585728,

Karen.Hankey@derwentside.ac.uk

Julie Eddy (Deputy DSL)

SEND Lead

+44 207 585605,

Julie.Eddy@derwentside.ac.uk

- 4.9.2. If, at any point, there is a risk of immediate serious harm to a person a referral should be made to First Contact immediately. Anybody can make a referral. If the person's situation does not appear to be improving, the staff member with concerns should press for re-consideration. Concerns should always lead to help for person/child at some point.
- 4.9.3. All written information and rough notes will be retained by a Designated Safeguarding Lead.
- 4.9.4. Where there are serious concerns of 'significant harm' the Designated Safeguarding Lead will refer *immediately* to First Contact.
- 4.9.5. A referral form should be forwarded by the Designated Safeguarding Lead to First Contact within 2 days.
- 4.9.6. Any actioned safeguarding concerns will be followed up by our Designated Safeguarding Lead with the learner and records of the information stored securely for future reference.
- 4.9.7. The Designated Safeguarding Lead will co-ordinate any requests for information which will contribute to an assessment of the learner and agree monitoring and follow up arrangements as appropriate.
- 4.9.8. When a young person, who is subject to a Child Protection Plan, leaves College the Designated Safeguarding Lead will inform the new education establishment and arrange the transfer of appropriate information to the appropriate Designated Safeguarding Lead.
- 4.9.9. When a perpetrator and victim are both college learners there will be difficult and complex decisions for the DSL to make including how to best support both the perpetrator and victim while instigating the disciplinary process. This will be much more complex if a police investigation is ongoing. Any such instance will be considered on a case-by-case basis and every effort made to keep both parties as far apart as possible. Where there is a criminal investigation into a rape, assault by penetration or sexual assault, we will be guided by the police and the alleged perpetrator(s) will be kept away from the alleged victim completely, if necessary,

removed from college and alternative methods of providing education and support put in place.

- 4.9.10. Where a criminal investigation into a rape or assault by penetration or sexual assault leads to a conviction or caution, the college will instigate the discipline and behaviour policy with the offence likely to constitute gross misconduct leading to a permanent exclusion, as allowing the perpetrator(s) to remain in college would seriously harm the education or welfare of the victim (and potentially other pupils or students). The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

Reports of sexual assault and sexual harassment will, in some cases, not lead to a report to the police (for a variety of reasons). In some cases, rape, assault by penetration, sexual assault or sexual harassment are reported to the police and the case is not progressed or are reported to the police and ultimately result in a not guilty verdict. This does not mean the offence did not happen or that the victim lied. The process will have affected both victim and alleged perpetrator(s). Appropriate support will be provided to both as required and consideration given to how attendance at college will be managed.

All of the decisions through the process will keep the needs and wishes of the victim at the heart of the process (supported by parents and carers as required). And all arrangements will be kept under review.

5. Supporting SEND Learners

- 5.1. Evidence on the extent of abuse among Young People and Adults at Risk with learning difficulties and disabilities suggests that some may be especially vulnerable to abuse and it is also recognised that extra barriers exist when recognising abuse and neglect in this group of children. For example, those who have difficulty communicating.
- 5.2. Those working with Young People and Adults at Risk with special educational needs and/or disabilities often provide close support and may encounter indications of possible abuse.
- 5.3. Whilst extra care may be needed to ensure that signs of abuse and neglect are interpreted correctly, any suspicions should be reported in the same manner as for other Young People and Adults at Risk.

The college recognises the additional challenges these learners face and to ensure these challenges do not become barriers additional learning and wellbeing support is in place along with a specific member of staff (SEND Lead) with responsibility for overseeing the welfare, educational progress and support of these learners.

- 5.4. In any instance as a result of dealing with safeguarding and supporting learners both the learner, and if required, the member of staff to whom the disclosure was made can access support from the College's SEND Lead and Wellbeing Practitioners (see Appendix 2 for referral form).

