

## SECTION THIRTEEN - SAFEGUARDING

Section thirteen focuses on the key aspects of safeguarding.

The NRC fully accepts its responsibility to safeguard both learners and staff in all aspects of its provision

### CONTENTS

13\_01 Safeguarding – Organisation Position Statement

13\_02 Safeguarding Learners and Vulnerable Adults Policy

13\_03 Safeguarding Flow Chart

13\_04 Safeguarding Children and Vulnerable Adults – A quick guide for staff

13\_05 The 5 R's

13\_06 Definitions of Abuse

### **13\_01 Safeguarding - Organisation Position Statement**

**The Northern Racing College** believes that it is **always** unacceptable for a learner to experience abuse of any kind and recognises its responsibility to safeguard the welfare of all learners by commitment to practice that protects them.

NRC recognises that:

- The welfare of the learner is paramount.
- All learners have the right to equal protection from all types of harm or abuse.
- Working in partnership with learners and with other agencies is essential in promoting a safe learning environment.

NRC's commitment is further formalised in our safeguarding policy document.

The purpose of the policy and its associated documents is to:

- Provide protection for the learners at NRC
- Provide staff and volunteers with guidance on procedures they should adopt in the event that they suspect a learner may be experiencing, or be at risk of, abuse or behaviour leading to harm.

The policy applies to *all* staff and the board of trustees; learners; or anyone working on behalf of NRC.

We will seek to safeguard all learners by:

- Valuing them, listening to them, and respecting them.
- Adopting safeguarding guidelines through procedures and a code of conduct for staff and volunteers.
- Recruiting staff in line with our recruitment policy, which includes safeguarding considerations.
- Sharing information about concerns with agencies that need it, and involving learners and their parents/carers appropriately.

We are also committed to reviewing our policy and practice annually.

Signed

Dawn Goodfellow  
(Chief Executive)

## **13\_02 SAFEGUARDING LEARNERS AND VULNERABLE ADULTS POLICY**

### PRINCIPLES

The Children Act 1989 and Section 175 of the Education Act 2002 states that all staff in the education service, including those in further education colleges have a statutory duty to promote and safeguard the welfare of children.

This document states the college's policy on the safeguarding of learners. The term learner, as included in the document is intended to include all children under the age of 18 years and all 'vulnerable adults'. Vulnerable adults are considered to be those learners who may be rendered vulnerable by the situation – for example riding race horses or living away from home for the first time, or suffering incapacity through illness or injury.

The Trust recognises its legal and moral duty to promote the well-being of learners and vulnerable adults, and protect them from harm, and respond to abuse.

We believe that every learner regardless of age has at all times and in all situations a right to feel safe and protected from any situation or practice that results in a learner being physically or psychologically damaged.

We agree that we have a primary responsibility for the care, welfare and safety of the learners in our charge, and we will carry out this duty through our teaching and learning, extra curricular activities, pastoral care and extended college activities. In order to achieve this, all members of staff (including volunteers, sub contractors and trustees) in this college, in whatever capacity, will at all times be proactive in learner welfare matters especially where there is a possibility that a learner may be at risk of significant harm.

The college seeks to adopt an open and accepting attitude towards learners as part of their responsibility for pastoral care. The college hopes that parents and learners will feel free to talk about any concerns and will see the NRC as a safe place if there are any difficulties at home.

Learners' worries and fears will be taken seriously if they seek help from a member of staff. However, staff cannot promise secrecy if concerns are such that referral must be made to the appropriate agencies in order to safeguard the learner's welfare.

In our college, if we have suspicions that a learner's physical, sexual or emotional well-being is being, or is likely to be, harmed, or that they are being neglected, we will take appropriate action in accordance with our procedures.

