

# Safeguarding and Child Protection Policy 2022 –2023

*Warmly Welcomed and Wanted;  
Every Student, Every Day, by Everyone.*



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*This policy should be used in conjunction with Kirklees College Safeguarding and Child Protection Guidance 2022/23 document.*

## **1. Introduction**

Kirklees College recognises that young people and vulnerable adults have a fundamental right to be protected from harm and exploitation and that students cannot learn effectively unless they feel and are safe.

The College is committed to ensuring that best practice is adopted when working with all young people and vulnerable adults, offering them support and protection, and accepts that it has a legal and moral responsibility to implement procedures, to provide a duty of care to young people, to safeguard their wellbeing and to protect them from abuse. This Policy therefore supports all students enrolled at the College.

Section 175 of the Education Act 2002 requires local education authorities and the governors of maintained schools and further education (FE) colleges to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children and young people.

In accordance with the Counter-Terrorism and Security Act 2015, there is a statutory duty on colleges to “have due regard to the need to prevent people from being drawn into terrorism”. This is known as the Prevent duty. To fulfil this duty, Kirklees College liaises closely with the local area prevent lead to receive updates regarding local concerns and to refer students of concern to the Channel process.

This Policy represents Kirklees College’s response to the need to protect all students, especially children, young people and vulnerable adults and those with identified needs at all College centres and in the workplace.

Everyone working in, or for, Kirklees College shares an objective to help keep children and young people safe by contributing to:

- providing a safe environment for children and young people to learn and develop in our College setting, and
- identifying children and young people who are suffering or likely to suffer significant harm, and taking appropriate action with the aim of making sure they are kept safe both at home and in our College setting.

This Safeguarding and Child Protection Policy will be reviewed on a regular basis to ensure it remains current and incorporates all revisions made to local or national safeguarding guidance. This policy will be fully reviewed annually and presented to the Governing Body for approval and sign off. The Governing Body receives a Safeguarding Annual Report from the Designated Safeguarding Lead, which reviews safeguarding data and how the safeguarding duties have been discharged.

This Policy will enable Kirklees College to deliver actions and services with procedures which are in accord with:

- Working Together to Safeguard Children February 2019
- Keeping Children Safe in Education September 2022
- Guidance for Safer Working Practice in Education Settings 2022
- Prevent Duty Guidance for Further Education Institutions April 2021
- Sexual violence and sexual harassment between children in schools and colleges 2021
- West Yorkshire Consortium Safeguarding Children Procedures (see link from Kirklees Safeguarding Children Partnership [www.kirkleessafeguardingchildren.co.uk](http://www.kirkleessafeguardingchildren.co.uk)  
<https://westyorkscb.proceduresonline.com/contents.htm>)
- No Secrets’, the Children Act (1989 and 2004)

- Education Act 2002
- Safeguarding Vulnerable Adults Act 2006
- Protection of Freedoms Act 2012
- Section 26 (1) of the Counter Terrorism and Security Act 2015
- Prevent Duty Guidance for Further Education Institutions 2015
- Mandatory Reporting of Female Genital Mutilation - Procedural Information 2020
- Controlling or Coercive Behaviour Statutory Guidance Framework Dec 2015
- Inspecting Safeguarding in Early Years, Education and Skills Settings Sept 2022

The Policy should be used in conjunction with the following where necessary:

- Kirklees College Safeguarding and Child Protection Guidance 2022/23
- Student Charter: Equality Guidance; Code of Behaviour; Bullying & Harassment Guidance
- Use the internet safely; Keeping Safe: A guide to safeguarding for students
- Positive Behaviour Policy
- Low Level Concerns Policy
- Staff Disciplinary, Grievance and Dismissal Procedures
- Code of Conduct, Values and Behaviours
- Guidelines on Personal Relationships at Work
- Guidelines on Student Contact
- Social Networking Code of Practice
- Health and Safety Procedures
- Whistleblowing Procedures

## **2. Values and Behaviours**

British Values are of significant importance to everyone involved in any College activity. College values and British values form the basis of citizenship within our College community and across modern Britain.

We promote all these values to our students and staff and they are embedded across all areas of College activity, at the heart of everything we do.

British values are defined as “democracy, the rule of the law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs”.

The ethos of Kirklees College is embedded in the following values:

Kindness  
Unity  
Excellence

### **3. Policy Statement:**

Kirklees College is led by a Senior Leadership Team and a Governing Body whose aims are to provide a safe environment and vigilant culture where our students can learn and be safeguarded.

The development and implementation of the Policy is overseen by the Safeguarding Committee, which has representatives from staff and governors.

There is a training and development plan covering the whole College community.

The College has undertaken a full Prevent Duty risk assessment against the Prevent Duty responsibilities.

A Section 175 Safeguarding Audit is undertaken annually and reported to the Local Authority.

This Policy provides clear direction to all members of the College community to ensure any child protection concerns, referrals and monitoring of actions are handled appropriately.

Further Education Colleges do not have a responsibility to investigate incidents of alleged abuse. However, they do have a statutory duty to assist the local authority with child protection issues and this policy is in line with current national and local policies on the protection of children, young people and vulnerable adults.

Accordingly, all staff will receive a copy of this Policy and Section 1 of 'Keeping Children Safe in Education' 2022.

