



DERBY COLLEGE GROUP POLICY

PROCEDURE

Safeguarding

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POLICY - PROCEDURES - GUIDELINES - RELATED DOCUMENTS

1 INTRODUCTION AND PURPOSE

1.1 Overview

DCG places the highest importance on safeguarding, and the safety and well-being of students is paramount in all College activities. Furthermore, the College recognises that employees/volunteers and students have an important role to play in safeguarding, in particular the welfare of young people and vulnerable persons and preventing abuse and/or harm. DCG also acknowledges that at any time any person could be classed as 'vulnerable'.

In order to comply with this duty of care, all employees/volunteers must be aware of the lines of communication and levels of responsibility which exist to ensure that matters of safeguarding can be dealt with adequately.

These Safeguarding Procedures set out a framework for those arrangements.

1.2 Intent

The Safeguarding Procedures apply to all persons coming into contact with DCG.

1.3 Scope

Young people under the age of 18.

Adults at risk: -

- Someone over the age of 18 who has a need for care and support
- Someone who is experiencing or is at risk of neglect or abuse

As a result of the above needs, the adult is unable to protect himself or herself against the abuse or neglect, or the risk of it. The term 'Adult at Risk' is now more commonly used in place of 'Vulnerable Adult', as 'Vulnerable Adult' may wrongly imply that some of the fault for the abuse lies with the victim.

Disqualification by association applies to any person working in early years' provision and those working in later years' provision for children who have not attained the age of eight including before school settings, such as breakfast clubs and after school provision. It also covers people who are directly concerned in the management of such early or later years provision.

1.4 Related Legislation

The College has a statutory duty placed on it by Keeping Children Safe in Education (September 2021) to have in place arrangements for carrying out its functions with a view to safeguarding and promoting the welfare of young people and vulnerable persons. This is further supported by Working together to safeguard children (2018), the Education Act 2011 and the Children Act 1989 (Section 17 Child in Need (Provision of services for children in need, their families and others) and Section 47 Risk of Significant Harm (Local Authority's duty to investigate). The College also has a duty to safeguard adults at risk in line with the requirements of the Care Act 2014.

2 OPERATING PROCEDURES

2.1 Definitions

Regulated activity of children is any unsupervised activity (i.e. teach, train, instruct, care for or supervise, or advise on well-being, drive (only for children) which takes place in specified places (i.e. schools, childcare premises, and FE Colleges mainly educating children full-time). Regular means by the same person frequently (once a week or more often) or on more than three in a 30-day period (or in some cases, overnight).

Regulated activity for vulnerable groups is anyone undertaking personal care (i.e. assistance with washing and dressing, eating, drinking and toileting, or teaching someone to do one of these tasks). There is no requirement to do an activity a number of times before a person is in regulated activity.

2.2 Process / Steps / Stages

ORGANISATIONAL ARRANGEMENTS TO FACILITATE SAFEGUARDING

Governing Body

Whilst the Chief Executive carries and accepts overall responsibility and is supported by the Designated Safeguarding Lead, the Governing Body is responsible for the endorsement, approval and implementation of the College's Safeguarding Policy.

The Senior Leadership Team Safeguarding Group

The purpose of the group is to seek assurance from the Designated Safeguarding Lead (DSL) and HR Director that safeguarding arrangements, including relevant policies and procedures, are in place and that compliance, with these policies, is monitored to ensure that safeguarding is proactively and effectively managed. This group will also oversee compliance with the organisation's statutory duties as set out in the Children Act 1989, Education Act 2002, Children Act 2004 and the most up to date version of the statutory guidance, KCSiE.

College Safeguarding Board

The key function of the Board is to establish and maintain a safe learning environment, by enacting the safeguarding policies and procedures and working to an annual action plan.

The Board aims to promote a culture of understanding and co-operation across the College to ensure the safety and welfare of all employees, volunteers, students, contractors, subcontractors and visitors.

Working Groups may be convened in response to specific issues, with key aims and objectives being set. These groups will report directly to the Safeguarding Board.

The Board is chaired by the Director of Services for Students and Terms of Reference for the College Safeguarding Board are established.

Safeguarding Management Group

The Safeguarding Management Group is responsible for responding quickly and appropriately to allegations of abuse made against employees/volunteers in line with this procedure.

The Safeguarding Management Group will comprise of:

- Chief Executive or nominated deputy
- Designated Safeguarding Lead or nominated deputy
- Executive Director of Human Resources or nominated deputy

The Chief Executive will consider and, where appropriate, include the Link Safeguarding Governor.

Training and Information

The training of Governors and all employees, volunteers and students is an essential element of having successful safeguarding arrangements in place.

The information, instruction and training of all persons is seen as a fundamental part of providing a safe learning environment. Training for employees/volunteers should be provided at the start of employment (induction) and then on a regular basis throughout employment.

This continual training programme is to ensure high standards are maintained for the benefit of employees, volunteers, students and the general public.

Further training will be delivered to individuals commensurate with their roles and responsibilities with the College.

All training provided should be recorded and evidence kept that training has taken place.

In addition to formal training at the point of induction and annual renewal of training, further information and briefings are provided for employees, governors and volunteers via safeguarding newsletters, briefing documents, external speaker briefings and presentations from key agencies and professionals.

Safer Recruitment and Selection

The Executive Director of Human Resources is responsible for ensuring that the College has systems in place which pay full regard to the guidance set out in 'Keeping children safe in education' and 'Working together to safeguard children'.

