

## NCG Unified Safeguarding Procedure

Policy Title		NCG Unified Safeguarding Procedure	
Policy Category	Compliant		
Owner	Safeguarding Council (DSLs)		
Group Executive Lead	Executive Director Quality		
Date Written	August 2021		
Considered By	Safeguarding Council		
Approved By	Executive Board		
Date Approved	October 2021		
Equality Impact Assessment	The implementation of this procedure is not considered to have a negative impact on protected characteristics		
Freedom of Information	This document will be publicly available through the Groups Publication Scheme.		
Review Date	September 2022		
Policy Summary	Unified procedure to replace individual colleges procedures and remain compliant with legislation and guidance, specifically Keeping Children safe in Education 2021 revision/OfS statement of expectations.		
Applicability of Policy	Consultation Undertaken	Applicable To	
Newcastle College	Yes	Yes	
Newcastle Sixth Form	Yes	Yes	
Carlisle College	Yes	Yes	
Kidderminster College	Yes	Yes	
Lewisham College	Yes	Yes	
Southwark College	Yes	Yes	
West Lancashire College	Yes	Yes	
Professional Services	Yes	Yes	
Changes to Earlier Versions			
Previous Approval Date	Summarise Changes Made Here		
N/A	First publication		
Linked Documents			
Document Title	Relevance		
NCG Safeguarding Policy	NCG-wide arrangements		
Admissions Policy / Recruitment Policy	Arrangements for safe recruitment of staff		
Attendance Management Policy	Monitoring regular attendance of students		
Disclosure Policy	Whistleblowing arrangements		
Equality Strategy	Arrangement for promoting and embedding EDI into our strategic themes and aims		
Health, Safety and Wellbeing Policy	Arrangements for keeping staff, students and visitors to the college safe and well.		
Positive Behaviour Policy	Includes the learner code of conduct		
NCG Code of Conduct	Code of conduct for staff at NCG		
Teaching, Learning and Assessment Policy	Makes clear the method by which leaders undertakes periodic evaluation of learner experience and welfare in their learning environment		
Unified Tutorial, Progress and Attainment Policy	Arrangements to facilitate and record the learner journey. Extends to recording of the learner journey from initial assessment, through to achievement and progression		
NCG Practice for Online Learning Policy	Sets out arrangement for delivering online learning		

Equality Impact Assessment – Sep 2021

	Judgement	Explanatory Note if required
<b>EIA 1 - Does the proposed policy/procedure align with the intention of the NCG Mission and EDI Intent Statement in 2.0?</b>	Yes	Business critical procedure, directly related to the safety and welfare of learners at NCG
<b>EIA 2 - Does the proposed policy/procedure in any way impact unfairly on any protected characteristics below?</b>		
<b>Age</b>	No	The statutory requirements for safeguarding are primarily aimed at younger learners (children) and adults at risk, however arrangements in this policy will support all learners
<b>Disability / Difficulty</b>	No	
<b>Gender Reassignment</b>	No	
<b>Marriage and Civil Partnership</b>	No	
<b>Race</b>	No	
<b>Religion or Belief</b>	No	
<b>Sex</b>	No	
<b>Sexual Orientation</b>	No	
<b>EIA3 - Does the proposed policy/processes contain any language/terms/references/ phrasing that could cause offence to any specific groups of people or individuals?</b>	No	
<b>EIA4 - Does the policy/process discriminate or victimise any groups or individuals?</b>	No	
<b>EIA 5 - Does this policy/process positively discriminate against any group of people, or individuals?</b>	No	
<b>EIA 5 - Does this policy/process include any positive action to support underrepresented groups of people, or individuals?</b>	Yes	The procedure highlights learners that may typically be deemed vulnerable and the essential arrangements to mitigate, identify, report, support and intervene.
<b>EIA 6 - How do you know that the above is correct?</b>	<p>This procedure has been reviewed by the NCG Safeguarding Council prior to approval by NCG Executive.</p> <p>The membership of these groups is indicative of the wider population within NCG.</p>	

## Table of Contents

<b>1.0 Introduction</b> .....	5
<b>2.0 Key Principles for the Safeguarding of Learners</b> .....	6
<b>3.0 Safeguarding Definitions</b> .....	7
3.1 Young Person .....	7
3.2 Adult at Risk .....	7
3.3 Prevent Duty and Radicalisation .....	7
3.4 Level of Risk (Concern/risk of harm/immediate danger) .....	8
3.5 People Responsible for Safeguarding Young People, Adults at Risk and Prevent.....	9
<b>4.0 All Staff Responsibility</b> .....	9
4.1 Designated Board Member.....	9
4.2 Principal .....	10
4.3 Designated Staff with Responsibility for Safeguarding Protection.....	10
4.4 The College Designated Safeguarding Lead .....	10
4.5 Designated Safeguarding Staff .....	11
<b>5.0 Reporting and Dealing with Safeguarding Concerns and Disclosures of Abuse</b> .....	12
5.1 Abuse Disclosed by Learner.....	12
5.2 Abuse Suspected, but Not Disclosed by Learner.....	14
5.3 Reporting and Dealing with Significant Concerns (i.e., of concern, but not at risk of significant or immediate harm) .....	14
5.4 Reporting to Designated Staff .....	14
5.5 Actions by College Designated Safeguarding Lead.....	15
5.6 Learners Aged 18 Years or Over NOT Defined As ‘At Risk’.....	15
5.7 Learners Aged 18 Years or Over Defined As ‘At Risk’ - Consent.....	16
<b>6.0 Reporting and Dealing With Allegations of Abuse Against Members of Staff</b> .....	17
6.1 Receiving and Reporting an Allegation Against a Member of Staff.....	17
6.2 Initial Action To be Taken by the College Designated Safeguarding Lead .....	19
6.3 Enquiries and Investigations.....	20
6.4 Suspension of Staff .....	21
6.5 Disciplinary Investigation.....	22
6.6 Allegations Without Foundation (malicious) .....	22
<b>7.0 Reporting and Dealing With Suspicions of Radicalisation/Extremism</b> .....	23
<b>8.0 Allegations Against Other Learners</b> .....	23
<b>9.0 Children Missing from Education</b> .....	24
<b>10.0 Private Fostering</b> .....	24
10.1 14-16 School Link Students.....	25
<b>11.0 Learners or Applicants with Criminal Convictions</b> .....	25
<b>12.0 Notifications to the College of Learner Risk</b> .....	25
<b>13.0 Working with External Partners/Parents</b> .....	26
13.1 External Partners/Subcontractors.....	26



13.2 Partnership Working with Parents/Carers .....	26
<b>14.0 Referral to Group Services .....</b>	<b>27</b>
<b>15.0 Informing the ESFA .....</b>	<b>27</b>
<b>16.0 Confidentiality.....</b>	<b>28</b>
<b>17.0 Whistleblowing .....</b>	<b>28</b>
<b>18.0 Written records.....</b>	<b>29</b>
<b>19.0 Monitoring Effectiveness .....</b>	<b>29</b>
<b>20.0 Safer Recruitment of Staff, Volunteers and Agency Staff .....</b>	<b>30</b>
<b>21.0 Staff Training.....</b>	<b>31</b>
<b>22.0 Training for Learners and Apprentices .....</b>	<b>32</b>
<b>23.0 Online Safety and Remote Study/Working – Staff Guidance .....</b>	<b>32</b>
23.1 Keeping Safe Online.....	32
23.2 Acceptable Use of Technology Policy including Social Media.....	33
23.3 Online Lesson Delivery and the NCG Practice for Online Learning Policy .....	33

## Note from the NCG Safeguarding Council.

This procedure contains critical information – you should use it as a starting point to understand the appropriate process. However, if you have a concern about a learner, staff member, key risk at any time, you should discuss immediately with the College (college staff) or Group (professional services staff) designated safeguarding lead (DSL), or deputies. The names of these staff are kept on the NCG website [here](#), or

<https://www.ncgrp.co.uk/guide-to-information/our-policies-and-procedures/safeguarding/>

## 1. Introduction

It is essential that all young people and adults at risk are protected from abuse and have the right to access education and training, free from fear of harm and protected from mistreatment and abuse, including the risk of radicalisation. The College, as part of NCG, has a duty to safeguard the young people and adults receiving education and training at the College.