Safeguarding and promoting the welfare of children means:

- Protecting children from maltreatment
- Preventing impairment of children's mental and physical health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Acting to enable all children to have the best outcomes

Safeguarding is not just about protecting children and young people from deliberate harm. It also relates to the broader aspects of care and education including:

- Student's health and safety and emotional well-being, and their mental and physical health or development.
- Meeting the needs of students with special educational needs and/or disabilities.
- The use of reasonable force.
- Meeting the needs of students with medical conditions.
- Providing first aid.
- Educational visits and off-site education.
- Intimate care and emotional wellbeing.
- On-line safety and associated issues.
- Appropriate arrangements to ensure college security, considering the local context.
- Keeping students safe from risks, harm and exploitation: KCSIE 2022 Annex A.

Safeguarding can involve a range of potential issues such as:

- Neglect, physical abuse, sexual abuse and emotional abuse.
- Contextualised abuse.
- Bullying, including online bullying (by text message, on social networking sites,

and prejudice-based bullying).

- Child on child abuse.
- Racist, disability- based, homophobic, bi-phobic or transphobic abuse.
- Gender based violence/violence against women and girls.
- Extremist behaviour and/or radicalisation.
- Child sexual exploitation, human trafficking, modern slavery or exploitation.
- The impact of new technologies, including 'sexting' and accessing pornography.
- Child on Child Sexual Violence and Sexual Harassment (defined in KCSiE 2022 Part Five).
- Issues which may be specific to a local area or population, for example gang activity, knife crime, youth violence, criminal child exploitation (CCE) and County Lines.
- Family circumstances which present challenges for the student, such as drug and alcohol misuse, adult mental health issues.
- Risk of or from serious violence and violent crime (KCSiE 2022)
- Particular issues affecting students including domestic abuse and violence, female genital mutilation and honour-based abuse and forced marriage.  
<https://www.gov.uk/government/consultations/domestic-abuse-act-statutory-guidance/domestic-abuse-draft-statutory-guidance-framework>
- 'Upskirting'- The Voyeurism (Offences) Act, which is commonly known as Upskirting Act, came into force on 12<sup>th</sup> April 2019. Upskirting is a criminal offence and reportable by all staff (KCSiE 2022 Annex B)

As a general principle, the College has a statutory responsibility to:

- At all times, and by all means, seek to create a safe environment for the entire college community. This includes using appropriate filters and monitoring systems to ensure maximum levels of online safety.
- Operate the policy to specifically encompass children, young people, vulnerable adults and adults who may be temporarily vulnerable.
- Acknowledge that abuse may take many forms, for example; physical, sexual, financial and material, emotional, neglect, 'Missing', sexual exploitation, human trafficking, female genital mutilation, forced marriage, hate crime, radicalisation, extremism, and risk to self and/or others.
- Comply with statutory safeguarding legislation including the Prevent Duty.
- Work with external agencies, in particular, the Local Children's Safeguarding Partnership and the Local Authority Designated Officer, whilst always placing the welfare of the individual at the centre of any action taken.
- Comply with the regulations and guidance provided on the vetting of staff, including temporary staff and volunteers to minimise the risk of recruiting unsuitable people as laid out in the guidance from the Independent Safeguarding Authority and 'Keeping Children Safe in Education' Sept 2022.
- Ensure that any safeguarding concern is swiftly referred as appropriate, non-emergency referrals to be communicated to partner agencies within one working day of disclosure.
- Comply with 'safer recruitment' procedures and undertake Disclosure and Barring Checks, to ensure that all employees and workers under terms of engagement are suitable to work at the College.
- Develop and implement procedures for identifying, reporting cases or suspected cases of abuse and make appropriate referrals to the Disclosure and Barring Service.
- Ensure employers and other partners are aware of the safeguarding and Prevent duties and receive timely information and support to promote these duties to students in the workplace.
- Educate and support students in staying safe and being healthy including study programme learners, apprentices and work based students.
- Ensure that any child, young person or individual with additional needs going missing either from education, home or care home, particularly if repeated, is reported to the appropriate authority. All relevant staff are asked to complete registers and follow up unauthorised absences following the relevant College Attendance Strategy, policy and procedure.
- Students who are absent, abscond or go missing during the college day can be vulnerable and at potential risk. Staff will follow the college's procedures for dealing with learners who are absent/ go missing, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or exploitation and to help prevent the risks of them going missing in future.
- Consult with students in developing safeguarding policies and procedures.
- Encourage an atmosphere in which students find trained staff approachable to enable communication of any problems which may be affecting their lives.
- Provide opportunities for children in need of additional support to identify themselves through the process of applications and enrolment. Students with identified support needs will be monitored through Learning Support.
- Provide appropriate mandatory training and development in accordance with the requirements of the Staff Development programme and induction, raising awareness of all staff and governors of the need to safeguard children, young people and

- vulnerable adults and of their responsibilities in identifying and reporting possible cases of abuse.
- Provide environments where everyone feels valued, safe and respected where individuals are encouraged to talk and are listened to. This will be achieved by the regular promotion of the College values and embedding these together with British values across every area of College activity.

#### **4. Scope**

This Policy applies to all those working in, studying and visiting any College site including students, apprentices, the College workforce, Governors, volunteers and visitors to the College including contracted services such as agency staff, employers offering work placements, transportation companies and contractors with direct access to children, young people and vulnerable adults.

Where the policy refers to 'students', this includes 14-16, 16-18, adult and apprentices studying at Kirklees College.