The College's Employee Recruitment & Selection Policy and supporting procedures ensure that all appropriate measures are applied in relation to everyone who works at the College, including Governors, employees, volunteers, and persons employed by external contractors/partners, including:

- Verifying identity and academic or vocational qualifications (where appropriate)
- Obtaining professional and character references and checking previous employment histories
- Obtaining relevant Disclosure & Barring disclosures for employees in line with their role and responsibilities in the College and in accordance with Government guidance.
- Undertaking risk assessments, as appropriate, following information received from DBS.
- Applying additional checks to all new employees who are non-European Economic Area (EEA) nationals.
- Keeping a single central record detailing the range of checks carried out on employees.
- In the case of temporary/agency employees operating on College premises, requiring them to agree to and abide by safeguarding conditions set out by the College.

Host Families

Where the College arrange for a visiting child to be provided with care and accommodation in the United Kingdom in the home of a family to which the child is not related the responsible adults will be engaging in regulated activity for the period of the stay. In circumstances such as this, the College will carry out relevant DBS checks on all persons over the age of 16 who permanently reside in the host residence.

For host families abroad, the Visit Leader should liaise with the partner school/establishment to establish a shared understanding of, and agreement to the arrangements in place to safeguard College students. If necessary, the Visit Leader should contact the relevant foreign embassy or High Commission of the country in question to discuss what check(s) may be possible.

Events and External Speakers (Prevent Duty)

In order to comply with the Counter Terrorism and Security Act 2015 which imposes a duty on Further Education Colleges to have due regard to the need to prevent people from being drawn into terrorism, the College makes an assessment of risk for all external events and visiting speakers. A risk assessment should be completed by any employee who is responsible for organising external events. When deciding whether or not to host a particular speaker or event, the employee responsible should consider carefully whether the views being expressed or likely to be expressed constitute extremist views that risk drawing someone into terrorism or are shared by a terrorist group. In these circumstances the event will not be allowed to proceed except where the College is entirely convinced that such risk can be fully mitigated without cancellation of the event.

This includes ensuring that, where an event is being allowed to proceed, speakers with extremist views that could draw people into terrorism are challenged and opposing views are represented as part of that same event, rather than in a separate forum. Where there is any doubt that the risk cannot be mitigated the event will not be able to proceed.

DEALING WITH A DISCLOSURE OR A CONCERN

Context

All complaints, allegations or suspicions of abuse must be taken seriously.

Absolute promises of confidentiality should not be given as the matter may develop in such a way that these promises might not be able to be honoured as third parties may need to be involved/informed or consulted.

If the complaint/allegation comes directly from the young person or adult at risk, questions should be kept to the minimum necessary to understand what is being alleged. Leading questions must always be avoided, i.e. "Can I have a look at your injury please".

It is recognised that any employee/volunteer may come into contact with students who make a safeguarding disclosure or who exhibit a safeguarding 'cause for concern'. No employee/volunteer should take any independent action themselves (i.e. a non-member of the Safeguarding Team calling Social Care) but must observe the protocol set out below, unless the individual is in crisis, in which case action should be taken to stabilise the situation, in consultation with relevant managers.

Any suspicion, allegation or incident of abuse must be reported to a Safeguarding Officer, or if one is unavailable the Designated Safeguarding Lead (or nominated Deputy) **within one hour of disclosure.**

If the suspicion or allegations of abuse is against an employee it must be reported to the Designated Safeguarding Lead (or nominated Deputy) as soon as possible.

A full record of any disclosure conversations must be made immediately after any conversations with the young person or vulnerable person by completing an electronic SG1 Form. This form should be completed by the person to whom the disclosure was made. It must include, if known:

- The date and time of the alleged abuse
- The place where the alleged abuse happened
- The young person/vulnerable person's name
- The name of the person making the disclosure
- The nature of the alleged abuse
- A description of any injuries observed (NB: Do not ask to see them)
- The account which has been given of the allegation. (If disclosed directly by the young person or vulnerable person, the account should be in their own words.)
- The age of the young person/vulnerable person
- The address of the young person/vulnerable person
- Contact details of the young person/vulnerable person
- The date and time of the observation/disclosure
- The name(s) of any other person(s) present
- Safeguarding Officer to whom the disclosure has been passed

The record should be, as far as possible, verbatim rather than summarised and it should be factual in terms of what the young person/vulnerable person or person making the disclosure (where not a direct disclosure) has reported and should not be based on opinion or assumptions.

Young people or vulnerable people with learning difficulties and/or disabilities may need additional support when making a disclosure. This may take the form of the young person/vulnerable person's nominated support being present at any interview to act as a facilitator or in an advocacy role. It should never be assumed that a young person/vulnerable person with learning difficulties and/or disabilities is not capable of providing credible evidence.

The Safeguarding Officer/Designated Safeguarding Lead (or nominated Deputy) should record details of the suspected/alleged abuse and a log of all actions taken on the electronic SG2 form and should refer the matter to the appropriate external agency(ies) where they feel that the vulnerable person may be in need and/or may be at risk of suffering significant harm.

The Safeguarding Officer/Designated Safeguarding Lead (or nominated Deputy) will confirm any telephone referral by submitting a DCSB online written social care referral form within one working day.

A record should be kept of the time of the referral and the name of the person (and agency) to whom the referral was made on Form SG2.

The advice received from the referral agency on what action, if any, is to be taken should be noted and kept on file.

Any action to be taken by the College, including that agreed with the referral agency should be noted and the Safeguarding Officer/Designated Safeguarding Lead (or nominated Deputy) needs to confirm that this action is being/has been taken.