It is important that all young people and adults at risk are protected from abuse, including the risk of radicalisation. Section 26 of the Counter Terrorism and Security Act 2015 places a duty on ‘specified authorities’, which includes NCG, to comply with the *Prevent Duty Guidance: for England and Wales*.

This procedure is written in accordance with Governmental guidelines, local authority guidance and locally agreed interagency procedures. This procedure complies with and should be read in conjunction with the Department for Education statutory guidance “*Keeping Children Safe in Education*” (2021) and the NCG Single Safeguarding Policy. With regard to adults at risk, this procedure is in accordance with government guidance on the protection of adults considered vulnerable in the DfES/NIACE publication “*Safer Practice, Safer Learning*” (2007). With regards to radicalisation, this procedure is in accordance with the “*Prevent Duty Guidance for England and Wales*” (2016) and “*The Counter Terrorism and Security Act*” (2015).

The procedure is reviewed and updated annually by Designated College Safeguarding Leads, (unless an incident, any new legislation or guidance suggests the need for an interim review) approved by the NCG Safeguarding Council and adopted as procedures by the Corporation / Local Board and College Leadership.

Information on safeguarding policies and procedures will be made available to learners, staff and parents / carers on the College website.

**All staff employed by the College must follow the NCG Safeguarding Policy and procedures. Staff will always act in the best interests of the learner, and will take the view that ‘it could happen here, it could happen to anyone’ and be mindful of factor that increase risk and vulnerabilities.**

Staff refers to all staff in the organisation, including volunteers, sessional workers, agency staff and volunteers. College refers to all and any college which forms part of NCG.

- During the COVID-19 pandemic, College procedure will be compliant with the following additional guidance:

<https://www.gov.uk/government/publications/covid-19-safeguardingin-schools-colleges-and-other-providers>.

- Updates on this guidance can be found as an annex to the Group Safeguarding Policy on the NCG website:

<https://www.ncgrp.co.uk/wpcontent/uploads/2020/04/2020-04-Safeguarding-Policy-Annex-in-response-to-COVID-19.pdf>

## 2. Key Principles for the Safeguarding of Learners

- Staff working with learners are in a position of trust and the guidance on Safeguarding learners applies to everyone.
- All learners, whatever their age, ability, gender/sex, marital or civil partnership status, racial origin, culture and/or religious belief or sexual identity, have the right to be treated with respect, have their dignity maintained and have an entitlement to protection from mistreatment and abuse.
- All learners have the right to access learning with as much independence as is appropriate and within their capabilities, and to make choices, even if those choices involve a degree of risk (as long as the procedure on Risk Assessment is adhered to).
- All incidents and allegations or suspicions of abuse should be taken seriously and responded to swiftly and appropriately.
- Staff are expected to follow the NCG Code of Conduct, for Learners the Code of Conduct is within the **NCG Positive Student Behaviour Policy**

All staff should be aware that certain groups of learners may be more vulnerable to abuse or neglect. These include learners who:

- Are disabled, and/or have Specific Educational Needs.
- Are carers.
- Are privately fostered.
- Are Care Experienced or have been subject to Social Services intervention.
- Are missing or frequently go missing from care or from home.
- Show signs of being drawn into anti-social and/or criminal behaviour.
- Are misusing alcohol or substance(s).
- Are in family circumstances which present specific challenges for the learner.
- Are showing early signs of abuse and/or neglect.

### 3. Safeguarding Definitions

#### 3.1. Young Person

Someone under the age of 18 years old, as defined by “*The Children Act*” (1989, 2004), including learners within any 14-16 operated provisions. Those considered more vulnerable may be those with, or those who have experienced:

- Learning difficulties and / or disabilities.
- Domestic abuse.
- Mental health concerns (Parental or self).
- Substance misuse (Parental or self).
- Child abuse or neglect.
- Care Experienced.

#### 3.2. Adult at Risk

An adult aged 18 years or over ‘who may be in need of community care services by reason of mental or other disability, age or illness; and is experiencing, or at risk of, abuse or neglect and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect’, as defined by “*The Care Act*” (2014).

Other definitions exist in partner organisations. An ‘Adult at Risk’ may therefore be a person who:

- Is elderly and frail due to ill health, physical disability or cognitive impairment.
- Has a learning disability.
- Has a physical disability and/or a sensory impairment.
- Has mental health needs including dementia or a personality disorder.
- Has a long-term illness/condition.
- Misuses substances or alcohol.
- Is a carer, such as a family member/friend who provides personal assistance and care to adults and is subject to abuse.
- Is unable to demonstrate the capacity to make decisions and needs care and support.

#### 3.3. Prevent Duty and Radicalisation

The [Prevent Duty Guidance](#) defines **radicalisation** as ‘*the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups*’. The Counter-Terrorism and Security Act 2015 places a duty on specific organisations, including colleges, to have regard to the need to



prevent people from being drawn into terrorism. This policy seeks to put in place the requirements of the Act through a Prevent Risk Assessment – an NCG cascade policy to be adapted and implemented locally.

[The Counter Extremism Strategy 2015](#) defined **extremism** as ‘*the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty, and respect and tolerance for different faiths and beliefs.*’ For the purposes of clarification, **terrorism** is the act or threat designed to influence a body or organisation through intimidation and violent action.

### 3.4. Level of Risk (Concern/risk of harm/immediate danger)

Responses to safeguarding issues will be assessed with reference to Local Safeguarding Board thresholds. Staff should be clear on the distinction between ‘concerns’ at ‘risk of harm’ and ‘immediate danger’:

**Concern** – where staff, learners and/or external partners have any concerns about the welfare of a young person or adult, they should raise those concerns with College’s Designated Safeguarding Staff immediately (within no more than two hours). These concerns will be discussed and recorded confidentially, and internal and/or external Early Help Assessments will be considered.

**Risk of Harm** – where staff, learners and/or external partners believe a young person or adult is suffering or likely to suffer from harm, they should raise this with the College’s Designated Safeguarding Staff within two hours. These risks will be discussed and recorded confidentially, and the College Designated Safeguarding Lead or College Deputy Designated Safeguarding Lead will determine the next steps, which may include a referral to Children or Adult Social Care Services and/or the Police.

**Immediate Danger** - where staff, learners and/or external partners believe a young person or adult is in immediate danger, they should raise this with the College’s Designated Safeguarding Staff immediately within two hours. These risks will be discussed and recorded confidentially, and the College Designated Safeguarding Lead or College Deputy Designated Safeguarding Lead will determine the next steps, which may include a referral to Children or Adult Social Care Services and/or the Police. In these instances, it may also be appropriate for any referrer to contact the emergency services directly using 999.

