



Safeguarding Young People and Vulnerable Adults (Child Protection) Policy

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Date	
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Significant Changes to policy:

Section	Changes
Throughout	All references to ' <i>Keeping Children Safe in Education</i> ' (2022) have been removed and replaced with references to ' <i>Keeping Children Safe in Education</i> ' (2023).
4	Updated staff names and job roles
5	Clarification that it is good practice for schools and Colleges to inform shortlisted candidates that online searches will be carried out.
12	Terminology change from Children Missing to Children Absent from education
13	Further reference to monitoring and filtering of online content.
14.3	Updated to include information about changes to the law in February 2023 related to marriage for young people under 18.

1. SAFEGUARDING POLICY STATEMENT

Safeguarding is everyone's responsibility

York College ('the College') is committed to safeguarding and promoting the welfare of all students. The College expects all staff, agency staff, governors, volunteers, sub-contractors, contractors, work and industry placement providers, employers, partners, visitors and external hire clients to endorse and practice this commitment at all times.

2. Purpose and Aims

2.1 The aims of this policy are:

- To ensure that all students are effectively safeguarded from the potential risk of harm and that the safety and wellbeing of the student is of the highest priority.
- To help the College maintain its ethos whereby staff, governors, volunteers, contractors, sub-contractors, employers, work and industry placement providers, students, parents, carers, guardians, visitors and external hire clients feel able to articulate any concerns in the knowledge that effective action will be taken.
- To outline the College's commitment to safeguard and promote the welfare of students.

2.2 The purpose of this policy is to ensure all members of the College community:

- Are aware of their responsibilities in relation to safeguarding students.
- Know the procedures to be followed if they have a safeguarding 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.

3. Principles of the Policy

Safeguarding is the responsibility of all staff, supply/agency staff, governors, volunteers, sub-contractors, contractors, work and industry placement providers, employers, partners, visitors and external hire clients, hereafter referred to as 'the College community', with the College playing its part in preventing, identifying and reporting abuse and neglect. This includes a responsibility on the whole College community to actively promote the welfare of every student. All staff are advised to maintain an attitude of 'it could happen here and it probably does', in regard to safeguarding.

We will also ensure that students who attend College, whether in person, remotely or online, are kept safe from harm. 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, the Safeguarding Procedures and Guidance documents, produced by the College.

When dealing with safeguarding concerns, it is important that all staff should 'Think Family' and consider family members within the household and wider networks who may be at risk of or experiencing abuse or neglect. The College will make referrals to Children or Adults Social Care when this is necessary to safeguard children and adults, even if they are not part of the College community.

Where there is a concern, the student's wishes and feelings will be taken into account when determining what action to take and what services to provide.

All staff, via induction and training know how to recognise indicators of concern, how to respond to a disclosure from a student and how to record and report this information. All staff will be trained to recognise that students may not feel ready or know how to tell someone that they are being abused, exploited or neglected and/or they may not recognise their experiences as harmful.

We maintain that we have a primary responsibility for the care, welfare and safety of students and will carry out this duty through our teaching and learning, day to day practice, extra-curricular activities, pastoral care and extended College activities. Therefore, all members of the College community, in whatever capacity, will act proactively where there is a possibility that a student may be at risk of significant harm.

We will enable students, through Personal, Social, Health and Economic Education (PSHE), Relationships and Sex Education (RSE) and other support activities, to develop the skills they need to stay safe from harm. The activities will cover relevant topics, in an age and level appropriate way, enabling students to learn about their rights and responsibilities to behave and stay safe in a variety of contexts on and offline. 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 student shares a concern with us.

Students should be able to:

- Recognise and manage risks in different situations.
- Judge what kind of physical contact and behaviour is acceptable and 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 students.
- Promote safe practice and challenge poor and unsafe practice.

If there are suspicions that a student's physical, sexual, mental or emotional well-being is being, or is likely to be harmed, or that they are being neglected or abused in any way, appropriate action will be taken. As a consequence we:

- recognise that safeguarding students is a responsibility of the whole College community.
- will ensure through training and supervision that the whole College community is alert to the possibility that a student 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.
- will share our concerns with relevant agencies and assist in any referral process.
- will ensure that all members of the College community who have a suspicion that a student may be suffering or may be at risk of significant harm, refer such concerns immediately to the 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 relevant Local Authority.
- Safeguard students 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 York College are suitable to work with children and adults.
- 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 student, harmed a student, or acted in a way that calls into question their suitability for working with students.