A chronology should be kept and maintained up-to-date for all safeguarding disclosures on the Form SG2.

Any safeguarding concerns related to extremism or radicalisation should also follow the same process for referrals. Where appropriate the Designated Safeguarding Lead (who is also the Prevent Lead contact) will also refer the case into the East Midlands Prevent Team by submitting a Prevent referral form.

Notifying parents/carers

DCG will normally seek to discuss any needs or concerns about a young person under the age of 18 with their parents or carers. This must be handled sensitively.

In situations where there are serious/complex needs or child protection concerns the Designated Safeguarding Lead (DSL) or their nominated Deputy will make contact with the parent or carer. However, if the College believes that notifying parents could increase the risk to the young person or exacerbate the problem, then advice should be sought from the Designated Safeguarding Lead or their nominated Deputy, in reference to the Disclosure to Parents/Carers Procedure.

Where an Early Help Assessment would benefit the young person and their family, the most appropriate member of staff should approach the parent/carer to take this forward.

14 – 16 year old students

Where a suspicion/allegation of abuse is made in respect of a 14 - 16 year old student, who is enrolled at a school or with another sponsor, employees should contact the 14 - 19 School Manager or nominated deputy. The 14 - 19 School Manager (or nominated Deputy) will liaise with the Child Protection Officer from the student's school or sponsor, ensuring that the student is informed of this process.

Managing student behaviour

If through the investigation of disclosures, it is identified that College rules have been broken the matter should be referred to the Behaviour for Learning Team for appropriate action to be taken.

Support

The College recognises that employees/volunteers who have been involved with a young person or vulnerable person who has suffered harm or appears to be likely to suffer harm may require support. Employees/volunteers can obtain support either via their line manager, Human Resources, Trade Unions, referral to Occupational Health or the Employee Assistance Programme.

The Designated Safeguarding Lead (and deputies) have access to supervision support. Safeguarding Officers also have access to supervision support and are also supported via Safeguarding Officer network meetings and are provided with termly Safeguarding Officer Meetings where support, briefings and training is provided by the senior DSL team and external agencies.

Record keeping

The Designated Safeguarding Lead shall ensure that arrangements are in place for retaining a copy of:

- The referral form (online SG1/SG2) (and report where appropriate)
- Any notes or other correspondence dealing with the matter
- Any other relevant materials

Copies of safeguarding files should be stored securely and kept until the child is 25 years old (this is seven years after they reach the school leaving age). (Information and Records Management Society (IRMS), 2016)

Copies of reports regarding allegations made against employees should be kept securely in their personnel file by Human Resources until the accused has reached normal retirement age or for a period of ten years from the date of the allegation if that is longer. (IRMS, 2016). This applies to volunteers and paid staff.

Details of allegations that are found to be malicious will be removed from personnel records. For all other allegations a clear comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken, and decisions reached will be kept on the confidential personnel file and a copy provided to the employee.

ALLEGATIONS

Allegations about an employee or volunteer

If an employee has any concerns or allegations about the actions or inactions of colleagues or others which may put a young person or vulnerable person at risk it is their duty to report it directly to the Designated Safeguarding Lead (DSL) **within one hour** (or in their absence, to the Deputy Designated Safeguarding Lead) who will ensure that any such concerns or allegations are referred to the Chief Executive Officer (CEO). If the DSL is the subject of the concerns/allegations they should report it to the CEO (or in their absence to the Deputy CEO). If the CEO is the subject of the concerns/allegations they should report it to the Chair of the Board of Governors. This includes sharing low level concerns an employee may have i.e. any concern that an adult has acted in a way that:

- is inconsistent with the employee code of conduct, including inappropriate conduct outside of work
- does not meet the allegations threshold or is not considered serious enough to refer to the local authority designated officer (LADO)

Examples of low-level concerns could include:

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

*Source: KCSIE Sep 2021

The Designated Safeguarding Lead (or nominated Deputy) will take such steps as they consider necessary to ensure the immediate safety of the young person/vulnerable person in question and any other person who is considered to be at risk.

After notifying the CEO, the DSL (or nominated Deputy) will convene the Safeguarding Management Group, who will consider the nature of the allegation and the evidence presented, and decide on the next appropriate course of action, e.g. suspension. (NB: Suspension should not be an automatic response when an allegation is reported; all options to avoid suspension should be considered prior to taking that step.)

Where it is clear that a young person or vulnerable person appears to have been harmed or is at risk of significant harm or a criminal act appears to have been committed:

- An immediate referral will be made by the DSL (or their nominated deputy) to Social Care and/or the Police for investigation.
- The DSL (or nominated Deputy) will ensure that a record of all action is completed.
- The designated officer from the relevant local authority (LADO) will only be contacted in line with guidance issued by them.
- The DSL (or their nominated deputy) will inform the alleged offender or person about whom there is a concern of the allegation or concern as soon as possible unless advised otherwise by LADO.
- The Executive Director of HR (or nominated HR Business partner) will inform the alleged offender/person against whom the concern has been raised how enquiries will be conducted and possible outcomes, e.g. suspension without prejudice on full pay, disciplinary action, dismissal, and inform them of sources of support, e.g. professional organisations, Trade Unions and the role of the College Human Resource function in providing support.

The DSL and Executive Director of Human Resources (or their nominated Deputies) will ensure that the College operates within its Employee Disciplinary Policy & Procedure and notifies all relevant parties, i.e. designated officer from the relevant local authority, DBS, Department for Education.

