



Safeguarding Policy

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- We will consider any request for this policy to be made available in an alternative format or language. Please note that the College may charge for this. Please contact: Deputy Chief Executive
- We review our policies regularly to update them and to ensure that they are accessible and fair to all. We welcome suggestions for improving the accessibility or fairness of this policy.
- All our policies are subject to equality impact assessments*. We are always keen to hear from anyone who wishes to contribute to these impact assessments. Please contact Deputy Chief Executive

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Annex 1

Safeguarding Policy

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1. INTRODUCTION

1.1 Tyne Coast College has a statutory and moral duty to ensure that the College functions with a view to safeguarding and promoting the welfare of those receiving education and training at the College. This policy has been developed to meet those statutory requirements and is mandatory for all staff, volunteers and agency workers.

In all cases the College will operate with the best interests of the young person at the heart of what we do.

Throughout this policy reference is made to “children and young people” OR “child protection”. These terms are used to mean “those under the age of 18”. The governing body recognise that some adults are also vulnerable to abuse, accordingly, the policy may be applied (with appropriate adaptations) to allegations of abuse and the protection of adults at risk.

An Adult at risk as defined by the Care Act 2014 may be defined as someone who:

- (a) has needs for care and support
- (b) is experiencing, or is at risk of, abuse or neglect, and
- (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

The governing body is committed to ensuring that the College:

- Provides a safe environment for children and young people to learn in
- Identifies children and young people who are suffering, or likely to suffer, significant harm, and
- Takes appropriate action to see that such children and young people are kept safe, both at home and at the College.

In pursuit of these aims, the governing body will approve and review policies and procedures with the aim of:

- Raising awareness of issues relating to the welfare of children and young people and the promotion of a safe environment for the children and young people learning within the College
- Aiding the identification of children and young people at risk of significant harm, and providing procedures for reporting concerns
- Establishing procedures for reporting and dealing with allegations of abuse against members of staff

- Ensuring the safer recruitment of staff
- 1.2 In developing the policies and procedures, the governing body will consult with, and take account of, guidance issued by the Department for Business & Industrial Strategy, the Department for Education and other relevant bodies and groups. This policy has been developed in line with the Local Safeguarding Children's and Adult Board guidelines, Care Act 2014, Working Together to Safeguard Children 2018 and Keeping Children Safe in Education 2018.

The College will refer concerns that a child or young person might be at risk of significant harm to the appropriate agencies as agreed with the LSCB.

The college works closely with its partner agencies, the Local authority, Police, LSCB, Channel Police Practitioner (CPP) and the North East PREVENT Coordinator to ensure information is shared and referrals are made as appropriate.

The Chief Executive Officer and all staff working with children will receive training adequate to familiarise them with Safeguarding issues and responsibilities and the College procedures and policies, with refresher training at least every 3 years. There will be a senior member of the College management team with special responsibility for Safeguarding issues. He/she shall be assisted by other members of staff with responsibility for Safeguarding.

The governing body will receive from the Designated Safeguarding Lead (DSL) an annual report which reviews how the duties have been discharged.

2. KEY DEFINITIONS AND CONCEPTS

- 2.1 **Keeping Children Safe in Education 2018** sets out definitions of the five broad categories of abuse which are used for the purpose of making a child or young person subject to a Child Protection Plan. These broad categories are a useful guide for staff who have responsibility for children and young people.
- a) Abuse - a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. They may be abused by an adult or adults or by another child or children.
 - b) Physical Abuse – may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or

carer fabricates the symptoms of, or deliberately induces, illness in a child.

- c) Emotional Abuse – is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.
- d) Sexual Abuse – involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education.
- e) Peer on Peer Abuse – It is acknowledged that children are capable of abusing their peers. The college will not tolerate abuse of any sort and will not allow such abuse to be passed off as “banter”, “just having a laugh” or “part of growing up” in any case but particularly in reference to peer on peer abuse. Whilst such abuse is often gender focussed i.e. girls are more likely to be victims and boys perpetrators the College will deal with all cases of peer on peer abuse regardless of gender focus.