A 'child' is defined as a person aged up to 18.

A 'Young Person' is defined as between 12 and 20.

'Looked After Children', 'Care Leavers' and students with special educational needs up to age 25 may also need additional services, assistance, protection and consideration.

An adult at risk is a person aged 18 years or over who is, or may be in need of, community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or is unable to protect him or herself against significant harm or exploitation. It may also include adults who are vulnerable for some other reason, for example those who have caring responsibilities, special educational needs, addiction, or who have suffered abuse or trauma.

Kirklees College also recognises the particular vulnerabilities which may be present within certain cohorts including Estranged (not living with or supported by immediate family), Adopted, CCE (Child Criminal Exploitation), Gang Affiliated, Homeless, Peer Abuse and CSE (Child Sexual Exploitation), Young Parents, Young Carers and Unaccompanied Asylum Seekers.

Students aged 14-16 whose main education provider is a school or 14-16 who are elective home educated, are covered by all aspects of the Policy when at the College.

In accordance with agreed partnership protocols, there is a separate procedure for Child Protection referrals as schools retain accountability for external referrals.

Should there be an emergency and the College is unable to contact the appropriate school, parent or local authority advisor, the College will apply its referral procedures to the situation to ensure a child is safe.

Where an allegation or concern is raised regarding a child in a nursery or crèche funded by DLSF or Care2Learn or a student's child who is funded through any hardship funds to attend an external Ofsted registered provider, the provider staff will be expected to follow their own organisational procedures.

Employers and training organisations will be asked to co-operate with the College in putting in place and subscribing to appropriate safeguards.

Where a placement is long term the college will ensure that additional safeguards are in place, these may include staff who will have had training in child protection and completing risk assessments and arranging placements.

Training organisations will be asked to make a commitment to safeguarding students' welfare by endorsing an agreed statement of principles.

Any person whose normal duties include regular caring for, training, looking after or supervising a child in the workplace where that person has been specifically designated to have responsibility for such activities will be subjected to vetting and DBS checking.

Providers will be monitored annually for compliance with process and must report any incidents to the college for any subcontracted provision.

## **5. Policy Objectives:**

The Corporate Board is committed to ensuring that the College:

- Creates a culture of safeguarding vigilance;
- Receives an Annual Safeguarding Report each year;
- Engages with the 175a Local Authority annual audit and any other external / internal audits as agreed;
- Works to protect children and adults at risk from harm from all types of abuse and risk including exploitation and radicalisation;
- Raises the profile of safeguarding with students and staff in all aspects
- of our work;
- Recognises when there are risk factors and knowing how to respond to
- these;
- Educates students on how to keep themselves and others safe and how
- to get help when they need it;
- Recognises the importance of wider environmental factors in a child or
- adult at risk's life that may be a threat to their safety or welfare;
- Works to prevent impairment to physical and mental health and development;
- Ensures provision of safe and effective care;
- Safeguards and promotes the welfare of all students, including apprentices and
- learners on industry placement programmes;
- Where appropriate, refers children and adults at risk;
- Co-operates with external partner investigating agencies;
- Supports children in need or child protection and contributes towards the early help offer;
- Records and reports all safeguarding incidents including allegations or incidents of racism, sexual violence, serious violence, abuse, bullying and harassment;
- Practices safer recruitment processes;
- Ensures there is a named Designated Safeguarding Lead within the Senior Leadership Team;
- Ensures there is an Operational Designated Safeguarding lead with at least one Deputies
- Provides safeguarding training to all staff annually;
- Offers an evidence based curriculum that promotes RSHE, safeguarding and personal safety;
- Shares information via agreed protocols with external partner agencies;
- Supports students with medical conditions;
- Meets the needs of students with special educational needs and/or disabilities and / or protected characteristics;
- Recognises child on child and peer on peer abuse;
- Takes the wishes and feelings of children and adults at risk into account;
- Provides a staff code of conduct;
- Responds promptly to instances where children go missing;
- Appoints a designated person to promote the achievement of care experienced
- young people; and
- Takes appropriate action, including referrals, to see that such students are kept safe, both at home and at College.

## **6. To comply with safeguarding legislation. Kirklees College will ensure that:**

- There is a nominated governor responsible for child protection/safeguarding.
- Every member of staff (including temporary, supply staff and volunteers) and the governing body knows who the Designated Safeguarding Lead is, their deputies responsible for child protection, and their role.
- All staff and volunteers understand their responsibilities in being alert to the signs of abuse and their responsibility for referring any concerns to the Designated Safeguarding Lead, Deputy Designated Safeguarding Leads or Safeguarding Advisors, or to children's social care / police if a student is in immediate danger.
- It is a requirement that all curriculum areas identify a named person to act as the first point of contact for students who wish to raise safeguarding concerns. This is the responsibility of the Curriculum Area Manager. Whilst typically this would be the Pastoral Mentor or Apprentice Mentor, in the event of vacancy or absence from work, another member of staff must be named immediately to act in this capacity. Safeguarding must be informed about any change to the designated person.
- All staff and volunteers are aware of the early help process and understand their role in making referrals or contributing to early help offers and arrangements.
- There is a whistleblowing policy and culture where staff can raise concerns about unsafe practice, and that these concerns will be taken seriously.
- There is a clear and promoted complaints system in place for students, carers, families and other stakeholders.
- Parents, carers and stakeholders have an understanding of the responsibility placed on the college and staff for child protection and safeguarding by setting out its obligations in the college prospectus and on the college's website.
- Effective and robust partnership links are developed with relevant agencies and cooperate as required with their enquiries regarding child protection matters, including attendance at Child Protection Conferences and Child in Need meetings.
- Student concerns are documented to support early identification, referral and actions to safeguard.
- All records are kept securely using the college's online secure system CPOMs.
- The college procedures are followed where an allegation is made against a member of staff or volunteer.
- Confidentiality is consistently applied appropriately.

