

POLICY/PROCEDURE: SAFEGUARDING POLICY & PROCEDURES INCORPORATING COLLEGE CHILD PROTECTION POLICY

Approval required by:	Executive	Y	Governing Body	Y
Senior Lead:	Vice Principal Students			
Senior Manager:	Head of Safeguarding			
Date approved:	July 2024			
Date to be reviewed:	July 2025			
Relevant to:	Students	Y	Staff	Y
	Visitors	Y	ITS	Y
Relevant to:	All students	Y		
	16-18 Vocational	Y	Sixth Form	Y
	Higher Education	Y	Adults	Y
	Apprenticeships	Y	14-16	Y
	Other	N	
Relevant to:	All staff	Y		
	Board	Y	SPH	Y
	Managers	Y		
	Teaching staff	Y	Support staff	Y
Accessible to	Students	Y	Staff	Y
Friendly version	Students	N	Staff	N
	EQIA required	Y		

Significant changes to policy

- Definition of safeguarding and promoting the welfare of children amended to reflect the updated Working Together to Safeguard Children 2023 statutory guidance.
- Updates in line with Keeping Children Safe in Education (2024)
- Early help support amended to reflect revised Working Together guidance.
- Reinforcement throughout policy of all forms of exploitation as a significant safeguarding concern.
- Reinforcement of staff adopting a non-victim blaming approach to safeguarding cause for concerns.

SAFEGUARDING POLICY STATEMENT

Safeguarding is everyone's responsibility

Barnsley College or ITS ('the College') is committed to safeguarding and promoting the welfare of all learners. The governors and staff recognise that a safe and trustworthy environment combined with clear lines of communication and decisive action, ensures the best outcomes for all learners. The College expects all staff, supply/agency staff, governors, volunteers, sub-contractors, contractors, work placement providers, employers, partners, visitors, external hire clients and commercial lettings clients to endorse and practise this commitment at all times.

Aims of this Policy

The aims of this policy are:

- to ensure that learners are effectively safeguarded from the potential risk of harm at the College and that the safety and wellbeing of the learner is of the highest priority in all aspects of the College's work;
- to help the College maintain its ethos whereby staff, governors, volunteers, contractors, sub-contractors, employers, work placement providers, partners, learners, parents, carers, guardians, visitors, commercial lettings clients and external hire clients feel able to articulate any concerns comfortably, safe in the knowledge that effective action will be taken as appropriate;
- to outline the College's commitment to safeguard and promote the welfare of learners.

Purpose of This Policy

To ensure all members of the College community:

- are aware of their responsibilities in relation to safeguarding learners;
- know the procedures that should be followed if they have a safeguarding cause for concern;
- know how to access additional information regarding safeguarding;
- are aware of the key indicators relating to child and adult abuse and/or neglect and wider safeguarding concerns;
- support the College's commitment to safeguarding, child and adult protection.

Principles

The College community has a statutory duty to safeguard its learners as set out in the 'Introduction' section of this policy.

This College recognises its legal and moral duty to promote the well-being of learners and protect them from harm and respond to safeguarding concerns when they arise.

We believe that every learner has, at all times and in all situations, a right to feel safe and protected from any situation or practice that results in them being physically, or psychologically damaged.

We agree that we have a primary responsibility for the care, welfare and safety of the learners in our care, and we will carry out this duty through our teaching and learning, day to day practices, extracurricular activities, pastoral care and extended College activities. In order to achieve this, all members of the College community, in whatever capacity, will at all times act proactively in

learner welfare matters especially where there is a possibility that a learner may be at risk of significant harm.

We will enable learners, through tutorial, Relationships and Sex Education (RSE) and other support activities, to develop the skills they need to stay safe from harm. We will also help them to develop the confidence they need to speak up for themselves and others. We will provide effective support, guidance and care if a learner shares a concern with us.

Learners should be able to:

- recognise and manage risks in different situations;
- judge what kind of physical contact and behaviour is acceptable and what is not acceptable;
- recognise when their personal safety is threatened and when and where to get help.

We will maintain systems that will:

- prevent unsuitable people working with learners;
- promote safe practice and challenge poor and unsafe practice.

The College seeks to adopt an open and accepting attitude towards learners as part of their responsibility for pastoral care. The College hopes that parents/carers and learners feel free to talk about any concerns and will see College as a safe place if there are any difficulties at home and/or extra familial concerns.

Learners' worries and fears will be taken seriously if they seek help from a member of staff. However, staff must not promise secrecy if concerns are such that referral must be made to the appropriate agencies in order to safeguard the learner's welfare and/or protect them from abuse and/or neglect. Learners will be made aware of this legal obligation.

In our College, if there are suspicions that a learner's physical, sexual, mental or emotional well-being is being, or is likely to be, harmed, or that they are being neglected, abused or exploited in any way, appropriate action will be taken. This action will be in accordance with the safeguarding procedures issued by the Safeguarding Children Partnership, if learner is under 18 or Safeguarding Adult Board, if learner is over 18, of the Local Authority area where the learner resides.

As a consequence we:

- assert that the whole College community at Barnsley College are an integral part of the safeguarding processes;
- accept totally that safeguarding learners is required and is an appropriate function for all the whole College community, and wholly compatible with their primary pedagogic responsibilities;
- recognise that safeguarding learners at Barnsley College is a responsibility of the whole College community;
- will ensure through training and supervision that the whole College community are alert to the possibility that a learner is at risk of or suffering harm, and know how to report concerns or suspicions;
- will designate a senior member of staff (Designated Safeguarding Lead) with knowledge and skills in recognising and acting on safeguarding concerns. They will act as a source of

expertise and advice, and are responsible for coordinating action with the college and liaising with other agencies.

- ensure (through the Designated Safeguarding Lead) that all staff with designated responsibility for safeguarding learners receive appropriate training;
- will share our concerns with others who need to know and assist in any referral process;
- will ensure that all members of the College community who have a suspicion that a learner may be suffering or may be at risk of suffering significant harm, refer such concerns immediately to the central Safeguarding Team, who will refer on to Children/Adults Social Care in accordance with the policy and procedures of the Local Safeguarding Children Partnership or Safeguarding Adults Board based in the Local Authority where the learner lives. Should a member of the central Safeguarding Team not be available, the member of staff with the concern will themselves make a referral to Children/Adults Social Care, as appropriate.
- will ensure that all staff are aware of the safeguarding procedures of the Safeguarding Children Partnerships and Safeguarding Adult Boards and, where appropriate, the Local Authority, and act on any advice given by them;
- safeguard the welfare of learners whilst in the College, through positive measures to address bullying, especially where this is aggravated by sexual or racial factors, prejudice or discriminatory based, disability or special educational needs, online or social media bullying;
- will ensure through the recruitment and selection of volunteers and paid employees that all people who work in Barnsley College are suitable to work with children and adults who need safeguarding;
- will act swiftly and make appropriate referrals to the Local Authority Designated Officer where an allegation has been made that a member of staff has committed an offence against a learner, harmed a learner, or acted in a way that calls into question their suitability for working with learners.

INTRODUCTION

Barnsley College, referred to as 'the College' hereafter, has safeguarding statutory duties and responsibilities in relation to its learners as set out below. The policy applies to all staff, supply/agency staff, governors, volunteers, sub-contractors, contractors, work placement providers, employers, partners, visitors, external hire clients and commercial lettings clients, referred to as 'staff' hereafter.

Where College is used for non-College activities, those providers are expected to abide by all College related safeguarding policies and procedures as appropriate, as well as meeting the guidance in Keeping Children Safe in out of school settings;

[After-school clubs, community activities and tuition: safeguarding guidance for providers - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The policy also applies to, and should be followed, in relation to a safeguarding incidents that happen when an individual or organisation is using College premises for the purposes of running activities for children and adults, where applicable.

This policy should be read in conjunction with the following statutory guidance;

[Keeping children safe in education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/keeping-children-safe-in-education) with the expectation that all staff have read at least Part One of this guidance annually, or as otherwise instructed from time to time by the Designated Safeguarding Lead in College.

[Working together to safeguard children 2023: statutory guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/guidance/working-together-to-safeguard-children-2023)

[Care and support statutory guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/care-and-support-statutory-guidance)

Inherent in this policy, when reference is made to abuse, neglect, exploitation and wider safeguarding issues, it may be a one off occurrence or repeated and, it encompasses online as well as face to face, extra-familial and wider contextual safeguarding concerns where a learner may be at risk of harm outside of the home.

In addition, the College works in partnership with a range of agencies to discharge our safeguarding duties. We also work within the framework, policies and procedures of the Local Safeguarding Children Partnership and Local Safeguarding Adult Board respectively, based on the area where the learner lives.

Contact details of the College's safeguarding structure and key contacts are included at Appendix A, along with links to the websites of the Local Safeguarding Children Partnership and Local Safeguarding Adult Board respectively.

SAFEGUARDING CHILDREN

In relation to learners under the age of 18 years old, and classed as a child in law, the College has a statutory duty, as set out in the Education Act 2002 and Children Act 2004, to promote and safeguard the welfare of children and have due regard to guidance issued by the Secretary of State at all times. The College adopts the definition used in the statutory guidance for schools and colleges: Keeping Children Safe in Education 2024, issued by the Department for Education (DfE), and in line with the revised 'Working Together to Safeguard Children 2023' guidance, which applies to all children and, defines safeguarding and promoting children and young people's welfare as:

- providing help and support to meet the needs of children as soon as problems emerge;
- protecting children from maltreatment, whether that is within or outside the home, including online;
- preventing the impairment of children's mental and physical health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
- taking action to enable all children to have the best outcomes.

The above statutory guidance defines child protection as part of safeguarding and promoting welfare. Child protection is the activity undertaken to protect children who are suffering, or are likely to suffer, significant harm including all forms of abuse and neglect, female genital mutilation or other so-called honour based abuse, and extra-familial threats like radicalisation and any kind of child exploitation such as sexual exploitation, criminal exploitation and serious youth violence. Such concerns will be referred into Children's Social Care and the police if appropriate.

SAFEGUARDING ADULTS

In relation to learners 18 years and over, and classed as an adult in law, the College has a statutory safeguarding duty, as set out in the Care Act 2014, which must be seen in conjunction with Mental Capacity Act 2005 and the Human Rights Act 1998. The College must have regard to guidance issued by the Secretary of State at all times.

The adult safeguarding duties under the Care Act 2014 apply to an adult, aged 18 or over, who:

- has needs for care and support (whether or not the Local Authority is meeting any of those needs) and
- is experiencing, or at risk of, abuse or neglect; and
- as a result of those care and support needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

The Care Act statutory guidance defines safeguarding as “*protecting an adult’s right to live in safety, free from abuse and neglect.*” The above duties apply in relation to any person who is aged 18 or over and at risk of abuse or neglect because of their needs for care and support. Such concerns will be referred into Adult Social Care and the Police if appropriate.

Whilst these duties have to be met for a referral to Adult Social Care and/or the police, College policy is to safeguard all learners. While a concern may not meet the threshold for such a referral and/or support of these external agencies, the College is committed to the safeguarding and supporting all learners as appropriate.

The adult with care and support needs, in need of safeguarding, will hereafter be referred to as the *adult* throughout this policy.