As a consequence, we

- assert that staff (including volunteers and sub contractors) in the college are an integral part of the learner safeguarding process;
- accept totally that safeguarding learners is an appropriate function for all members of staff in the college;
- recognise that safeguarding learners in this college is a responsibility for all staff, including volunteers, subcontractors and the trustees;
- will ensure thorough training and supervision that all staff, volunteers and subcontractors in the college are alert to the possibility that a learner is at risk of suffering harm, and know how to report concerns or suspicions;
- will designate a senior member of staff with knowledge and skills in recognising and acting on learner protection concerns. He or she will act as a source of expertise and advice, and is responsible for co-ordinating action within the college and liaising with other agencies;
- ensure (through the designated member of staff) that staff with designated responsibility for learner protection will receive appropriate training;
- will share concerns with others who need to know, and assist in any referral process;
- will ensure that all members of staff and volunteers who have suspicion that a learner may be suffering, or may be at risk of suffering significant harm, refer such concerns to the designated member of staff, who will follow the current procedures;
- safeguard the welfare of learners whilst in the college, through positive measures to address bullying, especially where this is aggravated by sexual or racial factors, disability or special educational needs;
- will ensure that all staff are aware of the learner protection procedures established by the NRC, and act on any guidance or advice given by them;
- will ensure through our recruitment and selection of volunteers, paid employees and sub contractors that all people who work in our college are suitable to work with learners;
- will act swiftly and make appropriate referrals where an allegation is made that a member of staff has committed an offence against a learner, harmed a learner, or acted in a way that calls into question their suitability for working with learners.

#### DESIGNATED MEMBER OF STAFF

1. The designated senior member of staff (designated person) for learner protection in this college is:

JOANNE ELLIS

2. In their absence, these matters will be dealt with by:

MALCOLM BYGRAVE or GEORGINA SHERRY

3. The designated person is key to ensuring that proper procedures and policies are in place and are followed with regard to learner safeguarding issues. They will also act as a dedicated resource available for other staff, volunteers and trustees to draw upon.

4. The college recognises that
  - The designated person must have the status and authority within the college management structure to carry out the duties of the post – they must therefore be a senior member of staff in the college.
  - All members of staff (including volunteers) must be made aware of who this person is and what their role is.
  - The designated person will act as a source of advice and coordinate action within the college over learner protection cases
  - The designated person will need to liaise with other agencies and build good working relationships with colleagues from these agencies.
  - They should possess skills in recognising and dealing with learner welfare concerns.
  - Appropriate training and support should be given.
  - The designated person is the first person to whom members of staff report concerns.
  - The designated person is responsible for referring cases of suspected abuse or allegations to the relevant investigating agencies according to the procedures established by the DMBC Safeguarding Learners Board.
  - The designated person is not responsible for dealing with allegations made against members of staff.

To be effective they will:

- Act as a source of advice, support and expertise within the college and be responsible for coordinating action regarding referrals by liaising with Learners' Services and other relevant agencies over suspicions that a learner may be suffering harm.
- Cascade safeguarding advice and guidance issued by the DMBC Safeguarding Learners Board.
- Where they have concerns that a referral has not been dealt with in accordance with the learner protection procedures, ask the Head of Safeguarding to investigate further.
- Ensure each member of staff and volunteers at the college, and regular visitors (such as visiting lecturers, sub contract staff are aware of and can access readily, this policy.
- Liaise with the Chief Executive to inform her of any issues and ongoing investigations and ensure there is always cover for the role.
- Ensure that this policy is updated and reviewed annually and work with the designated trustee for learner protection regarding this.
- Be able to keep detailed, accurate, secure, written records of referrals/concerns, and ensure that these are held in a secure place.
- Ensure parents are aware of the learner protection policy in order to alert them to the fact that the college may need to make referrals. Raising parents' awareness may avoid later conflict if the college does have to take appropriate action to safeguard a learner.
- Where learners leave the college, ensure any learner protection file is retained securely.

The designated person also has an important role in ensuring all staff and volunteers receive appropriate training. They should:

- Attend training in how to identify abuse and know when it is appropriate to refer a case
- Have a working knowledge of how DMBC Safeguarding Learners Board operates and the conduct of a learner protection case conference and be able to attend and contribute to these when required.
- Attend any relevant or refresher training courses and then ensure that any new or key messages are passed to other staff, volunteers and trustees.
- Make themselves (and any deputies) known to all staff, volunteers and trustees (including new starters and subcontract staff) and ensure those members of staff have had training in learner protection. This should be relevant to their needs to enable them to identify and report any concerns to the designated person immediately.

