

SAFEGUARDING POLICY AND PROCEDURES

Area:	Education Services Thornbeck College	
Title:	Thornbeck College Safeguarding Adults Policy	
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SAFEGUARDING CONTACTS

LEARNERS OVER 18 KEY SAFEGUARDING CONTACTS

Designated Safeguarding Lead Fay Strong – Principal Thornbeck College 01325 328088 Fay.strong@ne-as.org.uk Nicola Dunn – Vice Principal Thornbeck College 01325 328088 Nicola.dunn@ne-as.org.uk Lee Simpson Vice Principal Thornbeck College 01325328088 Lee.simpson@ne-as.org.uk	PREVENT Team 01642 444679 Website: National Prevent referral form Channel Helpline 0800 0113764 Durham Police 0345 606 0365 999 Durham Social Care Direct 03000 267 979
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Single Point of Contact Fay Strong – Principal Thornbeck College 01325 328088 Fay.strong@ne-as.org.uk	Senior Management Team Tracey Train Director of Education tracey.train@ne-as.org.uk Paul McGinnety CEO paul.mcginnety@ne-as.org.uk Lead Trustee for Safeguarding Dr Rakesh Chopra Trustee North East Autism Society 0191 4109974 rakesh.chopra@ne-as.org.uk	Durham Social Care Direct 03000 267 979
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The North East Autism Society provides residential, supported living, education, adult day and family services across the North East of England, with services covering the North East's 12 Local Authority areas. Each Local Authority has its own Multi-Agency Procedural Framework/Interagency Policy. Thornbeck College works with the following referring local authorities therefore, links to these local authorities multi-agency procedures are included below:

Referring Local Authority Local Safeguarding Adult Teams Learners over 18 years old	
Durham Safeguarding Adults Lead Officer	Telephone: 03000 267 979
Darlington Safeguarding Adults Lead Officer	- Online form: safeguarding-adults-referral-form-aug-2022.docx - Email: ssact@darlington.gov.uk - Telephone: 01325 40611
South Tyneside Safeguarding Adults Lead Officer	- Email: LetsTalk@southtyneside.gov.uk - Telephone: 0191 424 4053 - Emergency Duty Team: 0191 456 2093
North Tyneside Safeguarding Adults Lead Officer	- Email: childrenandadultscontactcentre@northtyneside.gov.uk - Telephone: 0191 643 2777 - Emergency Duty Team: 0330 333 7475
Gateshead Safeguarding Adults Lead Officer	- Online form: Tell us about a safeguarding concern - Gateshead Council - Telephone: 0191 433 7033
Sunderland Safeguarding Adults Lead Officer	- Online form: Worried about someone? - Telephone: 0191 5205552
North Yorkshire Safeguarding Adults Lead Officer	- Online form: Raise a safeguarding concern - Before you start - NYC - Telephone: 0300 131 2 131
Stockton Safeguarding Adults Lead Officer	- Email: FirstContactAdults@stockton.gov.uk - Telephone: 01642 527764 - Emergency Duty Team: 01642 524552

AIMS

This policy aims to provide clear direction to all staff about expected understanding of:

- The appropriate action that is to be taken in a timely manner to safeguard and promote our learners' welfare

- All staff statutory responsibilities with respect to safeguarding and dealing and responding to safeguarding issues
- Staff are appropriately trained in recognising and reporting safeguarding issues

The policy aims to make explicit the society's commitment to the maintenance and development of good practice and sound procedures. The purpose of the policy is, therefore, to ensure that safeguarding concerns and referrals are handled sensitively, professionally and in ways that appropriately support the particular needs of an individual's wellbeing.

The safeguarding of the people in our care is the single most important aspect of our work. North East Autism Society fully recognises the contribution it can and should make to safeguard and support people in our care.

There are three key elements to our policy:

1. Prevention (positive atmosphere, careful and vigilant working, support to people, providing good role models)
2. Protection (following agreed procedures, ensuring staff are trained and supported to respond appropriately and sensitively to safeguarding concerns)
3. Support (people and staff who may have been abused)

This policy will be reviewed on an annual basis or if there are any significant changes to legislation or good practice guidelines.

LEGISLATION AND STATUTORY GUIDANCE

This policy reflects the adult safeguarding framework in England and should be read alongside the safeguarding arrangements and procedures of the relevant local authority Safeguarding Adults Board and other partner agencies.

- Care Act 2014 – establishes the statutory framework for adult safeguarding. Section 42 requires a local authority to make, or cause to be made, enquiries where the statutory criteria are met. The College will cooperate fully with the relevant local authority and other agencies.
- Care and Support Statutory Guidance – Chapter 14: Safeguarding – provides the principal statutory guidance for adult safeguarding, including the six safeguarding principles, Making Safeguarding Personal, safeguarding enquiries, advocacy, information sharing, multi-agency working, allegations concerning people in positions of trust and Safeguarding Adults Reviews.
- Mental Capacity Act 2005 – provides the legal framework for supporting adults who may lack capacity to make particular decisions. The College will apply the five statutory principles and ensure that decisions are made in accordance with the Act and its Code of Practice.
- Deprivation of Liberty Safeguards (DoLS) Code of Practice – where applicable, the College will work with the relevant supervisory body and other agencies where arrangements may amount to a deprivation of liberty. The College will take account of the Supreme Court's 2026 judgment concerning the meaning of deprivation of liberty and any subsequent statutory or official guidance.
- Human Rights Act 1998 – safeguards fundamental rights and freedoms and informs the College's approach to dignity, autonomy, proportionality, privacy and freedom from inhuman or degrading treatment.

- Equality Act 2010 – protects people from unlawful discrimination, harassment and victimisation and requires reasonable adjustments for disabled people. The College will consider equality and intersectional risks within safeguarding practice.
- Data Protection Act 2018 and UK GDPR – govern the lawful, fair and proportionate processing and sharing of personal data. Safeguarding information will be shared where lawful and necessary to protect an adult or others from harm.
- Public Interest Disclosure Act 1998 – provides statutory protection for qualifying whistleblowing disclosures. The College will maintain accessible arrangements for staff to raise safeguarding concerns.
- Safeguarding Vulnerable Groups Act 2006 and subsequent amendments – provides the framework for barring and regulated activity and informs the College's safer recruitment and DBS arrangements for roles working with adults.
- Domestic Abuse Act 2021 – provides the statutory framework for domestic abuse, including physical, sexual, violent or threatening behaviour, controlling or coercive behaviour, economic abuse and psychological, emotional or other abuse.
- Modern Slavery Act 2015 – establishes offences and protections relating to slavery, servitude, forced or compulsory labour and human trafficking. The College will respond to concerns through adult safeguarding and, where appropriate, the police and other specialist agencies.
- Counter-Terrorism and Security Act 2015 and the Prevent Duty Guidance – require relevant organisations to have due regard to preventing people from being drawn into terrorism. The College will maintain proportionate arrangements for identifying and responding to concerns about radicalisation and extremist or terrorist activity.
- Female Genital Mutilation Act 2003, as amended – provides criminal offences and safeguarding protections concerning FGM. The statutory mandatory reporting requirements do not apply to adult learners; concerns involving an adult learner will nevertheless be treated as safeguarding concerns and referred to the appropriate agencies where necessary.
- Forced Marriage (Civil Protection) Act 2007 and Anti-social Behaviour, Crime and Policing Act 2014 – provide legal protections in relation to forced marriage. The College will respond to concerns in accordance with adult safeguarding and local multi-agency procedures.
- Care Quality Commission Fundamental Standards and relevant CQC safeguarding requirements – where the College is delivering regulated activity or working alongside regulated care providers, relevant standards and safeguarding expectations will be considered alongside this policy.
- The College will follow the relevant local authority Safeguarding Adults Board procedures, escalation arrangements and referral pathways.

3. DEFINITIONS

Safeguarding means:

- Providing help and support to meet the needs of learners as soon as problems emerge
- Protecting learners from maltreatment whether that is within or outside the home, including online
- Preventing impairment of learners mental and physical health or development
- Ensuring that learners grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all learners to have the best outcomes
-

ABUSE is a form of maltreatment of an individual and may involve inflicting harm or failing to act to prevent harm. Please note:

- Abuse can consist of a single act or repeated acts

- Abuse can be intentional or unintentional or result from a lack of knowledge
- Abuse can be an act of neglect, an omission or a failure to act
- Abuse can cause harm temporarily or over a period of time
- Abuse can occur in any relationship
- Abuse can be perpetrated by anyone, individually or as part of a group or organisation
- Some forms of abuse are crimes.
-

Appendix 1 explains the different types of abuse.

NEGLECT is a form of abuse and is the persistent failure to meet an individual's basic physical and/or psychological needs, likely to result in the serious impairment of their health or development.

Appendix 1 defines neglect in more detail.

DUTY OF CARE is a legal obligation that is imposed on an individual, requiring the adherence to a standard of reasonable care to avoid careless acts that could foreseeably harm others and lead to claim in negligence.

Sharing of nudes and semi-nudes (also known as sexting or youth-produced sexual imagery) is where learners share nude or semi-nude images, videos or live streams. This also includes pseudo-images that are computer-generated images that otherwise appear to be a photograph or video.

EQUALITY STATEMENT

Some learners have an increased risk of abuse, and additional barriers can exist for some learners with respect to recognising or disclosing it. We are committed to anti-discriminatory practice and recognise learner's diverse circumstances. We ensure that all learners have the same protection, regardless of any barriers they may face.

We give special consideration to learners who:

- Have special educational needs (SEN) or disabilities or health conditions (see section 10)
- Are young carers
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
- Have English as an additional language (EAL)
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of female genital mutilation FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers
- Are at risk due to either their own or a family member's mental health needs
- Are looked after or previously look after (see section 12)
- Are missing or absent from education for prolonged periods and/or repeat occasions
- Whose Parent/Carer has expressed an intention to remove them from college to be home educated

ROLES AND RESPONSIBILITIES

Safeguarding is everyone's responsibility. This policy applies to all staff, volunteers and trustees in the college and is consistent with the procedures of our safeguarding partners. Our policy and procedures also apply to extended college and off-site activities.

The college plays a crucial role in preventative education. This is in the context of a whole-college approach to preparing learners for life in modern Britain, and a culture of zero tolerance of sexism, misogyny/misandry, homophobia, biphobia and sexual violence/harassment. This will be underpinned by our:

- Behaviour policy
- Pastoral support system
- Planned Tutorials programme which is inclusive and delivered regularly, tackling issues such as:
 - Healthy and respectful relationships
 - Boundaries and consent
 - Stereotyping, prejudice and equality
 - Body confidence and self-esteem
 - How to recognise an abusive relationship (including coercive and controlling behaviour)
 - The concepts of, and laws relating to, sexual consent, sexual exploitation, abuse, grooming, coercion, harassment, rape, domestic abuse, so-called honour-based violence such as forced marriage and female genital mutilation (FGM) and how to access support
 - What constitutes sexual harassment and sexual violence and why they're always unacceptable

All Staff

All staff will read and understand this policy, relevant local Safeguarding Adults Board procedures and the College's safeguarding procedures, and will keep their knowledge up to date.

All staff will sign a declaration at the beginning of each academic year to say that they have reviewed the guidance.