The DSL and Executive Director of HR will ensure the Derby and Derbyshire Safeguarding Children Partnership *Allegations Against staff, Carers and Volunteers* are followed and adhered to. [Allegations Against Staff, Carers and Volunteers \(proceduresonline.com\)](http://proceduresonline.com)

The College will not take any action that might undermine any future action or disciplinary procedure, or Police investigation e.g. interviewing the alleged victim, alleged offender or possible witnesses before discussing this with the designated officer from the relevant local authority, when necessary. If appropriate, a multi-agency strategy group will be convened by the designated officer which will include representation from the College.

The College will seek advice from the designated officer from the relevant local authority about how, when and by who parents or carers should be informed unless there is an emergency situation, such as when a young person or vulnerable person has been injured and needs medical attention.

Any investigation conducted by the College will follow the College's procedures for investigations. Once the outcome is determined the College will take a view on how to proceed in line with its disciplinary procedure. Any investigation should not undermine any Police investigation. However, the outcome of the College's disciplinary investigation and any action will not always be dependent on the conclusion and outcome of any Police investigation.

Where an employee or volunteer is dismissed from the College's employment or internally disciplined because of abusive conduct relating to a young person or vulnerable person, or they leave while under investigation for allegedly causing harm or posing a risk of harm, the College will notify the DBS, as appropriate.

Where it is subsequently found that an allegation has been made maliciously the College may refer the matter to be dealt with in line with its disciplinary procedures for employees and students.

Where the allegations concern the Designated Safeguarding Lead, the Chief Executive will be involved, and the Designated Safeguarding Lead will play no role.

Where the allegations concern the Chief Executive, the Designated Safeguarding Lead will notify and involve the Chair of the Board of Governors (or the Deputy Chair if the Chair is not available).

If the employee is unhappy with the process under which they have been submitted, they have the right to make representation through the Employee Disciplinary Policy (Item 6.1) and this should be made within five working days of the decision.

Allegations about the organisation

DCG complies with the Education and Skills Funding Agency (ESFA) funding agreements and contracts requirements. The ESFA has included new safeguarding clauses in the funding agreements and contracts which requires the ESFA to be made aware when an institution is itself the subject of an investigation by the local authority or the police. The ESFA do not require details of all the safeguarding incidents an institution reports to the local authority or to the police, only where the institution itself, or one of its subcontractors, is subject to investigation. In such circumstances the Chief Executive Officer or the Designated Safeguarding Lead is required to email Enquiries.EFA@education.gov.uk.

The ESFA will need to know the name of the institution, the nature of the incident and confirmation that it is being or is scheduled to be investigated by the local authority and/or the police.

The main issues/referrals ESFA want to be notified about, where any funded students are concerned, are those that result in police investigations. ESFA needs to be sighted on these cases and satisfied the right action is in hand by responsible bodies.

The ESFA does not require institutions to routinely inform them about Prevent referrals to Channel panels. In line with the position on safeguarding more generally, the ESFA will only require institutions to inform them when an institution is itself, or one of its subcontractors, is the subject of an investigation by the local authority or the police in connection with a Prevent issue. In such circumstances the Chief Executive Officer or the Designated Safeguarding Lead is required to email Enquiries.EFA@education.gov.uk.

Allegations without foundation

The College recognises that false allegations may be indicative of problems of abuse elsewhere in the life of the accuser.

If after investigation the allegations were not substantiated, i.e. a malicious attempt to undermine an employee/volunteer a record should be kept, and consideration given by the Safeguarding Management Group to a referral to the designated officer from the relevant local authority in order that other agencies may act upon the information.

The Safeguarding Management Group will:

- Ensure the employee/volunteer against whom the allegation is made are informed by HR orally and in writing that no further action will be taken. (Consideration should also be given to offering counselling/support.)
- Inform the parents/carers of the alleged victim (where appropriate) that the allegation has been made and of the outcome.
- Where the allegation was made by a person other than the alleged victim, consideration should be given to informing the parents/carers (where appropriate) of that individual.
- Prepare a report outlining the allegation and give reasons for the conclusion reached and confirm that the above action(s) have been taken.

SHARING OF INFORMATION

Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing but provide a framework to ensure that personal information about living individuals is shared appropriately. There are instances where confidential information can be lawfully shared, i.e., if it can be justified in the public interest. This would include:

- To protect a young person from harm or protect vulnerable persons from serious harm.
- To promote the welfare of children.
- To prevent crime and disorder.

Wherever possible consent should be sought to share information. When seeking consent be open and honest with the individual (and/or their family where appropriate) about why, how and with whom the information will, or could be shared. However, there will be some circumstances where consent to share information should not be sought from either the individual or their family, or information given that the information is to be shared. This would include:

- If by doing so places a person (the individual, family member, or a third party) at increased risk of significant harm if a young person, or serious harm if a vulnerable person; or
- Prejudicing the prevention, detection or prosecution of a serious crime; or
- Leading to an unjustified delay in making enquiries about allegations of significant harm to a young person or serious harm to a vulnerable person.

A record should be kept of any decision made in regard to information sharing, whether it is to share information or not. If the decision is made to share information the record should include what has been shared, with whom and for what purpose.

If there is any doubt about information sharing advice should be sought from the Designated Safeguarding Lead or their nominated Deputy.

Confidentiality

All suspicions, allegations and investigations must be kept confidential and shared only with those who need to know.

WORK PLACEMENTS

Employers and training organisations will be required to co-operate with the College in putting in place and subscribing to appropriate safeguards. Failure to do this will result in the College not using them as a Placement Provider.