We also understand the importance of working in a way that adheres to the following:

- The Human Rights Act 1998
- Equality Act 2010
- Public Sector Equality Duty

This means we do not unlawfully discriminate against students because of their sex, race, disability, religion or belief, gender reassignment, pregnancy and maternity, or sexual orientation (protected characteristics).

4. Roles and Responsibilities:

Role	Name	Contact details
Designated Safeguarding Lead	Ingrid Kellock	ikellock@yorkcollege.ac.uk
Deputy Designated Safeguarding Lead	Jenny Edwards	jedwards@yorkcollege.ac.uk
Deputy Designated Safeguarding Lead	Eleanor Bennett	ebennett@yorkcollege.ac.uk
Wellbeing Team Leader	Lou Baker	lbaker@yorkcollege.ac.uk
Progress Leader (Designated Teacher)	Alex Godfrey	agodfrey@yorkcollege.ac.uk
Learning Support Manager	Gemma Thomas	gthomas@yorkcollege.ac.uk
Acting Principal	Ken Merry	kmerry@yorkcollege.ac.uk
Named Governor for Safeguarding and Prevent	Cathy Waters	cwaters@yorkcollege.ac.uk
Chair of Governors	Ian Looker	ilooker@yorkcollege.ac.uk

In addition, the College has a team of Designated Safeguarding Persons (DSP) who act as the point of contact between the Curriculum and Professional Services Teams and the Safeguarding Team.

See **Appendix D** for the full detail of roles and responsibilities of designated safeguarding staff and the roles and responsibilities of all staff.

5. Recruitment

To ensure that students are protected whilst at College, staff and volunteers are carefully selected, screened, trained and supervised.

We accept our responsibility to follow the guidance set out in the most up to date version of the statutory guidance 'Keeping Children Safe in Education'. In particular, we will ensure that the following checks are satisfactorily completed before a person takes up a position in the College:

- Identity checks to establish that applicants are who they claim to be, including relevant formal identification documents.
- Checking academic qualifications, to ensure that qualifications are genuine.
- Previous employment history will be examined and any gaps accounted for.
- Appropriate Disclosure and Barring Service (DBS) checks are completed.
- The process will also confirm that the 'Preventing Illegal Working; Declaration of Entitlement to Work in the UK' is completed.
- A Curriculum Vitae (CV) will only be accepted for advertised posts if they are accompanied by a full application form. A CV on its own will not contain all the information required to support safer recruitment.
- Shortlisted candidates may be subject to an online search, which may initiate further questions at interview or highlight candidate unsuitability. It is best practice to notify candidates that this will take place prior to interview.

6. Induction and Training

6.1. New Staff Members

All new members of staff receive an overview of the organisation and ensure they know its purpose, values, services and structure.

All new staff (and volunteers) will complete an online safeguarding and prevent training programme prior to commencing work at the College or as soon as possible thereafter. They will be expected to attend further safeguarding awareness training as per the College's programme of Continuous Professional Development. This will enable them to effectively fulfil their responsibilities in respect of safeguarding students.

As part of the induction programme, it is mandatory for staff to read and familiarise themselves with the contents of 'Keeping Children and Vulnerable Adults Safe at York College - What You Should Know'. This sets out key safeguarding protocols and the actions staff are expected to undertake when encountering potential safeguarding concerns. It also sets out the statutory requirement to read Part 1 of ['Keeping Children Safe in Education'](#). ['Keeping Children and Vulnerable Adults Safe at York College'](#) also [contains links to](#) which has links to the following policies:

This Policy
Child on Child Abuse Policy
Staff Code of Conduct
Student Disciplinary Policy

6.2. All Staff

All staff undertake relevant safeguarding refresher training every three years. Updates for all staff will be provided through regular continuing professional development as well as newsletters, emails, and staff meetings. In addition, all staff are expected to re-read KCSiE annually and confirm they have done so.

6.3. Governors

The governing body will also undertake appropriate training to equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place are effective and support the delivery of a

robust, whole college approach to safeguarding. The training takes place at induction and is updated regularly.

7. Conduct of Staff

The College has a Staff Code of Conduct which sets out the high standards of professional behaviour that are expected of staff. The policy contains reference to 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 students. All staff should be aware of the dangers inherent in:

- working alone with a student.
- physical interventions.
- cultural and gender stereotyping.
- dealing with sensitive information.
- contacting students through private telephones (including texting), e-mail, social networking websites or messaging facilities.
- disclosing personal details inappropriately.
- meeting students and families outside college hours or college duties.

