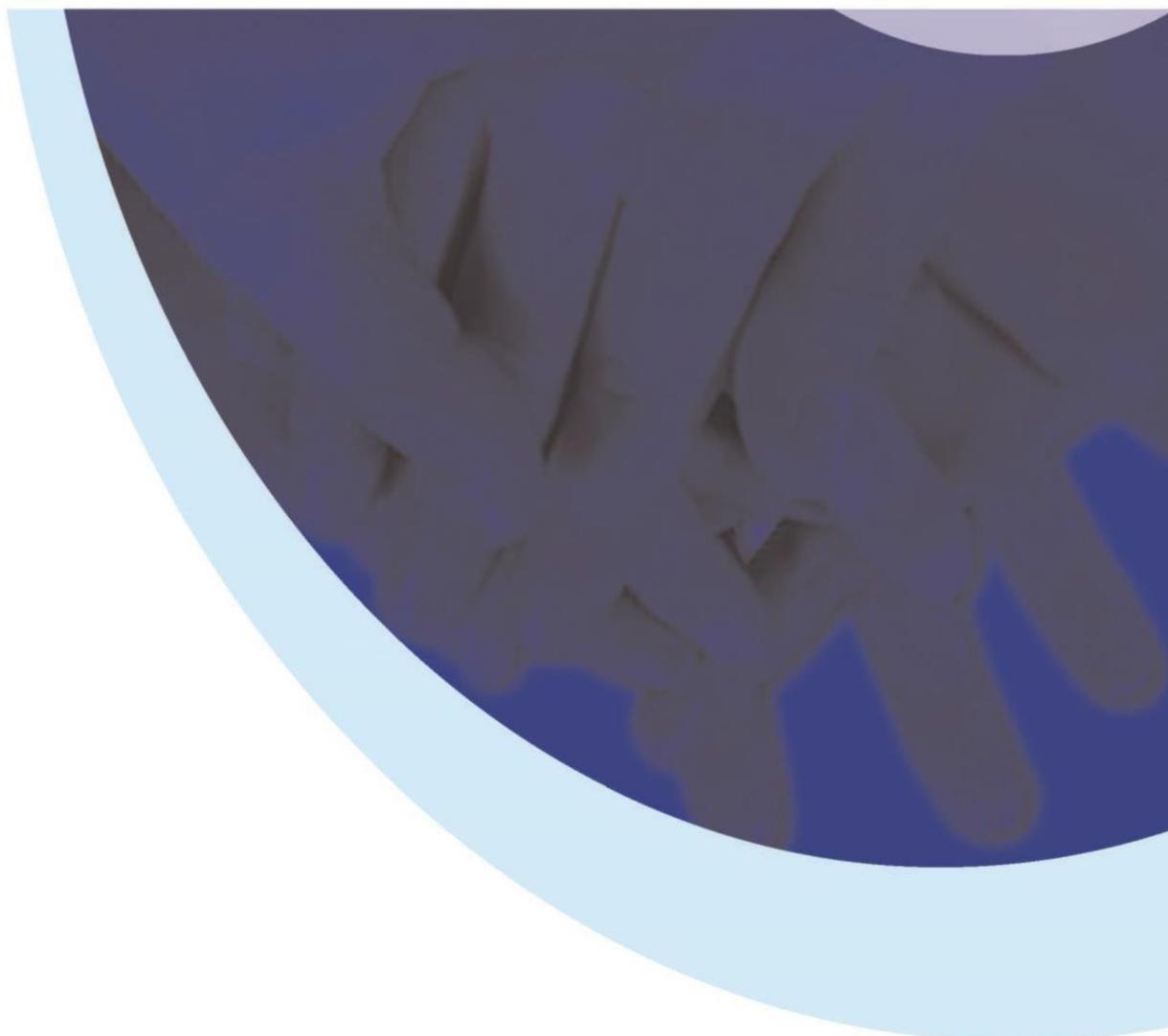

Bury College Policy and Procedures

Safeguarding & Prevent

Document Information				
Directorate:		Human Resources/Operational Development		
Document Owner:		Lisa Woodman		
Document Type		Policy/Procedure		
Date:		January 2020		
Version:		Version 2.4		
Review Period:		To be reviewed in each academic year		
Date adopted by the Leadership Team		July 2016		
Date Approved:		July 2016		
Approved by:		Corporation Board		
Version Control Tracking				
Versi	Date	Revision Description	Editor	Status
V2.2	August 2017	Minor amendments	Joanne McKenzie	Active
V2.3	July 2018	Amendments in line with: Changes to Bury-College staffing structure Changes to legislation	Joanne Mckenzie	Active
V2.4	January 2020	Changes to Legislation	Lisa Woodman/Marc McMahon	Active

Bury College

Safeguarding Policy and Procedures



Contents

Section 1:

Policy

Section 2:

Roles and Responsibilities

Section 3:

Procedures

- 3.a Safeguarding Students
- 3.b Charity Fundraising Policy
- 3.c Prevent
- 3.d Safeguarding Procedures for Sub-contractors
- 3.e Safeguarding Staff

Section 4:

List of Associated Documents

Appendix 1:

Physical Intervention / Restraint Guidance

Appendix 2:

Flowchart of Abuse by a Professional

Appendix 3

Home Visit

Appendix 4

Policy statement on the Recruitment of Ex-Offenders

Impact Assessment

Section 1

Policy Statement

“Bury College is committed to creating and maintaining a safe environment for young people and ensures that action is taken to support them if abuse is suspected”

- At Bury College the safety and welfare of students is of the utmost importance and will be protected whether learning is taking place on or off Bury College premises.
- Bury College has a duty of care to all students and a legal obligation to safeguard and promote the welfare of all students and will respond immediately if there is a suspicion that any student may be the victim of bullying, harassment, abuse or neglect
- All staff working in Bury College will endeavour to protect students from abuse. All new staff will have DBS, Teacher Prohibition checks qualification and identity checks to minimise the risks to students.