## **7. Supporting Students**

We recognise that students who are abused or who witness violence may find it difficult to talk about their lived experience, they may not recognise that they are victims of abuse, and they may feel anger, distress, fear, helplessness, humiliation and some sense of blame. Life experiences often impact on the mental health of a student including experiencing serious trauma.

Safeguarding incidents and/or behaviours can be associated with factors outside the college and can occur between young people outside the college. All staff, but especially the Designated Safeguarding Lead and Deputy Designated Safeguarding Leads will consider the context within which such incidents and behaviours occur. This is known as [Contextual Safeguarding](#), which means giving consideration to wider environmental factors which may be a threat to safety and welfare.

The college may be the only stable, secure and predictable element in the lives of students who are at risk. At college their behaviour may be challenging and defiant or they may be withdrawn and find socialising difficult. We also recognise that some students are more vulnerable than others, which includes students with special educational needs and disabilities and those with protected characteristics.

Our college will support our students by:

- Developing the evidence based content of the curriculum and pastoral support to cover safeguarding issues including online bullying, sexting, child sexual exploitation (CSE), child criminal exploitation (CCE), gangs, youth generated images, female genital mutilation (FGM), preventing radicalisation, child on child abuse and anti- bullying.
- Explaining that the law is in place to protect students rather than criminalise them, in relation to child-on-child sexual violence and sexual harassment.
- Maintaining a College ethos which promotes a positive, supportive and secure environment, and which gives students a sense of being valued.
- Supporting our students with protected characteristics and to take positive action, where proportionate, to deal with the disadvantages these students face.
- Maintaining an effective Positive Behaviour Policy with restorative practice at its centre.
- Proactively ensuring that all students know the college code of conduct and expectations of behaviour, and that as members of our college community they are valued and will be supported to develop personal and social skills including positive behaviour and attitudes.
- Taking all appropriate actions to address concerns about the welfare of a student, working to local policies and procedures in full working partnership with agencies including Kirklees Safeguarding Children's Partnership.
- Promoting student health and safety.
- Conducting a rigorous criminal convictions risk assessment process where applicants assessed as low or medium risk receive appropriate support to fully engage with their studies.
- Ensuring that procedures are in place to deal with allegations against teachers and other staff including volunteers (KCSiE 2022 Part Four)
- Providing first aid where and when necessary and meeting the health needs of students with medical conditions.
- Ensuring effective college campus security pastoral support across all sites.
- Working with all relevant agencies regarding missing in education, anti-social behaviour / gang activity and violence in the community / knife crime and children at risk of sexual and or criminal exploitation.

### **Apprentices and work based learners**

Also see Safeguarding & Prevent Briefing for Employers; Code of Behaviour Sub Contractors; Safeguarding Sub Contractor Requirements, Safeguarding and Prevent for Apprentices.

- Employers have a duty to comply with all current and future UK legislation and statutory responsibilities.
- There is a particular expectation that an employer should take responsibility for an apprentice's safety and welfare in the workplace and to also seek appropriate advice when they feel an apprentice may be at risk in their personal lives.

#### **The Apprenticeship Mentors and Trainer Assessors will:**

- Ensure that employers are aware of their safeguarding obligations, through guidance and training
- Ensure apprentices have an awareness of safeguarding and understand how to access college support services including how to report a safeguarding concern
- Maintain open and regular channels of communication with each employer
- Include current safeguarding information in both the apprentice and employer handbooks.

#### **The Employer will:**

- Familiarise themselves with relevant government legislation
- Take appropriate steps to understand what safeguarding means in practice at their organisation, in the context of the responsibilities they have for the people they employ
- Ensure that any staff working with apprentices in a position of trust are appropriate for the role and do not present any danger or threat

## **8. Safer Recruitment**

Kirklees College pays full regard to DfE guidance 'Keeping Children Safe in Education' (2022).

We ensure that all appropriate measures are applied in relation to everyone who works in the College who is likely to be perceived by the student as a safe and trustworthy adult, including volunteers and staff employed by contractors.

Safer recruitment practice includes scrutinising applicants, verifying identity, academic and vocational qualifications, obtaining professional references, checking previous employment history and ensuring that a candidate has the health and physical capacity for the job. It also includes undertaking interviews and checking the candidate's DBS status, the Children's List, Criminal Records Bureau checks and right to work in England checks.

In line with statutory changes, underpinned by regulations, the College will maintain a Single Central Record (SCR). This document will cover the following people:

- all staff, including supply staff, and those providing education to children.

The information that must be recorded in respect of all staff members mentioned above is whether the following checks have been carried out or certificates obtained, **and** the date on which each check was completed/certificate obtained apply:

- an identity check;
- a barred list check;
- an enhanced Disclosure and Barring Service (DBS) check
- further checks on people who have lived or worked outside the UK: this would include recording checks for those European Economic Area (EEA) teacher sanctions and restrictions;
- a check of professional qualifications; and
- a check to establish the person's right to work in the United Kingdom.