LEARNERS POTENTIALLY AT GREATER RISK OF HARM

Whilst all learners must be safeguarded, staff should recognise that some learners are at potentially greater risk of harm than others, both online and offline. The list below is not exhaustive but highlights some of those learners.

Looked After Children, Previously Looked after Children, Care Leavers and Adopted Children

Staff should be aware that these learners may need additional services, assistance, protection and consideration.

The Head of safeguarding in College is the single point of contact for coordinating support for these learners both internally and externally. The central Safeguarding Team will hold a record of these learners including contact details of the learner’s social worker, virtual school and carer, relevant contact details for previously looked after children, and the details of the personal adviser and next of kin for care leavers, as appropriate. However, **all** staff are responsible for populating the records of these learners with any discussions, telephone calls, emails and meetings to enable an updated chronology to be maintained.

For looked after learners, staff are expected to work alongside the Head of safeguarding to attend Personal Education Plan meetings to support their education as well as support with the Looked After Child review meetings. In addition, staff working with these learners are required to provide, as a minimum, a weekly update for the central Safeguarding Team on attendance, progress, achievements and any concerns. This will allow any issues and/or support needs to be identified early and allow for appropriate action to be taken in response.

College will liaise as necessary with the social worker, personal adviser and/or next of kin regarding any issues of concern affecting the learner.

Learners with Special Educational Needs, Disabilities or Health Issues

Staff should be aware that these learners may face additional safeguarding challenges. Additional barriers can exist when recognising abuse, neglect and exploitation in this group of learners including communication barriers.

Staff must:

- be aware that these learners may not outwardly show any signs of abuse;
- further explore possible indicators of abuse such as behaviour, mood and injury without making assumptions that these factors relate to the learner's disability;
- seek the voice of the learner at all times and not become disproportionately over-reliant on the voice and views of the parent/carer;
- monitor these groups of learners to ensure that they are not being disproportionately impacted by behaviours such as bullying or peer group isolation.

These learners will have a support profile in place to guide staff in providing additional support to overcome any barriers.

All staff are responsible for populating the records of these learners with any discussions, telephone calls, emails and meetings to enable an updated chronology to be maintained.

Learners with a Child Protection Plan, or Child in Need Plan

Staff should be aware that these learners may need additional support, services, assistance, protection and consideration.

The central Safeguarding Team are the single point of contact for coordinating support for these learners both internally and externally. The central Safeguarding Team will hold a record of these learners including contact details of the learner's social worker, where relevant, and details of next of kin and any other agencies working with the learner. However, **all** staff are responsible for populating the records of these learners with any discussions, telephone calls, emails and meetings to enable an updated chronology to be maintained.

Staff are expected to work alongside the central Safeguarding Team to provide regular and timely updates regarding the progress of these learners in college and any areas of concern within or outside of College. In addition, staff working with these learners are required to provide, as a minimum, a weekly update for the central Safeguarding Team on attendance, progress, achievements and any concerns. This will allow any issues and/or support needs to be identified early and allow for appropriate action to be taken in response.

College will liaise as necessary with the social worker, external agencies and next of kin, as appropriate regarding any issues of concern affecting the learner.

Learners who may benefit from Early Help support

Staff should be aware that any learner and their family may benefit from early help, which means providing them support as soon as a problem emerges, at any point in their life. Staff should be aware that some learners may present with multiple and/or overlapping issues. Where a learner and family would benefit from co-ordinated support from more than just College, an inter-agency assessment called an Early Help Assessment will be offered to the learner and family, and with their agreement, will identify the action to be taken and services to be provided. The Early Help

Assessment will identify what help the learner and family require to prevent any needs from escalating to the point where statutory intervention may be required.

The Early Help Assessment is undertaken by a lead professional who provides support to the learner and family, acts as an advocate on their behalf and coordinates the delivery of support services. College staff may act as lead professional and undertake an Early Help Assessment and/or be asked to participate in such an assessment.

The Safeguarding Adviser is the single point of contact for coordinating support for these learners both internally and externally and where appropriate, will act as lead professional on behalf of the College. Whatever the case, College staff need to work closely with the Safeguarding Adviser and other practitioners to decide whether the learner and family would benefit from coordinated support from more than one agency.

Staff are expected to work alongside the Safeguarding Adviser to provide regular and timely updates regarding the progress of these learners in College and any areas of concern within or outside of College. In addition, staff working with these learners are expected to provide, as a minimum, a weekly update for the central Safeguarding Team on the attendance, progress, achievements and any concerns to ensure any issues and/or support needs are identified early allowing appropriate action to be taken in response.

The central Safeguarding Team will hold a record of these learners including contact details of the learner's next of kin and any other agencies working with the learner. College will liaise as necessary with external agencies and next of kin, as appropriate regarding any issues of concern affecting the learner. However, **all** staff are responsible for populating the records of these learners with any discussions, telephone calls, emails and meetings to enable an updated chronology to be maintained.

Although there is not the same statutory early help offer in safeguarding adults, College staff will adopt the same principles and lead on or work with any early help type approach to working with adult learners.

Staff should be particularly alert to the potential need for early help for a learner who:

- is disabled or has certain health conditions, has specific additional needs and/or special educational needs regardless of whether they have a statutory Education, Health and Care Plan;
- is a young carer;
- has a mental health need;
- is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups or county lines;
- is at risk of modern slavery, trafficking sexual or criminal exploitation;
- is at risk of being radicalised or exploited;
- is in a family circumstance presenting challenges for the learner, such as substance misuse, adult mental health and domestic abuse;
- has a parent or carer in custody, or is affected by parental/carers offending;
- is misusing substances themselves;
- has returned home to their family from care;
- is a privately fostered child;
- is bereaved;
- is at risk of so-called 'honour'-based abuse such as Female Genital Mutilation or Forced Marriage;

- is persistently absent from education, including persistent absences for part of the College day;
- is missing education, or persistently absent from college, or not in receipt of full-time education;
- is frequently going missing/goes missing from education, home or care;
- has experienced multiple suspensions, is at risk of being, or has been permanently excluded from college;

Elective Home Education (EHE)

College provides an educational offer for Year 10 and 11 equivalent pupils who are EHE. Barnsley College provides safeguarding oversight for these learners, and normal College safeguarding response, policy and procedures apply equally to these learners.

Learners Requiring Mental Health Support

Staff are well placed to observe students and identify those who may be experiencing a mental health problem or are at risk of developing one. In particular, staff should be aware that a mental health problem may, in certain cases, indicate that a student has or is still suffering from some form of abuse or neglect. Any mental health concern is also a safeguarding concern and should be reported as such so that an appropriate response can be made, on a case by case basis, in support of the student. This may include referrals to services within College as well as external referrals.

Equality Act

Being within the scope of Equality Act is not in itself an inherent risk factor for harm, however, sometimes individuals or groups can be targeted by others, linked to their protected characteristics.

The College community must not unlawfully discriminate against learners because of their sex, race, disability, religion or belief, gender reassignment, pregnancy and maternity, or sexual orientation, all of which are known as protected characteristics under this legislation. The Public Sector Equality Duty places a general duty on College to have, in exercise of its functions, due regard to the need to eliminate unlawful discrimination, harassment and victimisation and, any other conduct prohibited under the Equality Act. College must advance equality of opportunity and foster good relations between those who share the protected characteristics and those who do not.

This also includes learners who may be gender questioning. College will work with parents/carers and wider specialist agencies as appropriate, in support.

INHERENT PRINCIPLES OF THIS POLICY

Safeguarding is the responsibility of all staff, supply/agency staff, governors, volunteers, sub-contractors, contractors, work placement providers, employers, partners, visitors, external hire clients and commercial lettings clients hereafter referred to as 'the College community', with the College playing its part in preventing, identifying and reporting abuse, neglect, exploitation and wider safeguarding issues. The role also includes a responsibility on the whole College community to actively promote the welfare of every learner.

As well as ensuring that safeguarding concerns are addressed, we will also ensure that learners who attend College whether that be in person, remotely or online, are kept safe from harm whilst they are in our charge. To this end, this policy must be seen in conjunction with other college policies as outlined in Appendix B and external legislation and guidance as set out in Appendix C. In particular, 'Keeping Children Safe in Education 2024', Working Together to Safeguarding

Children 2023' and 'the 'Care and Support Act Statutory Guidance' are integral to this policy and provide more detailed safeguarding advice and guidance for staff.

Barnsley College will not limit its view of what constitutes abuse, neglect, exploitation or safeguarding, as these can take many forms and the circumstances of the individual case should be considered.

When dealing with safeguarding concerns, it is important that all staff should 'Think Family' and consider the family members within the household and wider networks who may be at risk of, or experiencing abuse or neglect. In addition, staff must be alert to the wider context of the learner including extra-familial harms and risks outside the family home. The College will make referrals to Children's or Adult Social Care when this is necessary to safeguard children and adults in need of safeguarding, even if they are not part of the College community.

The following six principles underpin all safeguarding work in College with the learner and safeguarding being at the forefront:

- Empowerment – learners being supported and encouraged to make their own decisions and give informed consent. If consent isn't given, but in order to fulfil its statutory safeguarding duties, the College still has to make a referral to Children/Adult Social Care and/or the police. This will be explained sensitively and supportively along with an explanation as to the reasons why.
- Prevention – it is better to take action before harm occurs.
- Proportionality – the least intrusive response to the risk presented.
- Protection – support and representation for those in greatest need.
- Partnership – local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- Accountability – accountability and transparency in delivering safeguarding.

Attendance Monitoring

To enable safe and effective safeguarding processes, registers of attendance should be completed for each appropriate session; this should be done in a timely fashion (ideally in the first 20 minutes of that session). Where a digital register is not possible (such as remote or outdoor working), a paper record may be used temporarily. Recurrent absence, patterns of absence, absence without notification and absence where a learner leaves their learning activity part way through the day, can all be indicators of possible safeguarding issues. Curriculum areas should monitor and follow-up on attendance; concerns should be reported to the central Safeguarding Team.

Children Who are Absent from Education

A learner being absent from College, particularly repeatedly, for prolonged periods and/or with unexplained absences, could be a warning sign of a range of safeguarding issues including abuse, neglect or exploitation. Reasons for absences **must** be fully explored by staff with the learner and parents/carers, to enable early identification of emerging issues and/or safeguarding related concerns, to then allow for appropriate support and action to be taken.

The College has a number of procedures in place to support the early identification of absent students:

- Admissions procedure.

- Attendance monitoring.
- Tutorial team structure.
- Student registration rules.

If a child is removed from College roll, parents/carers must be informed.

Online safety

Staff must recognise that technology is a significant component in many safeguarding and wellbeing issues and, learners can be both victims and perpetrators of online abuse. Often the abuse and wider risks take place concurrently both online and offline.

As College increasingly works online, it is essential that learners are safeguarded from potentially harmful and inappropriate online material.

Learners need to be safeguarded from the following areas of risks online:

- Content - inappropriate and harmful content.
- Contact – harmful online interactions.
- Conduct – online behaviour that causes or increases the likelihood of being subjected to harm.
- Commerce – including online gambling, phishing, financial scams.

Some online risks may lead to the learner being harmed and/or becoming involved in illegal activity including, but not limited to, radicalisation, cyberbullying, hate crime, non/consensual sharing of semi-nude and nude images and/or videos, revenge pornography, harassment, cybercrime, selling and distributing illegal drugs.