## DESIGNATED TRUSTEE

The Designated Trustees for Learner Protection at this college are:

MRS ALISON HARRIS MR SANDY YOUNG – DEPUTY
--

Learner protection is important. Where appropriate, the Trustees will ensure that sufficient resources are made available to enable the necessary tasks to be carried out properly.

The Trustees will ensure that the designated member of staff for learner protection is given sufficient time to carry out his or her duties, including accessing training.

The Trustees will review safeguarding practices in the college on a regular basis, and no less than annually, to ensure that:

- The college is carrying out its duties to safeguard the welfare of learners at the college.
- Members of staff and volunteers are aware of current practices in this matter, and that staff receive training where appropriate.
- Learner protection is integrated with induction procedures for all new members of staff, volunteers and subcontractors.
- The college follows the procedures agreed by DMBC Safeguarding Learners Board.
- Only persons suitable to work with learners shall be employed in the college, or work here in a voluntary or sub contract capacity.
- Where safeguarding concerns about a member of staff are substantiated, take appropriate disciplinary action.

## RECRUITMENT

In order to ensure that learners are protected whilst at this college, we will ensure that our staff and volunteers are carefully selected, screened, trained and supervised.

We accept that it is our responsibility to follow the guidance set out in "Safeguarding Learners and Safer Recruitment in Education", in particular:

- Before appointing someone, follow up each reference with a telephone call or personal contact during which we will discuss the applicant's suitability to work with vulnerable learners.
- Check that all adults with substantial access to learners at this college have an enhanced Criminal Records Bureau check before starting work, and prior to confirmation of appointment.

In addition, we will ensure that the following checks are satisfactorily completed before a person takes up a position in the college:

- Identity checks to establish that applicants are who they claim to be<sup>1</sup>
- Academic qualifications, to ensure that qualifications are genuine
- Professional and character references prior to offering employment
- Satisfy conditions as to health and physical capacity
- Previous employment history will be examined and any gaps accounted for.

## VOLUNTEERS

We understand that some people otherwise unsuitable for working with learners may use volunteering to gain access to learners; for this reason, any volunteers in the college, in whatever capacity, will be given the same consideration as paid staff.

Where a volunteer helps on a one-off basis, he/she will only work under the direct supervision of a member of staff, and at no time have one to one contact with learners. However, if a volunteer or subcontractor is to be in college regularly or over a longer period then they will be checked to ensure their suitability to work with learners.

---

<sup>1</sup> e.g., through birth certificate, passport, new style driving licence, etc...

## INDUCTION & TRAINING

All new members of staff will receive induction training, which will give an overview of the organisation and ensure they know its purpose, values, services and structure, as well as identifying and reporting abuse, and confidentiality issues.

All new staff at the college (including volunteers and sub contractors) will receive basic learner protection information ("What to Do If You Suspect a Learner Is Being Abused) and a copy of this policy within one week of starting their work at the college.

All staff will be expected to attend training on safeguarding learners that will enable them to fulfil their responsibilities in respect of learner protection effectively. The college will provide this training as through the designated person.

Staff will attend refresher training every **three** years, and the designated person every **two** years.

## DEALING WITH CONCERNS

Members of staff, volunteers and sub contract staff are not required by this college to investigate suspicions; if somebody believes that a learner may be suffering, or may be at risk of suffering significant harm, they must always refer such concerns to the designated person, who will refer the matter to the relevant Learners' Services and in accordance with NRC procedures.