If any member of staff has reasonable suspicion that a student 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.

The College has a Whistleblowing policy which sets out the right of staff to raise concerns about poor or unsafe practice and potential failings, giving them an assurance that they will be listened to and appropriate action taken. 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 help@nspcc.org.uk.

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

- to the College Progress and Your Experience teams
- at any stage of a student's course as promoted during induction
- to the safeguarding inbox (stayingssafe@yorkcollege.ac.uk)
- via Student Voice mechanisms
- an open approach to discussing issues with staff; either online via College communication platforms, or in person.

8. Safeguarding Children

In relation to students under the age of 18, 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. The College adopts the definition used in the statutory guidance for schools and colleges: Keeping Children Safe in Education 2023, issued by the Department for Education (DfE), which applies to all children and, defines safeguarding and promoting children and young people's welfare as:

- protecting children from maltreatment.
- preventing impairment of children's mental and physical health or development.
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care, and;
- taking action to enable 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 Social Care and the Police if appropriate.

9. Safeguarding Vulnerable Adults

In relation to students 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 themselves from either the risk of, or the experience of abuse or neglect.

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 students. 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 students as appropriate.

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

The safeguarding of vulnerable adults is also referenced in the College's 'Keeping Children and Vulnerable Adults Safe at York College – What you should Know'

10. Students at greater risk of harm

10.1. Care Experienced, Care Leavers and Adopted Children

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

The Safeguarding Officer in College and the Progress Leader with responsibility for Care Experienced Children are the main points of contact for coordinating support for these students both internally and externally. The Safeguarding Team will hold a record of these students including contact details of the student's social worker, virtual school and carer;

relevant contact details for previously looked after children; and the details of the personal advisor and next of kin for care leavers, as appropriate.

For Care Experienced students, staff are expected to work alongside the Progress Leader and/or the student's Progress Coach to attend Personal Education Plan meetings to support their education as well as support with associated review meetings. College will liaise as necessary with the social worker, personal adviser and/or next of kin regarding any issues of concern affecting the student.

10.1. Students with Special Educational Needs and Disabilities

Staff should be aware that these students may face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group of students including communication barriers. Staff must also be aware that these students 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 student's disability;
- Seek the voice of the student at all times and not become disproportionately over-reliant on the voice and views of the parent/carer;
- Monitor these groups of students to ensure that they are not being disproportionately impacted by behaviours such as bullying or peer group isolation.

10.2. Students with a Child Protection Plan, or Child in Need Plan

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

The Safeguarding Team and the Progress Team are the main point of contact for coordinating support for these students both internally and externally. The Safeguarding Team will hold a record of these students including contact details of the student's social worker, where relevant, and details of next of kin and any other agencies working with the student.

Staff are expected to work alongside the Progress Team and the Safeguarding Team to provide regular and timely updates regarding the progress of these students in College and any areas of concern within or outside of College. In addition, staff working with these students should provide regular updates for the 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 student.

10.3. Students who may benefit from Early Help support

Staff should be aware that any student and their family may benefit from early help, which means providing them with support as soon as a problem emerges, at any point in their life. Some students may present with multiple and/or overlapping issues. Where a student 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 student 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 student 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 student and family, acts as an advocate on their behalf and coordinates the delivery of support services. College staff can act as a lead professional and undertake an Early Help Assessment and/or be asked to participate in such an assessment. Whatever the case, College staff need to work closely with other practitioners to decide whether the student and family would benefit from coordinated support from more than one agency.

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 students. Staff should be alert to the potential need for early help for a student who:

- has health conditions, 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,
- is frequently going missing/goes missing from care or from home;
- 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 student, such as substance misuse, adult mental health and domestic abuse;
- has a family member in prison, or is affected by parental/carer offending;
- is misusing substances themselves;
- has returned home to their family from care;
- is a privately fostered child;
- is at risk of honour-based abuse
- Is persistently absent from education, including persistent absences for part of the College day.

The Safeguarding Officer and the Progress Team are the main point of contact for coordinating support for these students. The Safeguarding Team will hold a record of these students, including contact details of the student's next of kin and any other agencies working with the student.