All staff will reinforce the importance of online safety when communicating with parents and carers. This includes making parents and carers aware of what we ask learners to do online (e.g., sites they need to visit or who they'll be interacting with online)

All staff will provide a safe space for learners who are LGBTQ+ to speak out and share their concerns.

All staff will be aware of:

- Our systems which support safeguarding, including this safeguarding policy, the staff code of conduct, the role and identity of the designated safeguarding lead (DSL) and deputy, the behaviour policy, the online safety policy and the safeguarding response to learners who go missing from education,
- The process for making referrals to local authority social care and for statutory assessments that may follow a referral, including the role they might be expected to play
- What to do if they identify a safeguarding issue or a learner tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
- The signs of different types of abuse and neglect, as well as specific adult safeguarding issues such as peer-on-peer abuse, sexual exploitation, criminal exploitation, domestic abuse, modern slavery, self-neglect, financial abuse and online abuse.
- New and emerging threats, including online harm, grooming, sexual exploitation, criminal exploitation, radicalisation, and the role of technology and social media in presenting harm including AI
- The importance of reassuring victims that they are being taken seriously and that they will be supported and kept safe
- The fact that learners can be at risk of harm inside and outside of their home, at college and online

- The fact that learners who are (or who are perceived to be) lesbian, gay, bi or trans (LGBTQ+) can be targeted by other adults
- What to look for to identify learners who need help or protection

Section 16 and appendix 4 of this policy outline in more detail how staff are supported to do this.

5.2 The Designated Safeguarding Lead (DSL)

The Designated Safeguarding Leads (DSLs) are members of the senior leadership team and have lead responsibility for adult safeguarding across the College. The DSLs will ensure that the appropriate adult safeguarding and local multi-agency pathway is followed for each learner.

During term time, the DSL will be available during college hours for staff to discuss any safeguarding concerns. The DSL can also be contacted out of college hours in the event of an emergency by emailing fay.strong@ne-as.org.uk.

The DSL will be given the time, funding, training, resources and support to:

- Provide advice and support to other staff on learner safeguarding and welfare
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so
- Contribute to the assessment of learners
- Refer suspected cases, as appropriate, to the relevant body (local authority social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly
- Have a good understanding of harmful sexual behaviour
- Have a good understanding of the filtering and monitoring systems and processes in place at our college
- Have a good understanding of generative AI risks, cybersecurity and emerging harms
- Ensure that staff have appropriate prevent training
- Ensure staff understand the link between attendance and safeguarding

The DSL will also:

- Liaise with local authority case managers and designated officers for safeguarding concerns as appropriate.
- Discuss the local response to sexual violence and sexual harassment with police and local authority social care colleagues to prepare the college's policies
- Be confident that they know what local specialist support is available to support all learners involved (including victims and alleged perpetrators) in sexual violence and sexual harassment, and be confident as to how to access this support
- Be aware that learners may require 'appropriate adult' to support and help them in the case of a police investigation or search

The full responsibilities of the DSL and deputies are set out in their job description

5.3 Governance

Governance will:

- Ensure this policy is compliant with current legislation and relevant adult safeguarding legislation and local procedures for learners aged 18 and over
- Monitor attendance and patterns of absence as potential safeguarding indicators, in accordance with the College Attendance Policy and relevant adult safeguarding procedures.

- Facilitate a whole-college approach to safeguarding, ensuring that safeguarding are at the forefront and underpin all relevant aspects of process and policy development
- Evaluate and approve this policy at each review, ensuring it complies with the law, and hold the Principal to account for its implementation
- Be aware of its obligations under the Human Rights Act 1998, the Equality Act 2010 (including the Public Sector Equality Duty), and our local multi-agency safeguarding arrangements
- Appoint a senior board level (or equivalent) lead to monitor the effectiveness of this policy in conjunction with the full governing board. This is always a different person from the DSL
- Ensure all staff undergo safeguarding training, including online safety, and that such training is regularly updated and is in line with advice from the safeguarding partners.

Ensure that the college has appropriate filtering and monitoring systems in place, and review their effectiveness, This includes:

- Making sure that the leadership team and staff are aware of the provisions in place, and that they understand their expectations, roles and responsibilities around filtering and monitoring as part of safeguarding training
- Reviewing the DfE's filtering and monitoring standards, and discussing with IT staff and service providers what needs to be done to support the college in meeting these standards

Make sure:

- The DSL has the appropriate status and authority to carry out their job, including additional time, funding, training, resources and support
- Online safety is a running and interrelated theme within the whole-college approach to safeguarding and related policies
- The DSL has lead authority for safeguarding, including online safety and understanding the filtering and monitoring systems and processes in place
- The college has procedures to manage any safeguarding concerns (no matter how small) or allegations that do not meet the harm threshold (low-level concerns) about staff members (including supply staff, volunteers and contractors). Appendix 3 of this policy covers this procedure
- That this policy reflects those learners with SEND, or certain medical or physical health conditions, can face additional barriers to any abuse or neglect being recognised

Where another body is providing services or activities (regardless of whether the learners who attend these services/activities are learners on the college roll):

- Seek assurance that the other body has appropriate safeguarding policies/procedures in place, and inspect them if needed
- Make sure there are arrangements for the body to liaise with the college about safeguarding arrangements, where appropriate
- Make sure that safeguarding requirements are a condition of using the college premises, and that any agreement to use the premises would be terminated if the other body fails to comply

All trustees will receive appropriate adult safeguarding training and will understand their strategic responsibilities for safeguarding adults with care and support needs.

The Director of Education/Chief Executive officer will act as the 'case manager' in the event that an allegation of abuse is made against the Principal, where appropriate (see appendix 3).

Section 15 of this policy has information on how trustees are supported to fulfil their role.

5.4 The Principal

The Principal is responsible for the implementation of this policy, including:

- Ensuring that staff (including temporary staff) and volunteers are informed of our systems which support safeguarding, including this policy, as part of their induction
- Understand and follow the procedures included in this policy particularly those concerning referrals of cases of suspected abuse and neglect
- Communicating this policy to parents when their son/daughter joins the college and via the college website
- Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent
- Ensuring that all staff undertake appropriate safeguarding training and update this regularly
- Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see appendix 3)
- Ensuring the relevant staffing ratios are met
- Making decisions regarding all low-level concerns, though they may wish to collaborate with the DSL on this

Section 15 of this policy has information on how trustees are supported to fulfil their role.

CONFIDENTIALITY

All personal information will be retained in line with the society's Record Keeping and GDPR and Data Protection Policy. All written records will be kept in a secure area and system which is access controlled. All records will also be destroyed in line with our records management policy. We will ensure that access is available for those who need to know, but for all others it will remain absolutely confidential. Please refer to Thornbeck College's Data Protection (GDPR) Policy.

Thornbeck College will ensure that:

- Timely information sharing is essential to effective safeguarding
- Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of adults
- The Data Protection Act (DPA) 2018 and UK GDPR do not prevent, or limit, the sharing of information for the purposes of keeping adults safe
- If staff need to share 'special category personal data', the DPA 2018 contains 'safeguarding of individuals at risk' as a processing condition that allows practitioners to share information without consent. If it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a learner at risk
- Staff should never promise an individual that they will not tell anyone about a report of abuse, as this may not be in the individual's best interests
- If a victim asks the college not to tell anyone about the sexual violence or sexual harassment:
 - There's no definitive answer, because even if a victim doesn't consent to sharing information, staff may still lawfully share it if there's another legal basis under the UK GDPR that applies
 - The DSL will have to balance the victim's wishes against their duty to protect the victim and other learners
- The DSL should consider that:
 - Parents or carers should normally be informed (unless this would put the victim at greater risk)
 - The basic safeguarding principle is if an individual is at risk of harm, a referral should be made to local authority social care.
 - If an individual has been harmed or is in immediate danger this must be referred to the police
 - Rape, assault by penetration and sexual assault are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. While the age of

criminal responsibility is 10, if the alleged perpetrator is under 10, the starting principle of referring to the police remains

- Regarding anonymity, all staff will:
 - Be aware of anonymity, witness support and the criminal process in general where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system
 - Do all they reasonably can to protect the anonymity of learners involved in any report of sexual violence or sexual harassment, for example, carefully considering which staff should know about the report, and any support for learners involved
 - Consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities
 - The government's information sharing advice for safeguarding practitioners includes 7 'golden rules' for sharing information, and will support staff who have to make decisions about sharing information
 - If staff are in any doubt about sharing information, they should speak to the designated safeguarding leads
 - Confidentiality is also addressed in this policy with respect to record-keeping in section 14, and allegations of abuse against staff in appendix 3

We also use the Caldicott Principles as a guide to good practice when determining the sharing of information in connection with safeguarding concerns. These principles are as follows:

Principle 1 – Justify the purpose(s) for using confidential information

Every proposed use or transfer of personal confidential data within or from an organisation should be clearly defined, scrutinised and documented. Continuing uses should be regularly reviewed by an appropriate guardian.

Principle 2 – Don't use personal confidential data unless it is absolutely necessary

Personal confidential data items should not be included unless it is essential for the specified purpose(s). The need for patients to be identified should be considered at each stage of satisfying the purpose(s).

Principle 3 – Use the minimum necessary personal confidential data

Where use of personal confidential data is considered to be essential, the inclusion of each individual item of data should be considered and justified. This is so that the minimum amount of personal confidential data is transferred or accessible as is necessary for a given function to be carried out.

Principle 4 - Access to personal confidential data should be on a strict need-to-know basis

Only those individuals who need access to personal confidential data should have access to it, and they should only have access to the data items that they need to see. This may mean introducing access controls or splitting data flows where one data flow is used for several purposes.

Principle 5 - Everyone with access to personal confidential data should be aware of their responsibilities

Action should be taken to ensure that those handling personal confidential data - both clinical and non-clinical staff - are made fully aware of their responsibilities and obligations to respect patient confidentiality.

Principle 6 – Comply with the law

Every use of personal confidential data must be lawful. Every organisation should have someone who handles personal confidential data and is responsible for ensuring that the organisation complies with legal requirements.

Principle 7 - The duty to share information can be as important as the duty to protect patient confidentiality

Good record keeping is an essential part of the accountability of our organisation to those who use our services. Maintaining proper records is vital to an individual's safety. If records are inaccurate, future decisions may be wrong, and harm may be caused to the individual. Where an allegation of abuse is made, all organisations have a responsibility to keep clear and accurate records. It is fundamental to ensure that evidence is protected, and records show what action has been taken, what action has not been taken, what decisions have been made, and why.

Thornbeck College will ensure that the following key questions are answered, and abided by, when determining what information to record, store and share:

- What information do staff need to know in order to provide a high-quality response to the adult concerned?
- What information do staff need to know in order to keep adults safe under the service's duty to protect people from harm?
- What information is not necessary?
- What is the basis for any decision to share, or not share, information with a third party?

Thornbeck College recognises that safeguarding adults with care and support needs raises significant issues in relation to information sharing, especially when trying to balance an adult's right to free choice, including the choice about sharing of information, with the responsibility to keep people safe. We recognise that adults who have capacity are free to make certain choices which objectively could be considered as abuse or neglect, and they may object to further sharing of information. However, there might be circumstances where, despite the choices made by the adult, information can be shared in the context of safeguarding.

