



HR38

# Safeguarding: Child & Adult Protection Policy

Review Date: August 2019

# Safeguarding Policy

## **1. Introduction**

North East Scotland College is committed to providing a safe and supportive learning and working environment for all of its students and staff. The College has a duty of care to students to ensure that the rights of individuals not to be harmed, physically or psychologically whilst at College are upheld.

The Safeguarding Policy outlines the framework which exists to ensure the well-being of students and how the College will respond to issues of a Child or Adult Protection or radicalisation which come to staff attention.

## **2. The Policy**

2.1 The purpose of this Policy is to outline the responsibilities of North East Scotland College, Board of Management members, individual members of staff, including permanent and temporary teaching and support staff and contractors working within the College.

2.2 In identifying collective and individual responsibilities and duties, the College will pay due regard to relevant legislation and the responsibilities of other agencies.

2.3 Measures and approaches detailed in this policy are in place in addition to general welfare and support measures in place across College.

## **3. Responsibilities**

3.1 Every member of staff has an individual responsibility to ensure the safety and protection of all students and visitors to the College including children and adults at risk of harm.

## **4. Child Protection**

In order to meet its legal responsibilities and general duty of care to students under 18 years of age the College will:

4.1 Provide a mandatory Child Protection/Safeguarding and Prevent training courses to all staff and contractors regularly working in the College.

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4.2 Implement, maintain and regularly review its procedures relating to the protection of children and vulnerable adults and responses to concerns or disclosures of harm, abuse or radicalisation.

4.3 Designate a senior manager who will take the lead responsibility for co-ordinating the whole College safeguarding practice.

4.4 Identify named members of staff who will deal with operational issues relating to safeguarding. In the first instance the Director of Learning (Enhancement, Support and Fraserburgh Futures will act as the nominated safeguarding co-ordinator.

4.5 Ensure all staff are checked either through the Disclosure or Protection of Vulnerable Groups Scheme and that all contractors regularly providing services to the College are required as a condition of contract, to ensure a similar process.

4.6 Ensure effective operation of the Safeguarding Policy and related procedures.

4.7 Put in place reasonable procedures to ensure the safety and protection of students under 18 years of age.

4.8 Include in all contracts for services involving non-staff third parties working in the College, a section outlining the responsibilities of contractors in relation to safeguarding practices.

### **5. Adults at Risk**

In order to meet its legal responsibilities and general duty of care to adults at risk or harm the College will:

5.1 Communicate to all staff the existence of the Safeguarding Policy and associated procedures and detail individual staff responsibilities.

5.2 Work with appropriate agencies to ensure that adults at risk of harm are supported and safeguarded through the effective operation of the Policy and associated procedures.

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5.3 Where appropriate ensure that staff undertaking Regulated Work with Protected Adults are members of the relevant PVG scheme.

5.4 Put in place measures and procedures to ensure the safety and protection of students classified as adults are risk of harm.

5.5 Identify named members of staff who will deal with operational issues relating to adults in need of protection, usually the Director of Learning (Enhancement, Support and Fraserburgh Futures).

5.6 Provide additional support in accordance with specified College policies.

The College is not responsible for the provision of personal health care to adults with such a particular need or to any member of staff or students.

### **6. Domestic Violence and Forced Marriages**

The College will take all reasonable steps to raise awareness of the impact to an individual's physical and psychological well-being resulting from domestic violence and forced marriages.

6.1 Named members of staff will deal with operational issues relating to situations of a domestic abuse or forced marriage nature. Usually this will be the Director of Learning (Enhancement, Support and Fraserburgh Futures).

6.2 The College will maintain partnerships with local agencies supporting clients affected by these issues and will offer support to such clients accessing College services.

6.3 The College will implement a procedure which ensures concerns about staff and student well-being in respect of domestic abuse or forced marriages are responded to promptly.

### **7. Rehabilitation of Offenders**

In terms of the Rehabilitation of Offenders Act 1974 the College cannot discriminate against learners whose

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convictions are spent. However, in situations where the College becomes aware that individuals who wish to study at North East Scotland College have unspent convictions certain steps may be taken to ensure that such individuals pose no risk to the safety of staff and students of the College. Such measures will be implemented on a case by case basis but will include liaison with other agencies and may include a multi-agency risk assessment process taking place.

Where a student discloses, or is identified by other means as having been charged with or convicted off a serious offence during the academic year measures may be taken under the terms of the Student Disciplinary Code. In certain circumstances such measures could include dismissal from the College.