Staff are expected to work alongside the Safeguarding Officer and the Progress Team to provide regular and timely updates regarding the progress of these students in College and any areas of concern within or outside of College. In addition, staff working with these students are expected to provide, a weekly update for the Safeguarding Team and Progress Team, on the 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 external agencies and next of kin, as appropriate regarding any issues of concern affecting the student.

10.4. Children who are lesbian, gay, bisexual and/or trans (LGBT)

The fact that a child or young person may be LGBT is not in itself an inherent risk factor for harm. However, in line with 'Keeping Children Safe in Education', we recognise that young people who are LGBT or those perceived by others to be LGBT could potentially be more vulnerable and we work to reduce any additional barriers faced. Through the tutorials, curriculum and College-wide activities, we counter homophobic, biphobic and transphobic abuse.

11. 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 way. 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 student 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 Progress Team.

12. Children Absent from Education

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

- Admissions procedure.
- Attendance monitoring.
- Support to attend procedure.
- Pastoral Framework.

A student absent from education, particularly repeatedly, could be a warning sign of a range of safeguarding concerns. Staff members should follow the College's procedures for dealing with children who are absent from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or sexual/criminal exploitation and to help prevent further incidences.

Where 14-16 students are still on school roll, College staff must notify the relevant school link person. Where the students are on College roll or are being educated as part of their home education provision, then the local authority will normally be informed via the student's Progress Coach. Further information for colleges providing education for a child of compulsory school age can be found in: Full-time-Enrolment of 14 to 16 year olds in [Further Education and Sixth Form Colleges](#).

13. Online safety

As schools and colleges increasingly work online, it is essential that students are safeguarded from potentially harmful and inappropriate online material. Staff should recognise that students can be both victims and perpetrators of online abuse.

Students 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 student 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 should ensure that appropriate measures are in place to protect students from potential online safeguarding issues and ensure that their own online behaviour is not abusive in any way. Measures include:

- Induction and tutorial learning which trains students to understand the potential dangers online alongside appropriate online behaviour; including regular and timely updates.
- Tutorial/RSE/PSHE learning activity which ensures that students 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 on devices and networks. The DSL has lead responsibility for reviewing the monitoring and filtering systems in place and acting upon any trends and issues with staff and students.

We recognise that technology, and risks and harm related to the internet evolve and change rapidly. Therefore, we communicate regular updates to staff and students and to reflect the risks students face whilst online. We also communicate with parents and carers to reinforce the importance of young people's safety online.

14. Specific Safeguarding Issues

Whilst specific safeguarding issues are detailed below, this list is not exhaustive. This policy should be read in conjunction with the Safeguarding Strategy, Procedures and Guidance documents which contains further detailed and important information about specific forms of abuse, neglect and safeguarding issues.

14.1. Prevent

It is important that all students are protected from the risk of radicalisation. 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 York 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.

The College raises awareness of specific vulnerabilities in order to ensure that staff are supported to recognise the signs and symptoms of specific forms of abuse. This include radicalisation, extremism including (but not restricted to)

those linked with Islamist ideology or far right and extremist movements. The DSL liaises with the police and the local Counter-terrorism teams on matters related to students and staff regarding extremism and radicalisation, including updates on particular local risks and matters affected FE and HE institutions.

All staff undertake Prevent training and SLT are updated about students who have been referred via the Channel network.

All individuals who are believed to be engaged in or planning to be engaged in any form of extremist activity, or their behaviour causes a concern, must be referred to the Prevent Lead (Director of Student Experience and DSL), where statutory organisations will be informed as appropriate.

External referrals to Channel and other sources of support are made by the DSL. The DSL also updates the College Prevent Risk Assessment and Action Plan.

Further information is available here at www.ltai.info or www.educateagainsthate.com

14.2. 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.

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; 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 Safeguarding Team will 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.

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.

14.3. 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 and young people from forced marriage. Since February 2023 it has also been a crime to carry out any conduct whose purpose is to cause a child to marry before their eighteenth birthday, even if violence, threats or another form of coercion are not used. As with the existing forced marriage law, this applies to non-binding, unofficial 'marriages' as well as legal marriages.

14.4. 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 involves a group or individual taking advantage of an imbalance of power to coerce, manipulative or deceive a child or young person into sexual or criminal activity even when the activity appears consensual. 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.

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.