As such, leaders and managers must ensure that appropriate measures are in place to protect learners from potential online safeguarding issues (online harms) and ensure that their own online behaviour is not abusive in any way. Measures include:

- induction and tutorial learning which trains learners to understand the potential dangers online alongside appropriate online behaviour including regular and timely updates;
- tutorial/RSE learning activity which ensures that learners understand how to report online safeguarding issues;
- training for staff;
- appropriate filters and monitoring of in-College internet access, including the identification of trends and potential issues.

Filtering and Monitoring

College has in place appropriate IT filtering and monitoring systems to safeguard learners in regards to online harm related risks. Intention is to limit the risk of a student's exposure to online harms and risks (the 4 Cs) from College's IT systems.

These systems assist in blocking harmful and inappropriate content. These systems are regularly reviewed, at least annually, to ensure they are effective and fit for purpose for the College community. If a staff member has a concern linked to IT filtering and monitoring systems, harmful and/or inappropriate content, they **must** alert the College's IT department and central Safeguarding Team respectively.

SPECIFIC SAFEGUARDING ISSUES

Whilst specific safeguarding issues are detailed below, this list should not be read as exhaustive. This policy should be read in conjunction with statutory guidance detailed in the introduction to this policy, which contains further detailed and important additional information about specific forms of abuse, neglect, exploitation and wider safeguarding issues.

Prevent

It is important that all learners are protected from the risk of radicalisation and that staff are aware that learners may be susceptible to radicalisation into terrorism. Section 26 of *'the Counter-Terrorism and Security Act 2015' (the Act)* places a duty on certain bodies ("*specified authorities*" listed in Schedule 6 to the Act), in the exercise of their functions, to have "*due regard to the need to prevent people from being drawn into terrorism*". It is the responsibility of Barnsley College in its capacity as a provider of further and higher education respectively, to have regard to this duty. The duty also requires the College to 'actively promote' the Fundamental British Values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.

For further details see the College's separate Prevent Policy.

Female Genital Mutilation

Female Genital Mutilation (FGM) is illegal in England and Wales under the FGM Act 2003. It is a form of child abuse and violence against women. FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons.

Section 5B of the FGM Act 2003 places a mandatory reporting duty which requires regulated health and social care professionals and teachers in England and Wales to report personally to the police 'known' cases of FGM in under 18s which they identify in the course of their work, where they either:

- are informed by a girl under 18 that an act of FGM has been carried out on her; or
- observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe that the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth.

Complying with the duty does not breach any confidentiality requirement or other restriction on disclosure which might otherwise apply. This duty does not apply in 'at risk' or suspected cases.

The central Safeguarding Team must make an appropriate referral to Children's Social Care if it is believed that a student has been subjected to FGM. In these cases, parents will not be informed before seeking advice. This duty does not apply in 'at risk' or suspected cases.

For all other College staff, normal safeguarding procedures apply in the reporting of FGM cases.

The Home Office guide 'Mandatory Reporting of Female Genital Mutilation – procedural information' provides further information. [Mandatory reporting of female genital mutilation: procedural information - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Forced Marriage

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person

does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage. Colleges can play an important role in safeguarding children from forced marriage.

The minimum marriage age has now been raised from 16 to 18 years old meaning individuals must be aged 18 and over to get married. It is a crime to carry out any conduct whose purpose is to cause a child to marry before their 18th birthday, even if violence, threats or another form of coercion is not used. As with the existing forced marriage legislation, this applies to non-binding, unofficial 'marriages' as well as legal marriages.

Child Sexual Exploitation (CSE), Child Criminal Exploitation (CCE), County Lines and Serious Violence

CSE and CCE are both forms of abuse which occur in person or online and involve a group or individual taking advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual or criminal activity even when the activity appears consensual. It can involve a child being moved for the purpose of exploitation, more commonly referred to as trafficking. Both males and females can be victims, though their experiences may differ.

Exploitation is also an integral part of county lines activity which involves gangs and organised criminal networks in exporting illegal drugs into other areas within the UK. Sometime, criminal networks will take over a vulnerable person's home and use the property to facilitate exploitation or other criminal activity. This practice is known as cuckooing.

With all forms of exploitation, and in particular sexual exploitation, the activity may appear legal or consensual, when in fact coercion, control and/or other forms of abuse have been used.

Staff should be aware of indicators that may highlight that a student is at risk from or involved with CSE, CCE, county lines or serious and/or gang related violent crime.

Peer on Peer Abuse (referred to in pre-18 education as 'Child on Child' abuse)

Staff should be aware that learners are capable of abusing their peers. This is generally referred to as peer on peer abuse. Peer on peer abuse can take place in or out of College, online and/or in person and can include, though not limited to, bullying, cyberbullying; sexual violence and sexual harassment; physical abuse; sharing semi and/or nude images (also known as sexting); initiation/hazing type violence and rituals; and upskirting. It can also include abuse in intimate, personal relationships or causing someone to engage in sexual activity without consent. Whilst staff need to be aware of the gendered nature of peer on peer abuse, all peer on peer abuse is unacceptable and will be taken seriously.

The College will not tolerate peer on peer abuse. Every report of peer on peer abuse will be taken seriously and considered on a case by case basis, supported by other agencies, such as Children's Social Care and the police as appropriate.

Staff have an important role to play in preventing and responding where they believe a learner is at risk. Staff must challenge inappropriate behaviour between peers. It is not appropriate to downplay certain behaviours or to ever consider peer-on-peer abuse to be excused as "banter". To do so, can lead to a culture of unacceptable behaviour, an unsafe environment or a culture that normalises abuse which would be in contradiction with this policy and would not encourage learners to come forward to report abuse.

Staff must adopt the attitude of 'this could happen here' and remain vigilant, rather than waiting for a disclosure, recognising that learners may not always make a direct disclosure and information may come from overheard conversations or behavioural changes. Staff must adopt a

non-victim blaming approach, reassuring the victims that they are being taken seriously, will be supported and kept safe.

Staff must report such allegations to the central Safeguarding Team who will record the allegations, facilitate the allegations being investigated and record the outcome on the central safeguarding database and relevant learner files.

College will make an immediate risk and needs assessment following the report of peer on peer abuse, including consideration of how to support and protect the victim and alleged perpetrator.

The risk and needs assessment will consider the victim, especially their protection and support, the alleged perpetrator, and all other learners (and, if appropriate adult learners and staff) at College and take any actions appropriate and proportionate to keep them all safe.

The response will be proportionate to the case and support for the victim and alleged perpetrator tailored on a case-by-case basis. Support may be provided by College, external agencies or a combination of both.

The response to manage the report of peer on peer abuse will be proportionate to the case and will include one or a combination of the following options:

- Manage internally
- Early help support
- Refer to social care
- Report to the police

The support for the victim and alleged perpetrator will also be tailored on a case-by-case basis. Support may be provided by College, external agencies or a combination of both.

A whole College proactive approach is adopted to preventing peer on peer abuse and includes:

- mandatory staff training
- student awareness through tutorials
- College zero tolerance stance to peer on peer abuse articulated through policy statement, tutorials and training.

Learner on Learner Sexual Violence and Sexual Harassment

Sexual violence and sexual harassment are never acceptable and will not be tolerated, with College adopting a zero-tolerance approach. Sexual violence and sexual harassment can take place in or out of College, online and/or in person, and can include, though not limited to sexual assault, sexual comments, physical behaviour, online sexual harassment and, upskirting which is now a criminal offence.

Staff must adopt the attitude of 'this could happen here' and remain vigilant, rather than waiting for a disclosure, recognising that learners may not always make a direct disclosure and information may come from overheard conversations or behavioural changes. Staff must adopt a non-victim blaming approach, reassuring the victims that they are being taken seriously, will be supported and kept safe.

The College will not tolerate learner on learner sexual violence and/or harassment. Every report of sexual violence or sexual harassment will be taken seriously and considered on a case by case basis, supported by other agencies, such as Children's Social Care and the police as required. Staff

must report such allegations to the central Safeguarding Team who will record such allegations and the outcome on the central safeguarding database and relevant learner files.

College will make an immediate risk and needs assessment following the report of sexual violence. The risk assessment will consider the risk posed to all learners, staff and the wider College community and adequate measures will be put in place to protect them and keep them safe. College will consider the need for a risk assessment on a case by case basis for reports of sexual harassment.

The risk and needs assessment will consider the victim, especially their protection and support, the alleged perpetrator, and all other learners (and, if appropriate adult learners and staff) at College and take any actions appropriate and proportionate to keep them all safe.

The response to manage the report of sexual violence or sexual harassment will be proportionate to the case and will include one or a combination of the following options:

- Manage internally
- Early help support
- Refer to social care
- Report to the police

The support for the victim and alleged perpetrator will also be tailored on a case-by-case basis. Support may be provided by College, external agencies or a combination of both.

A whole College proactive approach is adopted to preventing learner on learner sexual violence and sexual harassment and includes:

- mandatory staff training
- student awareness through tutorials;
- College zero tolerance stance on learner on learner sexual violence and sexual harassment articulated through policy statement, tutorials and training.

Harmful Sexual Behaviour (HSB)

College will consider harmful sexual behaviour within the context of its safeguarding policy and wider child and adult protection for the perspective of support and also protection.

In particular in relation to children (learners under the age of 18), harmful sexual behaviour refers to inappropriate, problematic, abusive and violent behaviours, that can occur online, offline or simultaneously, where the behaviour is not developmentally expected. Of particular consideration is the age and stage of development of the children involved, as well as if there are any other aggravating/concerning factors.

The response will be proportionate to the case and support for the victim and alleged perpetrator tailored on a case-by-case basis. Support may be provided by College, external agencies or a combination of both.

The response to manage the report of harmful sexual behaviour will be proportionate to the case and will include one or a combination of the following options:

- Manage internally
- Early help support

- Refer to social care
- Report to the police

Indecent Imagery (Sending of Nudes and Semi-Nudes)

Learners will share photos, videos, livestreams via messaging apps, image sharing platforms or posted on social media on a regular basis to connect with friends and families, and share life experiences. This can be via social media, gaming platforms, chat apps, forums, sharing between devices which works offline. It can happen publicly online, in 1:1 messaging or via group chats and closed social media accounts. In the main, these images or videos are not nudes, semi-nudes and/or exploitative or intended to be so. However, staff must be aware that when this is not the case, especially when the learner is still a child, staff must adopt a non-victim blaming attitude and approach and report all incidents immediately to the DSL and/or central Safeguarding Team. In doing so, staff must familiarise themselves with and follow the checklist of what to do and not to do in such circumstances, provided 'Sharing Nudes and Semi-Nudes: How to Respond to an Incident' ([Sharing nudes and semi-nudes: how to respond to an incident \(overview\) \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/642217/sharing-nudes-and-semi-nudes-how-to-respond-to-an-incident-overview.pdf))

The DSL and central Safeguarding Team will respond to the incident in line with the Government guidance 'Sharing Nudes and Semi-Nudes: Advice for Education Settings Working with Children and Young People' ([Sharing nudes and semi-nudes: advice for education settings working with children and young people - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/642217/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people.pdf))

The response to manage the incident will be proportionate to the case, in line with legislation and the guidance and, will include one or a combination of the following options:

- Manage internally
- Early help support
- Refer to social care
- Report to the police.