For **Types of Abuse**, please see the NCG Safeguarding Policy (page 3) or visit the Safeguarding web page

<https://www.ncgrp.co.uk/guide-to-information/our-policies-and-procedures/safeguarding/>



### 3.5. People Responsible for Safeguarding Young People, Adults at Risk and Prevent

(Please see list of Contacts – <https://www.ncgrp.co.uk/guide-to-information/our-policies-and-procedures/safeguarding/>)

## 4. All Staff Responsibility

NCG recognises that all members of staff, external partners and learners have a role to play in safeguarding the welfare of young people and adults and preventing their abuse.

### It is the responsibility of all staff to:

- Read and understand Keeping Children Safe in Education (Sept 2021), the NCG Staff Code of Conduct and the NCG Single Safeguarding Policy and Procedures.
- Be aware of the signs and symptoms of abuse and neglect including Prevent, Child Sexual Exploitation (CSE), sexual harassment, abuse and violence, Female Genital Mutilation (FGM), forced marriage and private fostering.
- Be aware of the seriousness of peer on peer abuse and challenge all inappropriate behaviour, including 'banter'.
- Behave professionally and in accordance the NCG Staff Code of Conduct.
- Understand the parameters of their role and be aware that, under the Sexual Offences Act 2003, it is an offence for a person over the age of 18 and in a position of trust to have a sexual relationship with a person under the age of 18, even if the relationship is consensual.
- Be 'professionally curious', particularly where there are warning signs of abuse and/or neglect.
- Ensure that they carry out their duties in accordance with the duty to safeguard all learners and protect young people and adults at risk.
- Follow policies and procedures if they are aware of, or suspect, that a young person is missing in education.
- Take prompt, appropriate action when they have concerns about a young person or adult at risk.

In the unlikely event that there is no Designated Safeguarding Team member on site, you should refer the issue to the Senior Manager on site.

### 4.1. Designated Board Member

There is a nominated member for Safeguarding on the Board of Governors who is responsible for liaising with the Principal and College Designated Safeguarding Lead for Safeguarding matters regarding young people and adults at risk, including:

- Ensuring that the College has procedures and policies which are consistent with the Local Safeguarding Boards.
- Ensuring that the College Board considers the NCG Single Safeguarding Procedure each year.
- Ensuring that each year the College Board is informed of how the College and its staff have complied with the NCG Single Safeguarding Policy and Procedure, including, but not limited to, a report on the training that staff have undertaken.
- Promoting and ensuring inter-agency working is in line with statutory guidance

To assist in these duties, the designated board member shall receive appropriate training in line with Local Safeguarding Board procedures. Please see <https://www.ncgrp.co.uk/guide-to-information/our-policies-and-procedures/safeguarding/> for the designated College Link Board Member.

#### **4.2. Principal**

The Principal is responsible for:

- Ensuring all staff follow NCG Single Safeguarding Policy and Procedure.
- Physical security in all college buildings, working in partnership with NCG Director of Estates, to ensure adequate measures/deterrents for preventing access to unauthorised personnel must be in place i.e. use of lanyards, CCTV, barriers and/or security staff.

#### **4.3. Designated Staff with Responsibility for Safeguarding Protection**

In line with the NCG Single Safeguarding Policy, the College has an identified College Designated College Safeguarding Lead, a College Deputy Designated Safeguarding Lead and an appropriate number of Designated Safeguarding Staff. A list of names, titles and contact details for these staff is attached at <https://www.ncgrp.co.uk/guide-to-information/our-policies-and-procedures/safeguarding/>.

#### **4.4. The College Designated Safeguarding Lead is responsible for the protection of young people and adults and is also the Single Point Of Contact (SPOC) for Safeguarding and Prevent.**

The post holder is a member of the College Senior Leadership Team (SLT) and has a key duty to take the lead with raising staff awareness of issues relating to the welfare of young people and adults considered at risk/vulnerable, and the promotion of a safe environment for the young people and adults considered vulnerable who are learning within the college.

The College Designated Safeguarding Lead is responsible for (note some duties may be delegated to qualified and experienced Deputy DSL):

- Overseeing the referral of cases of suspected abuse or allegations to the appropriate team at the relevant Local Authority.
- Ensuring the College has the details for each Looked After Child (LAC) in College, including the name of their Social Worker and Virtual Head Teacher in the LACs local authority.
- Ensuring the NCG Single Safeguarding Policy and Procedure is available publicly.
- Ensuring that parents/carers are aware that the College will make referrals to the Local Authority if there is a safeguarding concern.
- Maintaining a proper record of any child protection/adult referrals, complaints or concerns (even where that concern does not lead to a referral).
- Ensuring that parents/carers are aware of the NCG Single Safeguarding Policy and Procedure.
- Liaising with the Local Safeguarding Boards and other appropriate agencies.
- Liaising with secondary schools that send pupils to the College to ensure that appropriate arrangements are made for the pupils, including the sending and receipting of Child Protection Files.
- Liaising with employers and training organisations that receive young people or adults at risk from the College on long term placements, to ensure that appropriate safeguards are in place and awareness of the specific risks of working in that environment are fully recognised and responded to
- Ensuring that the College carries out a risk assessment process for serious safeguarding disclosures and serious criminal disclosures.
- Taking lead responsibility for raising awareness within the staff of issues relating to the welfare of young people and adults at risk, and the promotion of a safe environment for the young people and adults at risk who are learning within the College.
- Ensuring that staff receive basic training in safeguarding and Prevent issues and are aware of the NCG Single Safeguarding Policy and Procedure.
- Reporting allegations to the Prevent Team at the relevant police force/Local Authority or via Channel.
- Providing advice and support to other staff on issues relating to the protection of young people and adults at risk.

#### **4.5. Designated Safeguarding Staff**

These designated members of staff:

- Will know how to make an appropriate referral.

- Will be able to provide advice and support to other staff on issues relating to the protection of young people and adults at risk.
- Will have the particular responsibility of being available to listen to young people and adults at risk studying at Newcastle College.
- Will deal with individual cases, including attending case conferences and review meetings as appropriate.
- Have received the appropriate training and will receive refresher training at least every 2 years.
- Will take the wishes of young people or adults at risk into account, and, wherever possible, involve them in decision making.
- Keep accurate and secure records of concerns and referrals on the safeguarding recording system.
- Understand the assessment process for Early Help and other support mechanisms within Local Authorities (LAs).
- Have a working knowledge of how the LA conducts a Section 47 and Section 17 Case.
- Be alert to the specific needs of young people in need, SEN learners, Care Experienced learners and Young Adult Carers.
- Understand and support the College with regard to the requirements of the Prevent Duty and be able to provide advice and support to staff and learners.
- Promote and raise awareness with staff and learners about key safeguarding issues.

## 5. Reporting and Dealing with Safeguarding Concerns and Disclosures of Abuse

### 5.1. Abuse Disclosed by Learner

Assess whether anyone is at immediate risk or in danger. If a learner is in immediate danger or at risk of serious harm, for example, in a life-threatening situation:

- Call a first aider and/or ambulance if an individual requires medical attention.
- Call the emergency services/police if a crime is taking place or has taken place.
- Separate the alleged perpetrator and victim **but only if safe to do so**.
- You must then communicate the information to the College Designated Safeguarding Lead immediately (within two hours).
- General lower level concerns **should** be reported to Designated Safeguarding Staff immediately, but **must** be reported within two hours.