There are a number of different forms that peer on peer abuse can take:

- Sexual violence and sexual harassment
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm

- Sexting (also known as youth produced sexual imagery)
 - Initiation/hazing (rites of passage/induction ritual) type violence and ritual
- f) Neglect – is the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:
- Provide adequate food, clothing and shelter (including exclusion from home or abandonment);
 - Protect a child from physical and emotional harm or danger;
 - Ensure adequate supervision (including the use of inadequate care-givers);
 - Or ensure access to appropriate medical care or treatment;

It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.

- g) Specific Issues and Further Information – There are a number of areas which require specific mention and further guidance should be sought for the following:

Abuse
 Bullying including Cyberbullying
 Children and the Courts
 Children missing from education, home or care
 Children with family members in prison
 Child exploitation
 Drugs
 Honour based violence (so called)
 Health and well being
 Homelessness
 Online including sexting
 Private fostering
 Radicalisation
 Violence

- h) Abuse of Trust – under the Sexual Offences Act 2003 it is an offense for a person over 18 to have a sexual relationship with a young person under 18 where that person is in a position of trust in respect of that young person, even if the relationship is consensual. This includes teaching and a range of support staff within educational establishments.

Tyne Coast College considers that this applies to all staff. Any concerns regarding Abuse of Trust will be investigated under the Staff Disciplinary Policy and Procedure and if appropriate will be reported to the Police.

In addition the Care Act 2014 sets out a number of definitions of abuse as follows:

Physical

This includes assault, hitting, slapping, pushing, giving the wrong (or no) medication, restraining someone or only letting them do certain things at certain times.

Domestic

This includes psychological, physical, sexual, financial or emotional abuse. It also covers so-called 'honour' based violence.

Sexual

This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, taking sexual photographs, making someone look at pornography or watch sexual acts, sexual assault or sexual acts the adult didn't consent to or was pressured into consenting.

Psychological

This includes emotional abuse, threats of harm or abandonment, depriving someone of contact with someone else, humiliation, blaming, controlling, intimidation, putting pressure on someone to do something, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or support networks.

Financial or material

This includes theft, fraud, internet scamming, putting pressure on someone about their financial arrangements (including wills, property, inheritance or financial transactions) or the misuse or stealing of property, possessions or benefits.

Modern slavery

This covers slavery (including domestic slavery), human trafficking and forced labour. Traffickers and slave masters use whatever they can to pressurise, deceive and force individuals into a life of abuse and inhumane treatment.

Discriminatory

This includes types of harassment or insults because of someone's race, gender or gender identity, age, disability, sexual orientation or religion.

Organisational

This includes neglect and poor care in an institution or care setting such as a hospital or care home, or if an organisation provides care in someone's home. The abuse can be a one-off incident or repeated, on-going ill treatment. The abuse can be through neglect or poor professional practice, which might be because of structure, policies, processes and practices within an organisation.

Neglect and acts of omission

This includes ignoring medical, emotional or physical care needs, failure to provide access to educational services, or not giving someone what they need to help them live, such as medication, enough nutrition and heating.

Self-neglect

This covers a wide range of behaviour which shows that someone isn't caring for their own personal hygiene, health or surroundings. It includes behaviour such as hoarding.

Children with special educational needs and disabilities

The College recognises that children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. This policy reflects the fact that additional barriers can exist when recognising abuse and neglect in this group of children. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- being more prone to peer group isolation than other children;
- the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these barriers.

The college will provide extra pastoral support for children with SEN and disabilities.

Children Missing in Education

The College will work with partner agencies in the management of children missing education.

Where students have been identified as being particularly at risk of child sexual exploitation the college will implement a register alert to the DSL as soon as the young person is registered as absent from their class. The DSL (or deputy) will make initial enquiries with the students' parents or carer as appropriate and will inform partner agencies as appropriate.

Female Genital Mutilation mandatory reporting duty for teachers

Whilst staff should speak to the DSL (or Deputy) with regard to any concerns about female genital mutilation (FGM), there is a specific **legal** duty on **teachers**. If a teacher in the course of their work in the profession discovers that an act of FGM appears to have been carried out on a girl under the age of 18 the teacher **must** report this to the police.