If an issue arises where there is a serious conflict between safeguarding an adult and that adult's rights to consent, either to the behaviour or the sharing of information, then the college will seek legal advice.

The society recognises that where:

- There is a real risk of harm,
- There is a risk of harm to the wellbeing and safety of the adult or others,
- Other adults could be at risk from the person causing harm,
- It is necessary to prevent crime or if a crime may have been committed, or,
- The person lacks capacity to consent.

The safety of the adult must be considered to be paramount and a report should be made either in an emergency via 999/101 or to the relevant LA Adult Help Desk. Agencies can be asked to deal with the matter in confidence and North East Autism Society recognises that the police and local authority adult safeguarding team are trained to deal with such disclosures in line with all relevant statutory and common law rules.

RECOGNISING ABUSE AND TAKING ACTION

All staff are expected to be able to identify and recognise all forms of abuse, neglect and exploitation and shall be alert to the potential need for support for a learners who:

- Is disabled
- Has special educational needs (whether or not they have a statutory education health and care (EHC) plan)
- Is a young carer

- Is bereaved
- Is showing signs of being drawn into anti-social or criminal behaviour, including being affected by gangs and county lines and organised crime groups and/or serious violence, including knife crime
- Is frequently missing/goes missing from education, care or home
- Is at risk of modern slavery, trafficking, sexual and/or criminal exploitation
- Is at risk of being radicalised or exploited
- Is viewing problematic and/or inappropriate online content (for example, linked to violence), or developing inappropriate relationships online
- Is in a family circumstance presenting challenges for the learner, such as drug and alcohol misuse, adult mental health issues and domestic abuse
- Is misusing drugs or alcohol
- Is suffering from mental ill health
- Has returned home to their family from care
- Is at risk of so-called 'honour'-based abuse such as female genital mutilation (FGM) or forced marriage
- Is privately fostered
- Has a parent or carer in custody or is affected by parental offending
- Is missing education, or persistently absent from education, or not in receipt of full-time education
- Has experienced multiple suspensions and is at risk of, or has been permanently excluded

Staff, volunteers and trustees must follow the procedures set out below in the event of a safeguarding issue.

Please note – in this and subsequent sections, you should take any references to the DSL to mean “the DSL (or deputy DSL)”.

If a learner is suffering or likely to suffer from harm, or in immediate danger:

Make a referral to social care and/or the police **immediately** if you believe a learner is suffering or likely to suffer from harm, or in immediate danger. **Anyone can make a referral.**

Where an allegation arises from suspicions of abuse, the member of staff who first becomes aware of the allegation, must bring this immediately or as soon as practically possible to the attention of a Designated Safeguarding Lead. If the concerns are regarding a Designated Safeguarding Lead, staff must approach the Principal. The DSL will ensure that any reported incidents of abuse follow the Care Act 2014, Care and Support Statutory Guidance and relevant local adult safeguarding procedures.

The first person becoming aware of potential abuse does not have the responsibility to make a judgment about the validity of allegations or the seriousness of such, but must make known those allegations to the Designated Safeguarding Lead. When presented with an allegation or suspicion of abuse, the alerting member of staff should assess whether anyone is at risk or is in immediate danger.

Then take any reasonable steps within their role to protect any person who may be at immediate risk or harm, for example:

- Call the Police if a crime has taken place or is believed to have taken place
- Call an ambulance or GP if someone needs urgent medical attention
- Separate the alleged victim and alleged perpetrator, only if it is safe to do so. Staff should never put themselves at risk
- Take responsible steps to preserve any evidence, if at a potential crime scene
- Report concerns, verbally, to a Designated Safeguarding Lead as soon as practically possible

- Make a written account of what has happened, or of what has been noticed or said, as soon as possible; remembering to record facts and not to make assumptions
- Do not approach, confront or interview the alleged perpetrator unless this is within their role and is necessary to do so to ensure the safety or well-being of others. If necessary the Alerter should try and obtain advice (preferably from Police) before doing so.

Tell the DSL (see section 5) as soon as possible if you make a referral directly.

To make a referral contact:

Referring Local Authority Local Safeguarding Adult Teams Learners over 18 years old	
Durham Safeguarding Adults Lead Officer	• Telephone: 03000 267 979
Darlington Safeguarding Adults Lead Officer	• Online form: safeguarding-adults-referral-form-aug-2022.docx • Email: ssact@darlington.gov.uk • Telephone: 01325 40611
South Tyneside Safeguarding Adults Lead Officer	• Email: LetsTalk@southtyneside.gov.uk • Telephone: 0191 424 4053 • Emergency Duty Team: 0191 456 2093
North Tyneside Safeguarding Adults Lead Officer	• Email: childrenandadultscontactcentre@northtyneside.gov.uk • Telephone: 0191 643 2777 • Emergency Duty Team: 0330 333 7475
Gateshead Safeguarding Adults Lead Officer	• Online form: Tell us about a safeguarding concern - Gateshead Council • Telephone: 0191 433 7033
Sunderland Safeguarding Adults Lead Officer	• Online form: Worried about someone? • Telephone: 0191 5205552
North Yorkshire Safeguarding Adults Lead Officer	• Online form: Raise a safeguarding concern - Before you start - NYC • Telephone: 0300 131 2 131
Stockton Safeguarding Adults Lead Officer	• Email: FirstContactAdults@stockton.gov.uk • Telephone: 01642 527764 • Emergency Duty Team: 01642 524552

If a learner makes a disclosure

If a learner discloses a safeguarding issue to you, you should:

- Listen to and believe them. Allow them time to talk freely and do not ask leading questions
- Stay calm and do not show that you are shocked or upset
- Tell the learner they have done the right thing in telling you. Do not tell them they should have told you sooner

- Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret
- Verbally inform a DSL as soon as possible
- Complete a written CPOMS record as soon as possible, to alert the DSL in the learners own words. Stick to the facts, and do not put your own judgement on it. In situations where there is a potential that the individual is at risk of harm, speak to a DSL immediately.
- Alternatively, if appropriate, make a referral and/or the police directly (see 7.1), and tell the DSL as soon as possible that you have done so. Aside from these people do not disclose the information to anyone else unless told to do so by a relevant authority involved in the safeguarding process

If someone discloses that they have experienced or are experiencing abuse, you should not:

- Staff are not to investigate they are simply listening to what the person has to tell them. Open questions should be asked, such as “what did you mean by that?” Care should be taken that words are not put into the person’s mouth by asking leading questions such as “when you said that did you mean....?”
- Stop someone who is freely recalling significant events, as they may not speak about it again.
- Promise to keep secrets. Even if the person asks not to tell anyone, it must be explained in a way they understand, that we have a Duty of Care to pass on the information. It may help to explain that the information is only being passed to those who ‘need to know’ and that this is being done because of the concerns about them
- Give unrealistic expectations or guarantees regarding confidentiality or safety by saying, for example, “Don’t worry this will never happen to you again.”
- Be judgmental.
- Tell anybody that doesn’t need to know.
- Contact the alleged perpetrator or anyone who might be in touch with him or her.

Bear in mind that some learners may:

- Not feel ready, or know how to tell someone that they are being abused, exploited or neglected
- Not recognise their experiences as harmful
- Feel embarrassed, humiliated or threatened. This could be due to their vulnerability, disability, sexual orientation and/or language barriers

None of this should stop you from having a ‘professional curiosity’ and speaking to the DSL if you have concerns about a learner.

Any concerns should be reported immediately to a Designated Safeguarding Lead verbally in the first instance. This must then be followed up with a written account of the concern on CPOMS, outlining any evidence to support the concern. Further information on what is required within the written account can be found below:

- When producing and submitting a written account, staff should remember the following:
- Write it as soon as possible to ensure that detailed information, events or facts are not forgotten.
- Date and time of the disclosure
- Only include factual information including dates/times. Do not include personal views or feelings or make any personal judgments or assumptions. If it is felt necessary to include personal views, ensure that this is clearly indicated in the account and state the reason(s) why.

- Write down the setting and whether anyone else was present.
- If recounting a disclosure, try to write down exactly what the person said, using their words.
- The written account should be recorded using our online monitoring system, CPOMS, however, in the event it is written by hand, ensure that the handwriting is legible.
- If support is needed in writing the account, discuss this with the Designated Safeguarding Lead.
- Give the written account to the person to whom the concerns need to be reported (do not ask anyone else to do this)
- Be aware that any written account may be required later as part of a legal action or disciplinary procedure.

Written accounts about concerns and disclosures of abuse are strictly confidential. Such information should only be entered into a CPOMS or file which is inaccessible to the perpetrator or to those who do not need or have right to the information. It is the responsibility of the person receiving the written account to file it appropriately and in line with Data Protection, taking into account NEAS confidentiality and filing procedures.

Staff may be asked to continue to support the person during the process that follows the disclosure. If this is the case, the staff's role will be to continue to offer support without directly asking questions or seeking opinions from the person. If the staff are unsure as to how far their role extends during this process, advice should be sought from their line manager or a DSL.

Staff may also be asked to attend a Strategy Discussion Meeting to report on the details of the disclosure. The abused person might need ongoing support and the staff may play an important role in providing this.

Once concerns have been reported, staff will be given feedback as to how the concerns are being dealt with. Staff should not expect to receive detailed feedback but they should be informed if safeguarding procedures have been implemented, and if not, what other action, if any, has been taken. If the safeguarding procedures have been implemented, staff should receive general feedback throughout the process and be informed of any outcome(s), if possible. If staff do not hear anything once they have reported their concerns, they have the right to ask for feedback. It is important that the staff is reassured that their concerns have been taken seriously and acted upon accordingly.

Staff are not reporting that abuse has necessarily occurred (unless personally witnessed). Their duty is to pass over information that someone has told them or providing information on what they suspect to be abuse (signs and symptoms they may have observed). As such, staff do not have to have evidence or provide any 'proof', they are simply passing over their concerns. It is the role of other professionals in the process to investigate if appropriate. Staff acting in good faith will not be criticised or disciplined in any way should the outcome be that there is no cause for concern. They will be deemed to have acted in their Duty of Care.

7.3 If you discover that FGM has taken place, or a learner is at risk of FGM:

Female Genital Mutilation (FGM): FGM is a serious safeguarding concern and a criminal offence. The statutory mandatory reporting duty does not apply to adult learners. Any concern involving an adult learner must nevertheless be reported to the DSL and considered for referral to adult social care and/or the police in accordance with local procedures.

Please follow this link below to access local procedures regarding FGM:

https://www.proceduresonline.com/durham/scb/p_hbv_forced_mar_fgm.html#fgm

7.4 If you have concerns about a learner (as opposed to believing a learner is suffering or likely to suffer from harm, or is in immediate danger):

Figure 1 below, before section 7.7, illustrates the procedure to follow if you have any concerns about a individuals welfare.

Where possible, speak to the DSL first to agree a course of action.

If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to a member of the senior leadership team and/or take advice from local authority social care.

Share details of any actions you take with the DSL as soon as practically possible.

Make a referral to the local authority social care directly, if appropriate (see 'Referral' below). Share any action taken with the DSL as soon as possible.

Referral

If it is appropriate to refer the case to local authority social care or the police, the DSL will make the referral or support you to do so. If you make a referral directly (see section 7), you must tell the DSL as soon as possible.