14.5. Child-on-Child Abuse

Staff should be aware that students are capable of abusing their peers. This is generally referred to as child-on-child abuse (or peer-on- peer abuse for students above the age of 18). This 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 child-on-child abuse, all child-on-child abuse is unacceptable and will be taken seriously.

The College will not tolerate child-on-child abuse. Reports of child-on-child abuse will be taken seriously and considered on a case-by-case basis, normally 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 student is at risk. Staff should challenge inappropriate behaviour between peers. It is not appropriate to downplay certain behaviours or to ever consider child-on-child abuse 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 students to report abuse.

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

College will normally make an immediate risk and needs assessment following the report of child-on-child abuse, including consideration of how to support and protect the student reporting the abuse and the student alleged to have caused harm. The risk and needs assessment will consider the both parties, especially their protection and support, and all other students (and if appropriate adult students and staff) at College and any actions appropriate and proportionate to keep them all safe. The response will be proportionate to the case and support for the student reporting abuse and the student alleged to have caused harm will be tailored on a case-by-case basis. Support may be provided by the College, external agencies or a combination of both.

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

- Managed internally;
- Early help;
- Refer to social care;
- Report to the Police

Decisions and actions will be regularly reviewed and relevant policies will be updated to reflect lesson learnt. The College will monitor potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, the College will decide on an appropriate course of action.

A whole College proactive approach is adopted to preventing child-on-child abuse and includes;

- Staff training;
- Student awareness via tutorials and College-wide events;
- College's zero tolerance approach to child-on-child abuse articulated through policy, tutorials, events and training.

Staff should understand the need to follow the College's safeguarding procedures for reporting a concern if they are worried about child-on-child abuse. The DSL or DDSL will respond to any concerns related to child-on-child abuse in line with guidance outlined in part five of '*Keeping Children Safe in Education*' and [Sexual violence and sexual harassment between children in schools and colleges - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges)

14.6. 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 of any gender, can be a victim.

14.7. Mental Health

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.

14.8. 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".

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.

The definition of child abuse has been updated to include harm experienced by the impact of domestic abuse, which 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.

This expands the list of potential threats to young people's safety to include domestic abuse, including controlling or coercive behaviour and the detrimental and long-term impact this has on their health, wellbeing and ability to learn. Reference is made to the fact that the harm may be indirect and non-physical in cases of controlling/coercive behaviour and economic abuse.

14.9. Operation Encompass

The College has been given the opportunity to participate in a project which is jointly run between schools and Colleges, York City Council and North Yorkshire Police. This project is known as Operation Encompass. Operation Encompass is the notification to the College that a child (under 18) may have been affected by a domestic incident. This will be done by the start of the next College day. Operation Encompass ensures that a specifically trained member of staff, is informed. The information is then used, in confidence, to ensure the wellbeing of the student. The College will look to make provisions or adjustments to assist the student.

14.10. Dealing with a Concern

Staff should adopt the attitude of 'it could happen here' where safeguarding is concerned. Staff should remain vigilant to concerns rather than waiting for a disclosure, recognising that students may not always make a direct disclosure and information may come from overhearing conversations or observing behaviour changes. Staff should act immediately on any concerns they have and always in the best interests of the student. Staff will reassure students that they are being taken seriously, will be supported and kept safe. Further information can be found in the Safeguarding Procedures and Guidance documents.

15. Allegations against staff or volunteers

York College will follow the statutory procedures in line with the relevant LSCB (Local Safeguarding Children Board) or Safeguarding Adults Boards if any allegation is made against a member of staff.

All allegations against staff or volunteers should be referred to the Principal, who is the Senior Management Officer (SMO) with designated responsibility for dealing with allegations against staff and volunteers. The SMO is the first line of contact and will deal with allegations appropriately.

If the allegation concerns behaviours or actions toward a student under the age of 18, the matter must be discussed with the Local Authority Designated Officer (LADO) within one working day of the allegation being made. The SMO, or any other person, must not undertake any investigation into the allegation or take any measures other than those aimed at securing immediate safety or evidence. The procedures for responding to allegations against staff or volunteers (where students are involved) are available on the relevant LSCB website. If allegations against a member of staff are substantiated, referral to the Independent Safeguarding Authority (ISA) will be considered by the LADO in consultation with the Principal/appropriate member(s) of the Strategic Leadership Team (SLT).

If the allegation concerns behaviours or actions against an adult, the process followed should be in line with procedures available from the relevant Adult Safeguarding Boards.