For supply staff, the College will include whether written confirmation that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, whether any enhanced DBS check certificate has been provided in respect of the member of supply staff and the date that confirmation was received.

Please contact your HRBP for access to Safer Recruitment training

Where checks are carried out on volunteers, the College will record this on the single central record.

Under no circumstances will a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity with a person under 18.

## **9. Safe Practice**

Kirklees College will comply with the current Safe Practice guidance to be found in Kirklees Safeguarding Procedures at [www.kirkleessafeguardingchildren.co.uk](http://www.kirkleessafeguardingchildren.co.uk)

Safe working practice ensures that students are safe and that all staff:

- are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions;
- work in an open and transparent way;
- work with other colleagues where possible in situations open to question
- discuss and/or take advice from school management over any incident which may give rise to concern
- report any incidents following College safeguarding guidance processes
- apply the same professional standards regardless of gender, sexuality or disability
- comply and are aware of the confidentiality policy
- are aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

College staff having concerns about another member of staff:

- should report these concerns to an appropriate colleague e.g. Executive Director of HR, Assistant Principal Student Experience.
- where staff members have concerns about the Principal, these will be reported to the Chair of Governors.
- where staff members have concerns about the Chair of Governors, these will be reported to the Principal and the Local Authority Designated Officer (LADO).

College staff having concerns about safeguarding practices:

- all staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the College's safeguarding processes and that such concerns will be taken seriously by the senior leadership team (SLT).
- appropriate whistleblowing procedures must be in place within the College and can be read in further detail by accessing the College whistleblowing policy.
- where a staff member feels unable to raise in issue with the senior leadership team or that their genuine concerns are not being addressed, other whistleblowing channels may be open to them by accessing [www.gov.uk/whistleblowing/who-to-tell-what-to-expect](http://www.gov.uk/whistleblowing/who-to-tell-what-to-expect), the whistleblowing charity [Protect](http://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line) or [www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line](http://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line)
- The Education & Skills Funding Agency ("ESFA") includes safeguarding clauses in its funding agreements and contracts. Whilst the local authority and the institution have primary duties in respect of safeguarding, the Secretary of State (SoS) has a general duty to promote the wellbeing of children in England under section 7 of the Children and Young Persons Act 2008.

## **10. Safeguarding Information for students**

The College is committed to ensuring that students are aware of behaviour towards them that is not acceptable and how they can keep themselves safe.

- All students will know that we have a Senior Designated Safeguarding Lead, an Operational Designated Safeguarding Lead, at least one Deputy Designated Safeguarding Lead (DDSL) and Safeguarding Advisors (SAs) with responsibility for child protection.
- All students at Kirklees College will be made aware of a number of staff who they can talk to if they have any concerns, including the pastoral mentors who are safeguarding trained.
- The College's tutorial programme (PAD), delivered by Personal Development Coaches, strongly promotes key messages relating to all aspects of safeguarding during induction and throughout the academic year.
- Declaring a criminal conviction does not automatically prevent anyone from becoming or continuing as a student at Kirklees College and we offer appropriate support when necessary. However, if via a risk assessment an individual is identified as 'high risk' then admission to College will be refused. Applicants assessed as 'medium risk' will be robustly monitored in partnership with appropriate external agencies
- The College reserves the right to refuse a place to an applicant if s/he is assessed as a high risk to themselves or others, or if the college is unable to ensure a safe environment for the College community if the applicant is admitted. We will also undertake risk assessments if information is received at any time which suggests that the learner may present a risk to themselves or others. This will include referrals from external agencies relating to criminal activity, organised gang crime (weapons, drugs) or serious gang affiliation. Any applicant or enrolled student who is clearly evidenced to be involved with serious criminal and / or violent activity will go to an Enrolment Scrutiny Panel / Inclusion Panel.

## **11. Staff Training and Staff Induction**

- The College's Senior Designated Safeguarding Lead, Operational Designated Safeguarding Lead and Deputy Designated Safeguarding Lead, with responsibility for child protection, will undertake appropriate child safeguarding training and inter-agency working training (provided by the Kirklees Safeguarding Children Partnership).
- The SDSL, ODSL and any deputies will undergo training to provide them with the knowledge and skills required to carry out the role. The training will be updated every two years.
- In addition to formal training, knowledge and skills will be updated for via e-bulletins, meeting other DSLs, or taking time to read and digest safeguarding developments, at regular intervals to keep up with any developments relevant to their role.
- All other College staff, including non-teaching staff, will receive appropriate safeguarding and child protection training which is regularly updated. This includes training for Governors at their induction and then at regular intervals
- In addition, all staff members will receive safeguarding and child protection updates (for example, via e-mail, e-bulletins and staff meetings) as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.
- All new staff (including temporary staff and volunteers) will be made aware of safeguarding processes and systems within Kirklees College; these are explained to them as a mandatory part of staff induction including: the college Safeguarding and Child Protection Policy; the Employee Code of Conduct and the role of the Senior Designated Safeguarding Lead, Operational Designated Safeguarding Lead, Deputy Designated Safeguarding Lead, Safeguarding Advisors and the responsibility to read Keeping Children Safe in Education 2022 Part 1.