6. Dealing with Allegations made against/Concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors

- 6.1.** In addressing allegations of abuse made about staff, the College will seek to ensure compliance with the prevailing guidance from the Local Safeguarding Children Board, Durham Safeguarding Adults Board, Department for Education, United Kingdom employment legislation, laws of natural justice and its own internal procedures. Particular attention will be given to Part four: Allegations made against/Concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors (Keeping Children Safe in Education September 2021). The following arrangements relate to all staff, external agency and volunteers working at Derwentside College.

Low Level Concern

low-level concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold of harm. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ - that an adult working in or on behalf of the college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

low-level concerns could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating, or offensive language.

We encourage and support staff to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might seem compromising to others, and on reflection feel they have behaved in such a way that falls below the expected professional standards of the college.

6.2. Initial action by the person receiving or identifying an allegation or concern

- 6.2.1. The person to whom an allegation or concern is first reported should treat the matter seriously, keep an open mind and follow the steps in this procedure.

- 6.2.2. She/he must not:

- investigate or ask leading questions if seeking clarification; make assumptions or offer alternative explanations;
- promise confidentiality (but should give assurance that the information will only be shared on a ‘need to know’ basis).

- 6.2.3. She/he must:

- make a written record of the information (where possible in the persons own words) including the time, date and place of incident(s), persons present and what was said;
- sign and date the written record;

- immediately report the matter to the Principal and Chief Executive, or in his absence a member of the College's Executive Team;
- report the allegation to the Chair of the Board of Corporation if the allegation is about the Principal and Chief Executive.

6.3. Initial Action by the Principal and Chief Executive

6.3.1 The Principal and Chief Executive will follow the LSCB procedures (outlined below). If there is a concern or it is alleged that a member of staff has:

- behaved in a way that has harmed or may have harmed a young person;
- possibly committed a criminal offence against or related to a young person;
- behaved towards a young person/or Young People and Adults at Risk in a way that indicates she/he is unsuitable to work with children or Young People and Adults at Risk.

The Principal and Chief Executive will not investigate the matter nor interview the member of staff, person concerned nor potential witnesses.

6.3.1. She/he will:

- obtain written details of the concern/allegation, signed and dated by the recipient (not the young person making the allegation).
- countersign and date the written details;
- record any information about times, dates and location of incident(s) and names of any potential witnesses;
- record discussions about the young person and/or members of staff, any decisions made and the reasons for those decisions;
- report to the Local Authority Designated Officer (01207 588247) as soon as practicable (e.g. the same day);
- consult the Emergency Duty Team through First Contact (03000 26 79 79) or local police if the allegation requires immediate attention but is received out of hours, then inform the Local Authority Designated Officer as soon as practicable.

6.4 LADO Initial Consideration

6.4.1 The Local Authority Designated Officer (LADO) will discuss the matter with the Principal and Chief Executive and where necessary obtain further details of the allegation and the circumstances in which it was made. The discussion should also consider whether there is evidence or information that establishes that the allegation is false or unfounded, but the College will not instigate any investigation into the allegation at this stage.

6.4.2 However, this does not preclude the College from considering and actioning suspension from duty for the member of staff whom the allegation has been made against.

6.4.3 If the allegation is not patently false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, the Local Authority Designated Officer will immediately refer to Children's Care and ask for a Strategy Discussion in accordance with Working Together to Safeguard Children to be convened straight away. In those circumstances the Strategy Discussion should include the Local Authority Designated Officer and Principal and

Chief Executive.

- 6.4.4 If there is not cause to suspect that “significant harm” is an issue, but a criminal offence might have been committed, the Local Authority Designated Officer should immediately inform the police and convene a similar discussion to decide whether a police investigation is needed.
- 6.4.5 Where it is determined that a criminal offence might have been committed the College will suspend its internal discipline investigation, until a conclusion is reached by the Police/Crown Prosecution Service (CPS).
- 6.4.6 If the police and/or CPS decide not to charge the individual with an offence, or decide to administer a caution, or the person is acquitted by a Court, the police should wherever possible aim to pass all information they have which may be relevant to a disciplinary case to the College within three working days of the decision.
- 6.4.7 If the person is convicted of an offence, the police should also inform the College Principal and Chief Executive immediately so that appropriate action can be taken.