Allegations against the Principal or members of the Governing body will be referred to the Director of Governance who should notify the Chair of the Corporation. In such circumstances, it will be the responsibility of the Chair of the Corporation to follow the processes set out above.

Expectations regarding wider staff conduct and behaviours are covered in the Staff Code of Conduct.

16. Private Fostering

Private fostering is a private arrangement whereby a child under the age of 16 (under 18 if disabled) is cared for by someone who is not their parent or close relative. The arrangement is made between a parent and carer, for 28 days or more.

If the College becomes aware that a student is being fostered privately, they will notify the Local Authority Fostering Team to ensure that the student is being safeguarded and their well-being promoted.

17. Subcontracting

The College works with employers and sub-contractors to ensure that staff and students will be safeguarded in a way that is consistent with the College's statutory duties. This will include, but not be limited to the following actions:

Providing information to employers about Safeguarding via: the Employer Handbook (employers sign to confirm they have read and agreed with their contractual obligations); the Employer section of the College website;

- Ensuring employees are suitably trained, and that training is up to date;
- Providing appropriate briefings to employers/sub-contractors;
- Discussing safeguarding regularly at meetings between the College and employers/sub-contractors;
- Establishing effective reporting arrangements for employers/sub-contractors to raise any concerns about individual students with the College.

18. Third Parties using College premises

Where third party hire of College facilities is requested, the activities for which includes young people/vulnerable adults, it is a requirement that all responsible people using our facilities comply with the relevant regulations and safeguarding requirements specific for that particular industry/activity- where applicable (for example DBS checks and parental

permissions).

19. Photographing Students under the age of 18

The College does not allow images of students to be used on College websites, social media, publicity, or press releases, without express permission to do so. The College cannot however be held accountable for photographers or video footage taken by parents 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.

20. Risk Assessments

The College uses risk assessment to inform the planning of safeguarding activities. This may include individual student 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 student to be engaged in an online study programme. Risk assessments are reviewed and updated on a regular basis as needs demands and at least once every year.

21. Confidentiality and Sharing Information

The College will ensure that all data about students 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 student or the student'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 student may be suffering harm, or be at risk of harm, their duty is to forward this information without delay to the Safeguarding Team.

The College will raise awareness of the safeguarding responsibilities with parents and carers, and, will share concerns about the welfare of a student with a parent or carer, unless doing so may place the student at risk of harm. The College is committed to working with parents positively, openly and honestly.

In accordance with the requirements of *"Working Together to Safeguard Children (2018)"* 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. Any requests around student details or information in relation to a safeguarding concern should be referred immediately to the Designated Safeguarding Lead so that a prompt decision can be made.

22. 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.

Appendix A

Key External Contacts

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

City of York Safeguarding Children Partnership - [Safer Children York](#)

North Yorkshire Safeguarding Partnership- [NYSCP \(safeguardingchildren.co.uk\)](#)

Leeds Safeguarding Children Partnership- [Homepage | Leeds Safeguarding Children Partnership \(leedsscp.org.uk\)](#)

City of York Safeguarding Adults Board - [Home – Safeguarding Adults \(safeguardingadultsyork.org.uk\)](#)

North Yorkshire Safeguarding Adults Board- [NYSAB \(safeguardingadults.co.uk\)](#)

Leeds Safeguarding Adults Board- [Home \(leedssafeguardingadults.org.uk\)](#)

Appendix B

College strategies, policies and guidance documents (click on links to documents)

[Staff Code of Conduct](#)

[Health, Safety & Welfare](#)

[Equality & Diversity](#)

[Disclosure & Barring Service \(DBS\)](#)

[Recruitment; Use of Reasonable Force](#)

[Student Anti-Bullying Policy](#)

[Staff Dignity at Work Policy](#)

[Safeguarding Training Policy](#)

[Data Protection](#)

[Student Disciplinary Policy](#)

[Fitness to Study Policy](#)

Appendix C

SUMMARY OF KEY LEGAL AND GOVERNMENT REQUIREMENTS

Female Genital Mutilation Act 2003

'Working Together to Safeguard Children' (2018)

'Keeping Children Safe in Education' (2023)

'Education Inspection Framework for Further Education and Skills'

'The Early Help Assessment' (EHA)

Counter-Terrorism and Security Act 2015

'The Care Act 2014'

The Human Rights Act 1998

The Mental Capacity Act 2005

'Protection of Freedoms Act' (2012)

'The Children Act' (2004)

The Education Act (2002)

The Children Act 1989

Appendix D

Roles and Responsibilities of Governors, College Managers and Staff.