To this end, staff, volunteers and subcontract staff will follow the procedures below;

- Upon the receipt of any information from a learner, or if any person has suspicions that a learner may be at risk of harm, or
- If anyone observes injuries that appear to be non-accidental, or
- where a learner or young person makes a direct allegation or implies that they have been abused,
- makes an allegation against a member of staff<sup>2</sup>

They must record what they have seen, heard or know accurately at the time the event occurs, and share their concerns with the designated person (or Chief Executive if an allegation about a member of staff) and agree action to take

We will ensure that all members of staff and employees are familiar with the procedures for keeping a confidential written record of any incidents and with the requirements of DMBC Safeguarding Learners Board.

Where any member of staff fails to report their concerns, this may be dealt with as a disciplinary matter.

## SAFEGUARDING IN COLLEGE

As well as ensuring that we address learner protection concerns, we will also strive to ensure that learners who attend the college are kept safe from harm whilst they are in our charge.

To this end, this policy must be seen in light of the college's policies on:

- Personal, Social and Health Education and Sex and Relationships Education; learner protection issues will be addressed through the training programme as appropriate.
- Bullying; the college will also ensure that bullying is identified and dealt with so that any harm caused by other pupils can be minimised. We will pay particular attention to sexualized behaviour, or bullying that is homophobic in nature, or where there appear to be links to domestic abuse in the family home.
- Safe recruitment and code of conduct for staff.
- Racist incidents
- Confidentiality

---

<sup>2</sup> Allegation that the member of staff has harmed a learner, committed an offence against a learner, or behaved in a way that questions their suitability to work with learners.

- Behaviour and the college rules
- Health & Safety
- Physical Intervention
- Allegations against members of staff

#### PHOTOGRAPHING LEARNERS

We understand that parents like to take photos of or video record their learners undertaking college activities such as on parents' days. This is a normal part of family life, and we will not discourage parents from celebrating their learner's successes.

However, if there are Health and Safety issues associated with this - i.e. the use of a flash when taking photos could distract or dazzle the learner or horse during riding, and cause them to have an accident, we will encourage parents to use film or settings on their camera that do not require flash.

We will not allow others to photograph or film learners during college activities without the parent's permission.

We will not allow images of pupils to be used on college websites, publicity, or press releases, without express permission from the parent, and if we do obtain such permission, we will not identify individual learners by name.

The college cannot, however, be held accountable for photographs or video footage taken by parents or members of the public at or during college activities.

#### CONFIDENTIALITY

The college, and all members of staff at the college, will ensure that all data about learners is handled in accordance with the requirements of the law, and any national and local guidance.

Any member of staff who has access to sensitive information about a learner or the learner's family must take all reasonable steps to ensure that such information is only disclosed to those people who need to know.

Regardless of the duty of confidentiality, if any member of staff has reason to believe that a learner may be suffering harm, or be at risk of harm, their duty is to forward this information without delay to the designated member of staff for learner protection.

#### CONDUCT OF STAFF

The college has a duty to ensure that professional behaviour applies to relationships between staff and learners, and that all members of staff are clear about what constitutes appropriate behaviour and professional boundaries.

At all times, members of staff are required to work in a professional way with learners. All staff should be aware of the dangers inherent in:

- working alone with a learner
- physical interventions
- cultural and gender stereotyping
- dealing with sensitive information
- giving to and receiving gifts from learners and parents
- contacting learners through private telephones (including texting), e-mail, MSN, or social networking websites.
- disclosing personal details inappropriately
- meeting learners outside college hours or college duties

If any member of staff has reasonable suspicion that a learner is suffering harm, and fails to act in accordance with this policy and DMBC Safeguarding and Standards procedures, we will view this as misconduct, and take appropriate action.

**PHYSICAL CONTACT & RESTRAINT**

Members of staff may have to make physical interventions with learners. Members of staff should only do this where:

- It is necessary to protect the learner, or another person, from immediate danger, or
- Where the member of staff has received suitable training.