- All college staff receive safeguarding and child protection training, which is updated every three years. In addition to this training all staff members receive child protection and safeguarding updates when required, but at least annually.
- All college staff know what to do if a student is raising concerns or makes a disclosure of abuse and / or neglect. Staff will maintain a level of confidentiality whilst liaising with the Designated Safeguarding Lead and / or the core safeguarding team. Our staff will never promise a student that they will not tell anyone about a disclosure or allegation, recognising this may not be in the best interest of the student.

## **12. Confidentiality and Information Sharing**

The College has due regard to relevant data protection legislation and guidance, including “Information sharing: advice for practitioners providing safeguarding services to children, young people, parents and carers” HM Government, 2018

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721581/Information\\_sharing\\_advice\\_practitioners\\_safeguarding\\_services.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf)

*“In the case of children in need, or children at risk of significant harm, it is difficult to foresee circumstances where information law would be a barrier to sharing personal information with other practitioners.”*

Keeping detailed and comprehensive records is fundamental to good safeguarding practice. The law does not prevent information about children being shared with specific authorities if it is for the purposes of safeguarding.

Data protection legislation does not prevent, or limit, the sharing of information for the purposes of keeping children safe. Information can be shared without consent if to gain consent would place a child at risk.

The College acknowledges paragraph 10(1), Schedule 1, Data Protection Act 2018:

‘This condition is met if the processing

- a) is necessary for the purposes of the prevention or detection of an unlawful act
- b) must be carried out without the consent of the data subject so as not to prejudice those purposes, and
- c) is necessary for reasons of substantial public interest.’

And paragraph 14(1):

‘This condition is met if the processing

- a) is necessary for the purposes of preventing fraud or a particular kind of fraud’ and
- b) consists of—
  - (i) the disclosure of personal data by a person as a member of an anti-fraud organisation,
  - (ii) the disclosure of personal data in accordance with arrangements made by an anti-fraud organisation, or
  - (iii) the processing of personal data disclosed as described in sub-paragraph (i) or (ii).

And paragraph 15:

‘This condition is met if the processing is necessary for the purposes of making a disclosure in good faith under

- a) Section 21CA of the Terrorism Act 2000; or
- b) Section 339ZB of the Proceeds of Crime Act 2002’

And paragraph 17.1:

‘This condition is met if the processing

- a) is necessary for the provision of confidential counselling, advice or support or of another similar service provided confidentially
- b) is carried out without the consent of the data subject for one of the reasons listed in sub-paragraph (2), and

c) is necessary for reasons of substantial public interest.

Where detailed information may form an important part of safeguarding an individual, information may be retained until the person reaches the age of 25.

The College has due regard to "Information Sharing: Practitioner's guide" HM Government, 2015  
[www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice](http://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice)

*"Where there is a concern that the child may be suffering or is at risk of suffering significant harm, the child's safety and welfare must be the overriding consideration".*

The College has a clear and explicit confidentiality policy.

The College policy indicates:

- When information must be shared with Police and Kirklees Multi-Agency Safeguarding Hub (MASH) where a young person is / may be at risk of significant harm.
- When the young person's and/or parent's confidentiality must not be breached
- That information is shared on a need to know basis

Once a disclosure and referral have been made, information is assessed for indications that the person is at risk of harm from others or to themselves.

Information will be shared with the DSL (or Safeguarding Team) and/or other agencies/ professionals who are able to take protective action.

All information regarding child protection issues will be kept in secure electronic files.

The College is obliged to work and share information with external agencies charged with the protection of children and young people. This includes Social Services, the police, local schools, LADO, the Multi Agency Safeguarding Hub (MASH), based on the 'need to know' principle.

The College commits to share information with MASH and allows access to students on-site if required.

The College works closely with the area Prevent team and through them refers to the Channel process when necessary.

The College has developed systems to ensure effective communication between local agencies.

Note: 'confidentiality' is often misunderstood. An over emphasis on confidentiality can leave young people or vulnerable adults in danger of harm. If something is confidential, this does not mean that it cannot be shared. GDPR should be no barrier to information sharing about a person in need, as long as appropriate protocol is followed.

However, it is important to:

- Share only what it is necessary to share to protect a young person or a vulnerable adult
- Record what is shared, and with whom
- Record reasons for sharing

Inform the individual making the disclosure that information they provide will be shared, why and with whom.

### **13. Student Contact Details**

Kirklees College will endeavour to keep up to date and accurate information in order to keep students safe regarding:

- names and contact details of persons with whom the student normally lives
- names and contact details of all persons with parental responsibility (if different from above)
- emergency contact details (if different from above). Note that two emergency contacts are required.
- any relevant court orders in place including those which affect any person's access to
- the young person (e.g. Children and Families Court Order, Injunctions etc.)

- if the young person is or has been subject to a Child Protection or Child In Need Plan
- any other factors which may impact on the safety and welfare of the child.

The College will collate, store and agree access to this information, ensuring all information held electronically is stored securely with due regard to meeting data protection and safeguarding requirements.

#### **14. Roles and Responsibilities**

**The Chair of Corporation** has responsibility for allegations if the allegation is against the Principal. Their initial role would be to obtain witness statements. There would need to be an internal investigation, pending the content, with the Designated Governor responsible for Safeguarding co-ordinating the process.