6.5 Action following initial LADO Consideration

- 6.5.1 Where the initial consideration decides that the allegation does not involve a criminal offence the College will consider the matter under its prevailing discipline procedure. In such cases, if the nature of the allegation does not require formal disciplinary action, the College will institute an appropriate response/action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held as soon as practicable.
- 6.5.2 Where further investigation is required to inform consideration of disciplinary action the College’s lead Human Resources professional will discuss who will undertake that with the Local Authority Designated Officer. The investigation will seek to be concluded as soon as practicable, resulting in a formal report for the consideration of the Principal and Chief Executive.
- 6.5.3 Within two days of receipt of the report of the disciplinary investigation, the Principal and Chief Executive will consult the Local Authority Designated Officer and determine if a *prima facie* case exists in relation to the allegations and whether a disciplinary hearing is needed. In all cases in which Children’s Care has undertaken enquiries to determine whether the young person needs protection, the College will take account of any relevant information obtained in the course of those enquiries when considering disciplinary action.
- 6.5.4 If it is determined that a disciplinary hearing is needed it should be held as soon as practicable. The Local Authority Designated Officer will provide advice or support when required or requested. The disciplinary hearing will be held in accordance with the College’s prevailing policy.

6.6 Referral to Department for Education

- 6.6.1 If, on conclusion of the process, the College ceases to use the person's services, or the person ceases to provide his or her services, the College will consult the Local Authority Designated Officer about whether a referral to the Department for Education is required. If a referral is appropriate the report should be made within one month of the advice being sought.

7. Information Sharing

- Information sharing is vital in identifying and tackling all forms of abuse and neglect, and in promoting children's welfare, including their educational outcomes. The college has powers to share, hold and use information for these purposes'(KCSiE paragraph 105). The college will proactively share information to help identify, assess, and respond to risks or concerns about the safety and welfare of children. The Data Protection Act 2018 and UK GDPR do not prevent the sharing of information for the purposes of keeping children safe and the college will not allow concerns about sharing information stand in the way of safeguarding and protecting children.

8. Visiting Professionals

Any professionals visiting the college who could come into contact with learners will be vetted to check their identity and a DBS is in place. Where a DBS might not be in place or feasible a risk assessment will be carried out and or the visitor will be accompanied by a member of staff throughout their visit.

Teaching staff will use their professional judgement to assess the educational value and appropriateness of what is being delivered and whether further checks or assessment of risk is required. If it is felt further assessment is required guidance should be sought for their Curriculum Leader or the DSL if still unsure.

9. Relevant Legislation / Regulation

9.1. The following legislation and regulations apply to this procedure:

- The Children Act 2004,
- The Education Act 2002,
- The Education (Health Standards) (England) Regulations 2003,
- The Further Education (Providers of Education) (England) (Regulations) 2006.
- The Care Act 2014

The following government guidance is relevant to this procedure:

- Working Together to Safeguard Children (2017),
- Keeping Children Safe in Education (updated 2020)
- What to do if you are worried a child is being abused (2015)

10. Related Documents

10.1. The following related documents are relevant to this policy / procedure:

- Anti-Harassment and Anti Bullying Policy
- Health and Safety Policy
- Safe Use of IT Policy

- Staff Development Policy
- Safeguarding Young People and Adults at Risk Policy
- Safe Recruitment of Staff Policy
- Learner Behaviour and Discipline Policy
- Staff Disciplinary Policy
- PREVENT Policy

11. Accountability

- 11.1.** The Vice Principal for Curriculum and Quality is responsible for the drafting and implementation of this procedure.
- 11.2.** He or she is also responsible for ensuring that this document is regularly reviewed and updated – and is the first contact point for managers seeking advice and guidance about the The Safeguarding young people and adults at risk procedure or making enquiries about its interpretation.
- 11.3.** All managers are responsible for ensuring that they and their team members follow the requirements set out in this document.
- 11.4.** All employees are responsible for adhering to the requirements set out in this document.