Refer to the College's Health & Safety Vetting Procedures for Work-based Learning & Work Experience for further advice and guidance.

SUBCONTRACT PROVISION

Employers and training providers will be required to co-operate with the College in putting in place and subscribing to appropriate safeguards. These will be monitored and managed by the Partnerships and Subcontract Manager and in consultation with the DSL, their nominated deputy and/or HR when required.

The College will ensure that suitable and relevant information relating to safeguarding is disseminated to employees and College users. Consultation and communication over safeguarding issues will be encouraged at all levels within the College. Communication will, so far as is reasonably practicable, be produced in a format that takes on board the needs of employees and College users.

DISCLOSURE AND BARRING SERVICE – STATEMENT ON THE SECURE STORAGE, HANDLING, USE, RETENTION AND DISPOSAL OF DISCLOSURES AND DISCLOSURE INFORMATION

General Principles

As an organisation using the Disclosure & Barring Service (DBS) to help assess the suitability of applicants for positions of trust, DCG complies fully with the Code of Practice regarding the correct handling, use, storage, retention and disposal of disclosures and disclosure information. It also complies fully with its obligations under the General Data Protection Regulations and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

Storage and Access

Disclosure information should be kept securely in lockable, non-portable storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

In accordance with Section 124 of the Police Act disclosure information is only passed to those who are authorised to receive it in the course of their duties. The College maintains a record of all those to whom disclosures or disclosure information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention and Disposal

Once a recruitment (or other relevant) decision has been made, the College do not keep disclosure information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints.

If, in very exceptional circumstances, it is considered necessary to keep disclosure information for longer than six months the College will consult the DBS about this and will give full consideration to the data protection and human rights of the individual before doing so. Throughout this time the usual conditions regarding the safe storage and strictly controlled access will prevail.

Once the retention period has elapsed the College will ensure that any disclosure information is immediately destroyed by secure means, e.g. by shredding, pulping or burning. While awaiting destruction disclosure information will not be kept in any insecure receptacle, e.g. waste bin or confidential waste sack. The College will not keep any photocopy or other image of the disclosure or any copy of representation of the contents of a disclosure. However, notwithstanding the above, the College may keep a record of the date of issue of a disclosure, the name of the subject, the type of disclosure requested, and the position for which the disclosure was requested, the unique reference number of the disclosure and the details of the recruitment decision taken.

RECRUITMENT OF EX-OFFENDERS

The Rehabilitation of Offenders Act enables criminal convictions to become 'spent' or ignored after a 'rehabilitation period'.

Under the Criminal Justice and Court Service Act, however, it remains an offence, punishable by imprisonment for anyone either convicted of or cautioned for a Schedule Four offence to apply to work with children, young people or vulnerable persons. It is also an offence for anyone knowingly to employ such a person in such a capacity either on a paid or voluntary basis.

It is a requirement of the DBS's Code of Practice that all Registered Bodies must treat disclosure applicants who have a criminal record fairly and that they do not discriminate because of a conviction or other information revealed. It also obliges Registered Bodies to have a written policy on the recruitment of ex-offenders. (A copy of which can be given to disclosure applicants at the outset of the recruitment process.)

Recruitment of Ex-offenders

The following has been developed to help the College meet the requirements of the DBS's Code of Practice.

- As an organisation using the Disclosure & Barring Service to assess applicants' suitability for positions where employees or potential employees will care for, train, supervise or are in sole charge of children, young or vulnerable persons, DCG complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed.
- DCG is committed to the fair treatment of its employees, potential employees or users of its services, regardless of gender, race, nationality, ethnic or national origins, marital status, sexual orientation, political or religious beliefs and activities, family responsibilities, class, physical, sensory, mental or other forms of disability or medical condition.
- The College actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records. The College selects all candidates for interview based on their skills, qualifications and experience.
- For those positions where a disclosure is required, job adverts and recruitment briefs will contain a statement that a disclosure will be requested in the event of the individual being offered a position.
- Where a disclosure is to form part of the recruitment process and in line with legislative requirements, the College encourages all applicants called for interview to provide details of their criminal record at an early stage in the application process. The College will request that this information is given in person to a designated person in the HR Department of DCG and the College guarantees that this information will only be seen by those who need to see it as part of the recruitment process.
Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- DCG ensures that all those in the College who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. The College also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act.
- The College make every subject of a DBS disclosure aware of the existence of their Code of Practice and makes a copy available on request.

- At interview, or in a separate discussion, the College ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant. In certain circumstances it may be appropriate to conduct a confidential risk assessment with an individual where a disclosure reveals previous criminal convictions and/or Cautions. Where this takes place the counter-signatory will make a record of the risk assessment and get the individual to sign it or confirm its accuracy by email. This is then forwarded to the Lead Counter-signatory for their approval. This will then be kept on the employee's personal file in a sealed envelope. **Having a criminal record will not necessarily bar someone from working for DCG.** This will depend on the nature of the position and the circumstances and background of disclosed offences.
- Should an applicant wish to complain about information disclosed a Complaints Procedure is available directly from the DBS.
- DCG will co-operate with requests from the DBS to undertake assurance checks as to the proper use and safe keeping of disclosure information.
- DCG will also report to the DBS any suspected malpractice in relation to the Code of Practice or any suspected offences in relation to the misuse of disclosures.
- As a Registered Body of the DBS, the Lead Signatory is responsible for providing appropriate training for all counter-signatories.