**ALLEGATIONS AGAINST MEMBERS OF STAFF**

If anyone makes an allegation that any member of staff (including any volunteer Sub contractor or Trustee) may have:

- Committed an offence against a learner
- Placed a learner at risk of significant harm
- Behaved in a way that calls into question their suitability to work with learners

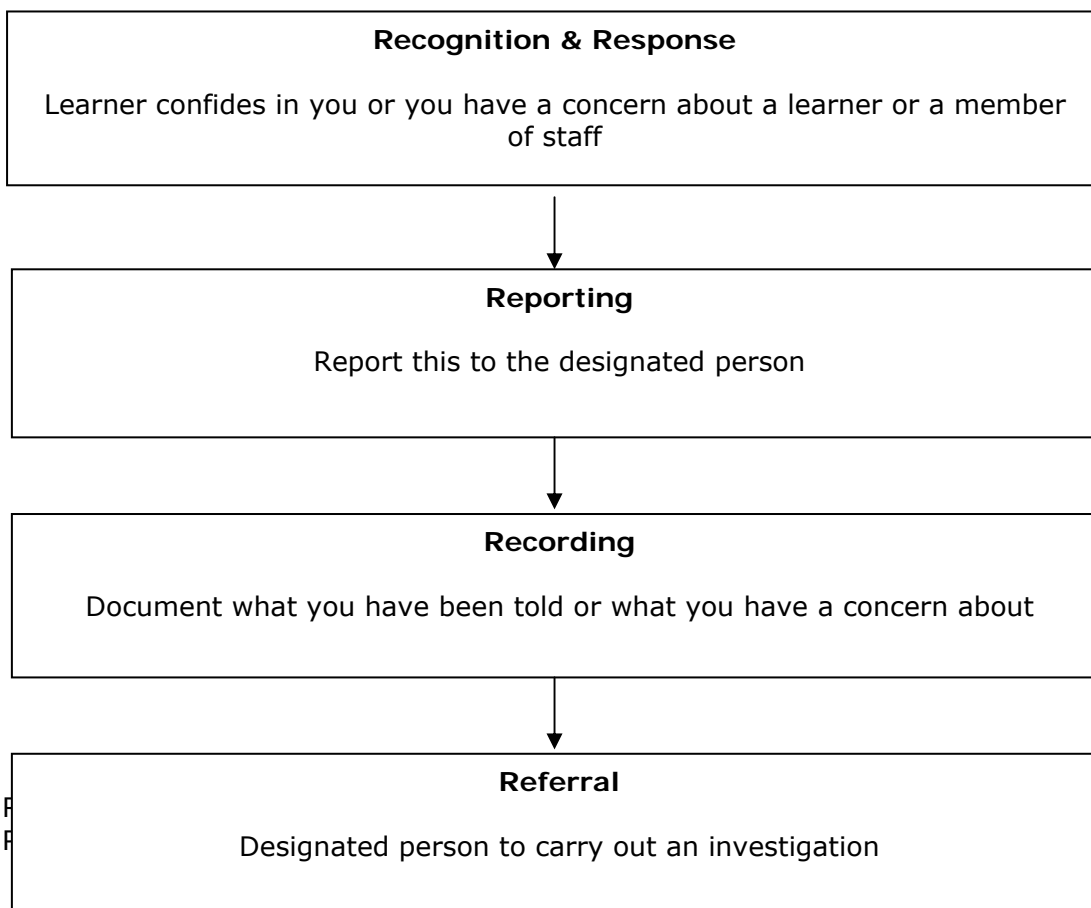
The allegation will be dealt with in accordance with current NRC procedures.

The Chief Executive, rather than the designated member of staff will handle such allegations, unless the allegation is against the Chief Executive, when the trust's designated Trustees will handle the college's response.

**CONTRACTED SERVICES**

Where the college contracts its services to outside providers, we will ensure that these providers have appropriate safeguarding and learner protection policies and procedures, and that there are arrangements in place to link with the college on such matters. Such considerations will be made explicit in any contract or service level agreement with the provider.

## 13\_03 Safeguarding Flow Chart



### 13\_04 Safeguarding Children and Vulnerable Adults A quick guide for staff

It is important that children, young people and vulnerable adults are protected from abuse, neglect or significant harm. It is the responsibility of all NRC employees to safeguard and promote the welfare of children, young people and vulnerable adults participating on training programmes and welfare of these groups using the following guidelines. The **Safeguarding poster** which accompanies these guidelines conveys in words and pictures what constitutes abuse.