The Strategic Leadership 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 interest of the student at all times.

Designated Safeguarding Lead (DSL)

The DSL is held by a senior leader within the college who 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.
- Ensuring safeguarding policy and all supporting policies and procedures are understood and followed.
- Ensuring safeguarding, child and adult protection underpin all relevant policies and procedures.
- Ensuring all staff feel able to raise concerns about poor or unsafe practice.
- Ensuring a whole College approach is facilitated, ensuring the best interest of the student at all times.
- Ensure that the College is represented at safeguarding Child and Adult Protection meetings and that the required reports are written and available within the appropriate timescales, as prescribed by the relevant Safeguarding Children Partnership or Safeguarding Adults Board.
- Follow up concerns that a referral/request for service has not been dealt with in accordance with the relevant policies and procedures; discuss with the safeguarding lead at the relevant local authority to agree next steps.
- Ensure each member of staff and volunteers at the College, parents, carers, governors, contractors and sub-contractors and regular visitors are aware of, understand and can readily access the Safeguarding Policy.
- Ensure parents and carers are aware of the Safeguarding Policy, to alert them that the College may need to make referrals of concerns to outside agencies, including Children's and Adult's Social Care and the Police.
- Ensure this policy is updated and reviewed annually, or more regularly if legislative changes require, and work with the designated link governor for safeguarding to ensure this takes place.
- Attend training at least every two years, in how to identify abuse and know when it is appropriate to refer a case. The DSL will also attend any other relevant training or workshops that will enable the fulfilment of the role and have a good understanding of the processes, procedures and responsibilities of other agencies.
- Have a working knowledge of how the Safeguarding Children Partnership and the Safeguarding Adults Board respectively operate and attend child and adult protection

related meetings to enhance the implementation of any plan to protect the student.

- Liaise with other agencies and build working relationships with colleagues.
- Oversee the work of the College Safeguarding Team, who provide expertise, advice and coordinate action within the College regarding child and adult protection cases. Staff report concerns to this team and this team will be responsible for coordinating action regarding a referral by liaising with Children's and Adult's Social Care and other relevant agencies regarding suspicions that a student may be at risk or suffering harm.

The role of the DDSL is to:

- Provide operational responsibility for managing and reporting on safeguarding and child protection issues and cases. This involves providing advice and support to other staff, making referrals to and liaising with the local authority and working with other agencies.
- Contribute to the facilitation of a whole College approach to safeguarding, ensuring the best interest of the student at all times.
- Fulfil any additional responsibilities as set out in statutory guidance which may be amended from time to time.

In cases where the DSL/DDSL are required, but are absent, then a DSP or Duty Principal should make the decision, providing details of any referrals with the above-named personnel as early as possible and recording it on the Child Protection Online Management System.

If the member of staff, after reporting their concern considers that the student's situation does not appear to be improving, they are fully entitled to press for re-consideration. It is important to note that at any time all staff can themselves directly refer any concerns to the Local Authority or the Police.

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 student 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 institution complies with requirements to produce and deliver a safeguarding policy and strategy.
- Making sure the safeguarding policy and all supporting policies and procedures are followed.

Designated Safeguarding Governor

The Governing Board will ensure that the Designated Governor for safeguarding is able to carry out his or her duties, including accessing training. The Board 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:

- York College is carrying out its duties to safeguard the welfare of students.
- 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 Boards 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/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 '*Guidance for Local Authorities, Head Teachers, School Staff, Governing Bodies and Proprietors of Independent Schools*' (October 2012).

The Designated Governor will complete a 'Link Visit' report after each visit and provide verbal feedback to the following Board meeting on the outcome.

The Director of Human Resources is responsible for HR policies and procedures that relate to safeguarding in particular regarding Safer Recruitment guidelines.

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

The College Leadership Team is 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.
- Identifying students who may be in need of extra help, who are suffering or likely to suffer significant harm. All staff have a responsibility to take appropriate action as described in this policy, working with other services as needed.
- 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 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, care experienced children 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 send an update to the Safeguarding Team for the student's file and include any actions and decisions made at the meeting especially those that are pertinent to the College.
- Keeping the Safeguarding Team up to date with ongoing concerns regarding a student 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.