The local authority will make a decision within one working day of a referral about what course of action to take and will let the person who made the referral know the outcome. The DSL or person who made the referral must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

If the individuals situation does not seem to be improving after the referral, the DSL or person who made the referral must follow local escalation procedures to ensure their concerns have been addressed and that the situation improves.

7.5 If you have concerns about extremism:

If a learner is not suffering or likely to suffer from harm, or in immediate danger, where possible speak to the DSL first to agree a course of action.

If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to a member of the senior leadership team and/or seek advice from local authority social care. Make a referral to local authority social care directly, if appropriate (see 'Referral' above). Inform the DSL or deputy as soon as practically possible after the referral.

Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include Channel, the government's programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority social care team.

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, which college staff and governors can call to raise concerns about extremism with respect to a learner. You can also email counter.extremism@education.gov.uk Note that this is not for use in emergency situations.

In an emergency, call 999 or the confidential anti-terrorist hotline on 0800 789 321 if you:

- Think someone is in immediate danger
- Think someone may be planning to travel to join an extremist group
- See or hear something that may be terrorist-related

7.6 If you have a mental health concern:

Mental health problems can, in some cases, be an indicator that a learner has suffered or is at risk of suffering abuse, neglect or exploitation.

Staff will be alert to behavioural signs that suggest an individual maybe experiencing a mental health problem or be at risk of developing one.

If you have a mental health concern about a learner that is also a safeguarding concern, take immediate action by following the steps in section 7.4

If you have a mental health concern that is **not** also a safeguarding concern, speak to the DSL to agree a course of action.

Further information regarding procedures for identifying possible mental health problems including routes to escalate and referral can be found in the Mental Health Policy

Figure 1: procedure if you have concerns about a learners welfare (as opposed to believing a learner issuffering or likely to suffer from harm, or in immediate danger)

(Note – if the DSL is unavailable, this should not delay action. See section 7.4 for what to do.)

7.7 Concerns about a staff member, supply teacher, volunteer or contractor

If you have concerns about a member of staff (including a supply teacher, volunteer or contractor), or an allegation is made about a member of staff (including a supply teacher or volunteer or contractor) posing a risk of harm to adults, speak to the Principal. If the concerns/allegations are about the Principal, speak to the Director of Education.

The Principal/Director of Education will then follow the procedures set out in appendix 3, if appropriate. Where you believe there is a conflict of interest in reporting a concern or allegation about a member of staff (including a supply teacher, volunteer or contractor) to the Society's senior management team report it directly to the local authority designated officer (LADO).

If you receive an allegation relating to an incident where an individual or organisation was using the college premises for running an activity for adults, follow our college safeguarding policies and procedures, informing the LADO, as you would with any safeguarding allegation.

Where appropriate, the college will inform Ofsted of the allegation and actions taken, within the necessary timescale (see appendix 3 for more detail).

7.8 Allegations of abuse made against other learners:

We recognise that adults are capable of abusing their peers. Abuse will never be tolerated or passed off as “banter”, “just having a laugh” or “part of growing up”. As this can lead to a culture of unacceptable behaviours and an unsafe environment for learners.

We also recognise the gendered nature of peer on-peer abuse. However, all peer-on-peer abuse is unacceptable and will be taken seriously.

Most cases of learners hurting other learners will be dealt with under our college's behaviour policy, but this safeguarding policy will apply to any allegations that raise safeguarding concerns. This might include where the alleged behaviour:

- Is serious, and potentially a criminal offence
- Could put learners in the college at risk
- Is violent
- Involves learners being forced to use drugs or alcohol
- Involves sexual exploitation, sexual abuse or sexual harassment, such as indecent exposure, sexual assault, upskirting or sexually inappropriate pictures or videos (including the sharing of nudes and semi-nudes)

See appendix 4 for more information about peer-on-peer abuse

Procedures for dealing with allegation of peer on peer abuse:

If a learner makes an allegation of abuse against another learner:

- You must record the allegation and tell the DSL, but do not investigate it
- The DSL will contact the local authority social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence
- The DSL will put a risk assessment and support plan into place for all learners involved (including the victim(s), the learner against whom the allegation has been made and any others affected) with a named person they can talk to if needed. This will include considering local authority transport as a potentially vulnerable place for a victim or alleged perpetrator(s).
- The DSL will contact mental health services if appropriate

If the incident is a criminal offence and there are delays in the criminal process, the DSL will work closely with the police (and other agencies as required) while protecting the individuals and/or taking any disciplinary measures against the alleged perpetrator. We will ask the police if we have any questions about the investigation

- Follow the college reporting and recording procedure in line with safeguarding

Creating a supportive environment in college and minimising the risk of peer-on-peer abuse:

We recognise the importance of taking proactive action to minimise the risk of peer-on-peer abuse, and of creating a supportive environment where victims feel confident in reporting incidents.

To achieve this, we will:

- Challenge any form of derogatory or sexualised language or inappropriate behaviour between peers, including requesting or sending sexual images
- Be vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female learners, and initiation or hazing type violence with respect to boys
- Ensure our curriculum helps to educate learners about appropriate behaviour and consent
- Ensure learners are able to easily and confidently report abuse using our reporting systems (as described in section 7.10 below)
- Ensure staff reassure victims that they are being taken seriously
- Be alert to reports of sexual violence and/or harassment that may point to environmental or systemic problems that could be addressed by updating policies, processes and the curriculum, or could reflect wider issues in the local area that should be shared with safeguarding partners

- Support learners who have witnessed sexual violence, especially rape or assault by penetration. We will do all we can to make sure the victim, alleged perpetrator(s) and any witnesses are not bullied or harassed
- Consider intra familial harms and any necessary support for siblings following a report of sexual violence and/or harassment
- Ensure staff are trained to understand:
 - How to recognise the indicators and signs of peer-on-peer abuse, and know how to identify it and respond to reports
 - That even if there are no reports of peer-on-peer abuse in college, it does not mean it is not happening – staff should maintain an attitude of “it could happen here”
 - That if they have any concerns about a learners welfare, they should act on them immediately rather than wait to be told, and that victims may not always make a direct report. For example:
 - Learners can show signs or act in ways they hope adults will notice and react to
 - A friend may make a report
 - A member of staff may overhear a conversation
 - Behaviour might indicate that something is wrong
 - That certain learners may face additional barriers to telling someone because of their vulnerability, disability, gender, ethnicity and/or sexual orientation
 - That a learner harming a peer could be a sign that the individual is being abused themselves, and that this would fall under the scope of this policy
 - The important role they have to play in preventing peer-on-peer abuse and responding where they believe a learners may be at risk from it
 - That they should speak to the DSL if they have any concerns
 - That social media is likely to play a role in the fall-out from any incident or alleged incident, including for potential contact between the victim, alleged perpetrator(s) and friends from either side.

The DSL will take the lead role in any disciplining of the alleged perpetrator(s). We will provide support at the same time as taking any disciplinary action.

Disciplinary action can be taken while other investigations are going on, e.g., by the police. The fact that another body is investigating or has investigated an incident doesn't (in itself) prevent our college from coming to its own conclusion about what happened and imposing a penalty accordingly. We will consider these matters on a case-by-case basis, taking into account whether:

- Taking action would prejudice an investigation and/or subsequent prosecution – we will liaise with the police and/or LA social care to determine this
- There are circumstances that make it unreasonable or irrational for us to reach our own view about what happened while an independent investigation is ongoing.

7.9 Sharing of nudes or semi-nudes ('sexting'):

The following approach is based on guidance from the UK Council Internet Safety for all staff and for DSLs and senior leaders.

Your responsibilities when responding to an incident:

If you are made aware of an incident involving the consensual or non-consensual sharing of nude or semi-nude images/videos (also known as 'sexting' or 'youth produced sexual imagery'), you must report it to the DSL immediately.

You must not:

- View, copy, print, share, store or save the imagery yourself, or ask a learner to share or download it (if you have already viewed the imagery by accident, you must report this to the DSL)
- Delete the imagery or ask the learner to delete it
- Ask the learner(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL's responsibility)
- Share information about the incident with other members of staff, the learner(s) it involves or their, or other, parents and/or carers
- Say or do anything to blame or shame any adults involved

You should explain that you need to report the incident and reassure the learner(s) that they will receive support and help from the DSL.

Initial review meeting:

Following a report of an incident, the DSL will hold an initial review meeting with appropriate college staff – this may include the staff member who reported the incident and the safeguarding or leadership team that deals with safeguarding concerns. This meeting will consider the initial evidence and aim to determine:

- Whether there is an immediate risk to learner(s)
- If a referral needs to be made to the police and/or social care
- If it is necessary to view the imagery in order to safeguard the learner (in most cases, imagery should not be viewed)
- What further information is required to decide on the best response
- Whether the imagery has been shared widely and via what services and/or platforms (this may be unknown)
- Whether immediate action should be taken to delete or remove images from devices or online services
- Any relevant facts about the learners involved which would influence risk assessment
- If there is a need to contact another school, college, setting or individual
- Whether to contact parents or carers of the learners involved (in most cases parents should be involved)
- The DSL will make an immediate referral to police and/or social care if:
 - The incident involves an adult. Where an individual uses a false identity or impersonation to groom or exploit an adult learner, this should be treated as an adult safeguarding concern and managed under the College's safeguarding procedures.
 - There is reason to believe that a learner has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs)
 - What the DSL knows about the images or videos suggests the content depicts sexual acts which are unusual for the learners developmental stage, or are violent
 - The DSL has reason to believe a learner is at immediate risk of harm owing to the sharing of the nudes or semi-nudes (for example, the adult is presenting as suicidal or self-harming)

If none of the above apply then the DSL, in consultation with the Principal and other members of staff as appropriate, may decide to respond to the incident without involving the police or social care. The decision will be made and recorded in line with the procedures set out in this policy

Further review by the DSL:

If at the initial review stage, a decision has been made not to refer to police and/or -social care, the DSL will conduct a further review to establish the facts and assess the risk.

They will hold interviews with the learners involved (if appropriate).

If at any point in the process there is a concern that a learner has been harmed or is at risk of harm, a referral will be made to social care and/or the police immediately.

Informing parents/carers:

The DSL will inform parents/carers at an early stage and keep them involved in the process, unless there is a good reason to believe that involving them would put the learner at risk of harm.

Referring to the police:

If it is necessary to refer an incident to the police, this will be done through contacting the police community support officer, local neighbourhood police, and/or dialing 999/101.

Recording incidents:

All incidents of sharing of nudes and semi-nudes and the decisions made in responding to them will be recorded. The record-keeping arrangements set out in section 14 of this policy also apply to recording incidents.

Curriculum coverage:

Learners are taught about the issues surrounding sharing of nudes or semi-nudes as part of our Relationships Sex Education. Teaching covers the following in relation to the sharing of nudes and semi-nudes:

- What it is
- How it is most likely to be encountered
- The consequences of requesting, forwarding or providing such images, including when it is and is not abusive and when it may be deemed as online sexual harassment
- Issues of legality
- The risk of damage to people's feelings and reputation

Learners also learn the strategies and skills needed to manage

- Specific requests or pressure to provide (or forward) such images
- The receipt of such images

This policy on sharing of nudes and semi-nudes is also shared with learners, as appropriate, so they are aware of the processes the college will follow in the event of an incident.