#### ***What is abuse and when is a person at risk.....***

For children and young people this includes:

- **Physical** abuse which may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating or otherwise causing physical harm
- **Emotional** abuse which is the persistent emotional maltreatment so as to cause severe and persistent adverse effects on their emotional development
- **Sexual** abuse which involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child/young person is aware of what is happening
- **Neglect** consisting of the persistent failure to meet a child's or young persons basic physical and/or psychological needs, which is likely to result in the serious impairment of their health or development

For vulnerable adults abuse can mean:

- **Physical** abuse including hitting, slapping, punching, kicking, misuse of medication, restrain or inappropriate sanctions
- **Sexual** abuse including rape, sexual assault, or sexual acts to which the victim has not consented, could not consent to or was pressurised into consenting to
- **Psychological** abuse including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, verbal abuse, isolation, or withdrawal of services or supportive networks
- **Discriminatory** abuse including racist, sexist, religious abuse or abuse that is based on a persons disability
- **Financial** abuse including fraud, exploitation, pressure in connection with wills, property, inheritance or financial transactions or the misuse or misappropriation of property, possessions or benefits
- **Neglect** including ignoring physical or medical care needs, failure to provide access to appropriate services or the withholding of necessities of life

#### ***What to do if.....***

#### **A young person or vulnerable adult discloses abuse to you**

Take the disclosure seriously and never dismiss the allegation of abuse. Provide a quiet and supportive environment to help the person feel at ease. Remember that an allegation of abuse or neglect may lead to a criminal investigation and asking leading questions or attempting to investigate the allegations yourself may cause problems for any subsequent court proceedings.

Do not make promises regarding confidentiality. Explain to the person **at the outset** that you will need to report the disclosure and share the information with the NRC Safeguarding Designated Person. The Safeguarding Champion will, where possible respect the wishes of the individual; however, information will be shared with external agencies where it is judged that a person is at risk of suffering significant harm.

Report the disclosure to the Safeguarding Designated Person immediately by telephoning. Complete the Concern Form and forward to the Safeguarding Designated Person within 24 hours. The Safeguarding Designated Person or Senior Manager will identify the appropriate next steps and keep in contact with you to ensure that our Duty of Care is fulfilled.

***What to do if.....***

**You are concerned a young person or vulnerable adult may be at risk**

- Contact your manager and the Safeguarding Officer for advice and guidance
- Make and keep a record of your concerns and forward to the Safeguarding Officer within 24 hours
- Discuss your concerns with the young person if appropriate

***What to do if.....***

**A young person or vulnerable adult accuses you or another member of staff of abuse**

- Contact your manager and the Safeguarding Officer for advice and guidance
- Make and keep a record of the accusation and actions taken and forward to the Safeguarding Officer within 24 hours

For further information see the **NRC's Safeguarding Learners and Vulnerable Adults Policy** or contact Joanne Ellis or Malcolm Bygrave

**13\_05 The 5 Rs**

**Introduction**

Safeguarding, if it is to impact on all aspects of the operational life of learning providers, must become the informed responsibility of all. All staff, governors and board members, volunteers, partners and others have a responsibility actively to make the learning environment safe and secure for all. To do so they will find it helpful to consider and act on the **5 Rs** -

- Recognition*
- Response*
- Reporting*
- Recording*
- Referral*

**Recognition**

The ability to recognise behaviour that may indicate abuse is of fundamental importance. Whether the abuse may occur on the premises of the learning provider or in the home or in any other setting in which the learner may find themselves, all those playing a role in meeting the learners' needs should be aware and informed so that possible abuse can be recognised, investigated and acted on seamlessly and effectively. Signs and symptoms of abuse of young people and/or vulnerable adults may include direct disclosure. Other people in a position to identify concerns include classroom lecturers, tutors, student services and counselling staff, assessors, business support staff, student and trade union representatives, immediate colleagues and peers and those offering additional services, such as the Connexions service. All of these should be trained to understand signs of possible abuse and know how, where and to whom to report concerns.