2.3 Responsibility

ORGANISATIONAL RESPONSIBILITIES FOR SAFEGUARDING

Chief Executive

The Chief Executive has overall responsibility for all matters, including those involving safeguarding. This responsibility includes ensuring that safeguarding is addressed through comprehensive policies and procedures that are effectively implemented and appropriately resourced within the overall financial position of the College.

The Chief Executive is assisted by the Director of Services for Students who is the College's nominated Designated Safeguarding Lead with responsibility for ensuring that the aims and objectives of the College's Safeguarding Policy and supporting procedures are implemented.

In addition, the Governing Body will nominate a Link Governor for Safeguarding who will liaise with the Designated Safeguarding Lead and attend the College's Safeguarding Board.

Each member of the Governing Body also has an individual role in providing leadership and ensuring that all decisions reflect the intentions outlined in the Safeguarding Policy.

Chair of the College Safeguarding Board

The Director of Services for Students, DSL will chair the DCG Safeguarding Board in order to oversee the implementation of this Procedure.

The Chair will:

- Ensure that the College has a policy and procedures on Safeguarding, which are in accordance with statutory requirements and local authority guidance.
- Ensure that communication systems are in place to enable the policy and procedures to be brought to the attention of all to whom it applies.
- Ensure that the objectives of the Policy are fully understood, implemented and supported by the Leadership Team and College Management Team.
- Ensure that rigorous monitoring procedures are in place at all levels of the organisation to facilitate the effective implementation of the Policy and supporting procedures.
- Ensure that the Policy and supporting procedures are reviewed regularly by the College Safeguarding Board for approval by the Executive Team and Governing Body.
- Ensure that an Annual Report and Action Plan of priorities are drawn-up by the College Safeguarding Board for approval by the Executive Team and Governing Body.
- In the absence of the Director of Services for Students, Chairmanship will be delegated to the Team Manager – Student Welfare & Guidance.

Leadership Team

Each member of the Leadership Team is responsible for ensuring that the College Safeguarding Policy and supporting procedures are implemented. They will also:

- Have responsibility for all matters of safeguarding within their areas of responsibility.
- Be individually responsible for ensuring the introduction of agreed College initiatives, which will facilitate the implementation of the College Safeguarding Policy and supporting procedures in full.

Director of Services for Students (Designated Safeguarding Lead)

The Director of Services for Students is the Designated Safeguarding Lead for DCG and has lead responsibility for:

- Dealing with child protection and adults at risk person issues.
- Providing advice and support on all matters relating to safeguarding.
- Overseeing the successful implementation of the Policy and supporting procedures.
- Liaising with external agencies, where appropriate, on any disclosures received.
- Ensuring that there is a robust network of Safeguarding Officers across the College who are appropriately trained.
- Taking a lead role in liaising and working with Local Safeguarding Children Boards, Safeguarding Adults Boards and other agencies as required.
- Ensuring that the College operates safer recruitment practices in accordance with statutory requirements and in conjunction with the Executive Director of Human Resources.
- Attending training commensurate with the role, including updated DSL child protection training every two years.
- Attending, when necessary, case strategy meetings with the designated officer from the relevant local authority in respect of safeguarding issues, and in liaison with the Executive Director of Human Resources or their nominated deputy.
- Ensuring an Annual Report is produced and presented to the Governing Body.
- Ensuring that the College has appropriate resources available for safeguarding.
- In liaison with the Executive Director of HR ensure that Risk Assessments are undertaken following any employee's disclosures.
- Informing the ESFA if the College or one of its subcontractors is subject to investigation by the local authority or the police.
- Ensuring that systems are in place to support Care Leavers attending College.

- Ensuring that systems are in place for the safe and secure transfer and receipt of confidential safeguarding files, in accordance with relevant local authority requirements.
- Ensuring that safeguarding records are retained, stored and destroyed in the appropriate manner.
- Providing evidence and reassurance to the Executive Designated Safeguarding Lead Group that DCG is compliant with its roles and responsibilities with regards to Safeguarding Policy Procedures and Guidelines.

They are also the nominated College Prevent Lead and are responsible for:

- Updating the College Safeguarding Board on progress on Prevent and any other relevant areas.
- Attending Derby Prevent Steering Group and reporting back into the College in order for action to be taken as appropriate.
- Leading on the College Prevent Risk Register and Action Plan
- Promote the requirement for adequate arrangements to be in place for identifying employees' safeguarding training needs, and that suitable and sufficient training is provided at all levels.
- Attend sub-committees/working groups of the College's Safeguarding Board and external agencies, where appropriate.
- Advise upon, and contribute to the development and production of policies and procedures, in accordance with current Legislation, Regional and National Policy etc.
- In conjunction with the Team Manager – Student Welfare and other relevant managers be responsible for the monitoring of all safeguarding issues throughout the College, ensuring that effective strategies and monitoring regimes are introduced where necessary.
- Input into the production of an Annual Report to present to the SLT Safeguarding Group, College Safeguarding Board, Executive and Governing Body.
- Monitor and manage the College's External events and visiting speakers' database.