Teaching follows best practice in delivering safe and effective education, including:

- Putting safeguarding first
- Approaching from the perspective of the learner
- Promoting dialogue and understanding
- Empowering and enabling learners
- Never frightening or scare-mongering
- Challenging victim-blaming attitudes

7.10 Reporting systems for our learners:

Where there is a safeguarding concern, we will take the learners wishes and feelings into account when determining what action to take and what services to provide. We recognise the importance of ensuring learners feel safe and comfortable to come forward and report any concerns and/or allegations.

To achieve this, we will:

- Put systems in place for learners to confidently report abuse
- Ensure our reporting systems are well promoted, easily understood and easily accessible for learners
- Make it clear to learners that their concerns will be taken seriously, and that they can safely express their views and give feedback
- Learners are aware of how to report concerns through regular tutorials and relationship, sex education. Safeguarding posters and easy read guides on how to report concerns are available to all learners in a range of formats.

8. Online safety and the use of mobile technology:

We recognise the importance of safeguarding individuals from potentially harmful and inappropriate online material, and we understand that technology is a significant component in many safeguarding and wellbeing issues.

To address this, our college aims to:

- Have robust processes in place to ensure the online safety of learners, staff, volunteers and governors
- Protect and educate the whole college community in its safe and responsible use of technology, including mobile and smart technology (which we refer to as 'mobile phones')
- Set clear guidelines for the use of mobile phones for the whole college community
- Establish clear mechanisms to identify, intervene in and escalate any incidents or concerns, where appropriate

The 4 key categories of risk:

Our approach to online safety is based on addressing the following categories of risk:

- Content – being exposed to illegal, inappropriate or harmful content, such as pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation and extremism
- Contact – being subjected to harmful online interaction with other users, such as peer-to-peer pressure, commercial advertising and adults posing as other people with the intention to groom or exploit them for sexual, criminal, financial or other purposes
- Conduct – personal online behaviour that increases the likelihood of, or causes, harm, such as making, sending and receiving explicit images (e.g., consensual and non-consensual sharing of nudes and semi-nudes and/or pornography), sharing other explicit images and online bullying; and
- Commerce – risks such as online gambling, inappropriate advertising, phishing and/or financial scams

To meet our aims and address the risks above we will:

Educate learners about online safety as part of our curriculum. For example:

- The safe use of social media, the internet and technology
- Keeping personal information private
- How to recognise unacceptable behaviour online

- How to report any incidents of cyber-bullying, ensuring learners are encouraged to do so, including where they are a witness rather than a victim

We will train staff, as part of their induction, on safe internet use and online safeguarding issues including cyber-bullying and the risks of online radicalisation. All staff members will receive refresher training at least once each academic year.

Educate parents/carers about online safety via our website, communications sent directly to them. We will also share clear procedures with them, so they know how to raise concerns about online safety

Make sure staff are aware of any restrictions placed on them with regards to the use of their mobile phone and cameras, for example that:

- Staff are allowed to bring their personal phones to college for their own use, but will limit such use to non-contact time when learners are not present

- Staff will not take pictures or recordings of learners on their personal phones or cameras

Make all learners, parents/carers, staff, volunteers and governors aware that they are expected to sign an agreement regarding the acceptable use of the internet in college, use of the college's ICT systems and use of their mobile and smart technology

Explain the sanctions we will use if a learner is in breach of our policies on the acceptable use of the internet and mobile phones

Make sure all staff, learners and parents/carers are aware that staff have the power to search learners' phones, as set out in the DfE's guidance on searching, screening and confiscation

Put in place robust filtering and monitoring systems to limit exposure to the 4 key categories of risk (described above) from the college's IT systems

Carry out an annual review of our approach to online safety, supported by an annual risk assessment that considers and reflects the risks faced by our college community

Provide regular safeguarding updates including online safety to all staff at least annually, in order to continue to provide them with the relevant skills and knowledge to safeguard effectively.

Review the safeguarding policy, including online safety, annually and ensure the procedures and implementation are updated and reviewed regularly.

This section summarises our approach to online safety and mobile phone use. For full details about our college's policies in these areas, please refer to our online safety policy and mobile phone policies.

8.1 Artificial intelligence (AI)

Generative artificial intelligence (AI) tools are widespread and can support teaching, learning and safeguarding.

However, AI can also facilitate abuse and exploitation, including grooming, harassment, impersonation, image-based abuse and the creation or distribution of manipulated or synthetic content. The college will assess safeguarding, privacy, data protection and equality risks before introducing AI tools and will respond to harmful or abusive use in accordance with this policy and relevant college policies.

Thornbeck College recognises that AI has many uses, including enhancing teaching and learning, and in helping to protect and safeguard learners. However, AI may also have the potential to facilitate abuse (e.g. bullying and grooming) and/or expose learners to harmful content. For example, in the form of 'deepfakes', where AI is used to create images, audio or video hoaxes that look real.

Thornbeck College will treat any use of AI to access harmful content or bully learners in line with this policy and our anti-bullying policy.

Staff should be aware of the risks of using AI tools whilst they are still being developed and should carry out risk assessments for any new AI tool being used by the college.

9. Notifying parents or carers:

Where appropriate, we will discuss any concerns about a learner with their parents. The DSL will normally do this in the event of a suspicion or disclosure. Other staff will only talk to parents about any such concerns following consultation with the DSL. If we believe that notifying the parents would increase the risk to the learner, we will discuss this with the local authority social care team before doing so.

In the case of allegations of abuse made against other learners, we will normally notify the parents of all the learners involved. We will think carefully about what information we provide about the other learner involved, and when. We will work with the police and/or local authority social care to make sure our approach to information sharing is consistent.

The DSL will, along with any relevant agencies (this will be decided on a case-by-case basis):

- Meet with the victim's parents or carers, with the victim, to discuss what's being put in place to safeguard them, and understand their wishes in terms of what support they may need and how the report will be progressed
- Meet with the alleged perpetrator's parents or carers to discuss support for them, and what's being put in place that will impact them, e.g., moving them out of classes with the victim, and the reason(s) behind any decision(s)

LEARNERS WITH SPECIAL EDUCATIONAL NEEDS, DISABILITIES or HEALTH ISSUES

We recognise that learners with special educational needs (SEN), disabilities or certain health conditions can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group, including:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the learner's condition without further exploration
- Learners being more prone to peer group isolation or bullying (including prejudice-based bullying) than other learners
- The potential for learners with SEN, disabilities or certain health conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
- Communication barriers and difficulties in managing or reporting these challenges
- Cognitive understanding – being unable to understand the difference between fact and fiction in online content and then repeating the content/behaviours in college or the consequences of doing so

We offer extra pastoral support for learners with SEN and disabilities. This includes:

- Weekly group and/or 1:1 tutorial
- Whole college events
- Identified circle of support to ensure learners have safe people to talk to
- Safeguarding Themes a part of the curriculum

COMPLAINTS AND CONCERNS ABOUT COLLEGE SAFEGUARDING POLICIES

14.1 Complaints against staff:

Complaints against staff that are likely to require a safeguarding investigation will be handled in accordance with our procedures for dealing with allegations of abuse made against staff (see appendix 3).

14.2 Other complaints:

Thornbeck College is committed to safeguarding and promoting the welfare of adults with care and support needs and expects all staff to share the same values. The college has a Complaints and Appeals Policy to handle other complaints for example those related to learners or premises.

14.3 Whistle-blowing

Thornbeck College is committed to safeguarding and promoting the welfare of adults with care and support needs and expects all staff to share the same values.

Whistle-blowing is a process that enables employed staff to raise serious concerns in the workplace and to have these concerns properly addressed. There may be allegations or concerns of abuse which implicate a member or members of staff. A member of staff may have concerns about the conduct or behaviour of a colleague. Despite working closely together or even socialising outside of work, the Duty of Care necessitates the matter being raised, in accordance with safeguarding procedures.

Front-line staff are often the first to see or suspect misconduct, but are often worried about raising concerns. They may worry that they are being disloyal to their colleagues or are worried about the consequences of coming forward. It is recognised that whistle-blowing is often seen in a negative light and that this negativity has been perpetuated for many years. Consequently it is difficult for staff to see the positives but this needs to be encouraged. A good starting point is to ensure open, honest and effective communication amongst staff teams and within the service. Where this is the case, staff should begin to feel more confident and positive about coming forward with ideas, thoughts, suggestions and concerns. All managers must ensure that they listen to their staff and support them in this. The policy which is available to all staff is designed to support staff to come forward with their concerns, and relay confidence that they will be supported throughout the process.

Thornbeck College has a whistle blowing policy in place that highlight the procedures in place.

RECORD KEEPING

We will hold records in line with our records retention schedule.

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL.

Records will include.

- A clear and comprehensive summary of the concern
- Details of how the concern was followed up and resolved
- A note of any actions taken, decisions reached and the outcome

Concerns and referrals will be kept in a separate safeguarding electronic file for each individual.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them.

Safeguarding records relating to individual learners will be retained for a reasonable period of time after they have left the college.

If a learner for whom the college has, or has had, safeguarding concerns moves to another provision, the DSL will ensure that their safeguarding file is forwarded promptly and securely, and separately from the main learner file.

To allow the new provision to have support in place when the learner arrives, this should be within: five days for an in-year transfer, or within, the first five days of the start of a new term.

In addition, if the concerns are significant or complex, and/or social services are involved, the DSL will speak to the DSL of the receiving provision and provide information to enable them to have time to make any necessary preparations to ensure the safety of the individual. Thornbeck College holds records in line with our Retention Schedule.

Thornbeck College shares information with other agencies when this is appropriate, in line with Durham County Councils Safeguarding Adults Board procedures.

Both paper based and electronic records are stored securely in line with GDPR procedures.

In addition:

- Appendix 2 sets out our policy on record-keeping specifically with respect to recruitment and pre-employment checks
- Appendix 3 sets out our policy on record-keeping with respect to allegations of abuse made against staff.

16. TRAINING

16.1 All Staff

All staff members will undertake safeguarding training at induction, including on whistle-blowing procedures and on online safety, to ensure they understand the college's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect.

This training will be regularly updated and will:

- Be integrated, aligned and considered as part of the whole college safeguarding approach and wider staff training and curriculum planning.
- Be in line with advice from the Safeguarding Adults Board and relevant safeguarding partners.
- Include online safety, including an understanding of the expectations, roles and responsibilities for staff around filtering and monitoring.
- Manage behaviour effectively to ensure a good and safe environment
- Have a clear understanding of the needs of all learners
- Be aware that persistent absence from education may link to safeguarding

All staff will have training on the government's anti-radicalisation strategy, Prevent, to enable them to identify learners at risk of being drawn into terrorism and to challenge extremist ideas.

Staff will also receive regular safeguarding protection updates, including on online safety, (for example, through emails, e-bulletins and staff meetings) as required, but at least annually.

Volunteers will receive appropriate training, if applicable.

16.2 The DSL and deputies:

The DSL and deputies will undertake safeguarding training at least every 2 years.

In addition, they will update their knowledge and skills at regular intervals and at least annually (for example, through e-bulletins, meeting other DSLs, or taking time to read and digest safeguarding developments).