The support for the victim and/or alleged perpetrator will also be tailored on a case-by-case basis. Support may be provided by College, external agencies or a combination of both.

Unsubstantiated, unfounded, false or malicious reports

If a safeguarding report is determined to be unsubstantiated, unfounded, false or malicious, College will first consider if the learner making the allegation has done so as a cry for help, needs other help or may have been abused or harmed in some other way by someone else. If appropriate, a referral to social care will be made.

If a report is determined to be deliberately malicious or invented, the College may decide to follow its own Behaviour Support Policy as a mechanism to respond to such a report.

Upskirting

The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and/or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone can be a victim.

Domestic Abuse

The Domestic Abuse Act 2021 now creates a statutory definition of domestic abuse as;

“Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if— (a) A and B are each aged 16 or over and are personally connected to each other, and (b) the behaviour is abusive”.

In summary, the Act emphasises that domestic abuse is not just physical violence or threatening behaviour, but can also be coercive or controlling, emotional, sexual and/or economic abuse. As part of this definition, children are explicitly recognised as victims if they see, hear or otherwise experience the effects of abuse.

As a result, staff should now be aware that the definition of child abuse has been updated to include harm experienced by the impact of domestic abuse. This includes ill treatment that is not physical as well as the impact of witnessing ill treatment of others. It can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse, including where they see, hear or experience its effects.

This expands the list of potential threats to young people’s safety to include domestic abuse, including controlling or coercive behaviour and the impact this has on children. Reference is made to the fact that the harm may be indirect and non-physical in cases of controlling/coercive behaviour and economic abuse.

DEALING WITH A CONCERN

Staff must have an attitude of ‘it could happen here’ where safeguarding is concerned. Staff must remain vigilant to concerns, exercising professional curiosity, rather than waiting for a disclosure. Staff must recognise that learners may not always make a direct disclosure and information may come from overhearing conversations or observing behaviour changes. Staff must act immediately on any concerns they have and always in the best interests of the learner. Staff must reassure learners that they are being taken seriously, will be supported and kept safe. Staff must never make a learner feel like they are creating a problem when reporting a concern and always adopt a non-victim blaming approach to concerns.

Early identification and reporting of concerns is vital to the effective identification, assessment and allocation of appropriate actions, services and referrals. It is not the responsibility of any member of the College community to investigate any suspicions or concerns that a learner is at risk of or is suffering significant harm. The concerns should be reported to the central Safeguarding Team immediately and should also be recorded on the College's CPOMS system. Staff should provide as much detail as possible about the concern, clarifying the basic facts and including what is known about the learner, any vulnerabilities and wider contextual information especially any known risks or concerns within or outside of the family home. If an alleged crime has been committed, it is necessary to gather the basic facts about the alleged perpetrator (including name, age, address, access to children and adults), but not take any action that might alert the alleged perpetrator.

A safeguarding cause for concern is an action, observation, disclosure or discussion that raises concerns for a staff member about the safety or wellbeing of a learner.

All safeguarding causes for concern must be recorded on the College’s CPOMS system with Safeguarding Team immediately alerted. Staff must include any actions already taken, with any further actions required, to be agreed with the central Safeguarding Team along with the named staff member undertaking the action(s). This may include managing support for the learner internally within College’s own support systems and services, early help assessment, referral for voluntary or statutory services. Whilst awaiting the advice and actions from the Safeguarding Team, staff must continue to monitor the situation that has led to report in a cause for concern. If

the situation changes in the interim, staff must report in immediately any further details. In addition, if the concern is, or becomes, one of immediate suffering or likely to suffer significant harm, staff **must** follow the guidance detailed below.

The Safeguarding Team will consider if the concern needs to be passed on to Children's or Adult Social Care for further action, following the procedures of these agencies respectively for making a referral.

If, at any point, there is a risk of immediate serious harm to a learner or staff believe that a learner is suffering or likely to suffer significant harm, **direct** contact must be made with a member of the Safeguarding Team immediately so that prompt, appropriate action and referrals can be made to safeguard the learner. If staff are unable to make contact with a member of the Safeguarding Team, a referral **must** immediately be made by that member of staff directly to Children's or Adult Social Care, depending on the age of the learner and it must be to the Social Care team in the Local Authority area where the learner resides. In addition, if appropriate, support from the relevant emergency services should be sought (police/ambulance/fire services).

Staff must seek advice and support from the central Safeguarding Team on safeguarding concerns. Staff must not assume that a colleague or another professional will take action or share information that might be critical, in keeping learners safe. Staff should be mindful that early information sharing can be vital for the effective identification, assessment and allocation of appropriate resources when a problem first emerges or where the learner might be known to other services, including social care.

If a learner has a Social Worker, staff must keep the Social Worker updated on any safeguarding concerns regarding the learner, as well as the Safeguarding Team.

The CPOMS system provides a confidential, secure, electronic safeguarding file for a learner and includes:

- learner information
- details of other agencies the learner may be working with
- whether child protection, child in need, early help assessment or adult safeguarding arrangements are in place
- chronological information including cause for concerns, emails, telephone calls, meeting notes
- information on any siblings and wider family members, if appropriate
- Records of cause for concerns including a clear and comprehensive summary of the concern, details of how the concern has been followed up and resolved and, a note of any action taken, decisions reached, the rationale for those decisions and the outcome. This should include instances where referrals were or were not made to another agency such as LA Children's Social Care or the Prevent programme.

In College, the central Safeguarding Team holds the safeguarding records for learners on the CPOMS system, which is locked down separately from the learners' main record, due to the highly confidential nature of a child/adult protection or safeguarding concern. The central Safeguarding Team are responsible for making appropriate records. However, **all** staff are responsible for populating a learner's safeguarding file. All safeguarding related discussions, telephone calls, emails and meetings in relation to the learner must be recorded by all staff on CPOMS to enable an up to date chronology to be maintained of the safeguarding concerns regarding the learner and the action taken. Staff **must not** use ProMonitor, Microsoft Teams or email as a vehicle to

communicate and/or share information with the central Safeguarding Team on safeguarding related matters for current learners.

Staff should be aware that records may be shared with others at some stage and in exceptional cases, the possibility that they may become evidence in court proceedings.

As a contingency plan, should staff not be able to access CPOMS at any time to record a safeguarding cause for concern, an electronic copy of the cause for concern form is available for completion. In such circumstances, the safeguarding cause for concern as well as any updates can be sent via email into the central Safeguarding Team email inbox at safeguarding@barnsley.ac.uk. The Safeguarding Team will then upload this information onto CPOMS.

The DSL and other appropriate professionals will hold a monthly meeting to discuss and review all live and dormant records. The DSL will then be able to:

- monitor that the agreed actions have been implemented;
- assess the impact of the actions and the progress being made;
- agree the next steps;
- quality assure the written records;
- collate a report for the governing body outlining the level of child and adult protection concerns and work being undertaken;
- ensure that clear actions are followed up where there is a child or adult protection plan in place and the outcomes are monitored;
- ensure the College is represented at relevant meetings.

Dealing with a serious safeguarding incident

In the event of a serious safeguarding incident, such as the death of a learner, staff must report this into the central Safeguarding Team immediately and without delay. The Designated Safeguarding Lead (DSL) will then ensure immediate notification to the Local Safeguarding Partnership and/or Local Safeguarding Board where the learner lives, as appropriate, and in accordance with their policies, processes and procedures.

If the College is notified by the Local Safeguarding Partnership, Local Safeguarding Board or any other agency of a serious incident involving a learner, the DSL will ensure the College responds in accordance with relevant external policies, processes and procedures.

In addition, the DSL will convene an urgent internal meeting with relevant College managers to discuss and agree an action plan. The action which will include possible effects on staff, students and the wider College community; and any support needed.

All incidents will be reported internally, as a cause for concern on CPOMS. The College's response, actions and decisions taken as a result of a serious incident will all be recorded on the learner's safeguarding file on CPOMS.

If staff and/or external agencies need to report a serious safeguarding incident out of hours and/or during holidays, please follow the guidance below for reporting in via the safeguarding cover arrangements.

Central Safeguarding Team Out of Hours and Holiday Cover Arrangements

All and any safeguarding concerns should be reported to the central Safeguarding Team throughout the academic year. In a case where a learner may be in imminent danger outside of regular working/College hours, the police, Social Care or NSPCC should be contacted using the links specified below. All cause for concerns **must** still be recorded on CPOMS to ensure that the central Safeguarding Team is then able to follow up on safeguarding concerns during normal college hours.

Safeguarding cover arrangements are in place for holiday periods when College buildings are open. Staff should use the main office contact details for the Safeguarding Team of 01226 216142 or safeguarding@barnsley.ac.uk. College's main reception staff also have details of the safeguarding cover arrangements during such times should staff require any assistance with regard to this.

For urgent issues, safeguarding cover arrangements will be in place with the support of the Whole College Duty Manager, Designated Safeguarding Lead, Deputy Designated Safeguarding Lead and the central Safeguarding Team.

However, as detailed above, if staff are unable to make contact via the safeguarding cover arrangements, a referral **must** immediately be made by that member of staff directly to Children's or Adult Social Care, depending on the age of the learner and it must be to the Social Care team in the Local Authority area where the learner resides. In addition, if appropriate, support from the relevant emergency services should be sought (police/ambulance/fire services).

For concerns about personal safety, contact the police 999 (emergency) or 101 (non-emergency).

For concerns regarding health and wellbeing, contact your out of hours doctors or call the NHS Direct on 111.

For out of hours Social Care support for children (under 18) and adults, contact the out of hours service on 01226 787789. If the learner lives outside of the Barnsley area, contact the out of hours Social Care service from the area where they live.

For safeguarding concerns relating to learners under the age of 18, staff can also contact the NSPCC on 0808 800 5000 or help@nspcc.org.uk

SAFEGUARDING ARRANGEMENTS FOR 14-16 YEAR OLD LEARNERS

Some learners studying at College are aged between 14-16 years old and will be in the equivalent to Years 10 & 11 of secondary school.

14-16 Year Olds Enrolled at College Full Time

- For any learners who are on the College roll, the established College safeguarding procedures apply. 14-16 learners are based at a campus exclusively used by 14-16 year olds and taught in discrete classes. Where they access provision at other campuses, they should be directly supervised at all times including break and lunchtimes.
- Absences must be followed up immediately, and contact established with the Education Welfare Service where there are ongoing concerns around attendance.
- Should a return home arrangement arise (for example, first aid incident, weather), this is achieved following normal College procedures and in liaison with the learner's parent/carer to ensure safe transportation and arrival home of the learner.

14-16 Year Olds Enrolled at College While Registered as Electively Home Educated

For learners who attend provision at College while registered as EHE, the parent retains responsibility for their education. The established College safeguarding procedures apply to these learners. Departments where these learners are based should:

- ensure that these learners are supervised at all times including during break time and lunchtime;
- ensure that these learners are not educated in the same room, at the same time, as a learner aged 19 or over;
- liaise with the parents/carers regarding any issues of attendance. Absences must be followed up immediately to ensure the safety and wellbeing of the learner.
- ensure that in instances where a return home arrangement arises (for example, first aid incident, weather), this is achieved, in consultation with the School (If applicable) and, following normal College procedures and in liaison with the learners' parent/carer to ensure safe transportation and arrival home of the learner.