Deputy Designated Safeguarding Leads

The Team Manager – Student Welfare is one of the College's nominated deputies in the absence of the Designated Safeguarding Lead and will attend training commensurate with this role. The Team Manager – Student Welfare will:

- Co-ordinate and monitor the arrangements for safeguarding throughout the College, including access to and the provision of Safeguarding Officers across the College.
- Undertake training to provide them with the knowledge and skills required to carry out the role, which should be updated at least every two years.
- Develop and deliver training, including new starter induction and Safeguarding Officer training.
- Use appropriate media to circulate information to all relevant employees/volunteers/students of the College on matters relating to safeguarding.
- Produce an Annual Report (approved by the DSL) to present to the College Safeguarding Board, Executive and Governing Body
- Attend sub-committees, working groups both internally and externally, where appropriate.
- Contribute to the development and production of policies and procedures, in accordance with current Legislation, Regional and National Policy, etc.
- In conjunction with managers, be responsible for the monitoring of safeguarding issues throughout the College, ensuring that effective strategies and monitoring regimes are introduced where necessary.
- Ensure that systems are in place for the recording and monitoring of safeguarding disclosures in order to undertake statistical analysis, to inform the safeguarding training strategy for the College.
- Chair the College's Safeguarding Board in the absence of the Designated Safeguarding Lead.
- Chair the College's Safeguarding Officers meeting.
- Act as the College's Child Sexual Exploitation (CSE) Champion.

Student Financial Support and Welfare Manager

The Student Financial Support and Welfare Manager is one of the College's nominated deputies in the absence of the Designated Safeguarding Lead and will attend training commensurate with this role. They are responsible for: -

- Supporting the Team Manager – Welfare in the delivery of safeguarding training across the College.
- Attending relevant safeguarding meetings, both internally and externally.
- Monitoring safeguarding issues at the Broomfield Hall campus, in liaison with all relevant parties.

College Management Team

Individual members of the College's Management Team are responsible for the welfare of employees and students whom they supervise and manage, and all users of those workplaces, which they control. They must maintain close liaison with their employees in safeguarding matters and they are responsible, in particular, for the following:

- Ensuring the implementation of any safeguarding policies or procedures approved by the College within their own area and that they are brought to the attention of, and made available to, employees, volunteers, students, contractors and visitors within the area.
- Ensuring that there is a system in place for ensuring employees' attendance at mandatory training.
- Ensuring that suitably and sufficiently trained persons are identified and available within their areas of responsibility to support the application of safeguarding legislation and College policies/procedures.
- Ensuring that individual Job Descriptions and Person Specifications clearly define the role, the tasks and skills needed in order to reflect the level of responsibility in relation to safeguarding.
- Ensuring that Safer Recruitment practices are applied when recruiting to posts.
- Ensuring that the services within their control provide a healthy and safe environment, whilst taking on board different cultural aspects of the College and local community.
- Ensuring that contractors/subcontractors working on College premises comply with the safeguarding regulations, which will be made available and clear to them when they tender for work. They must conform to the College's safeguarding standards, which will include the employment of competently trained personnel and ensuring that they meet their statutory obligations.
- Ensuring that there are processes in place in their areas of responsibility for the checking of DBS Certificates (in line with College requirements) in respect of external agencies supporting students whilst on College premises or undertaking off-site College activities.
- Ensuring that an external events and visiting speakers' risk assessment is completed by their employees for all events in a timely fashion in order that they can be approved prior to the event taking place. (It is the responsibility of the Team Manager with responsibility for the area in which the event is taking place to approve the event.) (All completed risk assessments should be forwarded to the Environmental Compliance Manager for inputting onto the College's database.)

Team Managers

Team Managers are responsible for:

- Ensuring the adequate induction of all new employees/students/contractors/volunteers emphasising the safeguarding aspect of their duties.
- Ensuring that departmental policies, procedures and assessments are in line with overall College policies and procedures.
- Ensuring safeguarding training needs (including refresher training) for employees are identified within the Appraisal process.
- Monitoring employees' attendance at agreed training sessions.
- Ensuring that personal assessment plans are undertaken for all vulnerable persons within their area, and that employees conducting these assessments are suitably trained in the process and are able to use action plans that result from the assessments. Appropriate documentation of such assessments should be kept.
- Ensuring that effective communications on safeguarding are in place.
- Ensuring that they approve any external speakers and events taking place within their areas of responsibility in a timely fashion and forwarding the completed documentation to the DSL for inputting onto the College's database.
- Liaising with their HR Business Partner to ensure that a robust supervision timetable is in place for all new starters until such a time as DBS clearance is obtained.

Safeguarding Officers

Safeguarding Officers are responsible for:

- Receiving, recording and passing onto external agencies, where appropriate and following consultation with the Designated Safeguarding Lead or their nominated Deputy, disclosures in accordance with College procedures.
- Liaising with the Designated Safeguarding Lead or their nominated Deputy as appropriate.
- Providing advice and support to other employees/volunteers on issues related to young people and vulnerable persons.
- Informing parents/carers, where appropriate, and following consultation with the College's Designated Safeguarding Lead (or nominated Deputy), in line with the College's Disclosure to Parents/Carers Procedure.
- Attending training commensurate with the role.
- Keeping themselves up-to-date with any changes in College policy/procedures or legislative changes.
- Attending College meetings commensurate with the role.

Vice Principal Apprenticeships and Employer Partnerships

- Implement, co-ordinate and maintain the vetting of all employer premises for all work-based learning in line with College Policy and Procedures, in order to ensure that a safe and secure environment is established in all aspects of the work -based learning.
- Co-ordinate work placement information into a central College database, which is maintained as a record for all Employer Health, Safety and Environment workplace assessments.
- Liaise with relevant areas to ensure appropriate vetting visits are completed.
- Prepare operational reports as requested.

Director of Student Experience and Pastoral Support

- Implement, co-ordinate and maintain the vetting of all employer premises for all work experience placements in line with College Policy and Procedures, in order to ensure that a safe and secure environment is established in all aspects of the work experience opportunities.