- New DBS – Bury College will also re-check DBS clearance as appropriate.
- Bury College recognises that all staff who work with children and young people need to have safeguarding training that equips them to recognise and respond to a student’s welfare concerns. All Board and Staff members will require safeguarding training every 3 years, with appropriate annual updates. The staff with designated Person responsibility will receive training every 2 years.
- The College is committed to its duty with regard to the Prevent agenda which aims to reduce the risk of people becoming radicalised.
- The College will seek to give students a ‘voice’, listen to what they say, take them seriously and work collaboratively in order to meet their needs. The Safeguarding systems and procedures are orientated around the wishes, feelings and best interests of the student.
- The College keeps students safe from recognised safeguarding issues, by being trained, aware and having policies and procedures to follow should suspicions be raised. Protecting students from extremism and violent views is approached in the same way and embedded as part of the College safeguarding framework.

Scope of the Policy and Procedures

This Policy applies to everyone in our college. The term student encompasses full-time students, part-time students and apprentices. Staff, Board Members, agency staff, contractors, sub-contractors, volunteers (thereafter for the purpose of this policy are referred to as “staff”) are all responsible for the Safeguarding of Students and for ensuring that their conduct is appropriate in line with the requirements of the Policy. It should be read, understood and adhered to, alongside the related policy and procedures set out in Section 4.

Aims of the Policy

- To protect students and to comply with current legislation
- To ensure staff are aware of their responsibilities with regard to safeguarding themselves and students.
- To detail the procedure to manage safeguarding concerns.