12. Equality & Diversity

- 12.1.** The College has paid due regard to equality considerations during the preparation and implementation of this procedure.
- 12.2.** These considerations included the potential for any differential negative effect on the grounds of age, disability, gender reassignment, pregnancy and maternity, race (including ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex, sexual orientation, marriage or civil partnership.
- 12.3.** The College's judgement is that there is no such negative effect on those grounds and, consequently, no potential breach of the Equality Act 2010.
- 12.4.** The operation of this Policy and Procedure will be monitored by the Personnel Manager in order to establish that no unlawful discrimination is taking place and to identify opportunities for the College to enhance equality of opportunity and fair treatment.

13. Review

- 13.1.** This document will be reviewed by September 2021.
- 13.2.** The Vice Principal for Curriculum and Quality will undertake this review, taking into account the outcomes of the monitoring process, legislative changes and developments in good practice.

13.3. As part of the review, the Vice Principal for Curriculum and Quality will seek and consider the views of the College’s employees and of the recognised trade unions.

13.4. The outcome of the review will be reported to the Senior Management Team.

14. Document Identification

| | |
|--|---|
| <p>Category [select ONE only]</p> | <p><input type="checkbox"/> Programmes/courses</p> <p><input type="checkbox"/> Partnerships</p> <p><input type="checkbox"/> Finance</p> <p><input type="checkbox"/> Quality</p> <p><input type="checkbox"/> Governance</p> <p><input checked="" type="checkbox"/> Health and safety</p> <p><input type="checkbox"/> Facilities</p> <p><input type="checkbox"/> IT and Innovation</p> <p><input type="checkbox"/> MIS</p> <p><input type="checkbox"/> Admissions</p> <p><input type="checkbox"/> Teaching and learning</p> <p><input type="checkbox"/> Human Resources</p> |
| <p>Audience [select ALL that apply]</p> | <p><input checked="" type="checkbox"/> Employees</p> <p><input checked="" type="checkbox"/> Learners</p> <p><input checked="" type="checkbox"/> Partners</p> <p><input checked="" type="checkbox"/> Suppliers</p> |

Disclosure Form

| | | | |
|--------------------------|------------------------------|--------------|--|
| For attention of: | Designated Safeguarding Lead | | |
| Discloser: | | | |
| Date: | | Time: | |

| |
|---|
| Name of person whom the disclosure relates to if different to the named above: |
| Name of any other persons present: |
| Date, time and place information disclosed: |
| What prompted the disclosure: |
| Describe the situation and what the discloser was wearing: |
| If present describe any visible physical injury (clothing should not be removed to inspect): |
| If know the name and details of the alleged perpetrator/s: |
| Date, time and place where the alleged abuse happened: |
| Key dates or other information: |

Details of information disclosed. The nature of the allegation or concern

(must be drafted in the child or adult at risk's words and should not include the assumptions or opinions of others)

Signed member of staff reporting disclosure:

Print name:

Job Title and Department:

Appendix 2



Wellbeing Support Referral 2020 -2021

| | | | | | |
|--|---------------------------------------|-------|--|-----|--|
| Learner Name: | Age: | 16-18 | | 19+ | |
| Contact Number: | Email: | | | | |
| Tutor/Assessor: | D.O.B: | | | | |
| Course: | Has support been in place previously: | Yes | | No | |
| Please outline reason for referral (i.e. Social/Emotional, Mental Health, Anxiety, Depression, confidence & self-esteem, Stress, Anger issues, bereavement). | | | | | |
| How is this impacting on the learner? | | | | | |
| Are there any External Support Services already involved or is the learner a Looked After Child? | | | | | |
| Any other relevant information? | | | | | |

