

SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY

Purpose:	To inform Queensbury College staff of their responsibilities when working with children and vulnerable adults
Approved by:	The Principal, Head of Admissions and Head of Human Resources
Applies to:	Queensbury College staff, including students and volunteers, who work with children and vulnerable adults
Date of Approval:	25 August 2010
Proposed Date of Review:	25 August 2011

Background

1. In recent years there has been increasing concern about the safety and welfare of both children and young adults. Queensbury College has traditionally considered the welfare of under18s as part of its Duty of Care obligations. Whilst there is currently no specific directive relating to Queensbury College, legal opinion is now that there are a number of statutory and other provisions relating to child safeguarding that could be applied to Queensbury College and which Queensbury College would be expected to take into account. These include:
 - The Education Act (2002) Section 175
 - The Children Act (1989 and amendments)
 - The Children Act 2004
 - Working Together to Safeguard children 2006
 - Safeguarding of the Vulnerable Adult guidance 2006
 - Safeguarding of Vulnerable Adult Schemes
 - Aimsafer: A Framework for Safeguarding Children & Young People in Higher Education Institutions
 - *The Children Act 1989 states the legal definition of a child is “a person under the age of 18”.*
 - *Section 115(4) of the Police Act 1997 states that a person can be considered to be vulnerable if they are “substantially dependent upon others in performing basic physical functions, or his ability to communicate with those providing services, or to communicate with others, is severely impaired, and, as a result, he would be incapable of protecting himself from assault or other physical abuse, or there is a potential danger that his will or moral wellbeing may be subverted or overpowered”.*
2. As a consequence Queensbury College has taken the view that in the interests of good practice there should be a clear policy and associated practices to guide work with under18s and vulnerable adults.

Principles

3. Queensbury College believes that children/young people have rights as individuals and should be treated with dignity and respect. The College will strive to provide a safe environment for any young people (under 18) in its care while they are studying at the College, visiting the College or participating in College activities.
4. Students aged under 18 and vulnerable adults could be studying in any part of the College. In addition the College may run taster programmes during the year and summer schools for young people. In addition College staff may go out into local schools and youth organisations as part of aspiration raising and recruiting activities.
5. This policy and procedures are based on the following principles:
 - The welfare of young people and vulnerable adults is of primary concern
 - All young people and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, socioeconomic status, religious belief and/or sexual identity have the right to safeguarding from abuse
 - It is everyone's responsibility to report any concerns about abuse to the Designated Safeguarding Officer (also known as the DSP or "Designated Senior Person"), and the responsibility of the Social Services Department and the Police to conduct, where appropriate a joint investigation
 - All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately
 - All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.

The Golden Rule is: if you are at all unsure, pass it on!

Definition of Abuse

6. Abuse is any behaviour towards a person that deliberately or unknowingly causes him harm, endangers life or violates their rights.

Abuse may be:

- Physical
- Sexual
- Psychological – repeatedly being made to feel unhappy, humiliated, afraid or devalued by others
- Financial or material – stealing or denying access to money or possessions
- Neglect
- Discriminatory – abuse motivated by discriminatory attitudes towards race, religion, gender, disability or cultural background

Responsibility

7. All College staff and students are required to take shared responsibility for the safeguarding and safety of any young people and vulnerable adults on campus.
8. All College staff are in a position of trust, in particular those staff who teach, support, guide or in any way interact with students, young people and vulnerable adults visiting the College.
9. The managerial responsibility for any programme or activity rests with the individual who is directing or organising the activity. This person is expected to:
 - Ensure that the activity is planned, organised and delivered in accordance with the Safeguarding Children and Vulnerable Adults Policy.
 - Provide a 'safeguarding children' Safeguarding Statement.
 - Arrange the checking, training, induction and guidance for all staff and volunteers.
 - Inform the College's Designated Safeguarding Officer and complete the appropriate documentation.
 - Complete a health and safety risk assessment.
10. The Principal has responsibility for the oversight of the College's Safeguarding Children and Vulnerable Adults Policy with delegated responsibility to relevant members of staff.
11. The Principal, Dr William Pedley, is the senior member of staff responsible for child and vulnerable adult safeguarding issues within the College (the Child and Vulnerable Adult Safeguarding Officer (CVAO)).
12. 13 The College expects all parents (either students or from the general public) who bring children onto campus to abide by the College's Policy on Accompanied Children in Lectures/Timetabled Activities, all safety instructions issued by the College.