### **8. Safe Internet Use and Online Safety**

The College will take all reasonable steps to ensure staff and students are aware of the Acceptable Use Policy – Internet and Email. ICT exists within the College for the primary purpose of supporting the College's role in providing education and training. However, the College recognises that ICT will be used by staff and students for social and personal use.

In addition to the Acceptable Use Policy the College undertakes to implement procedures to ensure the safety of staff and students whilst using the Internet by:

8.1 Providing staff and students with guidance on safe internet use by a variety of means, including awareness raising sessions and availability of information in key locations around the College and via MyNESCOl and COLin.

8.2 Restricting access to particular sites where guidance from external organisations, including CEOP (Child Exploitation and Online Protection) Centre indicate that they could pose a risk to students or increase the likelihood of cyber-bullying or radicalisation.

8.3 Implementing disciplinary procedures in situations where College ICT systems are identified as having been used as the means of bullying, intimidating, radicalisation or otherwise psychologically damaging any person.

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8.4 Restricting the use of mobile communication devices (including mobile phones) in certain identified areas of the College.

8.5 Advising staff not to issue personal email addresses and personal mobile phone numbers to students for the purposes of communication.

### **9. Confidentiality and Data Protection**

The College will respect a student's right to personal privacy and will maintain confidentiality as far as possible. However, for the purposes of protecting an individual from serious harm there may be times when information has to be shared without consent of the individual.

9.1 The degree of confidentiality will be governed by the need to protect the student or the child about whom concern has been made.

9.2 The safety, welfare and well-being of the student are of central importance when making decisions to share information lawfully with or about them.

9.3 In general, information will normally be shared with the consent of the student. However, in relation to issues of a Child Protection nature, where there are concerns that seeking consent from the child would increase the risk to the child or others, or prejudice any subsequent investigation, information may need to be shared without consent.

9.4 At all times, information shared will be relevant, necessary and proportionate to the circumstances, and limited to those who need to know.

9.5 The College will comply with the requirements of the Data Protection Act 1998.

9.6 The College will comply with the requirements of the Counter-Terrorism & Security Act 2015: Section 26.

The main point of contact for external agencies seeking information of a confidential nature relating to the welfare of children, adults at risk of harm and offenders will be the

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Director of Learning (Enhancement, Support and Fraserburgh Futures).

### **10. Reporting Procedures**

All staff with concerns or knowledge that a child or adult at risk is being harmed, abused or neglected or with knowledge of a student at risk of being a victim of domestic abuse or forced marriage or radicalisation must report their concerns to:

The Director of Learning (Enhancement, Support and Fraserburgh Futures) (as the nominated safeguarding co-ordinator)

If s/he is not immediately available:

The Student Advice and Support Manager

If s/he is not immediately available:

The Student Access and Inclusion Manager

11.1 The nominated safeguarding co-ordinator will report to the Vice Principal Access and Partnership on all child and adult protection issues.

11.2 The overall responsibility for Child Protection and Vulnerable Adult Protection will remain with the Principal of the College.

### **11. Definitions**

#### **Abuse**

A broad definition of abuse is: all forms of physical and/or emotional ill treatment, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to health, development or dignity in the context of a relationship of responsibility, trust or power.

#### **An Adult at Risk**

An adult at risk of harm is any person aged 18 years or over who is:

- unable to safeguard his or her own well-being, property, rights or other interests;

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- at risk of harm, and
- more vulnerable to being harmed than adults who are not so affected because he or she is affected by disability, mental disorder, illness or mental infirmity

### **Child**

A child is any person under 18 years of age who is enrolled as a full or part-time student of the College. This includes 16 and 17 year olds who are enrolled at the College, school leavers enrolled at the College who may be under the age of 16 and school pupils enrolled at the College as part of Local Authority School College Links Programme or as Full Time Exceptional Entrants.

### **Cyberbullying**

Cyberbullying is bullying using the internet or mobile phones.

### **Duty of Care**

The College's responsibility is to protect and promote the best interests of its students and to ensure, as far as it reasonably can, that it exercises an appropriate level of care towards them.

### **Domestic Abuse**

This includes any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality.

### **Forced Marriage**

A forced marriage takes place when the bride, groom or both do not want to get married but are forced to by others, usually their families. People who are forced into marriage may be tricked into going abroad, physically threatened and/or emotionally blackmailed to do so.

### **Harm**

Harm is most broadly defined as being all harmful contact, but more specifically is conduct which causes physical or psychological injury; unlawful conduct which appropriates or adversely affects property, rights or interests; conduct which causes self-harm.