They, or any other designated Prevent lead, will also undertake Prevent awareness training, including on extremist and terrorist ideologies.

16.3 Governance and Trustees

All trustees receive training about safeguarding (including online safety). This is to make sure that they:

- Have the knowledge and information needed to perform their functions and understand their responsibilities, such as providing strategic challenge
- Can be assured that safeguarding policies and procedures are effective and support the college to deliver a robust whole-college approach to safeguarding

As the Director of Education may be required to act as the 'case manager' in the event that an allegation of abuse is made against the Principal; they receive training in managing allegations for this purpose.

The Trustees are accountable for ensuring that the Society has clear and effective policies and procedures in place and that they comply with legislation and good practice guidelines. They also have a duty to monitor the society's compliance with these guidelines. (However neither the Trustees as a Board nor individual Trustees have a role in dealing with individual cases or have a right to know details of cases except when exercising their disciplinary functions in respect of allegations against the member of staff).

The Trustees should in particular ensure that the Society:

1. Has a Safeguarding Protection Policy and procedures in place that is in accordance with local authority guidance and locally agreed inter-agency procedures and that the policy is accessible to parents, carers or appropriate professionals.
2. Use of safeguarding and safer recruitment practices throughout the organisation.
3. Operates procedures for dealing with allegations of abuse against staff and volunteers, and those other personnel who work with service users with the permission of the society including clear management of allegation procedures and practices within the organisation.
4. Has a senior member of staff in each service area designated to take lead responsibility for dealing with safeguarding issues providing advice and support to other staff, liaising with the responsible local authority and working with other agencies
5. The senior leadership team and all other staff who work within the society undertake appropriate training to equip them to carry out their responsibilities in safeguarding people effectively. They must remain up to date by training at a minimum of two yearly intervals. Agency staff and volunteers who work with service users must also be made fully aware of the expectations and arrangements for safeguarding adults and their individual responsibilities.
6. The Trustees must remedy any deficiencies or weaknesses in safeguarding arrangements that are brought to their attention. They must address any such issue without delay.

16.4 Recruitment – interview panels:

At least one person conducting any interview for a post at the college will have undertaken safer recruitment training. This will cover, as a minimum, the contents of the Department for Education's statutory guidance, current adult safeguarding guidance, and will be in line with local safeguarding procedures.

See appendix 2 of this policy for more information about our safer recruitment procedures

MONITORING ARRANGEMENTS

This policy will be reviewed annually by the Education Leadership Team. At every review, it will be approved by the full governance board.

LINKS WITH OTHER POLICIES

This policy links to the following policies and procedures:

- STEP Policy
- Staff code of conduct
- Complaints and Appeals
- Health and safety
- Attendance
- E-Safety (includes acceptable usage)
- Equality
- First aid
- Curriculum
- Whistle blowing
- Anti-bullying
- Data Protection (GDPR)
- NEAS employee privacy notice
- Recruitment Policy
- Medication Policy
- Continual and Professional Development Policy
- Transport Policy

These appendices are based on the Department for Education's statutory guidance, current adult safeguarding guidance.

APPENDIX 1: TYPES OF ABUSE

Abuse, including neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap.

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to an individual. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a individual.

Emotional abuse is the persistent emotional maltreatment of an individual such as to cause severe and adverse effects on the individual's emotional development. Some level of emotional abuse is involved in all types of maltreatment, although it may occur alone.

Emotional abuse may involve:

- Conveying to a learner that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person
- Not giving the learner opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate
- Age or developmentally inappropriate expectations being imposed on learners. These may include interactions that are beyond a learner's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the learner participating in normal social interaction
- Seeing or hearing the ill-treatment of another
- Serious bullying (including cyberbullying), causing learners frequently to feel frightened or in danger, or the exploitation of learners

Sexual abuse involves forcing or enticing a learner to take part in sexual activities, not necessarily involving a high level of violence, whether or not the individual is aware of what is happening. The activities may involve:

- Physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing
- Non-contact sexual abuse can include involving an adult in viewing or producing sexual images, exposing an adult to sexual activity, sexual grooming, coercion or other sexually inappropriate behaviour.

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other learners.

Neglect is the persistent failure to meet basic physical and/or psychological needs, likely to result in the serious impairment of the individual's health or development. Neglect and acts of omission can include ignoring medical, emotional or physical care needs, failing to provide access to appropriate health, social care or educational services, and the withholding of the necessities of life such as medication, adequate nutrition and heating. Neglect also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk for themselves.

Neglect and poor professional practice may take the form of isolated incidents or pervasive ill treatment and gross misconduct. Neglect of this type may happen within an adult's own home or in an institution. Repeated instances of poor care may be an indication of more serious problems. Neglect can be intentional or unintentional.

Possible indicators of neglect are:

- Inadequate heating and/or lighting in their own home or in an institution.
- Physical condition or appearance is poor (e.g. ulcers, pressure sores, soiled or wet clothing).
- Malnourished, has sudden or continuous weight loss and/or is dehydrated.
- Can not access appropriate medication or medical care.
- Is not afforded appropriate privacy or dignity.
- The learner and/or a carer has inconsistent or reluctant contact with health and social care services
- Callers/visitors are refused access to the learner
- The learner is exposed to unacceptable risk.

Neglect may occur during pregnancy as a result of maternal substance abuse and once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- Protect from physical and emotional harm or danger
- Ensure adequate supervision (including the use of inadequate caregivers)
- Ensure access to appropriate medical care or treatment

Self-neglect entails neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. It is also defined as the inability, intentional or unintentional, to maintain a socially and culturally accepted standard of self-care with the potential for serious consequences to the health and wellbeing of the individual and sometimes to their community.

Self-neglect may not prompt a section 42 enquiry for adults, and an assessment will be made on a case by case basis. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. However, there may come a point where they are no longer able to do this without external support.

Indicators of self-neglect may include:

- living in very unclean, sometimes verminous, circumstances;
- poor self-care, leading to a decline in personal hygiene;
- poor nutrition;
- poorly healing sores;
- poorly maintained clothing;
- isolation;
- failure to take medication;
- hoarding;
- neglecting household maintenance; or
- portraying eccentric behaviour/lifestyles

Poor environments and personal hygiene may be a matter of personal or lifestyle choice or other issues, such as insufficient income.

Organisational abuse is the mistreatment, abuse or neglect of a learner by a regime or individuals in a setting or service where the adult lives or that they use. Such abuse violates the person's dignity and represents a lack of respect for their human rights.

Organisational abuse includes neglect and poor care practice within an institution or specific care setting, such as a hospital or care home, or where care is provided within a learner's own home. This may range from one-off incidents to ongoing ill-treatment. It can occur through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Organisational abuse occurs when the routines, systems and regimes of an institution result in poor or inadequate standards of care and poor practice, which affect the whole setting and deny, restrict or curtail the dignity, privacy, choice, independence or fulfilment of adults with care and support needs.

Organisational abuse can occur in any setting providing health or social care. A number of inquiries into care in residential settings have highlighted that organisational abuse is most likely to occur when staff:

- receive little support from management;
- are inadequately trained
- are poorly supervised and poorly supported in their work; and
- receive inadequate guidance.

Or where there is:

- unnecessary or inappropriate rules and regulations;
- lack of stimulation or the development of individual interests;
- inappropriate staff behaviour, such as the development of factions, misuse of drugs or alcohol, failure to respond to leadership; or
- restriction of external contacts or opportunities to socialise.

Discriminatory abuse includes discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation and political views, along with racist, sexist, homophobic or ageist comments or jokes, or comments and jokes based on a person's disability or any other form of harassment, slur or similar treatment.

Hate crime can be viewed as a form of discriminatory abuse, although it will often involve other types of abuse too. It also includes not responding to dietary needs and not providing appropriate spiritual support. Excluding a person from activities on the basis they are 'not liked' is also discriminatory abuse.

Possible indicators of discriminatory abuse

Indicators for discriminatory abuse may not always be obvious and may also be linked to acts of physical abuse and assault, sexual abuse and assault, financial abuse, neglect, psychological abuse and harassment, so the indicators listed above may also apply to discriminatory abuse.

A learner who is suffering discriminatory abuse may also:

- Reject their own cultural background and/or racial origin or other personal beliefs, sexual practices or lifestyle choices.
- Make complaints about the service not meeting their needs

APPENDIX 2: SAFER RECRUITMENT AND DBS CHECKS – POLICY AND PROCEDURES

Recruitment and Selection Process:

The recruitment steps outlined below reflect current safer recruitment and DBS requirements applicable to roles working with adults with care and support needs.

To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with adults with care and support needs have received appropriate safer recruitment training.

We have put the following steps in place during our recruitment and selection process to ensure we are committed to safeguarding and promoting the welfare of adults with care and support needs

Advertising:

When advertising roles, we will make clear:

Our college's commitment to safeguarding and promoting the welfare of adults with care and support needs

- That safeguarding checks will be undertaken
- The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with adults with care and support needs
- Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account

Application forms:

Our application forms will:

- Include a copy of, or link to, the College's Safeguarding Adults Policy and relevant safeguarding procedures.

Shortlisting:

Our shortlisting process will involve at least 2 people and will:

- Consider any inconsistencies and look for gaps in employment and reasons given for them
- Explore all potential concerns

Once we have shortlisted candidates, we will ask shortlisted candidates to:

- Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with learners, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:
 - If they have a criminal history
 - Whether they are included on the barred list
 - Whether they are prohibited from teaching
- Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
- Any relevant overseas information

Sign a declaration confirming the information they have provided is true

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online. Shortlisted candidates will be informed that we may carry out these checks as part of our due diligence process.

Seeking references and checking employment history:

- We will obtain references before interview. Any concerns raised will be explored further with referees and taken up with the candidate at interview.

When seeking references, we will:

- Not accept open references
- Liaise directly with referees and verify any information contained within references with the referees
- Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is college based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations
- Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed
- Secure a reference from the relevant employer from the last time the candidate worked with adults with care and support needs if they are not currently working with adults with care and support needs
- Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate
- Resolve any concerns before any appointment is confirmed

Interview and selection:

When interviewing candidates, we will:

- Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this
- Explore any potential areas of concern to determine the candidate's suitability to work with adults with care and support needs
- Record all information considered and decisions made

Pre-appointment vetting checks:

We will record all information on the checks carried out in the college's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

New staff:

All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks. When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service. We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed, we may still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken

- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. Where available, these will include:
 - For all staff, including teaching positions: criminal records checks for overseas applicants
 - For teaching positions: obtaining a letter of professional standing from the professional regulating authority in the country where the applicant has worked
- Check that candidates taking up a management position* are not subject to a prohibition from management (section 128) direction made by the secretary of state
- Management positions are most likely to include, but are not limited to, principals and vice principals.