#### **The Governing Body:**

There is a designated governor for safeguarding. It is their responsibility to liaise with the local authority and/or partner agencies on issues of child protection and where allegations of abuse are made against the Principal. He/she will notify the ESFA where the College, or one of its subcontractors, is subject to a safeguarding investigation by the police or the local authority. The Governing Body must consider and approve the College's Safeguarding Policy and annually review its implementation. The designated Governor is responsible for liaising with the Principal and Designated Safeguarding Lead over matters regarding safeguarding, including:

- Governing bodies must ensure that they comply with their duties under legislation. They must have regard to the Keeping Children Safe in Education guidance, ensuring that policies, procedures and training in their colleges are effective and comply with the law at all times.
- Governing bodies should have a senior board level lead to take leadership responsibility for their college's safeguarding arrangements and that this is explicit in their Job Description.
- Governing bodies should ensure there are appropriate policies and procedures in place in order for appropriate action to be taken in a timely manner to safeguard and promote student's welfare.
- Governing bodies should ensure that all staff in their college read at least Part One of the Keeping Children Safe in Education guidance.
- Governing bodies should ensure that all relevant staff members undergo child protection training which is updated regularly, in line with Kirklees Children's Safeguarding Partnership guidance.

The Governors have an established Safeguarding Committee which meets on a termly basis to receive reports and updates on legal responsibilities and ensure that the Local Authority procedures are being followed appropriately.

The Governing Body is responsible for determining whether any safeguarding incident that results in or risks significant harm to learners and/or other people who come into contact with the College through its work should be reported to the College's charity regulator as a significant incident.

The Governing Body will not:

- Have a role in dealing with individual cases
- Receive any personal details of individuals involved in, or alleged to be involved in, any safeguarding incident, unless it is in relation to an allegation against the Principal.

**Senior Designated Safeguarding Lead:**

There is a senior lead on safeguarding within the College. It is their responsibility to ensure standardisation and parity between areas of safeguarding practice and policy. This member will report at least annually to the Corporation regarding the appropriate policies and procedures and will provide a statistical analysis of safeguarding incidents and all training and related CPD undertaken.

**Operational Designated Safeguarding Lead:**

The ODSL will also provide advice and support to staff on child welfare and child protection matters, take part in strategy discussions and inter agency meetings and ensure strategies and policies are agreed, implemented and effectively delivered. The DSL will refer to LADO as appropriate.

**The Deputy Designated Safeguarding Lead:**

The DDSL will ensure that procedures are followed across the College and that referrals are made to Social Services and other external agencies in accordance with Local Authority procedures.

**Safeguarding Advisors:**

SAs will form the core safeguarding team, under the leadership of the ODSL and the DDSL, and will deal with the day to day safeguarding referrals, including on line alerts, and will attend meetings as required with partnership agencies, particularly for students on Child In Need and Child Protection Plans, and Team Around the Family / Early Help strategy meetings.

**The Designated Teacher for Looked After Children:**

The Children and Social Work Act of 2017, places responsibilities for 'designated teachers' to 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.

A member of staff will be identified who has responsibility for promoting the educational achievement of children who are looked after and / or are leaving care. They will have the appropriate training to carry out this role effectively and will work with the Virtual School to ensure that the progress of each student is supported. We recognise those students who were previously Looked After potentially remain vulnerable and all staff will be informed of the importance of maintaining support for them through their time in college. PEP meetings with the Virtual School for all LAC students will be attended and progress / concerns discussed and logged.

**Curriculum Area Managers:**

are responsible for ensuring learners are taught about safeguarding, including e learning and Prevent, through teaching and learning opportunities in the curriculum.

**The Curriculum Area Manager for Alternative Pathways:**

has responsibility for students aged 14-16 in safeguarding matters.

**The Pastoral Mentors:**

act as a central point of contact for all students and staff in relation to immediate referral of low level or non-complex safeguarding issues. These staff, whose role is to initiate appropriate and timely referrals, disseminate key information, promote initiatives throughout College and raise student awareness of the key aspects of safeguarding and welfare.

**The Staff Development and Organisational Development Manager:**

is responsible for arranging induction safeguarding training for all new staff and ensuring opportunities exist for refresher training on a 3 year cycle. Prevent refreshers will also be based on a 3 year cycle with appropriate updates as and when necessary.

**The Human Resources Team:**

is responsible for the safe recruitment and employment of staff, DBS and barred list checks, central record and staff safeguarding training ensuring all recruitment checks are completed and the Single Central Record (SCR) is maintained.

**The Head of Student Recruitment and Applications:**

is the first point of contact in relation to learner criminal convictions and disclosures. Referrals

will be made to Assistant Principal Student Experience / DDSLs.

**The Head of Security and Head of Health & Safety:**

are the designated persons for estates, facilities and security in relation to safeguarding, providing suitable systems to ensure the safety of visitors and all who visit a College centre,

ensuring all risks are adequately controlled and regularly reviewed, as necessary including the use of contractors. Centre risk assessments will be annually updated and promoted.

**The Curriculum Assistant Principals:**

are responsible for ensuring learners are taught about safeguarding, including e learning, tutorials and through teaching and learning opportunities.