Responsibilities on the part of the Institution

13. All College staff are in a position of trust, in particular those staff who teach, support, guide or in any way interact with students, children and vulnerable adults. It is incumbent all staff to be aware of this and to act accordingly at all times.
14. The College already has processes in place to check the suitability of some staff and students working directly with children and young people. Some staff across the College may be in regular or significant occasional contact with under18s or vulnerable adults in the course of their teaching or other work. The College is committed to ensuring that all such staff have satisfactory Criminal Records Bureau (CRB) enhanced checks.
15. The College will additionally ensure that all student helpers, mentors, etc who are in regular or significant occasional contact with under18s or vulnerable adults must have

had a satisfactory enhanced CRB check undertaken by the College before allowing them to work with children or vulnerable adults.

16. A 'satisfactory' check is defined as having no criminal convictions (including cautions, reprimands and final warnings) relevant to the post.

All staff or student helpers still employed to look after children must report any subsequent criminal convictions to the Head of Human Resources. Failure to do so will result in disciplinary action being taken.

Establishing a Caring Environment

17. All staff are responsible for making Queensbury College a safe and caring environment for all including young people and vulnerable adults

18. A Caring Environment is one:

- in which the health, safety and welfare of young people has been assessed and catered for.
- in which staff are alive to the possibility of abuse and take measures to prevent that possibility.
- where there is a sound and known reporting system for any incident
- where staff take reasonable and practical precautions to avoid any suspicions of abuse being brought against them.

Child Safeguarding Procedures

19. Where under 18s are concerned there are statutory responsibilities for any organisation to follow regarding the safety of young people.
20. The College has a Designated Safeguarding Officer to be the lead person with regard to child safeguarding issues. At Queensbury College the Designated Safeguarding Officer is Dr William Pedley.
21. All College staff must contact the Designated Safeguarding Officer or the Principal if they have any cause to believe the student or young person involved in any activity in the College, covered by this policy is in any way at risk. The Designated Safeguarding Officer will follow the relevant procedures.
22. Records will be kept of all such incidents and their outcomes and held by the Designated Safeguarding Officer in accordance with the Data Protection Act.
23. All staff should be aware that in accordance with statutory requirements where child safeguarding issues are involved, it is not possible to offer confidentiality to a person under 18 as any disclosures must be reported.

Vulnerable Adults

24. Within the HE context there are not the same statutory provisions which can be easily adopted with regard to vulnerable adults. However, the same principles apply, as above.
25. Where possible Queensbury College will identify vulnerable adults and ensure that there are appropriate support measures in place. This is most likely to be when the student presents to, or is referred to, any member of staff and clearly has mental health difficulties or a disability that puts them into the legal definition of 'vulnerable'.
26. Any member of staff across Queensbury College with concerns regarding an adult student whom they believe or know to be vulnerable must contact the Designated Safeguarding Officer. This must be done as soon as possible and at least by the end of the college day. Any allegations or suspicions of abuse are required to be referred to the local childcare team within 24 hours. This is the duty of the DSP, not the member of staff with whom those suspicions first arose.

Role of the College's Child and Vulnerable Adult Safeguarding Officer

27. The role of the Designated Safeguarding Officer is:
 - To receive information about events that are planned in the College that may involve young people or vulnerable adults, and plans that indicate how safeguarding will be covered.
 - To receive information from any staff, volunteers, children, parents or carers who have child safeguarding concerns and record it.
 - Assess the information promptly and carefully, clarifying and obtaining more information about the matter as appropriate
 - Consult initially with a statutory child safeguarding agency to test out any doubts or uncertainty
 - Make a formal referral to the Local Safeguarding Children Board (LSCB) or the police
 - Record statements from any member of staff who feels that a young person has indulged in inappropriate behaviour or made sexually suggestive comments or approaches.

Reporting and Monitoring Procedures

28. All members of staff working closely with children have to be alert to possibilities of abuse and any concerns about the behaviour of any adult with respect to that child should be reported to the Designated Safeguarding Officer who will decide what further action to take.

29. It is the duty of staff to inform only not to investigate – this is the role of the Police and the LSCB.
30. If staff, in the course of their work at the College, have a child safeguarding issue brought to their notice, this must be treated as a priority over all other work.
31. Guidance with regard to a specific incident may be obtained from the Designated Safeguarding Officer.
32. An oral, and then written report should be provided to the Designated Safeguarding Officer who will keep a confidential record of any such incidents.

Allegations of abuse or inappropriate behaviour involving staff

33. Allegations involving a member of staff and a person under18 or a vulnerable adult should be reported to the Head of Admissions and to the Designated Safeguarding Officer.
34. Consideration will be given as to whether the situation falls within the definition of abuse (see paragraph 7).