- The person to whom an allegation or concern is reported **must gather relevant information but must not investigate the matter**. They must:

**Receive** – Listen carefully and stay calm. Avoid asking leading questions, instead use open questions without pressure, in order to be sure that what the young person or adult is saying is understood by the member of staff. (use phrases such as “tell me, explain to me, describe to me”) Questions should be kept to the minimum necessary to understand what is being alleged. Care must be taken in asking or interpreting responses to questions about indications of abuse as this could influence the evidence which is put forward if there are subsequent legal proceedings. *The member of staff should not ask questions about the incident/s.*

**Reassure** the individual that by telling a member of staff, they have done the right thing. Treat the matter seriously and keep an open mind. Inform the young person or adult at risk that the information must be passed on, but that only those who need to know about it will be told. Inform the young person or adult at risk to whom the matter will be reported and what may happen next.

**Record** the main points carefully. Make a written record of the information as soon as possible (with notes taken in the learner’s own words), which should include:

The name of the complainant and, where different, the name of the learner who has allegedly been abused

- When and where the alleged incident took place, including date and time.
- Who was present.
- The account of what is alleged to have happened including questions asked by the member of staff.
- A description of any injuries observed.
- Your name, signature and date.
- The learner’s signature, if appropriate.

**Report** the matter immediately to Designated Safeguarding Staff followed up with a completed agreed Safeguarding Referral form.

- Inform the learner that there is a legal duty to inform an authorised agency. The arrangements for this should be negotiated with the learner.
- Promises of confidentiality should not be given as the matter may develop in such a way that these cannot be honoured.

Staff should not:

- Put words into the young person / adult at risk’s mouth or ask leading questions.
- **Investigate** concerns or allegations.

- Promise confidentiality.

## **5.2. Abuse Suspected, but Not Disclosed by Learner**

Where abuse is suspected but not disclosed by the learner, the member of staff with the concern should discuss their concerns with the College Designated Safeguarding Lead/ College Deputy Designated Safeguarding Lead/Designated Safeguarding Staff with responsibility for safeguarding. A concern may need to be raised via the internal referral process. Following discussion with the College Designated Safeguarding Lead, the Safeguarding Team will take appropriate action. This may include making a referral to the local Children's or Adult Social Care Services and/or Police if the Team consider that the information given indicates that the learner or another person, including minors, may be at risk of significant harm.

## **5.3. Reporting and Dealing with Significant Concerns (i.e., of concern, but not at risk of significant or immediate harm)**

The College recognises that many learners require support to safeguard and enhance their welfare however, this may not warrant intervention by Children's or Adult's Social Care. In these cases, learners should be referred to the relevant College's Learner Support Team. The Learner Support Teams provide a range of support which includes:

- Counselling and mental health support, including FIKA.
- Behaviour management support.
- Welfare advice and guidance.
- Referral to internal and external specialist support.

If a member of staff has significant concerns about a learner but does not believe that they are being abused or are at risk of immediate significant harm, they should:

- Talk to the learner about the concerns.
- Raise a concern via the appropriate method in order for Designated Safeguarding Staff to consider whether the concerns about the learner should be discussed with local safeguarding professionals.
- Arrange ongoing support for the learner in conjunction with the Student Learner Team.

## **5.4. Reporting to Designated Staff**

- Staff should report any concerns, suspicions or disclosures of abuse as soon as possible (within a maximum of 2 hours) to one of the Designated Safeguarding Staff via the College's Safeguarding Referral process. This must be done by the end of the working day.

- If you are uncertain or need further advice or guidance about an issue related to Safeguarding, you should contact a member of the Designated Safeguarding Staff who will offer advice and support.
- If none of the above Designated Safeguarding Staff are available, please contact a member of the Senior Leadership Team or, by exception, the Group Designated Safeguarding Manager for further advice.
- In the unlikely event that none of the above-named managers can be contacted within two hours of a significant concern arising, the member of staff making the report should contact the Principal, who will review and will grant permission to inform the local Social Services or Duty Social Worker (by searching for the relevant contact details on the local authority website) and notify the College Designated Safeguarding Lead as soon as possible about the action taken. Should the principal also not be available, then the Group DSL should be contacted.
- Where a learner has been found to be at physical risk on college premises, the Health and Safety Manager and the Head of Estates should be informed immediately, but in any event, within two hours.
- **The names and contact details of managers and officers who have responsibility for safeguarding issues are included on the NCG website <https://www.ncgrp.co.uk/guide-to-information/our-policies-and-procedures/safeguarding/>**

### 5.5. Actions by College Designated Safeguarding Lead

The College Designated Safeguarding Lead (or a nominated member of the Safeguarding Team) must report the matter by telephone within 24 hours to social workers in the Social Care Department in the Local Authority where the child or adult at risk lives.

An NCG referral form should be completed and submitted within 48 hours depending on the referral route needed for the appropriate social care team. This form should also be forwarded to the College Designated Safeguarding Lead and kept for recording purposes.

The College Designated Safeguarding Lead should discuss with the Social Worker:

- What action will be taken and if there is a need to inform the parents/carers of the young person/adult at risk; a note of the conversation should be made.
- The process for keeping the College informed of further action taken.

### 5.6. Learners Aged 18 Years or Over NOT Defined As 'At Risk'

- There is no need to report the abuse to any outside agency unless there is risk to others aged under 18 years, in which case the procedure for learners aged under 18 years should be followed. The learner may wish



to involve the police. The College's role is to support them through this process.

- Alternatively, the abuse may be in the past and the learner may require direction towards a counselling agency such as counselling support, Health Services, survivors' support groups, or the NSPCC, which also works with adult survivors of abuse.

### **5.7. Learners Aged 18 Years or Over Defined As 'At Risk' - Consent**

Referrals to Adult Social Care and/or the Police for Adults at Risk should only be made with the consent of the Adult at Risk, unless obtaining consent is deemed to put them at further risk. This involves:

- Speaking to the Adult at Risk in private.
- Getting their views on what has happened and what they want to happen next.

Give them information about the safeguarding adults process and seek consent to share the information.

However, the College Designated Safeguarding Lead or College Deputy Designated Safeguarding Lead should override consent if they make an assessment that the Adult at Risk does not have the mental capacity to provide informed consent, as set out by the Mental Capacity Act (2005). This act sets out 5 key principles:

1. Capacity is presumed unless proven otherwise.
2. People should be supported to make decisions.
3. The right to make unwise decisions.
4. Best interests.
5. Least restrictive intervention.

Mental capacity assessments are decision and time specific. Consent should be overridden when:

1. Capacity is affected by threatening or coercive behaviour.
2. There is risk of critical harm.
3. The concern is in the public interest.
4. A serious crime has taken place.

The College Designated Safeguarding Lead or College Deputy Designated Safeguarding Lead must follow the guidance of the Local Authority Safeguarding Adults Board and seek advice from Adult Social Care if needed.

Record keeping and referral to group services should follow the processes outlined elsewhere in this procedure.

## **6. Reporting and Dealing with Allegations of Abuse Against Members of Staff**

The College recognises that an allegation of abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. The College recognises that the Children Act (1989) states that the welfare of the young person is the paramount concern. It is also recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence and career. Therefore, allegations of abuse by a member of staff shall be handled with sensitivity.

If an allegation is made regarding a staff member who is no longer an employee/volunteer at the College, the matter will be immediately reported to the Police and to the Local Authority Designated Officer (LADO).

### **6.1. Receiving and Reporting an Allegation Against a Member of Staff**

There are several sources from which a complaint or an allegation might arise, including from:

- A young person or an adult.
- A parent/carer.
- A member of the public.
- A disciplinary investigation.
- Another member of staff (additional information can be found in the NCG *Disclosure Policy* in relation to Whistleblowing activities).