Regulated activity means a person who will be:

- Responsible, on a regular basis in a college or college, for teaching, training, instructing, caring for or supervising adults with care and support needs or
- Carrying out paid, or unsupervised unpaid, work regularly in college where that work provides an opportunity for contact with adults with care and support needs or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

Existing staff:

- In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:
 - There are concerns about an existing member of staff's suitability to work with adults with care and support needs; or
 - An individual moves from a post that is not regulated activity to one that is; or
 - There has been a break in service of 12 weeks or more

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to an adult with care and support needs where:

- We believe the individual has engaged in relevant conduct; or
- We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or
- We believe the 'harm test' is satisfied in respect of the individual (i.e., they may harm an adult with care and support needs or put them at risk of harm); and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

Agency and third-party staff:

- We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

Contractors:

We will ensure that any contractor, or any employee of the contractor, who is to work at the college has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with adults with care and support needs
- We will obtain the DBS check for self-employed contractors.
- We will not keep copies of such checks for longer than 6 months.
- Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.
- We will check the identity of all contractors and their staff on arrival at the college.

Volunteers:

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment

Governance:

- All governance will have an enhanced DBS check without barred list information.
- They will have an enhanced DBS check with barred list information if working in regulated activity.
- The chair of the board will have their DBS check countersigned by the secretary of state.

All trustees will also have the following checks:

- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

Staff working in alternative provision settings:

Where we place a learner with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

Adults who supervise learners on work experience:

When organising work experience, we will ensure that policies and procedures are in place to protect learners from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a learner under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

APPENDIX 3 – ALLEGATIONS OF ABUSE MADE AGAINST STAFF

All allegations will be investigated thoroughly and as a matter of urgency. They will be dealt with quickly, fairly and consistently.

We will always ensure that the procedures outlined in the local authority arrangements for managing allegations and the College's adult safeguarding allegations procedures, DfE are adhered to and where appropriate, we will seek advice from the LADO.

Allegations that might indicate a person would pose a risk of harm if they continue to work in their present position, or in any capacity with learners in college would apply when staff (including volunteers and supply staff) have (or alleged to have):

- behaved in a way that has harmed a learner, or may have harmed a learner and/or;
- possibly committed a criminal offence against or related to a learner and/or;
- behaved towards a learner or learners in a way that indicates he or she may pose a risk of harm to learners; and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with learners

The last bullet point includes behaviour that may have happened outside of college that might make an individual unsuitable to work with learners, This is known as transferable risk. Where appropriate, an assessment of transferable risk to children with whom the person works will be undertaken. If in doubt we will seek advice from the LADO.

When an allegation is made against an adult that meets the above criteria it should be reported immediately to the Principal who is the 'case manager'. This includes allegations made against agency and supply staff, volunteers and contractors.

Staff must:

1. Make a verbal report as soon as possible.
2. Complete the Staff Allegation/Concern Reporting Form (Appendix 3) immediately after the verbal report.
3. Submit the completed form to the Principal (or alternative contact, as outlined below).

The Staff Allegation/Concern Reporting Form is a mandatory record that will:

- Form part of the investigation file.
- Remain attached to all related management and investigation documents.
- Be stored securely in accordance with data protection and safeguarding requirements.

If the allegation or concern relates to the Principal, it must be reported directly to the Director of Education alongside the submission of the Staff Allegation/Concern Reporting Form.

In the event that neither the Principal nor the Director of Education is contactable on that day, the information and form must be passed to and dealt with by:

- The acting Principal; or
- The Deputy Designated Safeguarding Lead; or
- The Chief Executive Officer; or
- The LADO.

If an allegation is made against a trustee, the Principal, in conjunction with the Director of Education and CEO will follow local authority arrangements for managing allegations, liaising with the LADO.

In the event of an allegation that meets the criteria above, the Principal (or Director of Education/Chief Executive Officer where the Principal is the subject of the allegation) – the ‘case manager’ – will take the following steps:

- The case manager will immediately discuss with the LADO, the nature, content and context of the allegation and agree on a course of action. Where the case manager deems there to be an immediate risk to learners or a criminal offence has been committed, the police will be contacted immediately. All discussions, agreed actions and communications will be recorded in writing using the Staff Allegation/Concern Reporting Form. The LADO should be informed within one day of any allegations made to the case manager and any actions taken.
- If there is cause to suspect a learner is suffering, or is likely to suffer significant harm, a strategy discussion involving the police and/or social care will be convened. Cases of suspected abuse will be referred to social care.
- Where the police are involved, the case manager will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the college’s disciplinary process, should this be required at a later point.
- The case manager will ensure that the individual who is subject to the allegation is informed as soon as possible explaining the likely course of action guided by the LADO, and the police where necessary. The case manager/HR will appoint a named representative to keep the person informed about the progress of the case and consider any appropriate support. The individual is also advised they can contact their trade union representation.
- The case manager will ensure that parents of the learner/s involved are formally told about the allegation as soon as possible and kept informed of the progress of the case, only in relation to their son/daughter. They will be made aware of the requirement to maintain confidentiality and unwanted publicity about any allegations made against staff in college whilst investigations are in progress. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice.
- The case manager will monitor the progress of the case to ensure that it is dealt with as quickly as possible in a thorough and fair process.
- Careful consideration will be given to whether the circumstances warrant suspension from contact with learners at the college, or until the allegation is resolved. It will be considered only in cases where there is cause to suspect a learner or other learners at the college is/are at risk of harm, or the case is so serious it might be grounds for dismissal. The case manager will maintain contact with the CEO and seek views from HR and the LADO, as well as the police and social care where they have been involved. Where an individual is suspended they will be provided with a named contact, their contact details and written confirmation of their suspension.

If the initial discussion leads to no further action, the case manager and the LADO will record the decision and justification for it and agree on what information should be put in writing to the

individual concerned as well as what action should follow both in respect of the individual and those who made the initial allegation

If it is decided that further action is needed, take steps as agreed with the designated officer to initiate the appropriate action in college and/or liaise with the police and/or social care services as appropriate

- The case manager will discuss with the LADO whether a referral to the Disclosure and Barring Service (DBS) and/or the Teaching Regulation Agency (TRA) should be made where an allegation is substantiated and the person is dismissed or the college ceases to use their services, or resigns or otherwise ceases to provide their services.
- The college has a legal obligation to make a referral to the DBS for consideration of whether inclusion on the barred lists is required; where it considers an individual has engaged in conduct that harmed (or is likely to harm) a learner; or if a person poses a risk to a learner
- In the case of a member of teaching staff, the case manager must consider making a referral to the Teaching Regulation Agency (TRA) to consider prohibiting the individual from teaching.

The completed Staff Allegation/Concern Reporting Form, along with any other evidence related to the allegation or concern, will be used to support the initial assessment and inform any referral to the LADO, police, or other relevant external agencies.

All decisions, actions, and outcomes will be documented in the leadership and management section of the form. This record will be stored securely and will be retained within the staff member's personnel file maintained by HR. Access to this information will be strictly limited in line with GDPR procedures and safeguarding.

If the concern arises from a disclosure or allegation made by a learner, all related records — including the Staff Allegation/Concern Reporting Form, actions taken, correspondence, and follow-up — will be stored securely on CPOMS, in line with safeguarding and confidentiality procedures.

If we receive an allegation of an incident happening while an individual or organisation was using the college premises to run activities for learners, we will follow our safeguarding policies and procedures and inform the LADO.

Suspension of the accused until the case is resolved:

Suspension of the accused will not be the default position and will only be considered in cases where there is reason to suspect that a learner or other learners is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

- Redeployment within the college so that the individual does not have direct contact with the learner or learners concerned
- Providing an assistant to be present when the individual has contact with learners
- Redeploying the individual to alternative work in the college so that they do not have unsupervised access to learners
- Moving the learner or learners to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted

- Temporarily redeploying the individual to another role in a different location, for example to an alternative provision or other work for the Society.

Definitions for outcomes of allegation investigations:

If in doubt, the case manager will seek views from the college's human resource team, Director of Education, CEO and the designated officer at the local authority, as well as the police and social care where they have been involved

- Substantiated: there is sufficient evidence to prove the allegation
- Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the subject of the allegation
- False: there is sufficient evidence to disprove the allegation
- Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)
- Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made

If there are concerns or an allegation is made against someone not directly employed by the college, such as supply teacher or contracted staff member provided by an agency, we will take the actions below in addition to our standard procedures:

- We will not make a decision to cease using an individual's services solely on the basis of a safeguarding concern without first establishing the relevant facts and consulting with the LADO to determine an appropriate and fair outcome.
- The college leadership team will work in consultation with the agency to determine whether it is appropriate to suspend the individual or redeploy them to another role within the college while the investigation is ongoing.
- The college will take the lead in gathering all necessary information, while ensuring the agency is fully involved in the process. Relevant details will be provided to the LADO as required.
- The college will address matters relating to information sharing to ensure that any previous concerns or allegations known to the agency are considered. This may be done during the allegations management meeting or through direct liaison with the agency, as appropriate.

Timescales:

We will deal with all allegations as quickly and effectively as possible and will endeavor to comply with the following timescales, where reasonably practicable:

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week
- If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days

However, these are objectives only and where they are not met, we will endeavour to take the right action as soon as possible thereafter

Specific actions:

Action following a criminal investigation or prosecution:

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or social care services.

Conclusion of a case where the allegation is substantiated:

If the allegation is substantiated and the individual is dismissed or the college ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager and the college's HR adviser will discuss with the designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff the college will consider whether to refer the matter to the Teaching Regulation Agency to consider prohibiting the individual from teaching. Employer references will include substantiated allegations, provided that the information is factual and does not include opinions.

On conclusion of a case in which the allegation is substantiated, the case manager and the LADO will review the case to determine whether there are any improvements to be made to the college's procedures or practices to help prevent similar events in the future.

Individuals returning to work after suspension:

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this. The case manager will also consider how best to manage the individual's contact with the learner/s who made the allegation, if they are still attending the college.

Unsubstantiated, unfounded, false or malicious reports:

If a report is determined to be unsubstantiated, unfounded, false or malicious the DSL will consider the appropriate next steps. If they consider that the learner who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to social care may be appropriate.

If an allegation is shown to be deliberately invented, or malicious, the college will consider whether any disciplinary action is appropriate or whether the police should be asked to consider action against an adult.

Details of allegations following an investigation that are found to have been malicious or false will be removed from personnel records, unless the individual gives their consent for retention of the information. For all other allegations a written record of details of the investigation and the outcome will be retained in the individual's personnel file in line with current adult safeguarding guidance and a copy provided to the individual.

Allegations proven to be unsubstantiated, unfounded, false or malicious will not be included in employer references.

Confidentiality and information sharing:

The college will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the local authority's designated officer, police and social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a learner involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

Record Keeping:

The records of any allegations that, following an investigation is found to be malicious or false will be deleted from the individuals personnel file (unless the individual consents for the records to be retained on the file).

For all other allegations (which are not found to be malicious or false), the following information will be kept on the file for individual concerned:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken, and decisions reached and the outcome
- A declaration on whether the information will be referred to in any future reference

In these cases, the case manager will provide a copy to the individual, in agreement with social care or the police as appropriate

We will retain all records at least until the accused individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

Learning lessons:

After any cases where the allegations are substantiated, the case manager will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to the college's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

Issues arising from the decision to suspend the member of staff

- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual.

Non-recent allegations:

Abuse can be reported, no matter how long ago it happened. Non-recent allegations of abuse should be reported to the LADO who will liaise with other agencies. Allegations against a teacher who is no longer teaching should be referred to the police.

Low-level concerns:

This section reflects the Statutory Guidance approach to allegations, concerns about practice and concerns regarding people in positions of trust, including proportionate responses to concerns that do not meet the threshold for a formal safeguarding enquiry.