Please submit the completed form to a member of the wellbeing team below:

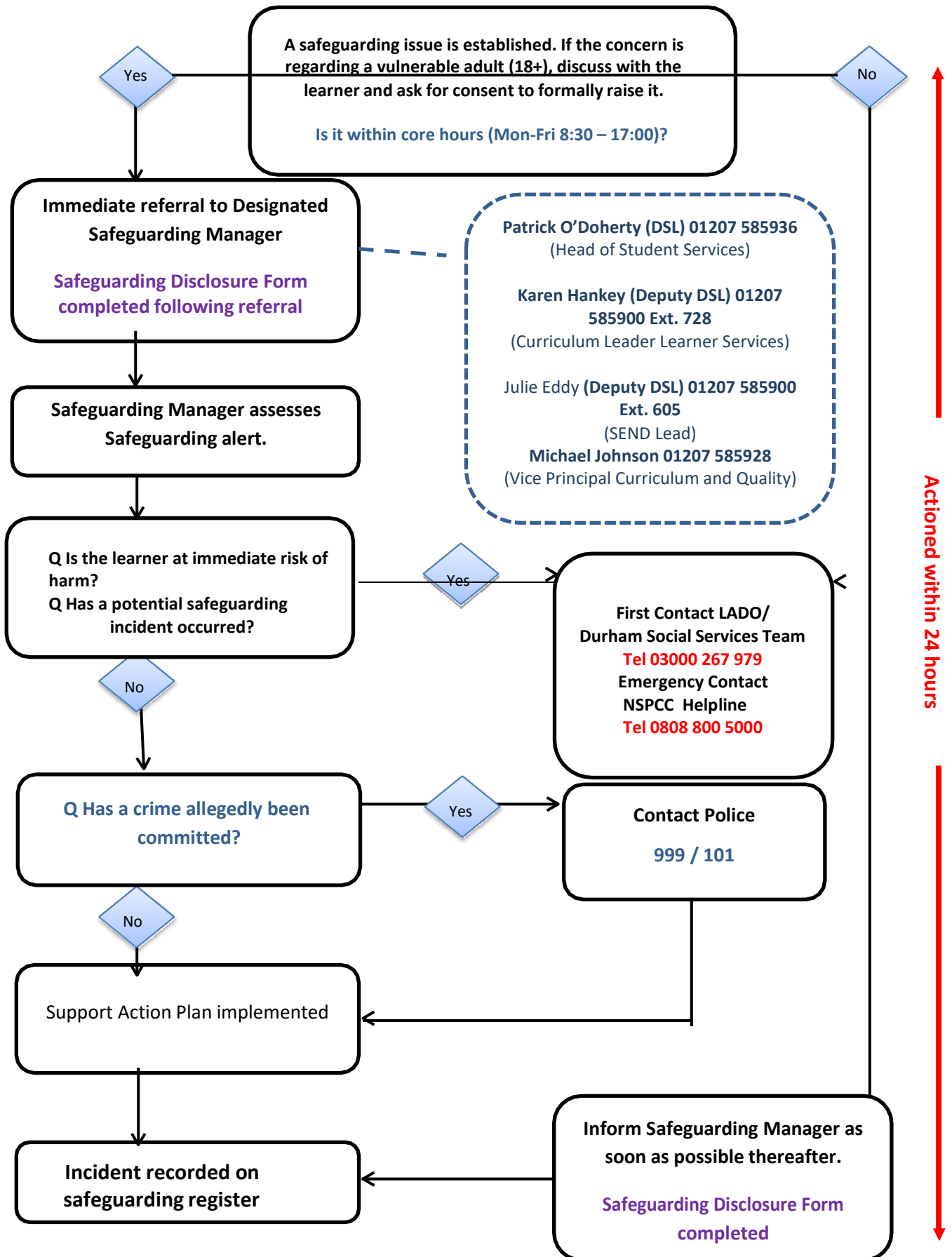
danielle.macellaro@derwentside.ac.uk

Nicola.Dixon@derwentside.ac.uk

Joanne.whaley@derwentside.ac.uk

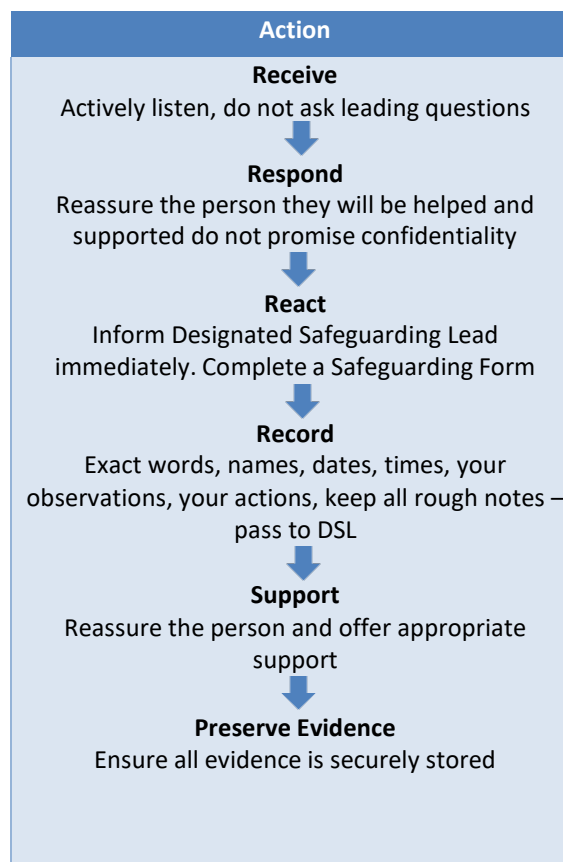
Safeguarding Children and Vulnerable Adults

Procedural Flowchart



Appendix 4 – Further contact details and information

| Incident | Reporting order priority | |
|---|---|--|
| Immediate Danger | Emergency Services 999 | Derwentside College Designated Safeguarding Lead |
| Illegal Activity | Designated Safeguarding Lead | If suspected perpetrator is a staff member – HR |
| Young Person or Adult at Risk Protection Issue | Designated Safeguarding Lead | YOUNG PERSON or ADULT AT RISK First Contact 03000 267 979 |
| PREVENT/Radicalisation Concern | Designated Safeguarding Lead | Durham Police Prevent Team |
| Bullying or Harassment | Staff to check the Bullying and Harassment policy initially, our Designated Safeguarding Lead will be able to advise. Further information can be found in the Learner Disciplinary Policy and the Learner Behaviour Policy. | |