The person who receives the allegation should not share this with any other colleagues other than the College Designated Safeguarding Lead (or College Designated Deputy Safeguarding Lead) and/or Principal/member of College Leadership Team (in the case of a college), and Group DSL/Director of People and development/member of Executive team (in the case of professional services)

The person to whom an allegation or concern is reported must not question the alleged perpetrator, or investigate the matter further.

They must only gather factual, basic information:

- Treat the matter seriously.
- Keep an open mind and avoid asking leading questions to the complainant (use phrases such as “tell me, explain to me, describe to me” to gather initial facts?).
- If the complainant is a young learner, questions should be kept to the minimum necessary to understand what is being alleged. Care must be taken in asking or interpreting responses to questions about indications

of abuse, as this could influence the evidence which is put forward if there are subsequent legal proceedings.

- Make a clear written record of the information as soon as possible (where possible in the individual's own words), use bullet points to help clarity. The record should include:
  - The name of the complainant and, where different, the name of the learner/person who has allegedly been abused.
  - When and where the alleged incident took place, including date and time.
  - Who was present and may have witnesses a relevant aspect.
  - The account of what is alleged to have happened.
  - A description of any injuries observed.
  - Your name, signature and date.
  - Learner's signature if appropriate.

If an allegation or suspicion of abuse by a member of staff is received:

- Contact the College Designated Safeguarding Lead immediately to report that an allegation has been made.
  - Details as follows:  
<https://www.ncgrp.co.uk/guide-to-information/our-policies-and-procedures/safeguarding/>
- If the College's Designated Safeguarding Lead or College Designated Deputy Safeguarding Lead are unavailable, you should report directly to the Group Designated Safeguarding Lead for further guidance.

If an allegation or suspicion of abuse by the Principal, College Designated Safeguarding Leads or Wider SLT is received:

- Contact the Group Designated Safeguarding Lead immediately to report that an allegation has been made - they will contact the Local Authority Designated Officer.
- If an allegation or suspicion of abuse is about the Principal or the Group Designated Safeguarding Lead then the NCG Chief Executive must also be contacted.

There is no process in place to refer an allegation against a member of staff to an identified person in in Adult Social Care Services, as there is with Safeguarding Young People. Where there is an allegation of abuse of an adult by a member of staff this should be dealt with in the same way as concerns about any other alleged perpetrator. The Designated College Safeguarding Lead will follow the process outlined in section 5.5 of this procedure (Actions by Designated College Safeguarding Lead).

## 6.2. Initial Action To be Taken by the College Designated Safeguarding Lead

The College Designated Safeguarding Lead (or College Deputy Designated Safeguarding Lead) must gather information by:

- Obtaining written details of the allegation, signed and dated by the person receiving the allegation.
- Recording any other information in relation to time, dates and location of incident(s) and names of any potential witnesses.
- Recording discussions about the learner and/or member of staff, any decisions made and the reasons for those decisions.
- Countersigning and dating the written record.

It is important that the Designated College Safeguarding Lead or Principal does not investigate the allegation. The initial assessment should be on the basis of the information received and involves the making of a decision as to whether or not the allegation warrants further investigation.

Other potential outcomes are:

- The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime, nor a cause of significant harm to the young person or adult at risk. The matter should be addressed in accordance with the College disciplinary procedures.
- The allegation can be shown to be false because the facts alleged could not possibly be true.

The College Designated Safeguarding Lead must report an allegation to the Local Authority Designated Officer (LADO) within 1 working day if the allegation suggests a staff member who works with young people has:

- Behaved in a way that has harmed a young person, or may have harmed a young person/adult at risk.
- Possibly committed a criminal offence against or involving a young person/adult at risk.
- Behaved towards a young person/adult at risk in a way that indicates they are unsuitable to work with young people/adults at risk, in connection with their employment or voluntary activity.

To make a referral to the Local Authority Designated Officer (LADO), please first consult with the DSL.

The College Designated Safeguarding Lead will also contact the Group Designated Safeguarding Lead and the NCG Director of People and Development to agree how to inform the member of staff against whom the allegation has been made and to agree appropriate action pending any investigation initiated by the LADO.

If a concern or an allegation requiring immediate action is received outside normal office hours, the College Designated Safeguarding Lead will consult immediately (or as soon as is possible) with the LADO / Adult Social Care Services Emergency Duty Team and/or the local Police.

In line with ESFA funding arrangements, the College Designated Safeguarding Lead will notify the ESFA by email if the College, or one of its subcontractors, is the subject of an investigation by the local authority/police, in response to a serious safeguarding incident.

### **6.3. Enquiries and Investigations**

Safeguarding enquiries by Social Care or the police are not to be confused with internal disciplinary enquiries by the College; however, the College may be able to use the outcome of external agency enquiries as part of its own procedures. Safeguarding agencies, including the Police, have no power to direct the College to act in a particular way; however, the College must assist the agencies with their enquiries. The College shall hold in abeyance its own internal enquiries whilst the formal police or social services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform to the existing staff disciplinary procedures.

If there is an investigation by an external agency, (e.g. the Police) the Principal and the College Designated Safeguarding Lead/Head of People and Development should normally be involved in, and contribute to, the inter-agency strategy discussions. The Principal and/or the Designated College Safeguarding Lead/Head of People and Development is responsible for ensuring that the College gives every assistance with the agency's enquiries. They will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made.

The Principal and/or the College Designated Safeguarding lead/Head or People and Development shall advise the member of staff that they should consult with a representative - for example, a trade union.

Subject to objections from the police or any other investigating agency, the Principal and/or College Designated Safeguarding Lead shall:

- Inform the learner and/or parent/carer or the learner making the allegation that the investigation is taking place and what the process is likely to involve.
- Ensure that the parents/carers of the individual making the allegation have been informed that the allegation has been made and what the likely process will involve.
- Inform the member of staff against whom the allegation has been made of the fact that the investigation is taking place and what the process is likely to involve.
- Appoint a named representative to keep the person subject to the allegation informed.
- The Principal and/or College Designated Safeguarding Lead shall keep a written record of the action taken in connection with the allegation.

#### 6.4. Suspension of Staff

Suspension should not be automatic as it is not a neutral action. All options to avoid suspension should be considered prior to suspension. In respect of staff other than the Principal, suspension can only be carried out by the Principal. If allegations involve the Principal, suspension can only be carried out by the CEO.

Suspension may be considered at any stage of the investigation. Consideration should be given to alternatives: e.g. paid leave of absence, agreement to refrain from attending work and change of, or withdrawal from, specified duties.

Suspension should only occur for a good reason. For example:

- Where a young person or adult is at risk.
- Where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.
- Where necessary for the good and efficient conduct of the investigation.

If suspension is being considered, the member of staff should be encouraged to seek advice - for example, from a trade union.

If the Principal considers that suspension is necessary, the member of staff shall be informed that they are suspended from duty. Written confirmation of the suspension, with reasons, shall be despatched as soon as possible - ideally within one working day.

Where a member of staff is suspended, the Principal should address the following issues:

- The Group Designated Safeguarding Lead should be informed of the suspension in writing.
- The parents/carers of the learner making the allegation should be informed of the suspension; they should be asked to treat the information as confidential.
- Consideration should be given to informing the learner making the allegation of the suspension.
- Senior staff who need to know of the reason for the suspension should be informed.
- Depending on the nature of the allegation, the Principal should consider with the College Board Member whether a statement to the learners of the College and/or parents/carers should be made, taking due regard of the need to avoid unwelcome publicity.
- The Principal shall carefully consider and review the decisions as to who is informed of the suspension and investigation. The LADO and external investigating authorities should be consulted.
- The suspended member of staff should be given appropriate support during the period of suspension. They should also be provided with information on progress and developments in the case at regular intervals by the appointed Investigating Manager.