Contextual Safeguarding

Safeguarding incidents and/or behaviours can be associated with factors outside college and/or can occur between children outside of college. This is especially the case when dealing with adolescents and therefore, a key factor for Tyne Coast College.

All staff, but especially the DSL and Deputies should be considering the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of the children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. Children's social care assessments should consider such factors so it is important that schools and colleges provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse.

Looked After Children (LAC)

The most common reason for children becoming looked after is as a result of abuse and/or neglect.

The college will have in place arrangements for LAC. The DSL will take overall responsibility for these students, together with care leavers and will ensure there are mechanisms in place to ensure the information needed in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility is available. They should also have information about the child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her. The DSL (or Deputy) will have details of the child's social worker and the name of the virtual school head in the authority that looks after the child.

The designated teacher for LAC

The DSL will identify a designated teacher to work with local authorities to promote the educational achievement of registered pupils who are looked after. In line with the Children and Social Work Act 2017 and the DfE statutory guidance “The designated teacher for Looked After Children and previously Looked After Children”, the designated teacher will also have responsibility for promoting the educational achievement of children who have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care outside England and Wales.

Private fostering- LA notification when identified

Private fostering occurs when a child under the age of 16 (under 18, if disabled) is provided with care and accommodation by a person who is not a parent, person with parental responsibility for them or a relative in their own home. A child is not privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer. Such arrangements may come to the attention of school staff through the normal course of their interaction, and promotion of learning activities, with children.

The college will then notify the local authority to allow the local authority to check the arrangement is suitable and safe for the child.

3. Designated Staff with Responsibility for Safeguarding

3.1 The college has a clear structure of staff and support for safeguarding across the college. The roles and responsibilities of those staff with designated safeguarding duties are defined in this policy. All staff involved in the safeguarding of students will be provided with the resources and time required to fulfil the requirements of that role.

3.2 Designated Safeguarding Lead (DSL)

The designated senior member of staff with lead responsibility for safeguarding is the Deputy Chief Executive (Designated Safeguarding Lead).

This person is a senior member of the College management team. The DSL has a key duty to take lead responsibility for raising awareness within the staff of issues relating to the welfare of children and young people, and the promotion of a safe environment for the children and young people learning within the College.

The DSL has received training in Safeguarding issues and inter-agency working, as required by the LSCB, and will receive refresher training at least every 2 years.

The DSL is responsible for:

- Advising the Senior Executive Group on Safeguarding Matters
- Providing advice and support to other staff on issues relating to Safeguarding
- Liaising with the LA, LSCB, CPP, North East Prevent Coordinator and other appropriate agencies
- Ensuring that staff receive basic training in safeguarding issues and are aware of the College Safeguarding policy and procedures.
- Providing an annual report to the governing body of the College setting out how the College has discharged its duties.
- Addressing any deficiencies in procedure or policy as identified by the LSCB will be reported to the governing body at the earliest opportunity by the DSL
- Ensuring when any children leave the college to attend another school or college, their safeguarding file is securely transferred with them as soon as possible, via secure transit and that a receipt is obtained.

3.3 Deputy Safeguarding Leads

Other designated members of staff with responsibility for Safeguarding issues are: Assistant Principal TyneMet, Assistant Principal South Tyneside PVC and SEND/ALS Manager

The Assistant Principal TyneMet leads on Prevent liaising with appropriate bodies including LA, LSACB, Police, North East Prevent coordinator and Channel.

The Deputy DSL will sit on the appropriate Local Authority Safeguarding children/Adult Board

The Deputy DSL will receive training in Safeguarding issues and inter-agency working, as required by the LSCB, and will receive refresher training at least every 2 years. They will report directly to the Deputy Chief Executive for safeguarding issues only and are responsible for:

- Making appropriate referrals and overseeing the referral of cases of suspected abuse or allegations to the relevant investigating agencies as agreed with LSCB.
- Maintaining a proper record of any Safeguarding referral, complaint or concern (even where that concern does not lead to a referral)

ensuring that all details are recorded on the College Safeguarding database.