Executive Director of Human Resources

The Executive Director of Human Resources is responsible for:

- Ensuring that the employment of people within the College fulfils the requirements of Safer Recruitment, including having in place a supervision timetable where necessary.
- Ensuring that there is a system in place for maintaining and monitoring the College's Single Central Record.
- Ensuring that risk assessments are undertaken following any DBS Certificate disclosures.
- Attending, when necessary (or appointing a nominee to attend) case strategy meetings with the designated officer or their designated representative from the relevant local authority in respect of safeguarding issues relating to an employee, reporting back to the College and taking appropriate action.
- Ensuring that systems are in place for obtaining written confirmation that fee-funded ITT trainees who are undertaking work placements at DCG, have undergone all pre-appointment checks prior to commencing study with the College.
- Ensuring that appropriate checks are carried out on employees who move between roles within the College.
- Ensuring that systems are in place to obtain relevant DBS information for contractors/volunteers working within the College.
- Ensuring that records of allegations against employees (including low level concerns) are kept and reviewed.

Estates Management Team/Team Managers

The Estates Management Team/Team Managers are responsible for:

- Ensuring that all contractors satisfy safeguarding requirements under their statutory obligations and providing information to contractor employees.
- Liaising with the Designated Safeguarding Lead or nominated deputy on all issues related to safeguarding the welfare of young persons and vulnerable persons.
- Liaising with HR to ensure that the College has up-to-date records of contractors based on College premises or who meet any statutory guidance requirements.

Procurement Manager

The Procurement Manager is responsible for:

- Ensuring that all procurement documents detail the requirements for safeguarding.
- Ensuring that all contractors on the College's Approved Contractor List fulfil their contractual obligations in so far as they relate to safeguarding.

Employees

All employees have a responsibility to co-operate fully with their supervisors and managers to ensure that the College, as their employer, can carry out its responsibilities.

All employees have a legal duty of care to others. Regardless of the position held within the College they must:

- Co-operate with each other and work in accordance with any policies, procedures, regulations, codes of practice and information or training provided.
- Inform the Designated Safeguarding Lead (or nominated deputy) of any student that has disclosed to them that they are being supported by an external agency(ies), e.g. Child & Adolescent Mental Health Services (CAMHS) as soon as possible, but within one working day in order for contact to be made.
- Ensure personal safeguarding training needs are identified within the appraisal process.
- Take responsibility for attending agreed training sessions.
- Report any safeguarding concerns in accordance with College procedures.
- Participate in training sessions about safeguarding as requested by their manager or supervisor.
- Be aware of and participate in the risk assessment process.
- If requested, supervise an individual who does not have relevant DBS/safeguarding requirements in place.
- Disclose to HR any change in circumstances which impacts on their ability to work with children and/or vulnerable persons in the course of their employment and in line with their Contract of Employment.

Teachers

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. (see further guidance under Female Genital Mutilation)

Volunteers

All volunteers have a responsibility to co-operate fully with the College so that it can carry out its responsibilities and have a legal duty of care to others. Volunteers must:

- Co-operate and work in accordance with any policies, procedures, regulations, codes of practice and information or training provided.
- Report any safeguarding concerns in accordance with College procedures.
- Participate in training sessions about safeguarding as requested.
- Be aware of and participate in the risk assessment process.

Little Explorers Nursery

The Director of Services for Students is the Nominated Person for the Little Explorers Nursery and has day-to-day responsibility for child protection issues within the Nursery, which is subject to a separate policy and procedures. The Nominated Person will liaise with the Nursery Operations Manager or nominated deputy as appropriate. The Operations Manager is trained to act as a Deputy Designated Safeguarding Lead.

3 APPENDICES

FLOWCHART FOR ACTION FOLLOWING DISCLOSURE/SUSPICION OF A PROTECTION/SAFEGUARDING ISSUE

Student makes a disclosure to a College employee/volunteer of a protection/safeguarding nature or if College employee/volunteer has concerns of a protection/safeguarding nature -

- Do take the disclosure/concern seriously
- The student should not be questioned over the validity of the claim nor should you attempt to investigate, question or probe further
- Do not promise to keep it a secret
- Do treat as highly confidential
- Remember you must inform the relevant Safeguarding Officer, or if one is unavailable the Designated Safeguarding Lead (or nominated Deputy) within **one hour** of disclosure
If the suspicion or allegations of abuse is against an employee/volunteer it must be reported to the Designated Safeguarding Lead (or nominated Deputy) within **one hour** of disclosure
- If there any injuries that require medical attention contact a First Aider for advice on the appropriate medical treatment

Contact the relevant Safeguarding Officer (as outlined above) outlining the concern(s) and name of student (If pre-16 contact the 14 – 19 School Manager)

Complete the online SG1 of the safeguarding report form and forward to the Safeguarding Officer to whom the concern was referred (or if pre-16 to the 14 – 19 School Manager)
This must be on the same working day

Safeguarding Officer to follow up disclosure and take appropriate action, with referral to the appropriate external agency where they feel that the young person/vulnerable person may be in need and/or may be at risk of suffering significant harm and complete and record on online SG2 action taken

Refer to the College for a Behaviour for Learning Representative if there are concerns with regards to student behaviour, for appropriate action to be taken.

The SG1/SG2 form is a highly confidential document and all details of the event must be treated on a “need to know” basis only

If you are needed to assist in any further investigation you will be contacted by the relevant Safeguarding Officer/Designated Safeguarding Lead (or nominated Deputy)

If follow-up legal action is required a lapse of confidentiality or any inappropriate actions may seriously jeopardise any proceedings