## **Response**

Appropriate response is vital. No report of or concern about possible abuse should ever be ignored. In order to determine the most appropriate response, find out whether you are dealing with an allegation from a learner against a member of staff or a fellow learner, or another. Is this a disclosure from an individual alleging abuse to themselves or to another? Is it the reporting of a concern or suspicion? What, precisely, is alleged to have happened? Detailed clarity is vital. Do not lead or probe with questions. Remain calm and demonstrate interest and concern while investigating. Listen well. Inform the person sharing a concern with you that the concerns they have raised must be recorded and passed on so that possible abuse can be dealt with, and that this will be done on a limited "need to know" basis, with as few others as possible knowing the identity of the complainant and all in the chain of reporting will respect confidentiality. Reassure that they have done the right thing in reporting their concerns and that you will do everything you possibly can to help. Do not make unrealistic promises. Ensure that testimony is recorded and reported, and that the complainant and subject of the complaint are treated in line with policy and guidance.

## **Reporting**

Report your concerns to your line manager in the first instance. This should be the "default" action to be taken. Should this be inappropriate for whatever reason, you should not hold back from reporting, but do so directly to the member of staff with specific, designated responsibility for dealing with all issues relating to Safeguarding. In the event of this not being possible you should consider reporting your concerns to the Director of Student Services, if you work in a college, or to the Director of Training/Learning or their equivalent in a work based learning setting. In all cases, however, those who receive your report should, without delay, having carefully recorded your testimony, report this themselves to the Safeguarding Officer. All learning providers should ensure they have a member of staff of suitable seniority and with appropriate training and support, with designated responsibility for all aspects of Safeguarding. This colleague should be publicly identified in ways, locations and formats that are easily accessible to all. It is advisable that this person has a designated deputy or deputies who can act in their absence or if they are the subject of allegations. Similar roles are common and well understood and used in the learning and skills sector. They include designated staff with responsibility, for example, for First Aid, and Health & Safety. Once you have reported concerns about abuse to any of the colleagues mentioned above the responsibility for taking any further decisions and/or actions resides with them.

## **Recording**

You should record precisely what has been alleged, using the words of the complainant. Your record should use accurate quotation. It should also, if felt appropriate, include factual observations about the observable physical and emotional state of the individual sharing their concerns with you. This information should be recorded and stored securely, in line with confidentiality policy and should be accessible only to those who need to access it as part of action taken to resolve a complaint or allegation.

## **Referral**

Only the designated Safeguarding Officer or their deputy can make a decision to refer a complaint or allegation, having gathered and examined all relevant testimony and information. No one other than the Safeguarding Officer or their deputy should mount an investigation into complaints, allegations or suspicions of abuse. An investigation may include questioning colleagues, learners, carers, parents, learner and trade union representatives, volunteers, assessors, partners and the complainant. Actions of these sorts carried out by someone other than the designated Safeguarding Officer or their deputy could be construed as unjustified interference which could jeopardise an investigation and any possible subsequent court case.

## 13\_06 Definitions of abuse

- **Physical abuse**

This involves causing physical harm to a person, however this is achieved. Deliberately induced illness would also count as physical abuse

- **Sexual abuse**

This involves forced sexual acts, whether with physical contact or as non-contact activities, or forced or unforced sexual acts with minors or vulnerable adults.

- **Emotional abuse**

This may cause a person to feel psychological or emotional suffering or fear, maybe by persistently being told they are worthless, unloved, inadequate and not valued as an individual. This could include harassment, cyber bullying, discrimination and indirect abuse (when a person is exposed to the abuse of another person)

- **Neglect**

This is the persistent failure to meet a person's physical, emotional and/or psychological needs.

- **Financial abuse**

This is the illegal or improper use of a person's finances without their informed consent or where consent is obtained by fraud.