14-16 Year Olds on School Roll but Accessing College Provision

14-16 year old learners still on school roll, but may be attending College through an arrangement with the school; the school has ultimate responsibility for safeguarding those learners. Therefore, any safeguarding concerns that arise through College should be reported into the designated member of school staff immediately. The school and College will then liaise regarding the most appropriate course of action in order to safeguard the learner. If the designated member of school staff cannot be contacted, and the safeguarding concern is one that requires immediate action, College has a responsibility to act immediately to safeguard the learner and notify the designated member of school staff as soon as is practicably possible. Departments where these learners are based should:

- ensure that these learners are supervised at all times including during break time and lunchtime;
- ensure that these learners are not educated in the same room, at the same time, as a learner aged 19 or over;
- liaise with the school and parents/carers regarding any issues of attendance. Absences must be followed up immediately to ensure the safety and wellbeing of the learner.
- ensure that in instances where a return home arrangement arises (for example, first aid incident, weather), this is achieved, in consultation with the school and, following normal College procedures and in liaison with the learners' parent/carer to ensure safe transportation and arrival home of the learner;
- ensure that any behaviour concerns that may result in the learner being temporarily excluded from College provision are discussed with the school before any action is taken, such as them returning home.

Children Missing Education – for 14-16 year old learners enrolled at College Full time or as an EHE

Children missing education are defined as children of compulsory school age who are not registered on a school roll or receiving suitable education otherwise than being at a school.

For relevant College learners, in line with the guidance, who have a regular pattern of absence, have not returned to College for 10 days after an authorised absence, or are absent from College without authorisation for 20 consecutive school days or more without permission, are at risk of becoming 'children missing in education'. Staff should be alert to the fact that children being

absent on repeated occasions, for prolonged periods and/or with unexplained absences can act as a warning sign of a range of safeguarding issues including abuse, neglect or exploitation. Reasons for absences **must** be fully explored by staff with the learner and parents/carers, to enable early identification of emerging issues and/or safeguarding related concerns, to then allow for appropriate support and action to be taken.

If College has not been able to confirm the location of a learner by following their attendance policy and working with the Education Welfare Service, staff must complete a children missing education referral as soon as possible and no later than the 10th school day of absence.

When College suspects it has a missing learner, from the 1st day of absence up to the 10th college day of absence, College must make all initial enquiries to locate the learner, for example telephone calls, letters, home visits, emails. If College has not been able to confirm the location of the learner by the 11th college day of absence, they must refer to the Local Authority where the child lives by completing the 'Children Missing Education' referral form. If College and the Local Authority have failed, after jointly making reasonable enquiries, to ascertain the learner's whereabouts, and the learner has been absent for a minimum of 20 college days, the Education Welfare Service will advise College as appropriate, which may include removing the learner from College roll. Parents/carers must be contacted if their child is being removed/withdrawn from College roll.

Where 14-16 learners are still on school roll, College staff must notify the relevant school link person. Where the learners are on College roll or are being educated as part of their home education provision, then the Local Authority must be informed via the College's 14-16 lead.

SAFEGUARDING STRUCTURE IN COLLEGE AND THE ROLE OF STAFF

The Designated Safeguarding Lead for Safeguarding and Prevent at Barnsley College is the: **Vice Principal tudents**

In their absence, these matters will be dealt with by the Deputy Designated Safeguarding Lead: **Head of Safeguarding.**

There is a **Designated Governor** for Safeguarding and Prevent.

The Head of Safeguarding provides the day to day operational management of safeguarding across College. This includes managing the central Safeguarding Team to support with this operational responsibility. This team works across College providing a range of support, advice and guidance on safeguarding and Prevent, to all departments. The central Safeguarding team consists of the Head of Safeguarding, a Senior Safeguarding Officer, Safeguarding Officer, Safeguarding Adviser and a Safeguarding Administrator. All safeguarding cause for concerns must be reported through to this central team.

In addition, every College department has a Departmental Safeguarding Representative (DSR) who acts as the point of contact between the central Safeguarding Team and the department.

See Appendix C for the full detail of roles and responsibilities of designated safeguarding staff and the role and responsibility of all staff.

Recruitment

In order to ensure that learners are protected whilst at Barnsley College, we will ensure that our staff and volunteers are carefully selected, screened, trained and supervised.

We accept our responsibility undertake recruitment policy that follow the guidance set out in the statutory guidance 'Keeping Children Safe in Education 2024'.

We understand that some people otherwise unsuitable for working with children and adults in need of safeguarding may use volunteering to gain access to children and adults. For this reason, any volunteers in the College, in whatever capacity, will be recruited in line with Recruitment and Selection Policy. The same principals will be applied to the admittance of 'non-staff'; members of staff from partner agencies who work in an unsupervised capacity with learners internal or external to the College premises.

Please refer to the College's Recruitment and Selection Policy for further details.

Induction and Training

All new members of staff will receive induction training, which will give them an overview of the organisation and ensure they know its purpose, values, services and structure, as well as how to identify and report abuse and safeguarding concerns within the appropriate levels of confidentiality.

All new staff (and volunteers) will complete an online safeguarding and prevent training programme prior to commencing work at the College. They will be expected to attend a suite of mandatory safeguarding training during induction which includes general safeguarding awareness, FGM, Prevent, Channel, online safety awareness, expectations/roles/responsibilities in relation to filtering and monitoring training. This will enable staff to effectively fulfil their responsibilities in respect of safeguarding learners. Other training will be provided to staff throughout the academic year as appropriate.

Staff will also receive a copy of the Safeguarding Policy on starting their work at the College. As part of the induction programme, it is mandatory for staff to read and familiarise themselves with College's Safeguarding and Prevent related policies and procedures. In addition, staff are expected to read Part 1 of the most recent version of 'Keeping Children Safe in Education' available via:

[Keeping children safe in education 2024 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/912024/keeping-children-safe-in-education-2024.pdf)

Staff will be directed to the Safeguarding section of the College's intranet, where they can gain access to copies of all the relevant safeguarding related policies and procedures both internal and external.

All staff will attend full refresher training every 3 years. Annual updates for all staff will be provided through scenario-based training as well as newsletters, emails, and staff meetings that staff are expected to participate in. In addition to this, all staff are expected to re-read this policy and Part 1 of Keeping Children Safe in Education annually, and confirm that they have done so.

The Designated Safeguarding Lead, Deputy Designated Safeguarding Lead and the College's central Safeguarding Team will update their training annually. Attendance at College training will also be open to contractors, sub-contractors, volunteers, extended schools providers, governors and any other parties that come in to contact with College learners on a regular basis.

For any staff visiting the College for short periods and staff who are unable to access face to face safeguarding awareness related training that staff are subject to, the College expects them to complete the online training detailed above as a minimum as well as additional training as directed by the College from time to time. In addition, they will be given access to relevant safeguarding related policies, procedures and information and they will be expected to confirm

that they have read and understood their role and responsibility. Training and updates can take place via online platforms (such as Microsoft Teams) where in-person delivery may not be possible.

Conduct of Staff

The College has a duty to ensure that high standards of professional behaviour exist among all staff who come into contact with learners and that all members of staff are clear about what constitutes appropriate behaviour and professional boundaries. This includes both in person and online behaviour.

At all times, members of staff are required to work in a professional way with learners. All staff should be aware of the dangers inherent in:

- working alone with a learner;
- physical interventions;
- cultural and gender stereotyping;
- dealing with sensitive information;
- giving to and receiving gifts from learners and parents;
- contacting learners through private telephones (including texting), email, social networking websites or messaging facilities;
- disclosing personal details inappropriately;
- meeting learners and families outside College hours or College duties.

There is an additional expectation placed on teachers via the Teachers' Standards whereby teachers are expected to have a clear understanding of the needs of learners and manage behaviour effectively to ensure a good and safe educational environment.

Appropriate training will be provided to staff in relation to the areas listed above.

If any member of staff has reasonable suspicion that a learner is suffering harm and fails to act in accordance with this policy and the relevant Safeguarding Children Partnership and Safeguarding Adults Board procedures, the College will view this as misconduct, and take appropriate action.

Whistleblowing Procedure

An agreed **whistleblowing procedure** in relation to safeguarding is in place in order to support the College ethos where learners and staff can talk freely about concerns, poor or unsafe practice or potential failings, knowing they will be listened to, and appropriate action taken.

Staff should contact the Designated Safeguarding Lead in the first instance. However, if they have concerns about the DSL, and/or they feel their genuine concerns are not being addressed, they should contact the Principal or Deputy Principal. If staff feel their genuine concerns are not being addressed by senior managers, they should contact the Chair of the Board of Governors.

Alternatively, if staff feel they are unable to raise their issue internally or feel that their genuine concerns are not being addressed, other whistleblowing channels are available including through the NSPCC by contacting 0800 028 0285 or help@nspcc.org.uk.

There are a range of mechanisms in place to ensure that learners feel comfortable to express their concerns to staff, for example:

- to the College tutorial teams
- at any stage of a learner's course as promoted during induction
- to the safeguarding inbox
- via learner voice meetings
- at drop-in sessions and walk-in at the Health & Wellbeing Centre
- an open approach to discussing issues with staff, either online via a College communication platform, or in person

ALLEGATIONS MADE AGAINST/CONCERNS RAISED IN RELATION TO STAFF, GOVERNORS, VOLUNTEERS, CONTRACTORS, SUB-CONTRACTORS, EMPLOYERS

There are two levels of allegation/concern that may arise against those working in or on behalf of College in a paid or unpaid capacity:

- allegations that may meet the harms threshold
- allegations/concerns that do not meet the harms threshold – referred to as 'low level concerns'.

All concerns, regardless of whether they meet the harms threshold or not, should be reported into the Director of Human Resources, who will then decide on the next steps. Concerns may arise as a result of face to face and/or online behaviour.

ALLEGATIONS THAT MAY MEET THE HARMS THRESHOLD

This relates to 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 children in College.

Paid and unpaid staff

Allegations against members of staff, whether paid or unpaid, (including any volunteer, governor, contractor, sub-contractor) must be reported immediately to the Director of Human Resources. The Director of Human Resources will then decide on the next steps.

If the learner is a child (under 18) and anyone makes an allegation (current or historic) or it is suspected that a member of staff may have:

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

The last bullet point above includes behaviour that may have happened outside of College, but that might make an individual unsuitable to work with children; this is known as transferable risk. Where appropriate, College will undertake an assessment of transferable risk to children.

This must be reported without delay to the Director of Human Resources who will handle such allegations. Basic information about the allegation will be collated and a decision made as to whether it meets the threshold to be reported to the Local Authority Designated Officer (LADO)

and if so, contact will be made with the LADO immediately. The LADO will discuss the concerns and offer advice and guidance on how the situation will be managed. The College will not investigate the concerns or enter into discussions with the alleged perpetrator without initial advice and guidance from the LADO.

If the learner is an adult (18+) with care and support needs and an allegation (current or historic) is made or it is suspected that a member of staff may have:

- behaved in a way that has harmed or may have harmed an adult with care and support needs;
- possibly committed a criminal offence against or related to an adult with care and support needs;
- behaved towards an adult with care and support needs in a way that indicates s/he is unsuitable to work with adults with care and support needs;
- behaved in a way that has harmed children or may have harmed children which means their ability to provide a service to adults with care and support needs must be reviewed;
- may be subject to abuse themselves and this may mean their ability to provide a service to adults with care and support needs must be reviewed;
- behaved in a way which questions their ability to provide a service to an adult with care and support needs which must be reviewed e.g. conviction for grievous bodily harm against an adult who does not have care and support needs.