- Maintaining the College Safeguarding database
- Ensuring that parents of children and young people within the College are aware of the College's Safeguarding policy
- Liaising with secondary schools which send pupils to the College to ensure that appropriate arrangements are made for the pupils
- Liaising with employers and training organisations that receive children or young people from the College on long term placements to ensure that appropriate safeguards are put in place
- Providing advice and support to other staff on issues relating to Safeguarding
- Having particular responsibility to be available to listen to children and young people studying at the College
- Dealing with individual cases including attending case conferences and review meetings as appropriate.

3.4 Designated Governor

The designated member of the governing body with responsibility for Safeguarding issues is Mark Overton

The designated governor is responsible for liaising with the CEO and DSL over matters regarding Safeguarding, including:

- Ensuring that the College has procedures and policies which are consistent with the LSCB's procedures and statutory requirements
- Ensuring that the governing body considers the College policy on safeguarding each year
- Ensuring that each year the governing body is informed of how the College and its staff have complied with the policy, including but not limited to a report on the training that staff have undertaken.

The designated governor is responsible for overseeing the liaison between agencies such as the police, social services – as defined by the LSCB in connection with allegations against the CEO or the DSL. This will not involve undertaking any form of investigation, but will ensure good communication between the parties and provide information to assist enquiries.

To assist in these duties, the designated governor shall receive appropriate training.

Where a member of the Governing body has a safeguarding concern or has been informed of a safeguarding concern they should make initial contact with the Director of Governance. The Director of Governance is a central contact for all Governors and is best placed to then make contact with the DSL.

3.5 Safeguarding Contacts

The college will train a number of staff to be a first point of contact for students and/or staff who have concerns about safeguarding. The HR department will hold records of all staff who are trained.

These Safeguarding Contacts will receive training in Safeguarding issues and inter-agency working, as required by the LSCB, and will receive refresher training at least every 2 years. They will report to the appropriate Deputy DSL (for safeguarding issues only) and will:

- Be available to provide advice and support to other staff on issues relating to Safeguarding
- Be available to listen to children and young people studying at the College
- Will deal with individual cases, including liaising with parents/carers and where appropriate social workers and other external agencies as appropriate to support the safeguarding of young people.
- Maintain proper records of any Safeguarding referral, complaint or concern (even where that concern does not lead to a referral) ensuring that all details are passed to a designated member of staff for recording on the College Safeguarding database.
- Support the provision of information to parents of children and young people within the College to promote awareness of the College's Safeguarding policy

4. **A Learner-Centred and Co-ordinated Approach to Safeguarding**

4.1 Safeguarding is everyone's responsibility

In line with Keeping Children Safe in Education 2018 and Working Together to Safeguard Children 2018 the College supports the view that safeguarding is everyone's responsibility.

No single professional can have a full picture of a child's needs and circumstances therefore everyone who comes into contact with them has a role to play in identifying concerns, sharing information and acting promptly.

4.2 Early Help

1. In line with Working Together the college supports the view that providing early help is more effective in promoting the welfare of children than reacting later. Early help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the teenage years.
2. Effective early help relies upon local agencies working together to:
 - Identify children and families who would benefit from early help;
 - Undertake an assessment of the need for early help; and
 - Provide targeted early help services to address the assessed needs of a child and their family which focuses on activity to significantly improve the outcomes for the child. Local authorities, under section 10 of the Children Act 2004, have a responsibility to promote inter-agency cooperation to improve the welfare of children.

Section 10

Section 10 of the Children Act 2004 requires each local authority to make arrangements to promote cooperation between the authority, each of the authority's relevant partners and such other persons or bodies working with children in the local authority's area as the authority considers appropriate. The arrangements are to be made with a view to improving the wellbeing of all children in the authority's area, which includes protection from harm and neglect. The College is one of the local authority's partners.