| E-Safety Concern | Designated Safeguarding Lead | Technology and Innovation Manager |
| Behaviour Management | Learner Disciplinary Policy Learner Behaviour Policy. | |



| Useful Contact Numbers | |
|--|--|
| Police non-emergency | 101 |
| Durham Police Prevent Team | 101 or 0191 3752234 |
| Mental Health Crisis | 111 Or GP out of hours or A and E |
| Homeless Advice (out of hours) | 01388 722 538 |
| Durham Constabulary CSE Co-ordinator | 101 and ask for the ERASE Team |
| Social Care Direct (Adults and Children) | 03000 267979 or text messaging 0779 602 7280 |

Designated Safeguarding Contacts

| | | |
|--------------------------|---|----------------------------------|
| Patrick O'Doherty | Designated Safeguarding Lead – Head of Student Services | Ext 936 – Room 4 |
| Karen Hankey | Curriculum Leader (Student Services) | Ext 728 – Room 43 |
| Julie Eddy | SEND Lead | Ext 605 – Room 15 |
| Michael Johnson | Vice Principal Curriculum and Quality | Ext |
| Nicola Dixon | Board Member (Safeguarding contact) | Nicola.Dixon@derwentside.ac.uk |
| Geoff Marshall | Board Member (Safeguarding contact) | Geoff.Marshall@derwentside.ac.uk |