In the case of such allegations against staff, the adult safeguarding guidance refers to staff as People in a Position of Trust (PiPoT). Such allegations must be reported without delay to the Director of Human Resources, who will handle such allegations in line with the Barnsley Safeguarding Adults Board 'Protocol for Responding to Concerns about a Person in a Position of Trust'.

This protocol must be followed in all cases by the College when it becomes aware of a concern where information (whether current or historic) is identified in connection with:

- the PiPoT's own work / voluntary activity with Adults and / or Children;
- the PiPoT's life outside work i.e. concerning adults with care and support needs in the family or social circle;
- the PiPoT's life outside work i.e. concerning risks to children, whether the individual's own children or other children.

Children - whilst the PiPoT protocol is concerned with potential harm to adults with care and support needs, if the allegation is such that there is a concern that the person may also pose a risk to children, then Children's Services and/or LADO must be informed as appropriate.

Staff, Volunteers and Visitors not employed by the College including Supply/Agency Teachers & staff, sub/contracted staff, visitors, partners, commercial lettings clients and private hire clients, partners

In some circumstances, College will have to consider an allegation against an individual not directly employed by us, where our disciplinary procedures do not fully apply, for example, supply teachers provided by an employment agency, contracted staff, commercial lettings clients. Whilst College is not the employer in these instances, we should still ensure allegations are dealt with appropriately. In no circumstances should College decide to cease to use an individual due to safeguarding concerns, without finding out the facts and, where appropriate, liaising with the

Local Authority Designated Officer (LADO) to determine a suitable outcome. All concerns must be reported without delay to the Director of Human Resources who will handle such allegations. Basic information about the allegation will be collated and a decision made as to whether it meets the threshold to be reported to the Local Authority Designated Officer (LADO) and if so, contact will be made with the LADO immediately. The LADO will discuss the concerns and offer advice and guidance on how the situation will be managed. The College will not investigate the concerns or enter into discussions with the alleged perpetrator without initial advice and guidance from the LADO.

CONCERNS THAT DO NOT MEET THE HARM THRESHOLD - LOW LEVEL CONCERNS

College adopts and promotes a whole college approach to safeguarding which includes an open and transparent culture whereby any concern in relation to an individual working in or on behalf of College will be dealt with promptly, proportionately and appropriately. This will enable early identification of any concerning behaviour, minimise the risk of abuse, and ensure clarity about professional boundaries in accordance with the values and ethos of working in or on behalf of college.

A 'low level concern' does not mean that it is insignificant, it just means that it does not meet the harms threshold. A low level concern is any concern, that an individual working in or on behalf of College may have acted in a way that:

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

It can be any concern, including linked to online behaviours, no matter how small, including a nagging doubt or sense of unease.

Allegations or concerns against members of staff, whether paid or unpaid, employed by the College or not (including any volunteer, governor, contractor, sub-contractor, partners, commercial lettings or private hire clients) must be reported immediately to the Director of Human Resources. The Director of Human Resources will then decide on the next steps.

Examples include but are not limited to:

- being over friendly with learners and/or having favourites;
- taking photographs of learners on personal mobile phones;
- engaging with a learner on a one-to-one basis in a secluded area behind a closed door;
- using inappropriate sexualised, intimidating or offensive language.

Any low level concerns raised in regards to non-College employees or volunteers, will be directed to the relevant point of contact in the organisation that they represent or other relevant body, as appropriate.

PHYSICAL CONTACT AND RESTRAINT

Members of staff may have to make physical interventions with learners. Members of staff will only do this in line with College policy as outlined in the Use of Force to Control or Restrain Policy. Staff should recognise the additional vulnerability of learners with SEN, disabilities or medical

conditions when reasonable force is used in response to risks presented by incidents involving these learners.

PRIVATE FOSTERING

Private fostering is a private arrangement whereby a child under the age of 16 (under 18 if disabled) is cared for and accommodated by someone who is not their parent, does not have parental responsibility for them or is not a relative in their own home. For a child to be privately fostered, the person caring for and accommodating them must have done so for 28 days or more.

If the College becomes aware that a learner is being fostered privately, they must notify the Local Authority Fostering Team to ensure that the learner is being safeguarded and, the arrangements are suitable and safe.

SUBCONTRACTING

The College is committed to ensuring that all students in our subcontracted provision are safeguarded. Through due diligence, quality audits and unannounced visits we gather evidence to provide assurance and intervene if necessary.

Where the College contracts its services to outside providers, we will ensure that these providers have received the appropriate training in safeguarding and Prevent and have relevant policies and procedures in place. We will ensure there are arrangements in place to link with the College on such matters. Such considerations will be made explicit in any contract or service level agreement with the provider.

Please see the subcontracting policy for more detailed information.

CONTRACTING

- All contractors require an enhanced DBS check and cannot work unsupervised at all if checks are not carried out.
- The college is responsible for determining the appropriate level of supervision.
- Colleges should always check the identity of contractors and their staff on arrival at the college.
- Contractors are on the College's Single Central Register.

PHOTOGRAPHING LEARNERS UNDER THE AGE OF 18

We will not allow images of learners to be used on College websites, social media, publicity, or press releases, without express permission to do so from parents/carers. The College cannot however be held accountable for photographs or video footage taken by parents/carers or members of the public at College functions.

On the occasions that the College has a photographer or videographer present at events or for other purposes, we will inform and seek additional permissions to use any footage or photographs taken on any media.

RISK ASSESSMENTS

The College uses risk assessment to inform the planning of safeguarding activities. This may include individual learner risk assessments where the needs or circumstances of the individual dictate that completion of a risk assessment would be beneficial. There may be occasions when the College assesses the risk of an individual as too high for the College to manage the risk at that time. If this is the case, this will be communicated to the individual along with the reason(s). If the individual wishes to appeal the decision, they may do so by following the College's complaints procedure. In some cases, the risk assessment may indicate that it is possible for the learner to be engaged in an online learning programme. Risk assessments are reviewed and updated on a regular basis as needs demands and at least once every year.

CONFIDENTIALITY AND SHARING INFORMATION

The College, and all members of staff at the College, will ensure that all data about learners is handled in accordance with the requirements of the law and any national and local guidance.

Any member of staff who has access to sensitive information about a learner or the learner's family must take all reasonable steps to ensure that such information is only disclosed to those people who need to know when there is a legal duty to share information.

Regardless of the duty of confidentiality, working within the remit of our safeguarding duties, if any member of staff has reason to believe that a learner may be suffering harm, or be at risk of harm, their duty is to forward this information without delay to the central Safeguarding Team.

We will raise awareness of our safeguarding responsibilities with parents and carers. We will also, if appropriate, share concerns about the welfare of a learner with a parent or carer. The College is committed to working with parents and carers positively, openly and honestly. We will share with parents or carers any concerns we have about their child, in line with our safeguarding duties, unless doing so may place the child at risk of harm.

In accordance with the requirements of "*Working Together to Safeguard Children (2023)*" and '*The Care Act Statutory Guidance (2014)*' and *GDPR*, we will share information about safeguarding concerns with other relevant agencies on a need to know basis. In addition, other relevant agencies may contact us for information that we hold in relation to a learner. Any requests around learner details or information in relation to a safeguarding concern should be referred immediately to the central Safeguarding Team so that a prompt decision can be made about what information can and will be shared.

Staff must recognise the need to comply with relevant legislation and guidance in relation to data protection, confidentiality and information sharing.

College will share information within the statutory and legal powers granted to share, hold and use information for the purposes of identifying and tackling any form of abuse, neglect, exploitation or wider safeguarding concern as well as promoting a child's welfare, including in relation their educational outcomes. College will share information as early as possible to assist in identifying, assessing and responding to risks or concerns about the safety and welfare of a learner, and sharing with practitioners and local agencies as relevant and appropriate.

Where an at risk child (under 18) transfers to a different education provider, the DSL will ensure their child protection file is transferred to the new school or College as soon as possible, and within 5 days for an in-year transfer or within the first 5 days of the start of a new term to allow the new school or college to have support in place for when the child arrives. In addition, the DSL will consider if it is appropriate to share any information in advance of the child leaving, that

would allow the new school or college to continue supporting the child or put the right support in place prior to their arrival.

RETENTION OF SAFEGUARDING RECORDS

Child protection and safeguarding records will be kept until the child is 25 (which is seven years after they have reached school leaving age) unless there are exceptional statutory, regulatory, legal or security circumstances that would require the records to be kept for longer periods.

Adult protection and safeguarding records will be kept for 6 years plus current, otherwise known as 6 years + 1 unless there are exceptional statutory, regulatory, legal or security circumstances that would require the records to be kept for longer periods.

MONITORING OUR PROGRESS

The College will collect and analyse data and information to measure our progress towards the values set out in this Safeguarding Policy. We will use the views of learners, parents, carers and other stakeholders to inform the changes and improvements we make. The College will keep accurate records of safeguarding, child and adult protection issues that have been brought to our attention and will use accurate and up to date information to inform our strategic and operational decision making.

GUIDANCE FOR STAFF SHOULD THERE BE A PARTIAL OR WHOLE COLLEGE CLOSURE

Staff should continue to adhere to this policy during periods of partial or whole College closures, the main difference being that contact with learners and key staff will transfer to telephone, email and/or online contact, as appropriate.

Our safeguarding principles in accordance with 'Keeping Children Safe in Education' (KCSIE) 2024, will always remain the same:

- **Safeguarding remains everyone's responsibility.**
- Staff and anyone else working for or on behalf of College must continue to follow College's safeguarding policies and related procedures.
- The safety, welfare and best interests of all our learners always comes first. Our safeguarding responsibilities continue to encompass children, young people and adults at risk and in need of safeguarding.
- If anyone has a safeguarding concern about any learner they should continue to act and act immediately, in line with our established safeguarding policies and procedures.
- A DSL or deputy DSL is available as well as the central Safeguarding Team as detailed in this policy.
- Unsuitable people are not allowed to enter our workforce and/or gain access to children and/or adults with care and support needs.
- Learners should continue to be protected when they are online and/or working remotely in some other way.
- All staff and volunteers will have access to the DSL (or deputy) and members of the central Safeguarding Team on a daily basis, and can contact them via phone, email or through Microsoft Teams. Additional safeguarding support for staff is provided through the Departmental Safeguarding Representative(s) based in every department across College who act as a source of advice, guidance and support for raising and managing safeguarding concerns.
- Out of hours and holiday cover arrangements are as detailed in this policy.

- The central Safeguarding Team, in liaison with the DSL/Deputy DSL will continue to be the first point of contact operationally for raising a safeguarding concern, updating safeguarding files and, as required, liaise with social workers where they require access to learners in need and/or to carry out statutory assessment with the College.
- The DSL/Deputy DSL and central Safeguarding Team will continue to engage with social workers, and attend all multi-agency meetings, which can be done remotely.
- Online safety during partial or whole College closure will remain a priority and all staff/volunteers will continue to look out for any signs that indicate a learner may be at risk online and will report and respond to concerns in line with this policy. In particular, staff should be vigilant to online bullying, sexting, radicalisation, peer on peer abuse, criminal and sexual exploitation. Learners are encouraged to report concerns to a member of staff or a trusted adult at home. Parents/carers are encouraged to ensure children are appropriately supervised online and that appropriate parent controls are implemented.
- College will continue to provide a safe online learning environment where expectations with regards online behaviour and education will continue to be implemented in line with existing policies in line with relevant policies and procedures.