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### Radicalisation

Radical ideas being developed, shared or promoted which could become injurious to social order and social cohesion.

This policy is to be read in conjunction with policies and procedures listed below:

Safeguarding procedure  
Students Disciplinary Code

Status:	Approved
Approved By:	SMT
Date of Version:	August 2018
Responsibility for Policy:	Vice Principal Access & Partnerships
Responsibility for Implementation:	Director of Learning (Enhancement, Support and Fraserburgh Futures)
Responsibility for Review:	Vice Principal Access & Partnerships
Review Date:	August 2019
EIA Date:	August 2018



## Equality Impact Assessment (EIA) Form

**Part 1. Background Information.** (Please enter relevant information as specified.)

<b>Title of Policy or Procedure. Details of Relevant Practice:</b>	Safeguarding: Child & Adult Protection Policy
<b>Person(s) Responsible.</b>	Director of Learning (Enhancement, Support and Fraserburgh Futures)
<b>Date of Assessment:</b>	31.08.18
<b>What are the aims of the policy, procedure or practice being considered?</b>	The purpose of this policy is to outline the Safeguarding responsibilities of North East Scotland College, Board of Management members, individual staff members, including permanent and temporary teaching and support staff and contractors with the College.
<b>Who will this policy, procedure or practice impact upon?</b>	All internal and external stakeholders

**Part 2. Public Sector Equality Duty comparison** (Consider the proposed action against each element of the PSED and describe potential impact, which may be positive, neutral or negative. Provide details of evidence.)

Need	Impact	Evidence
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<ul style="list-style-type: none"> <li>• <b>Eliminating unlawful discrimination, harassment and victimisation.</b></li> </ul>	<p>The Policy clearly defines how the College will ensure due process and care is implemented in the management of all safeguarding disclosures within the College. The Policy clearly outlines the responsibilities of all staff and the role of the Safeguarding team in supporting this policy. The Policy ensures that, in the management of the safeguarding process, discrimination, and victimisation are eliminated as there is no opportunity for subjective opinions to influence the disclosure procedure. The Policy is in place to support all students and staff within the College therefore also takes into consideration any students with physical disabilities, language difficulties; mental health issues, which could be related to race, gender reassignment, sexuality bullying/issues or any issue under the protected characteristics.</p> <p>The Policy ensures all disclosures are referred by the Safeguarding Co-ordinator to the appropriate external agency relating to the information disclosed, e.g. NHS – mental health, Social Work – child or vulnerable adult protection, Police Scotland to include threats of radicalisation or terrorism. <b>(positive impact)</b></p>	<p>Records of disclosure forms, information retained on the Safeguarding register, multi-agency meeting records, external disclosures, police reports (all documentation retained on a secure site)</p>
<ul style="list-style-type: none"> <li>• <b>Advancing Equality of Opportunity</b></li> </ul>	<p>The clear and consistent approach in the management of safeguarding disclosures automatically promotes and supports advancing equality opportunities for all students, paying mindful consideration to all the protected characteristics. The Policy ensures that appropriate internal and external support is in place to ensure no student is disadvantaged in the process therefore advancing equality of opportunity for all. <b>(positive impact)</b></p>	<p>Records of disclosure forms, information retained on the Safeguarding register, multi-agency meeting records, external disclosures, police reports, Prevent referrals (all documentation retained on a secure site)</p>

<ul style="list-style-type: none"> <li><b>Promoting Good relations.</b></li> </ul>	<p>Students feel they have an effective support system in place within the College that meets their specific needs. Staff have clear direction on the management of any disclosures and the procedure they should follow to ensure appropriate action and support is implemented for each disclosure.</p> <p>Mandatory training ensures staff feel confident in the disclosure process and are able to recognise different categories of abuse and/or neglect. <b>(positive impact)</b></p>	<p>Student/Staff feedback/ focus groups /review at Prevent meetings</p>
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**Part 3. Action & Outcome** (Following initial assessment, describe any action that will be taken to address impact detected)

<ul style="list-style-type: none"> <li>• Procedure will be updated as per the review date</li> <li>• The EIA may be reviewed and updated following any changes to legislation that may impact on the Policy.</li> <li>• The EIA may be reviewed should the Safeguarding Team identify any significant outcomes following a disclosure/s.</li> </ul>
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<b>Sign-off, authorisation and publishing</b>	
Name:	Robin McGregor
Position:	Director of Learning (Enhancement, Support and Fraserburgh Future)
Date of Original EIA:	8/3/16
Date EIA last reviewed:	August 2018