**All College staff:**

All staff have a key role to play in identifying concerns and providing early help for students. To achieve this, they will:

- Establish and maintain an environment where students feel secure, are encouraged to talk and are listened to.
- Ensure students know that there are staff in college who they can approach if they are worried or have concerns.
- Plan opportunities within the curriculum for students to develop the skills they need to assess and manage risk appropriately and keep themselves safe.
- Attend appropriate training in order to be aware of and alert to the signs of abuse.
- Maintain an attitude of “it could happen here” with regards to safeguarding.
- Record their concerns if they are worried that a student is being abused or is at risk of harm.
- Follow the allegations procedures if the disclosure is an allegation against a member of staff.
- Follow the procedures set out in this policy and take account of guidance issued by the DfE KCSiE 2022 Part 1.
- Notify the safeguarding team of any student on a Child Protection Plan or Child in Need Plan who has unexplained absence.
- Have an understanding of early help and be prepared to identify and support students who may benefit from early help.
- Have a responsibility to report safeguarding issues to the Operational Designated Safeguarding Lead, Deputy Designated Safeguarding Lead, Safeguarding Advisors or Pastoral Mentors.
- All new staff will undertake a Corporate Induction day to ensure they are fully appraised of current safeguarding policy and procedures.
- All College staff will undertake an appropriate level of training to raise awareness and highlight key issues. This training will take place as a minimum every 3 years via briefings and e-learning packages.

**The Head of IT Services:**

has responsibility for implementing processes to ensure effective internet monitoring and clear rules and regulations for staff and students, for online safety in general and is responsible for updating acceptable use and other relevant policies regarding College use of IT.

## **Support Information**

College staff can access government guidance as required on the issues listed below at a number of GOV.UK website addresses

[www.gov.uk/government/publications/preventing-and-tackling-bullying](http://www.gov.uk/government/publications/preventing-and-tackling-bullying)

[www.gov.uk/government/publications/children-missing-education](http://www.gov.uk/government/publications/children-missing-education)

[www.gov.uk/government/publications/children-who-run-away-or-go-missing-from-home-or-care](http://www.gov.uk/government/publications/children-who-run-away-or-go-missing-from-home-or-care)

[www.gov.uk/government/publications/missing-children-and-adults-strategy](http://www.gov.uk/government/publications/missing-children-and-adults-strategy)

[www.gov.uk/CSE-definition](http://www.gov.uk/CSE-definition) and a guide for practitioners

[www.gov.uk/domestic-violence-and-abuse](http://www.gov.uk/domestic-violence-and-abuse)

[www.gov.uk/government/publications/drugs-advice-for-schools](http://www.gov.uk/government/publications/drugs-advice-for-schools)

[www.gov.uk/government/publications/safeguarding-children-in-whom-illness-is-fabricated-or-induced](http://www.gov.uk/government/publications/safeguarding-children-in-whom-illness-is-fabricated-or-induced)

[www.gov.uk/government/publications/national-action-plan-to-tackle-child-abuse-linked-to-faith-or-belief](http://www.gov.uk/government/publications/national-action-plan-to-tackle-child-abuse-linked-to-faith-or-belief)

[www.gov.uk/government/publications/female-genital-mutilation-guidelines](http://www.gov.uk/government/publications/female-genital-mutilation-guidelines)

[www.gov.uk/forced-marriage](http://www.gov.uk/forced-marriage)

[www.gov.uk/government/publications/advice-to-schools-and-colleges-on-gangs-and-youth-violence](http://www.gov.uk/government/publications/advice-to-schools-and-colleges-on-gangs-and-youth-violence)

[www.gov.uk/government/policies/violence-against-women-and-girls](http://www.gov.uk/government/policies/violence-against-women-and-girls)

[www.educateagainsthate.com/](http://www.educateagainsthate.com/)

[www.gov.uk/government/publications/mental-health-and-behaviour-in-schools](http://www.gov.uk/government/publications/mental-health-and-behaviour-in-schools)

[www.gov.uk/government/publications/prevent-duty-guidance](http://www.gov.uk/government/publications/prevent-duty-guidance)

[www.gov.uk/government/publications/children-act-1989-private-fostering](http://www.gov.uk/government/publications/children-act-1989-private-fostering)

[www.ceop.police.uk/Media-Centre/Press-releases/2009/What-does-sexting-mean/](http://www.ceop.police.uk/Media-Centre/Press-releases/2009/What-does-sexting-mean/)

[www.disrespectnobody.co.uk/relationship-abuse/what-is-relationship-abuse/](http://www.disrespectnobody.co.uk/relationship-abuse/what-is-relationship-abuse/)

[www.gov.uk/government/publications/safeguarding-children-who-may-have-been-trafficked-practice-guidance](http://www.gov.uk/government/publications/safeguarding-children-who-may-have-been-trafficked-practice-guidance)

[www.kirkleessafeguardingchildren.com](http://www.kirkleessafeguardingchildren.com)

Child Protection in Education (CAPE): [www.cape.org.uk](http://www.cape.org.uk)

Prevent: [www.kirklees.gov.uk/beta/community-safety-partners/prevent.aspx](http://www.kirklees.gov.uk/beta/community-safety-partners/prevent.aspx)

Keeping Children Safe Online: [www.ceop.gov.uk](http://www.ceop.gov.uk)  
[www.ceop.org.uk/thinkuknow](http://www.ceop.org.uk/thinkuknow)  
[www.childnet-int.org](http://www.childnet-int.org)

DotCom Childrens Foundation: [www.dotcomcf.org/](http://www.dotcomcf.org/)

Bullying & child abuse : [www.anti-bullyingalliance.org.uk/](http://www.anti-bullyingalliance.org.uk/)  
[www.kidscape.org](http://www.kidscape.org)  
[www.childline.org](http://www.childline.org)