WHAT HAPPENS IF THE SAFEGUARDING POLICY IS NOT ADHERED TO?

We will not tolerate behaviour which breaches the Safeguarding Policy and will initiate disciplinary or other action, if circumstances warrant, against those who contravene the guidance contained in it.

RAISING AWARENESS OF THE SAFEGUARDING POLICY

It is important that the whole College community recognise the role they play in safeguarding. Safeguarding is a topic covered within the induction of every member of the college community as follows:

Staff

Staff undertake online safeguarding and Prevent training prior to commencing their employment. All new staff are required to read at least part 1 of the Keeping Children Safe in Education 2024 guidance.

All staff must attend refresher safeguarding training at least every three years. This will normally be achieved by attending an in-house training session.

All staff must receive safeguarding updates at least annually. This may take the form of e-bulletins, briefings or meetings with peers from other agencies.

Volunteers:

Volunteers undertake the same training as members of staff.

Governors:

Governors undertake a rolling programme of training which includes safeguarding. There is a link governor for safeguarding and prevent who undertakes at least bi-annual visits to the central Safeguarding Team as part of their oversight and governance role. The link governor prepares a report to the Board of Governors following the visit. The Board of Governors receive at least an annual report updating them on the current position regarding safeguarding in the college and any external policy and procedural changes. In addition, any high profile safeguarding cases are reported to the Chair of Governors and the link governor.

Work Placements / Employers/ Sub-contractors:

Sub-contractors include any employer working with a learner and must be given access the College's Safeguarding Policy and Procedures and information about how they can report any concerns. They must:

- Identify a key employee who will act as the main contact for the learner on experience or placement for the purpose of safeguarding.
- Instruct the key employee on the College's Safeguarding Policy and Procedures and identify who their key contact is within College for any safeguarding concerns.

Students:

Within the induction programme learners will be made aware of the following:

- What constitutes abuse, neglect, exploitation and wider safeguarding concerns.
- The reporting procedure for self-referral or concerns connected to a third party.

Throughout the academic year, learners are required to attend tutorials covering key safeguarding themes.

Learners attending the College who are regarded as secondary school age (14-16) are also covered by the *Relationships Education, Relationships and Sex Education (RSE) and Health Education* statutory guidance.

LINKED POLICIES AND PROCEDURES

- Acceptable Use of the Internet.
- Alcohol and Drug Policy and Procedure.
- At Risk Guidance.
- Behaviour Support and Management.
- Building Occupancy Policy.
- Complaints Policy and Procedure.
- Data Protection Policy.
- Disciplinary Procedure (Staff).
- Email Policy.
- Gifts and Hospitality Policy.
- Grievance Procedure.
- Harassment and Bullying Policy.
- Health and Safety Policy.
- Prevent Policy.
- Recruitment and Selection Policy.
- SEND Policy.
- Social Media Policy.
- Subcontracting Policy.
- Use of Force to Control and Restrain Policy.

- Visual Identification Policy.
- Whistleblowing Policy.
- Work Placement Policy.
- Personal Care Policy
- Administering Medication Policy
- 14-16 Admissions Policy
- 14-16 Direct Entry Policy
- 14-16 Attendance Policy
- 14-16 Behaviour Support & Disciplinary Policy

EQUALITY AND DIVERSITY

An EQiA is not required for this policy.

LOCATION AND ACCESS TO THIS POLICY

This policy is available on the college intranet.

APPENDIX A

KEY BARNSLEY COLLEGE CONTACTS – COLLEGE SAFEGUARDING STRUCTURE

	Name	Email	Phone Number
Designated Safeguarding Lead (DSL)	Hayley Allsopp	h.allsopp@barnsley.ac.uk	01226 216216
Deputy Designated Safeguarding Lead	Di Wall – Head of Safeguarding	d.wall@barnsley.ac.uk	01226 216185 or 07825 364354
Central Safeguarding Team	Sean McMahon – Senior Safeguarding Officer Steph Smith – Safeguarding Officer (CLA/Care Leavers) Andrea Rogers – Safeguarding Advisor Naomi Crookes – Safeguarding Administrator	s.mcmahon@barnsley.ac.uk s.smith@barnsley.ac.uk a.rogers@barnsley.ac.uk n.crookes@barnsley.ac.uk	01226 216753 or 07778 149036 01226 216168 or 07925 037163 01226 216142 or 07768 553998 01226 216142 or 07919 880371
Director of Human Resources	Craig Leonard	c.leonard@barnsley.ac.uk	01226 216391
Departmental Safeguarding Representatives (DSRs)	Every department has a DSR		Via main switchboard on 01226 216216
Safeguarding Governor	Matt Mills		Via main switchboard on 01226 216216

More information about safeguarding for public, children, young people, adults, parents, carers, College staff and other professionals can be found on;

Barnsley Safeguarding Children Partnership - <https://www.barnsley.gov.uk/services/children-families-and-education/safeguarding-families-in-barnsley/safeguarding-children-in-barnsley/barnsley-safeguarding-children-partnership/>

Barnsley Safeguarding Adults Board - <https://www.barnsley.gov.uk/services/children-families-and-education/safeguarding-families-in-barnsley/safeguarding-adults-in-barnsley/barnsley-safeguarding-adults-board/>

APPENDIX B

SUMMARY OF KEY LEGAL AND GOVERNMENT REQUIREMENTS

Working Together to Safeguard Children (2023)

This guidance outlines how we should all work together to safeguard and promote the welfare of children. ([Working together to safeguard children 2023: statutory guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114131/working-together-to-safeguard-children-2023-statutory-guidance.pdf)).

Keeping Children Safe in Education (2024)

Provides further guidance as to how colleges should fulfil their duties in respect of safeguarding and promoting the welfare of children in their care. ([Keeping children safe in education 2024 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114131/keeping-children-safe-in-education-2024.pdf)).

The Care Act 2014' and Care and Support Statutory Guidance

The Care Act 2014 defines the process for assessing an adult's need for care and support and deciding whether a person is eligible for publicly funded care and support.

The Act also, for the first time, sets out a clear legal framework for how local authorities and other parts of the health and care system, including education, should protect adults at risk of abuse and neglect.

The Care and Support statutory guidance provides guidance on how colleges should fulfil their statutory safeguarding duties for adults. ([Care and support statutory guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114131/care-and-support-statutory-guidance.pdf)).

Education Inspection Framework for Further Education and Skills

The inspection report will include a written judgement stating whether the provider's safeguarding of all learners is effective or ineffective. This written judgement will appear in the effectiveness of leadership and management section of the inspection report. In arriving at this judgement inspectors will take into account the criteria and guidelines listed in the inspection handbook.

In the context of inspection, inspectors will check the arrangements a provider has made to meet safeguarding statutory requirements; safeguarding arrangements are required by law to minimise any risk of, and protect young people from, harm and abuse while they are following learning programmes or courses at a learning provider.

Ofsted is required to inspect the extent to which colleges discharge their duties under 'section 175' of the 'Education Act' (2002) and report on these safeguarding outcomes for children and young people with specific reference to:

- The effectiveness to which institutions take reasonable steps to ensure that children and young people are safe.
- The effectiveness of institutions in helping to ensure that children and young people feel safe.

The Early Help Assessment (EHA)

The EHA is a standardised approach to conducting assessments of children's additional needs and deciding how these should be met. It is used by practitioners across services in England to record concerns about a child. As part of the safeguarding procedures the college may complete an EHA on behalf of a child who is deemed to have welfare needs.

Counter-Terrorism and Security Act 2015

Section 26 of *'the Counter-Terrorism and Security Act 2015'* places a duty on certain bodies, including Further and Higher Education establishments, in the exercise of their functions, to have *"due regard to the need to prevent people from being drawn into terrorism"*. The duty also requires bodies to *'actively promote'* the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.

Female Genital Mutilation Act 2003

Provides the legislation around what FGM is and the laws that relate to it. This Act was amended by the Serious Crime Act 2015 to include mandatory reporting for regulated professionals.

The Human Rights Act 1998

The Human Rights Act 1998 gives an individual legal protection of their human rights, such as right to life and right to education. It sets out a minimum standard of how public bodies, including Further and Higher Education Colleges, should treat individuals. It ensures that public bodies think about how an individual's basic rights are met in the course of fulfilling their duties.

The Mental Capacity Act 2005

The Mental Capacity Act 2005 applies if an individual has a mental health problem and does not have the capacity to make certain decisions which may be in the short term or permanently. It provides a framework to guide professionals in making decisions in the best interest of the individual when they lack capacity temporarily or permanently.

Protection of Freedoms Act 2012

The Protection of Freedoms Act 2012 established the Disclosure and Barring Service (DBS) that carries out functions previously undertaken by the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA). This includes setting out the type of activity in relation to children and vulnerable adults that is classed as *'regulated activity'* and subject to appropriate vetting and monitoring.

The Children Act 2004

The Children Act, 2004 defines statutory leadership roles for the safeguarding of children, the joint planning of children's services and how organisations should safeguard children and promote their welfare.

The Sexual Offences Act 2003

The Sexual Offences Act 2003 defined a range of criminal offences involving the abuse of a position of trust.

The Act's provisions mean that, subject to a number of limited defences (as set out in sections 23 and 24 of the Act), it would be a criminal offence for a person in a position of trust to engage in any sexual activity with a person aged under 18 with whom they have a relationship of trust, irrespective of the age of consent, even if the basis for their relationship is consensual. A relationship of trust exists where a member of staff or volunteer is in a position of power or influence over a student by virtue of the work or nature of the activity being undertaken.

The Education Act 2002

Section 175 of the Education Act 2002 requires governing bodies of an institution within the further education to make arrangements to ensure their functions are carried out with a view to safeguarding and promoting the welfare of children.

The Children Act 1989

The Children Act 1989 outlines the requirement for local authorities to provide services for children and their families, in particular:

- Section 17 of the Act determines that it is the duty of every local authority to safeguard and promote the welfare of children within their area. It is under this section of the legislation that concerns about the welfare of a child will be referred to social care.
- Section 47 of the Act determines the duty of every local authority to investigate where there is reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm. It is under this section of the legislation that concerns about the abuse or neglect of a child will be referred to social care.

Data Protection Act 2018 and the UK General Data Protection Regulations (GDPR)

The Data Protection Act 2018 and the UK GDPR place duties on colleges and staff to process personal information fairly and lawfully and, keep the information held, safe and secure.

Equality Act 2010 and Public Sector Equality Duty

College must not unlawfully discriminate against learners because of their sex, race, disability, religion or belief, gender reassignment, pregnancy and maternity, or sexual orientation, all of which are known as protected characteristics under this legislation. The Public Sector Equality Duty places a general duty on college to have, in exercise of its functions, due regard to the need to eliminate unlawful discrimination, harassment and victimisation and, any other conduct prohibited under the Equality Act. College must advance equality of opportunity and foster good relations between those who share the protected characteristics and those who do not.