4.3 College staff are particularly well placed to be alert to the potential need for early help for a child who:

- Is disabled and has specific additional needs;
- Has special educational needs (whether or not they have a statutory Education Health and Care Plan);
- Is a young carer;
- Is showing signs of being drawn into anti-social or criminal behaviour including gang involvement and association with organised crime groups;
- Is frequently missing/goes missing from college, care or home
- Is at risk of modern slavery, trafficking or exploitation
- Is at risk of being radicalised or exploited
- Is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues, abuse;
- Is misusing drugs or alcohol themselves
- Has returned home to their family from care
- Is a privately fostered child

4.4 College staff have a responsibility to identify the symptoms and triggers of abuse and neglect, to share that information and work together to provide children and young people with the help they need. The college will provide training for all staff in conjunction with the LSCB to develop their knowledge and skills in this area.

4.5 Where staff identify a cause for concern they should discuss this with a member of the safeguarding team. Where appropriate the safeguarding contact will consider whether an Early Help Assessment is required as per the LSCB threshold document and this will be undertaken by the DSL or Deputy.

4.6 For an early help assessment to be effective:

- The assessment should be undertaken with the agreement of the child and their parents or carers. It should involve the child and family as well as all the professionals who are working with them;
- The member of the Safeguarding team or lecturer should be able to discuss concerns they may have about a child and family with a social worker in the local authority.

- If parents and/or the child do not consent to an early help assessment then the Safeguarding contact should make a judgement as to whether without help, the needs of the child will escalate. If so a referral into local authority children's social care may be necessary.
- 4.7 If at any time it is considered that the child may be a child in need as defined in the Children Act 1989, or that the child has suffered significant harm or is likely to do so, a referral should be made immediately to local authority children's social care. This referral can be made by any professional.

A child in need is defined under section 17 of the Act as those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development or their health or development will be significantly impaired without the provision of service. A child with a disability is a child in need.

5. **Guidance on Information Sharing**

Effective sharing of information between organisations and agencies is essential for early identification of need, assessment and service provision to keep children safe. Serious case reviews have highlighted that missed opportunities to record, understand the significance of and share information in a timely manner can have severe consequences for the safety and welfare of children.

The college will be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children,

Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children, which must always be the paramount concern. To ensure effective safeguarding arrangements:

- all organisations and agencies should have arrangements in place that set out clearly the processes and the principles for sharing information. The arrangement should cover how information will be shared within their own organisation/agency; and with others who may be involved in a child's life
- Staff should not assume that someone else will pass on information that they think may be critical to keeping a child safe. If a member of staff has concerns about a child's welfare and considers that they may be a child in need or that the child has suffered or is likely to suffer significant harm, then they should share the information with the DSL (or deputy) who will then inform local authority children's social care and/or the police.
- staff should aim to gain consent to share information, but should be mindful of situations where to do so would place a child at increased risk of harm. Information may be shared without consent if a member of staff has reason to believe that there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely

manner. Such decisions should be recorded as to who has been given the information and why

In addition Staff should adhere to the College's own protocols and policies for sharing information under the GDPR 2018. If in doubt staff should seek advice from the DSL (or deputy).

6. Recruitment, Selection and Pre employment vetting including DBS requirements

The college outlines its requirements in relation to DBS and Pre employment vetting procedures for new starters in its Recruitment Policy and Procedure and its DBS Policy and Procedure.

However, the college recognises there are other scenarios where individuals working in any capacity for or on behalf of the college may be engaged in regulated activity or have an opportunity for regular contact with students, such as:

Agency and third party staff

The college will obtain written notification from any agency, or third-party organisation they use that the organisation has carried out the checks (in respect of the enhanced DBS certificate, written notification that confirms the certificate has been obtained by either the employment business or another such business), on an individual who will be working at the college that the college would otherwise perform

Where the position requires a barred list check, this must be obtained by the agency or third party prior to appointing the individual. The college will also check that the person presenting themselves for work is the same person on whom the checks have been made.

Trainee/student teachers

As trainee teachers are likely to be engaging in regulated activity, an enhanced DBS certificate (including barred list information) must be obtained.

Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. Therefore the college will obtain written confirmation from the provider that it has carried out all pre-appointment checks that the college would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children. There is no requirement for the school to record details of fee-funded trainees on the single central record.

Volunteers

Under no circumstances should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

Whilst the College does not normally engage volunteers it will apply the following if volunteers are required:

Volunteers who, on an unsupervised basis teach or look after children regularly, or provide personal care on a one-off basis in schools and colleges, will be in regulated activity. The college will obtain an enhanced DBS certificate (which should include barred list information) for all volunteers who are new to working in regulated activity

There are certain circumstances where schools and colleges may obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in regulated activity. This is set out in DBS workforce guides, which can be found on GOV.UK. Employers are not legally permitted to request barred list information on a supervised volunteer as they are not considered to be engaged in regulated activity.

The college will undertake a risk assessment and use their professional judgement and experience when deciding whether to obtain an enhanced DBS certificate for any volunteer not engaging in regulated activity.

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should consider:

- the nature of the work with children;
- what the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers;
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability;
- whether the role is eligible for an enhanced DBS check; and

Details of the risk assessment should be recorded. ⁷²

165. It is for schools and colleges to determine whether a volunteer is considered to be supervised. In making this decision, and where an individual is supervised, to help determine the appropriate level of supervision schools must have regard to the statutory guidance issued by the Secretary of State (replicated at Annex F). This guidance requires that, for a person to be considered supervised, the supervision must be:

- by a person who is in regulated activity;⁷³
- regular

Contractors

The College will ensure that any contractor, or any employee of the contractor, who is to work at the school or college, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information).

For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required. In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across a number of sites.

Under no circumstances should a contractor in respect of whom no checks have been obtained be allowed to work unsupervised, or engage in regulated activity. The college will determine the appropriate level of supervision depending on the circumstances.

If an individual working at the college is self-employed, the will consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

The College will check the identity of contractors and their staff on arrival at the school or college.

Visitors

The college does not have the power to request DBS checks and barred list checks, or ask to see DBS certificates, for visitors (for example children's relatives or other visitors attending a sports day).

All visitors must be signed in at reception on arrival and be met by a member of the team they are visiting.

Alternative Provision

Where the college contracts for a student with an alternative provision provider, the college continues to be responsible for the safeguarding of that pupil, and should be satisfied that the provider meets the needs of the student.

The College will obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the school would otherwise perform in respect of its own staff.

In addition the College will insist as part of its contract with the alternative provider that the organisation has its own safeguarding policy and procedure.

Work Experience

When organising work experience placements the College will ensure that the placement provider has policies and procedures in place to protect children from harm.

Barred list checks by the DBS might be required on some people who supervise a child under the age of 16 on a work experience placement. The college will consider the specific circumstances of the work experience. Consideration must be given in particular to the nature of the supervision and the frequency of the activity being supervised, to determine what, if any, checks are necessary. These considerations would include whether the person providing the teaching/training/instruction/supervision to the child on work experience will be:

- unsupervised themselves; and
- providing the teaching/training/instruction frequently (more than three days in a 30 day period, or overnight).

If the person working with the child is unsupervised and the same person is in frequent contact with the child, the work is likely to be regulated activity. If so, the college could ask the employer providing the work

experience to ensure that the person providing the instruction or training is not a barred person.

Schools and colleges are not able to request an enhanced DBS check with barred list information for staff supervising children aged 16 to 17 on work experience.

If the activity undertaken by the child on work experience takes place in a 'specified place', such as a school or college, and gives the opportunity for contact with children, this may itself be considered to be regulated activity. In these cases and where the child is 16 years of age or over, the work experience provider should consider whether a DBS enhanced check should be requested for the child/young person in question. DBS checks cannot be requested for children/young people under the age of 16

7. Policy Review

The effectiveness of this policy will be monitored and reviewed annually in light of experience and best practice. This mechanism recognises that changes as a result of experience and/or to employment legislation may prompt a review of the policy before the end of the year.

On considering the effectiveness of this policy, consultation will be undertaken with the Trade unions, Employees and Managers to assist in the policy review and monitoring of this policy.