- The suspension should remain under review in accordance with the College disciplinary procedures.

### **6.5. Disciplinary Investigation**

The disciplinary investigation should be conducted in accordance with the College's existing staff disciplinary procedures.

The member of staff should be informed of:

- The disciplinary charge against them.
- Their entitlement to be accompanied or represented by a trade union representative or friend.
- Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension should be lifted immediately and arrangements made for the member of staff to return to work.
- The young person/adult at risk making the allegation and/or their parents/carers should also be informed of the outcome of the investigation and proceedings. This should occur prior to the return to College of the member of staff (if suspended).
- The Principal Appointed Investigating Manager should give consideration as to what information should be made available to the general population of the College.

### **6.6. Allegations Without Foundation (malicious)**

False allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to a referral to the appropriate Local Authority Social Care Department in order that other agencies may act upon the information.

Records of allegations without foundation will be removed from personnel records.

In consultation with the Appointed Investigating Manager, the Principal, or appointed DSL/HR Partner will:

- Inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or safeguarding action will be taken.
- Inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.
- Where the allegation was made by a child/adult at risk other than the alleged victim, consideration should be given to informing the parents/carers of that child/adult at risk.
- Prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.



Where it is subsequently found that an allegation was made with aforethought malice, the College will determine an appropriate course of action. This may include disciplinary action against the accuser, acceptance of a written apology (subject to agreement about future behaviour) or other such sanctions as are deemed appropriate.

Consideration for proportionate responses to perpetrators of false or unsubstantiated allegations:

- Despite the distress caused, learners who make false allegations may still be entitled to continue to receive full access to the curriculum with appropriate risk assessments and support plans in place where applicable.
- Where remaining in the same organisation as the falsely accused member of staff would be prejudicial either to the member of staff or the learner, consideration should be given to supporting the learner to identify suitable education or training opportunities elsewhere.
- Permanent exclusion should be considered only as a last resort

## **7. Reporting and Dealing With Suspicions of Radicalisation/Extremism**

In line with our Prevent Duty it is important that all of our staff and learners, regardless of age, are protected from abuse linked to the risk of radicalisation, as discussed within Section 26 of the Revised Prevent Duty Guidance for England and Wales (2016).

Radicalisation is the process where someone has their vulnerabilities or susceptibilities exploited towards crime or terrorism or supporting terrorism – most often by a third party, who have their own agenda. The Government has defined extremism in the Prevent strategy as: “vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces”.

If there are concerns that a learner is being radicalised or where there are concerns that a learner is expressing extremist views, these concerns must be raised, in line with government Prevent Duty guidance, in the same way that any other safeguarding concern would be raised. If the College Designated Safeguarding Lead considers that the information given indicates that the learner may be at risk of radicalisation, they will make a safeguarding referral in line with the Prevent Duty guidelines to Channel.

## **8. Allegations Against Other Learners**

In the case of an allegation or actual abuse of a child/adult at risk by a learner (peer on peer abuse), the College Designated Safeguarding Staff (having due regard to other college procedures) shall:

- Notify the Principal.

- Take the steps they consider to be necessary to ensure the safety of the learner in question and that of any other learner who may be at risk.
- Report the matter to the Local Authority Social Care Department within 24 hours and in accordance with the College procedure.
- Ensure that the person who reported the concern completes a written report.

## 9. Children Missing from Education

If a learner aged 16-18 does not attend College, the attendance procedures should be followed. All learners' attendance is monitored and non-attendances are followed up on the same day, resulting in early identification of learners at risk of going missing from education, ensuring that appropriate action can be taken. Notes should be maintained on eTrackr in a simple format: such as *explain the non-attendance*>*required action from college*>*required action from learner*.

Some learners may be deemed to be at higher risk – for example those with complex, or profound needs, or children who are looked after (LAC). These should be reported to the safeguarding team within 24 hours if not resolved before then.

If the learner continues to be absent for more than 20 college days (4 weeks) and staff have been unable to make satisfactory contact with the learner or guardian to ensure resumption of attendance, the College will typically withdraw the student from the course. At the point of withdrawal, the relevant Local Authority must be notified. A record should be made on eTrackr of the contact log and also state the date of contact with the local authority, the officer contacted and means of communication (email/phone).

If the staff member has concern about the safety of the learner, a concern must be raised and passed to the Safeguarding Team. If the child is judged to be at risk of harm, College Designated Safeguarding Staff will seek advice and/or refer to Children's Social Care as appropriate. If the staff member believes the learner is in immediate danger, they must call 999.

## 10. Private Fostering

Where a young person under the age of 16 years (under 18 years if disabled) is cared for by someone who is not their parent or a 'close relative' for 28 days or more, this is identified as a Private Fostering arrangement. (A close relative means a step-parent, grandparent, brother or sister, including half-siblings, aunt or uncle—either by blood or marriage; it does not include great-aunts or uncles, great grandparents or cousins). Where a member of staff becomes aware of this arrangement, they must raise this with the College Designated Safeguarding Staff as the College has a responsibility to report to the Local Authority where we are aware or suspect that a child is subject to a private fostering arrangement. The local relevant Local Authority will ensure that the arrangements are suitable and safe for the young person.

### 10.1. 14-16 School Link Students

In the case of a 14-16 School Link student, the College Designated Safeguarding Staff should liaise closely with the school's Child Protection Officer. The College Designated Safeguarding Staff and the Child Protection Officer for the school will decide who is responsible for undertaking the referral to the appropriate Local Authority Children's Social Care team.

## 11. Learners or Applicants with Criminal Convictions

If a member of staff becomes aware (from self-declaration on enrolment form, or in person, or third-party report) that an applicant has a criminal conviction, they should alert the Safeguarding Team. The Team will arrange for a Criminal Conviction Risk Assessment to take place to ensure the safety of other learners and the applicant.

**Under no circumstances should the applicant be offered an unconditional place until this Risk Assessment has been carried out and enrolment approved.**

The Safeguarding Team will conduct the Risk Assessment and consult with the Probation Service/Police where appropriate. The College Designated Safeguarding Lead will reject/approve/approve (with any appropriate conditions) the applicant's enrolment. The Designated Safeguarding Lead will maintain a written record of the assessment and the outcome of these discussions.

Should a member of staff become aware of an existing learner with a previously undeclared criminal conviction, or where one is received in-year, they must notify the Safeguarding Team immediately who can advise on proportional actions to be taken, whilst a risk assessment is carried out.

In the cases of learners who are studying at the College for short periods of time through Job Centre Plus/Work Programme provision, the College reserves the right to refer learners back to the referring agency and share information appropriately.

## 12. Notifications to the College of Learner Risk

Occasionally, the College may receive information, e.g. a disclosure under MAPPA (Multi Agency Public Protection Arrangements) about an individual attending college who may present a risk to young people or adults at risk. In these circumstances, the College Designated College Safeguarding Lead will call a professionals meeting to:

- Discuss the case with the professionals supporting and monitoring the individual concerned e.g. Police, Probation, Youth Offending Service.
- Undertake a risk assessment, and make any initial recommendations to the Principal about learner/provisional learner (applicant) access to College sites.
- Determine what action/s should be taken to ensure that the college fulfils its safeguarding responsibilities.