All concerns about all adults working in or on behalf of the college (including supply teachers, volunteers and contractors) will be dealt with promptly and appropriately.

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a learner does not meet the criteria indicated in the allegations section above.

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.

An adult working in or on behalf of the college may have acted in a way that does not meet the expectation in the staff code of conduct, including conduct outside of college and does not meet the allegations criteria or is not considered serious enough to refer to the LADO.

Concerns may arise through, for example:

- Suspicion
- Complaint
- Safeguarding concern or allegation from another member of staff
- Disclosure made by a learner, parent or other adult within or outside the college
- Pre-employment vetting checks

Low-level concerns about a member of staff should be reported immediately to the DSL (Principal). Where the concern is about the Principal, it should be reported to the Director of Education and recorded using the Staff Allegation/Concern Reporting Form (Appendix 3).

Low-level concerns about a supply teacher or contractor should be reported as above. The Principal will notify the employer so that any patterns of inappropriate behaviour can be identified.

All low-level concerns will be recorded by the DSL/Principal using the staff allegation/concern reporting form and stored securely and confidentially. All decisions, actions, and outcomes will be documented in the Leadership and Management section of the form. This record will be stored securely and will be retained within the staff member's personnel file maintained by HR. Access to this information will be strictly limited in line with GDPR procedures and safeguarding requirements.

These records will be reviewed so that any patterns of inappropriate behaviour can be identified and dealt with.

APPENDIX 3: Staff Concern/Allegation Reporting Form.

Staff Concern/Allegation Reporting Form – Guidance & Instructions

Purpose of This Document

This document is designed to help staff record and report any concerns, allegations, or suspicions about the conduct of a college staff member. It forms part of the college's safeguarding, whistleblowing and staff code of conduct procedures, ensuring that all concerns are handled promptly, confidentially, and in line with statutory requirements.

When to Use This Form

It is critical that in the first instance, concerns are immediately raised verbally with the appropriate safeguarding lead.

Following a verbal report, this form must be completed and submitted without delay when:

- You have a safeguarding concern involving a staff member.
- You have witnessed or been informed of alleged misconduct, breach of college policies, or inappropriate behaviour by a staff member.
- You have a whistleblowing concern relating to college operations or staff conduct.
- A learner has made an allegation against a member of staff.

Important note – If, at any stage, you believe a learner is in immediate danger or at risk of serious harm you must:

- Contact the Designated Safeguarding Lead (DSL) immediately.
- If the DSL is unavailable, contact a Deputy DSL or emergency services (999).
- You must still complete this form, but do not delay immediate safeguarding action.

Reporting Routes

- If the allegation or concern is about a staff member of the college, the principal must be verbally informed immediately. Thereafter, submit this form directly to them, without delay.
- If the allegation or concern is about the Principal, the Director of Education must be contacted immediately. Thereafter, submit this form directly to them, without delay.
- Our Designated Trustee for safeguarding is Rakesh Chopra.

Important Contacts

- Principal and DSL: fay.strong@ne-as.org.uk
- Director of Education: tracey.train@ne-as.org.uk
- Designated Trustee: rakesh.chopra@ne-as.org.uk
- LADO Contact: Louise Brookes/Sharon Lewis 03000 268835
- HR Contact: Jessica.greer@ne-as.org.uk
- CEO: paul.mcginnety@ne-as.org.uk

Additional Guidance

- Keep your report factual, avoiding assumptions or personal opinions.
- Provide as much information as you can, including attaching any evidence you may have (emails, screenshots, witness names).
- If you are uncertain whether a concern warrants reporting, please follow usual procedure by making a verbal report and submitting this form. The designated staff member will determine whether further action is necessary. You will receive an email acknowledgement of your report.
- Please be assured that all concerns will be treated confidentially in line with GDPR.
- All staff have a professional and legal duty to report any concerns in the best interests of learners and colleagues, in accordance with the college's safeguarding policies and procedures. Failure to follow this guidance may result in disciplinary action in line with the Staff Code of Conduct.

Concern/Allegation Reporting Form

Reporting staff members details	
Full Name	
Job Title	
Date of Report	

Staff Member(s) Details for who the concern/allegation relates to	
Full Name	
Job Title	

Nature of Concern/Allegation
☐ Professional Misconduct
☐ Breach of college policies and procedures
☐ Safeguarding
☐ Other (please specify) _____

Details of Concern/Incident	
Date	
Time	
Location	
Was there CCTV in the area?	
Learner name (If applicable)	
Full names of witnesses (if any)	
Any further evidence provided?	

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Please provide a detailed, factual account of the allegation/concern.

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Recording of Incident

*Please note if an allegation is made by a learner it **must** be recorded on CPOMS*

Was the incident recorded on CPOMS? If so, please log date

Was the incident recorded on MACS? If so, please log reference number

Was a first aid check required? If so, please provide details of findings and any reference numbers

Who is this form submitted to?

☐ Principal

☐ Director of Education

☐ Other (please specify) _____

Signature

I confirm that the information provided is accurate to the best of my knowledge and understand that this report will be handled according to the societies policies and procedures.

Signature

Date

Management Action and Investigation Record - To remain attached to Original Concern/Allegation Form

Management of allegation/concerns	
<i>(To be completed by the Principal, HR, Director of Education or assigned investigator)</i>	
Date Received	
Form submitted by	
Name of manager who received the form	
Email acknowledgement of receipt of report	Date:
Is the person the concern/allegation is regarding a member of NEAS staff?	Yes/No If no, their employer/agency must be informed and noted below under 'action taken' once complete.
Signature	
Next Steps (if applicable)	
☐ Assessment of risk ☐ Witness statements obtained ☐ CCTV footage obtained ☐ First aid checks complete ☐ Record of incident obtained (<i>CPOMS, MACS, Accident/Injury Record</i>) ☐ Learner view/words obtained ☐ Parents notified	
Action taken	
☐ Referred to HR ☐ Director of Education notified ☐ Referred to LADO ☐ Any other external authorities (please specify) _____ ☐ Other: _____	
Name of assigned investigator(s) (if applicable)	

FOR LEADERSHIP AND MANAGEMENT USE ONLY

Management Action and Investigation Record – To remain attached to Original Concern/Allegation Form

Investigation Outcome	
(To be completed by the Principal, HR, Director of Education or assigned investigator)	
Summary of Findings:	
Outcome	
Advice and Guidance received by	
☐ HR ☐ Director of Education ☐ LADO ☐ Any other external authorities (please specify) _____ ☐ Other: _____	
Actions	
Date Closed	
Name and signature	



APPENDIX 4 – SPECIFIC SAGEGUARDING ISSUES

The following issues may present safeguarding risks to adults with care and support needs. This list is not exhaustive. Staff should remain professionally curious and report concerns in accordance with Section 7 of this policy and local adult safeguarding procedures.

Self-neglect

Self-neglect covers a wide range of behaviour including neglecting personal hygiene, health, nutrition, medication, accommodation or safety. Staff should consider the adult's wishes, mental capacity, autonomy and the level of risk. Where concerns meet the Care Act safeguarding criteria, the College will make a referral to the relevant local authority.

Domestic abuse

Domestic abuse can include physical, sexual, emotional or psychological abuse, controlling or coercive behaviour, economic abuse and other abusive behaviour between people aged 16 or over who are personally connected. Staff should consider coercive control, financial dependence, isolation and the increased risks experienced by disabled adults.

Financial and material abuse

This includes theft, fraud, scams, coercion regarding property or benefits, misuse of bank accounts, pressure to make gifts or loans and exploitation of digital payment systems. Concerns will be recorded and referred where appropriate to adult social care, police, banks or other relevant agencies.

Sexual abuse and sexual exploitation

Sexual abuse includes any sexual act or behaviour without valid consent. Adults with care and support needs may be particularly vulnerable to grooming, coercion, exploitation, image-based abuse and abuse within relationships. The College will respond sensitively, respect the adult's wishes and capacity, and involve police or safeguarding partners where appropriate.

Criminal exploitation and county lines

Adults may be coerced, groomed or controlled into criminal activity, including drug supply, money laundering, theft or other offences. Indicators may include unexplained money or possessions, sudden changes in associates, debt, threats, injuries, unexplained travel or control by another person. Concerns will be referred through adult safeguarding and/or police procedures.

Cuckooing

Cuckooing occurs when an individual's home or accommodation is taken over by others for criminal or exploitative purposes. Staff should be alert to changes in visitors, unexplained activity, deterioration in the adult's wellbeing, drug-related activity or signs of coercion and control.

Modern slavery and trafficking

Adults may experience slavery, servitude, forced or compulsory labour, domestic servitude or human trafficking. Concerns should be reported promptly to the DSL and, where appropriate, the police and relevant safeguarding partners.

Radicalisation and extremism

Adults may be vulnerable to radicalisation or exploitation by extremist or terrorist groups. Staff should follow the College Prevent procedures, consider the individual's circumstances and vulnerabilities, and make referrals where concerns indicate a risk of being drawn into terrorism.

Online abuse and technology-enabled safeguarding

Risks include grooming, coercion, financial scams, romance fraud, harassment, sexual exploitation, image-based abuse, impersonation, deepfakes and harmful online communities. Staff should preserve relevant evidence where appropriate and follow the College's online safety and data protection procedures.

Hate crime and discriminatory abuse

Adults may experience abuse or harassment because of disability, race, religion or belief, sex, sexual orientation, gender reassignment or other protected characteristics. The College will challenge discriminatory abuse and make appropriate safeguarding or police referrals.

Forced marriage and so-called honour-based abuse

Forced marriage is not the same as an arranged marriage and occurs where a person does not consent and is subjected to pressure or coercion. Concerns may involve family or community pressure, threats, violence, financial control or restriction of movement. Staff should not mediate or contact family members without safeguarding advice where this could increase risk.

FGM

FGM is a criminal offence and a serious safeguarding concern. Although the statutory mandatory reporting duty applies to specified professionals in relation to girls under 18 and therefore does not apply to adult learners, any concern that an adult learner has experienced or is at risk of FGM should be treated seriously and referred through adult safeguarding and/or police procedures as appropriate.

Mate crime

Mate crime occurs when someone pretends to be a friend in order to exploit or abuse an adult with care and support needs. This can involve financial exploitation, theft, sexual exploitation, coercion, criminal exploitation or taking control of accommodation and relationships.

Organisational abuse

Organisational abuse may occur within services or institutions and can include poor care, unsafe practices, disrespect, rigid routines, inappropriate restraint, neglect, lack of choice or a culture that normalises poor treatment. Concerns will be escalated promptly and independently where necessary.

Self-harm and suicide risk

Safeguarding concerns may arise where an adult is at immediate risk of serious harm from self-harm or suicide. Staff should follow the College's emergency and safeguarding procedures, seek urgent clinical or emergency support where necessary and ensure concerns are recorded and shared appropriately.

Abuse by people in positions of trust

Where concerns arise about a staff member, volunteer, contractor, carer or other person in a position of trust, the College will follow its allegations and low-level concerns procedures and the relevant local authority safeguarding adults process. The focus will be on immediate safety, proportionate risk management, fair investigation and appropriate referral to professional or regulatory bodies.