Training

35. In accordance with good practice the College will ensure that the Designated Safeguarding Officer, officers deputed to act on his behalf and other staff likely to be in regular contact with under18s and vulnerable adults receive appropriate training, renewed every two years. This will also include student staff employed as ambassadors and in similar roles. The following topics must be covered:
 - a. Health and safety issues
 - b. Handling a disclosure
 - c. Reporting an allegation
 - d. Confidentiality
 - e. Code of Practice and Code of Behaviour
36. The College will also provide information to raise awareness to ensure that all staff understands what to do if a student or visitor covered by this policy discloses abuse or any other safeguarding issue.

Relationships with young people aged 16-18

37. 38 It should be noted that whilst a young person can consent to sexual activity once they reach the age of 16, the Sexual Offences (Amendment) Act 2000 makes it a criminal offence for a person to engage in any kind of sexual activity with a person under 18 where the adult is in a position of trust.

Media Relations

38. For any College activity involving young people, parents or guardians must be given the opportunity to refuse permission for photographs, videos or other images to be made of their children and for the children to be interviewed by press, broadcasters or other media.

Health and Safety

39. All users of College Services must be made aware of Health and Safety requirements and be prepared to abide by them.

Code of Practice for Staff

40. All staff must be familiar with the College's Code of Practice for Staff attached as Appendix A.

Code of Behaviour for Young People

41. All staff must be familiar with the College's Code of Behaviour attached as Appendix B.
42. Parents/carers of children participating in Queensbury College activities must be made aware of the Code of Behaviour

Data Safeguarding

43. It should be noted that although technically a "child", consent is still required from young people in the same way as for an adult with regard to matters of data protection.

Review

44. This policy and procedures will be regularly monitored and reviewed:
- In accordance with changes in legislation and guidance on the safeguarding of children and vulnerable adults or any changes within the College
 - Following any issues or concerns raised about the safeguarding of children or vulnerable adults within the College
 - In all other circumstances, at least annually.

Related College Policies

- Admissions Policy
- Risk Assessment Procedure
- Health and Safety Policy
- Recruitment Policy
- Student and staff policies relation to Conduct
- Data Protection
- Disclosure of a Disability
- Mental Health Policy
- Whistleblowing Policy

CODE OF GOOD PRACTICE FOR STAFF, STUDENTS and VOLUNTEERS

The following guidelines are intended to be a common sense approach that both reduce opportunities for the abuse of young people and vulnerable adults and help to protect staff, students and volunteers from any false allegation.

You SHOULD:

- Treat all young people and vulnerable with respect and respect their right to personal privacy
- Ensure that, whenever possible, there is more than one adult present during activities or that you are within sight or hearing of others
- Exercise caution when discussing sensitive issues with children or vulnerable adults
- Exercise caution in initiating any physical contact with a young person or vulnerable adults
- Operate within the guidance offered by this Code
- Challenge all unacceptable behaviour and report all allegations or suspicions of abuse
- Keep parents fully informed of all anticipated activities

You should NOT

- Spend excessive time alone with young people or vulnerable adults away from others
- Take young people or vulnerable adults alone in a car journey, however short
- Take young people or vulnerable adults to your home
- Engage in physical or sexually provocative games
- Allow or engage in inappropriate touching of any form
- Make over-familiar or sexually suggestive comments or approaches to a young person or vulnerable adult
- Enter changing rooms or bedrooms that are assigned to the opposite sex unless there is an emergency
- Let allegations, over familiar or sexually suggestive comments or approaches made by a young person or vulnerable adult go unchallenged or unrecorded.
- Do things of a personal nature that young people or vulnerable adults can do for themselves.
- Take photographs, videos or other images of a young person without the express permission of their parents

CODE OF BEHAVIOUR FOR YOUNG PEOPLE AND VULNERABLE ADULTS

Queensbury College is a College for the education of students over the age of 18. All people (including those under the age of 18) visiting the College, either privately or with an organised group, are expected to respect the College, its staff, students and its buildings and grounds.

The College seeks to offer visitors a safe and caring environment.

In return, you must:

- Respect the rights and dignity of each other and of the staff and other helpers
- Respect the rules of the College which include:
 - Purchase, sale and consumption of alcohol, recreational/nontherapeutic drugs and substances for abuse is forbidden
 - Smoking is banned in all buildings at Queensbury College.
 - All rules and safety/emergency procedures such as fire drills must be followed
- Participants in organised events are expected to attend all timetabled activities unless they have been granted specific leave of absence.
- Children and vulnerable young adults may not leave Queensbury College premises except with permission and in exceptional circumstances when they will be accompanied.
- Inappropriate physical intimacy among participants is not permitted
- Serious incidents of misbehaviour such as fighting, racial/sexual abuse, damage to property, indecent language and failure to obey instructions will normally lead to expulsion from the activity and the College