APPENDIX C

ROLES AND RESPONSIBILITIES OF GOVERNORS, COLLEGE MANAGERS AND STAFF

The Executive Team is responsible for:

- giving a consistent and high profile lead on all safeguarding issues;
- promoting the College's approach to safeguarding inside and outside the institution;
- making sure the safeguarding policy and all supporting policies and procedures are understood and followed;
- ensuring safeguarding, child and adult protection underpin all relevant policies and procedures;
- allocating sufficient resources and time to enable designated staff to discharge their responsibilities, including taking part in strategy discussions and other interagency meetings, and contributing to the assessment of children;
- ensuring all staff feel able to raise concerns about poor or unsafe practice;
- ensuring a whole College approach is facilitated ensuring the best interests of the learner at all times.

Designated Safeguarding Lead

The Designated Safeguarding Lead (DSL) for Safeguarding and Prevent will:

- have lead responsibility for child and adult protection, exploitation and wider safeguarding concerns, ensuring standards are met in line with relevant guidance, staff and governors receive adequate training and understand their role and responsibilities in this area;
- have lead responsibility for Prevent, ensuring that standards are met in line with relevant guidance, that staff and governors receive adequate training and understand their role and responsibilities in this area;
- have lead responsibility for online safety including oversight of IT filtering and monitoring, ensuring that standards are met in line with relevant guidance, that staff and governors receive adequate training and understand their role and responsibilities in this area.
- have the status and authority within the College management structure, as a senior member of staff within the leadership team, to carry out the duties of the post. All members of staff - including volunteers - must be made aware of who this person is and what their role is.
- chair a termly internal Safeguarding Strategy Group;
- produce a strategic level action plan that will be monitored by the Safeguarding Strategy Group;
- ensure that appropriate procedures and policies are in place and are followed with regard to learner safeguarding issues;
- liaise with the Principal, keeping him/her informed of relevant safeguarding issues, including ongoing section 47 enquiries, police investigations and child protection concerns in cases relating to members of staff;
- liaise with the Board of Governors and link Safeguarding/Prevent Governor regarding all matters connected to safeguarding and the role of the DSL, as required and appropriate.

- be available for College staff during term time, providing cover arrangements as appropriate, including during out of hours and out of term;
- as required and appropriate, refer cases of suspected abuse and neglect into social care, radicalisation concerns into Channel Panel, where a crime has been committed to the police and, where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service. The DSL will also support staff who make such referrals, as required and appropriate.
- oversee the work of the central Safeguarding Team.
- work and liaise with all staff, acting as a source of support, advice and expertise on all matters of safety, safeguarding and welfare including liaison with the College senior mental health lead, where safeguarding concerns are linked to mental health.
- act as a point of contact to liaise and work with all safeguarding partners and wider agencies to consider a learner's holistic needs;
- as required and appropriate, liaise with the internal case manager and the local authority designated officer (LADO) for child protection concerns in cases which relate to a member of staff;
- promote supportive engagement of parents/carers in safeguarding and promoting the welfare of learners, where families may be facing challenging circumstances;
- work with senior managers and wider staff members, taking lead responsibility for promoting the educational outcomes of children who have or have had a social worker and/or have an EHA in place.
- ensure safeguarding files are kept up to date, confidential, stored securely, and accessed by those who need to see it. Where a child (under 18) leaves College, including in year transfers, the DSL should ensure the safeguarding file is transferred to the new school or college as soon as possible, and within 5 days for an in-year transfer or within the first 5 days of the start of a new term. In addition, the DSL will consider if it would be appropriate to share any additional information with the new school or college in advance of the child leaving to help them put in place the right support to safeguard the child and enable them to thrive in their new educational setting.
- ensure all staff have access to and understand the College's safeguarding and Prevent policies and procedures respectively, which will be reviewed annually, as a minimum, and in line with changes to relevant government legislation and guidance. The DSL will also ensure that staff have access to externally relevant safeguarding policies and procedures.
- ensure the safeguarding policy is publicly available for parents/carers and wider external partners to raise awareness of College's safeguarding arrangements and response.
- receive training to provide him/her with the knowledge and skills to carry out the role. This training will be updated at least every two years. The training will include providing a good understanding of the DSL role, how to identify, understand and respond to specific needs that can increase the vulnerability of learners as well as specific harms that can put learners at risk, and the processes, procedure and responsibility of agencies involved in safeguarding learners.
- encourage a safeguarding culture which promotes listening to the voice of learners ensuring that their wishes and feelings are considered when putting in place measures to protect, support and safeguard them;
- provide support to staff through training, advice, and guidance so they can fulfil their safeguarding responsibilities;

- ensure accurate, detailed, secure records of all concerns, discussions and decisions are made including any external referrals;
- ensure that safeguarding related information is shared within college and with relevant external safeguarding partners, in line with the Data Protection Act 2018 and the UK General Data Protection Regulation;
- fulfil any additional responsibilities as set out in statutory guidance which may be amended from time to time;
- ensure that each learner, particularly under the age of 18, has two appropriate, emergency next of kin contacts;
- ensure that the Local Authority is alerted where a child leaves College and the new college is not known, so that the child's name can be included on the database for children missing education;
- attend regular training on how to identify abuse and know when it is appropriate to refer a case, attend any relevant training courses or workshops and then ensure that any new or key messages are passed to other staff, volunteers and governors;
- act as a point of contact and have a working knowledge of how Barnsley Safeguarding Children's Partnership and Barnsley Safeguarding Adults' Board operate and the conduct of child and adult protection related meetings. The DSL will also attend and contribute to these when required, enhancing the implementation of any plan to protect and safeguard the learner.

The Governing Body is responsible for:

- strategic leadership of the College's safeguarding arrangements;
- ensuring a whole College approach is facilitated ensuring the best interest of the learner at all times;
- ensuring that sufficient resources are made available to enable the necessary tasks to be carried out properly under inter-agency procedures;
- ensuring that the DSL is given sufficient time to carry out his or her duties, including accessing training;
- making sure the College complies with requirements to produce and deliver a safeguarding policy;
- making sure the safeguarding policy and all supporting policies and procedures are followed;
- ensuring an appropriate safer recruitment policy is in place.

Designated Safeguarding and Prevent Governor

The Governing Board - via the Clerk - will ensure that the Designated Governor for safeguarding and Prevent is able to carry out his or her duties, including accessing training. The Board - via the Clerk - will also ensure that the designated Governor will complete a safeguarding 'Link Visit' twice each year in order to feedback to the Board and confirm that:

- Barnsley College is carrying out its duties to safeguard the welfare of learners;
- members of staff and volunteers are aware of current safeguarding policies and procedures and that staff receive training where appropriate;

- safeguarding is integrated into the College's induction procedures for all new members of staff and volunteers and supply staff;
- the College follows the procedures agreed by the relevant Local Safeguarding Children Partnerships and Local Safeguarding Adults Boards respectively and any supplementary guidance issued by the Local Authority;
- all staff and volunteers are vetted to ensure that only persons suitable to work with children and vulnerable adults shall work in the College;
- where safeguarding concerns about a member of staff are raised, appropriate action is taken in line with Safeguarding Children Partnerships/Adults Board 'Allegations against Staff Procedures' and DfE guidance for dealing with allegations of abuse against teachers and other staff. In addition the college takes due note of the *Further education corporations and sixth-form college corporations: governance guide (April 2024)*

The Designated Governor will complete a 'Link Visit' report after each visit and provide verbal feedback to the following Board meeting on the outcome of the visit. The Designated Governor will also be invited to the Safeguarding Strategy Group.

Director of Human Resources is responsible for human resources policies and procedures that relate to safeguarding in particular with regard to Safer Recruitment guidelines.

The Head of Health & Safety is responsible for all Health and Safety policies and procedures that relate to safeguarding.

Head of Estates is responsible for estates policies and procedures that relate to safeguarding.

Director of IT is responsible for ensuring filtering and monitoring systems are effective and fit for purpose from a safeguarding perspective.

Managers are responsible for:

- putting the safeguarding policy and supporting policies and procedures into practice;
- making sure all staff know their responsibilities and receive support and training to carry these out;
- following the relevant procedures to manage safeguarding issues raised by staff or students;

All staff are responsible for:

- acting in accordance with this policy at all times and taking appropriate action as described in this policy, working with other services as needed;
- safeguarding and promoting the welfare of all learners at all times, ensuring early identification and reporting of concerns, preventing concerns from escalating and, providing ongoing help and support;
- providing a safe learning environment including building up trusted relationships with learners to facilitate communication;
- being aware of the indicators of abuse, neglect, exploitation, and wider safeguarding concerns and, understanding that learners can be at risk of harm online as well as face to face, inside and outside of College, inside and outside of the home, extra familial harms, by people related or known to them or strangers.;

- identifying learners who may be in need of extra help, who are suffering or likely to suffer significant harm. Staff should be aware that a learner may not feel ready or know how to tell someone that they are being abused, neglected, exploited or in need of wider safeguarding but this should not stop staff from having professional curiosity and speaking to the DSL or central Safeguarding Team if they have concerns.
- reassuring learners they are being taken seriously when they disclose a concern and, that they will be supported and kept safe. Staff must ensure that learners are never given the impression that they are creating a problem by reporting any form of abuse, neglect, exploitation, or wider safeguarding concern, nor should the learner ever be made to feel ashamed for making a report.
- ensuring that the same duty of care is applied to online learning, as is to face-to-face learning;
- dealing with safeguarding issues and being able to recognise potential harm, ensuring they are alert to the signs/indicators of abuse and neglect;
- alerting the central Safeguarding Team of any invitations to attend statutory child or adult protection meetings including child protection conferences, core groups, child in need meetings, team around the family meetings, adult safeguarding meetings, looked after child reviews, personal education plan meetings, education, health and care plan meetings. The Team can help staff to adequately prepare for the meeting so that the relevant information is presented in the relevant format. If staff attend the meeting, they must at the earliest convenience, and update the learner's record on CPOMS and include any actions and decisions made at the meeting especially those that are pertinent to the College.
- populating, in a timely manner, a learner's safeguarding record on CPOMS with safeguarding related information which may include for example, such information as email correspondence, notes of telephone conversations, minutes of meetings and letters;
- keeping the central Safeguarding Team up to date with ongoing concerns regarding a learner in need of safeguarding and/or who is working with statutory services such as Social Care. This may include, for example, a dip in attendance, concerning behaviour, a change in presentation.
- in the absence of a member of the central Safeguarding Team or a Departmental Safeguarding Representative being available, taking action to safeguard the learner including making referrals to external agencies if appropriate;
- raising awareness of this policy with learners and what might happen if they have a concern about a learner;
- referring concerns immediately to the central Safeguarding Team with accurate, detailed, timely information about the concern;
- never promising a learner that they will not tell anyone about a report of a form of abuse, neglect, exploitation or wider safeguarding concern, as this may ultimately not be in the best interest of the learner. Staff must report all concerns immediately to the central Safeguarding Team.
- promoting the College's approach to safeguarding and protecting learners;
- understanding their role in relation to the requirement to safeguard and promote the welfare of learners and protect them from harm;
- knowing how to support and respond to a learner who discloses abuse or neglect or a wider safeguarding concern;

- working with DSL, DDSL and the central Safeguarding Team and may be asked to support Social Workers to make decisions about learners;
- always acting in interest of the learner;
- raising concerns about poor or unsafe practice and potential failures in the safeguarding regime.