## 13. Working with External Partners/Parents

### 13.1. External Partners/Subcontractors

Where the College subcontracts/has agreements in place with other organisations to work with learners, the Department responsible for managing the contract will ensure the full on-boarding processes have been completed, including:

- Safe recruitment and staff monitoring policies are in place in line with College policies. For example, all staff appointments are made subject to:
  - Satisfactory references.
  - Satisfactory Disclosure and Baring Service (DBS).
  - Prohibition from teaching checks (where appropriate).
  - All staff working with vulnerable individuals are trained in line with the College Policy on the Safeguarding of Vulnerable Individuals and on the Prevent Duty.
  - The subcontracted organisation has best practice/policy in place to ensure the personal safety and wellbeing for vulnerable individuals .

Until DBS clearance has been received, new staff working in 'regulated' activity are not allowed to work alone and without supervision with learners.

Only approved agency staff may be used and Morgan Hunt are the primary partner. MH will liaise with Group HR/Payroll to maintain a current DBS record.

### 13.2. Partnership Working with Parents/Carers

We work in partnership with parents/carers to secure the best outcomes for our young people and adults at risk (where appropriate). We will therefore communicate as clearly as possible about the aims of the College. We will:

- Use clear statements in our parent/carer guide and other correspondence.
- Involve parents/carers and learners in the review of key policies and procedures.
- Liaise with agencies in the statutory, voluntary and community sectors and locality teams that are active in supporting families.
- Be alert to the needs of parents/carers who do not have English as their first language and utilise translation services as necessary.

## 14. Referral to Group Services

College Designated Safeguarding Leads (or a member of the Safeguarding Team under their instruction) are required to inform Group Services of the following referrals:

- Learner/apprentice (children and adults at risk) referrals to the Local Authority Designated Officer/Children and Families or Safeguarding Adults' Duty Team/Police/Channel whereby the learner is the alleged 'subject';
- Learner/apprentice (children and adults at risk) referrals to the Local Authority Designated Officer/Children and Families or Safeguarding Adults' Duty Team/Police/Channel whereby the learner is the alleged 'perpetrator'
- Staff referrals to the Local Authority Designated Officer/Children and Families or Safeguarding Adults' Duty Team/Police/Channel whereby the staff member is the alleged 'perpetrator'

The Prevent and Safeguarding Notification Form should be completed and emailed to [referrals@ncl-coll.ac.uk](mailto:referrals@ncl-coll.ac.uk) within 2 days of the referral.

All correspondence will be held in the strictest confidence and will be used to by the Group DSL to monitor external referral trends, and to support with supervision where required. Should the College Designated Safeguarding Lead be required to complete local referral documentation that exceeds the content of the NCG referral form, then only part 1 of the Prevent and Safeguarding Notification Form should be completed. This concession is intended to remove unnecessary duplication of personal data and information – the quality and completeness of information remains the priority.

Summary follow-up information of the allegation must be reported to Group Services following referral. College Designated Safeguarding Leads are required to add a summary note to the Prevent and Safeguarding Notification Form and resend to the [referrals@ncl-coll.ac.uk](mailto:referrals@ncl-coll.ac.uk) inbox at half-termly milestones unless the referral has been closed. Copies of reports, notes etc. should be kept securely locked at all times, and kept for a period of 7 years. This process will be replaced and strengthened through use of MyConcern during the academic year 2021/22.

There may be occasions when, due to emerging concerns, colleagues conscientiously refer the siblings of current students to Local Authority Children's Services. In these cases, there is no compulsion to complete the Notification Form, unless the potential outcome will have a likely and direct impact on the student. For example, a potential intervention from the Local Authority/police/CAFCAS that would see the family's children removed from their parents/carers, or a potential threat to the learner is apparent as a result of making the disclosure. Local records must be maintained. The Group Designated Lead will refer to the ESFA based on the information provided on the referral from, in line with the funding requirements.

## 15. Informing the ESFA

The Designated College Safeguarding Lead must inform the Group DSL if the College, or one of its subcontractors is the subject of an investigation by the local authority or the police in response to a serious safeguarding incident. This will be

done using the Group referral form. The Group DSL will then inform the Group partner manager at the ESFA.

This does not include learner issues, but would include a serious process failing, or a founded investigation of a member of staff.

The Group DSL will send a copy of the Annual Safeguarding Report for the ESFA regional partnership manager each year, once approved by Corporation.

## 16. Confidentiality

The issue of confidentiality in the context of the safeguarding is quite complex. How a member of staff handles the situation if a learner does not initially wish to be identified as being in need of protection is crucial in making them feel safe enough to disclose their identity. There are several things to consider, including the possible risk posed to other vulnerable individuals or children and NCG's legal responsibility to notify Social Care Services of confidential information, when justified in the interests of safety.

If a learner has capacity to make informed choices and decisions, information must not be passed on to external authorities unless the learner agrees or unless the College Designated Safeguarding Lead (or College Deputy Designated Safeguarding Lead) is satisfied that there is a serious risk of harm to self, other learners or the public at large. If a learner with capacity does not wish to be named and staff are in any doubt about how to proceed, advice can be sought from the local Social Services Safeguarding Manager or Duty Social Worker. This should preferably be done via the College Designated Safeguarding Lead (or College Deputy Designated Safeguarding Lead). If they are unavailable, however, contact should be made via one of the College Safeguarding Team. In any event, the College Designated Safeguarding Lead (or College Deputy Designated Safeguarding Lead) should always be informed if contact has been made with local Social Services with regard to a safeguarding report/issue. The College Designated Safeguarding Lead will also inform the Group Designated Safeguarding Lead if this results in a referral. It should be noted that GDPR Regulations are not a barrier to sharing information with designated colleagues or authorities where necessary.

## 17. Whistleblowing

NCG has a Whistleblowing Policy which protects staff members who wish to raise concerns about malpractice in the organisation, and the cover up of any malpractice. In the case of safeguarding, this is likely to be about a dangerous or illegal activity, or widespread or systemic failure in relation to learners and/or the services they receive. This duty is contained with the NCG Disclosure Policy and staff should act in accordance with that policy.

Whistleblowing is very different from a complaint or a grievance. It only applies when you have no vested interest and you are acting as a witness to misconduct or malpractice that you have observed.



Normally, you should first raise your concern internally - for example with your Line Manager, your Designated College Safeguarding Lead or the Principal. If you feel the need to raise your concern outside the management line (perhaps because your concern relates to them) and/or to escalate a concern that has been raised through your Line Manager/Designated College Safeguarding Lead /Principal, you should raise it with the NCG Clerk of the Governors.

If you are worried at any stage about how to raise your concern, you should always seek independent advice at the earliest opportunity. This may be to check who may be best placed to deal with your concern or simply to talk the matter through in confidence first and discuss how to raise your concern. You can do this through your union or professional body or the independent whistleblowing charity Public Concern at Work (PCaW) on 0207 404 6609; or by email at [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk). For further information please see their website at [www.pcaw.co.uk](http://www.pcaw.co.uk). If you decide to seek advice from a legal advisor, then anything you say to them is automatically protected.

If you have raised your concern internally but feel it has not been properly addressed, or if you feel unable to raise your concern at any level within your organisation, you may feel that you need to raise your concern outside your place of work. Please contact the Group designated DSL; if you feel there is a conflict or reason why this cannot be reported internally then advice can be sought from the Local Authority Designated Officers (LADO).

## 18. Written records

The Designated Safeguarding Staff shall retain a confidential copy of:

- All referral forms.
- Written reports, notes and documents relating to an investigation or correspondence.
- Any other relevant material.

Reports, notes and documents should be kept securely at all times. Access to records will be confined to the College's Designated Safeguarding Staff.

Electronic copies should be kept securing in an restricted file location and be suitably password protected.

The College recognises the importance of recording interventions and that this could be used as evidence by the Police, Local Authority and Domestic Homicide/Serious Case Reviews. All Designated College Safeguarding Staff have access to and record their work on the safeguarding system as part of the College's efforts to safeguarding and support learners, including the use of systems including MyConcern.

## 19. Monitoring Effectiveness

Where a complaint has been made, or an allegation has been made against a member of staff, the CEO/Principal and Group/ College Designated Safeguarding Lead should, at the conclusion of the investigation and any disciplinary procedures,



consider whether there are any matters arising from it that could lead to the improvement of the College's procedures and/or policies, or which should be drawn to the attention of the Local Safeguarding Children's Board. Consideration should also be given to the training needs of staff. The Link Governor should be suitably appraised and consulted on recommended actions.

## **20. Safer Recruitment of Staff, Volunteers and Agency Staff**

NCG has in place a safer recruitment policy (Recruitment and Selection Policy and Procedures). The recruitment procedures will ensure that every care is taken to ensure that young people/adults at risk are protected from unsuitable people. The recruitment procedures will apply to all staff and volunteers<sup>1</sup> within the College who may work with learners. The recruitment procedures will include the following:

- The post or role will be clearly defined.
- The key selection criteria for the post or role will be identified.
- The requirement to produce documentary evidence of academic/vocational qualifications.
- Obtaining professional references.
- Verification of previous employment history.
- DBS checks.
- Use of a variety of selection techniques (e.g. qualifications, previous experience, interview, reference checks).
- For NCG staff, a central record will be maintained by Group HR/Payroll, a weekly exception report will be sent to the Group DSL for assurance that staff are suitably cleared, or appropriate supervision will be in place, via a risk assessment. The latter is to be used in exceptional circumstances only, and must be approved by the CEO, Group Director of People/Development, or Principal. No other staff are cleared to make this decision.
- For agency staff, the Principal or nominated deputy will check that the person presenting at the College is the same person that the agency provided the vetting checks for. Recruitment and selection processes are designed to assist managers to recruit and select the best candidates for a vacancy. The College will take account of all relevant legislation. A log will be maintained.
- For educational/business consultants, the Principal or nominated deputy will check that the person presenting at the College is the same person that the agency provided the vetting checks for.
- Volunteers will undertake the same vetting checks as any other member of staff before being invited to work at the College, a log will be maintained by

---

<sup>1</sup> Volunteers may be utilised in roles such as sports assistant coaches, or admin, and may therefore be regular visitors to the College and in regulated activity in some cases

Group HR/Payroll and will be shared weekly to principals/DSLs for action-response.

- Site Contractors will be treated as visitors, and be supervised by Group/College Estates whilst on-site.
- Longer term contractors, for example cleaning, catering, security, will be required to comply with NCG contractual obligations and maintain DBS at the appropriate level - this compliance will be maintained through the supplier management framework, and therefore Group Procurement will lead and monitor.
- Interview panels to include at least one member who is “Safer Recruitment” trained – a list of trained staff will be circulated to senior leaders each month by Group HR/Payroll.

The facts will be reported to the Disclosure and Barring Service where the candidate:

- Has been disqualified from working with children, young people or adults at risk.
- Has provided false information, on or in support of their application.
- Is a cause for concern with regard to their suitability to work with children, young people or adults at risk.

## 21. Staff Training

- All staff and governors are trained to understand the risks to learners and how to respond through the NCG Single Safeguarding Policy and Procedure and appropriate behaviour through the NCG Code of Conduct.
- All staff are required to complete mandatory training on appointment and ensure it is kept up to date (refreshing every 2 years). A compliance record will be maintained by Group HR/Payroll.
- All staff will receive (at least) an annual update on legislation changes, and the relevant risk to learners, through face to face staff training either in person, or via streaming.
- All staff at the College must declare that they have read the latest version of Keeping Children Safe in Education and the NCG Safeguarding Policy update.
- Staff can be updated via, email, e-bulletins, training, briefings and staff meetings. The updates should provide staff with the skills and knowledge they need to safeguard learners effectively.
- The Group Designated Safeguarding Lead, College Designated Safeguarding Lead and College Deputy Designated Safeguarding Lead will undertake external local authority Level 3 training for Safeguarding Children and Adults.

- For College Designated Safeguarding Staff, this will be a minimum of external local authority Level 2 training for Safeguarding Children and Adults.
- All new employees will undergo the college Induction Programme, which includes information regarding safeguarding responsibilities and the College Single Safeguarding Policy and Procedure.

## **22. Training for Learners and Apprentices**

- All learners will receive training during induction on safeguarding, the risks to them and their peers.
- They will receive explicit direct instruction on how to raise concerns/make referrals and seek additional support.
- The impact of this training will be tested through learner surveys, group tutorials and learner voice activities.
- In addition to key safeguarding training, all learners should be provided training with Prevent, British Values, sex and relationship education, and what constitutes sexual violence, harassment and abuse. The training will make clear acceptable behaviours and positive relationships.
- Local risks may vary from college to colleges, although explicit instruction must be made in relation to the dangers of organised and serious violence/gang cultures, the use of drugs and alcohol, the concealment and use of weapons, and online dangers associated with content, conduct, contact, commerce.
- Apprentices must receive specific guidance as to the potential hazards and risks in their employer location and premises – this may extend to specific environmental risks, operation of plant and equipment, lone working, working in isolation. It is essential that supervision/mentoring arrangements are clear to all relevant parties and are documented appropriately (in line with apprenticeship requirements). The apprentice must have a nominated skills assessor/trainer/teacher who will act as the primary personal tutor and contact.

## **23. Online Safety and Remote Study/Working – Staff Guidance**

### **23.1. Keeping Safe Online**

Colleagues are additionally expected to be vigilant around harmful online material that may constitute one or more types of abuse. The period of home study resulting from the COVID outbreak in the spring and summer of 2020 has significantly increased the amount of online learning and study; staff are required to be aware of the risks to their learners and take steps to reduce those risks through training and education. Additional arrangements (such as additional training, learner engagement and wellbeing monitoring and learner surveys) may be necessary in the event of a prolonged period of home study, which will be advised to staff via the NCG website.

<https://www.ncgrp.co.uk/guide-to-information/our-policies-and-procedures/safeguarding/>

### **23.2. Acceptable Use of Technology Policy including Social Media**

Staff and learners must follow the NCG IT Acceptable Use Policy. Staff must not knowingly instigate contact with or make 'friends' with current learners from personal social media accounts.

Staff should check their online privacy settings to ensure only material that they wish to be public is shared. Where current learners contact staff through personal social media accounts staff should inform their line manager and if repeated attempts are made the issue must be raised with the learner through their tutor.

It is acceptable for staff to run professional College social media accounts. This must be with the knowledge of the line manager and staff are responsible for ensuring that any such accounts maintain professional standards. Staff must pass on passwords for any College social media accounts to the Head of curriculum prior to leaving the organisation.

Communications between learners and staff, by any method, should take place within clear and professional boundaries. All communications are required to be transparent and may be open to scrutiny.

### **23.3. Online Lesson Delivery and the NCG Practice for Online Learning Policy**

Staff should read, understand and follow the NCG Practice for Online Learning Policy, and NCG Code of Conduct to follow for any live lesson activities, which encompasses Safeguarding.

This includes guidance around preventing the release of any information that inadvertently gives the location or information about a member of staff/learner should be visible. Any safeguarding concerns that become evident through online verbal or visual communication should be followed up in line with the Safeguarding Policy.