Section 2

Roles and Responsibilities

Board Members and the Principal

The Corporation Board has strategic responsibility to approve and amend the Safeguarding Policy in light of changes, legal requirements and procedural issues

The Corporation Board will designate one governor with appropriate experience to interrogate reports in line with the Safeguarding Policy. This person will sit on the Safeguarding Committee

The Principal will ensure the roles and responsibilities are allocated appropriately in line with this policy

Safeguarding Steering Group

The Safeguarding Committee oversees safeguarding issues within the College by initiating and reviewing policy and procedure

Responsibility for Staff

The Director of Human Resources, Student and Customer service

- Will ensure that allegations received are appropriately investigated.
- Will have responsibility for ensuring that staff are trained in child protection and safeguarding procedures and that training is updated as appropriate
- Will ensure that arrangements for recruitment and selection of staff are in line with Safer Recruitment and that staff on recruitment and selection panels are trained
- Will maintain a single central computerised record to include DBS, Teacher Prohibition checks, qualifications, certificates and identity checks
- Will take lead responsibility for dealing with staff who have convictions or cautions on their DBS
- Will take responsibility for systems which safeguard the health and well-being of staff
- Liaise with external agencies as appropriate.

Responsibility for Students

The Safeguarding & Prevent Manager

- Will assume lead responsibility for dealing with any safeguarding issues relating to students
- Will ensure the pastoral curriculum includes reference to safeguarding
- Will provide advice and support to staff dealing with

- Safeguarding concerns relating to students
- Will refer safeguarding issues to the appropriate Pastoral Manager as required
- Will provide an initial point of contact for external agencies
- Will refer safeguarding concerns to appropriate agencies
- Will interview students with convictions on a DBS and put appropriate measures in place
- Will deal with issues arising from a declaration by association
- Will investigate safeguarding allegations relating to students
- Will maintain accurate records of safeguarding issues and subsequent actions
- Will work with the Director of Human Resources, Student and Customer Services to ensure that safeguarding training is appropriate and available as required.
- Will collate and maintain a database of safeguarding referrals
- Will implement policy changes
- Will maintain accurate records of safeguarding issues and subsequent actions
- Will act as the named lead for Looked after and Previously Looked after Children
- Will act as the Mental Health Lead.

Pastoral Managers

- Will support the Safeguarding & Prevent Manager in dealing with Safeguarding issues.
- Will take responsibility for dealing with safeguarding issues relating to students as they arise
- Will refer safeguarding concerns to the appropriate agencies
- Will provide advice and support to staff dealing with a safeguarding concerns relating to students
- Will attend external meetings as appropriate
- Will liaise with schools, children's services, the police and other agencies as required
- Will maintain accurate records of safeguarding issues and subsequent actions

Curriculum Directors

- Will ensure that students on programmes within his/her areas of responsibility are safe
- Will ensure that trips and visits are risk assessed
- Will ensure that work experience is risk assessed
- Will ensure that guest speakers are risk assessed
- Will ensure that charity collections are risk assessed

Director of Estates, Health & Safety and IT

- Will ensure that contracted and sub contracted services, such as catering and cleaning under his responsibility are aware of and adhere to this policy. To ensure that appropriate checks are undertaken on these staff by the catering and cleaning contractor.
- Will ensure that College external bookings are handled appropriately to reduce risk, including the use of the Play Football centre
- Will ensures that any issues of computer or on-line misuse of systems are handled and reported appropriately. To ensure that guidance is issued to staff and students so that they are aware of their responsibilities to reduce misuse of such systems

Duty Manager

The College operates a Duty Manager system from 5 – 9pm Monday to Thursday and until 5.30pm on Friday

This responsibility involves:

- Contacting the Safeguarding Lead or other Designated Person for advice and support as required
- Liaison with employers, parents, family, or responsible persons in relation to issues as appropriate.
- Referring issues of concern to appropriate agencies in an emergency situation

All Staff

- Will raise and discuss, as appropriate, safeguarding issues with students.
- Will record and report safeguarding issues via Confidential comments
- Will undertake safeguarding training as required
- Will adhere to all related policies and procedures
- Will risk assess activity as required

Section 3

a) Safeguarding students

3.1 DBS Checks and Disclosure by Association

DBS checks are carried out on students who complete work experience with children or vulnerable adults. Students completing work experience with children under the age of 8 are also required to complete a disclosure by association.

The DBS is logged by the counter signatory but remains the property of the student.

Any convictions appearing on a DBS or any issues identified through disclosure by association are dealt with by the relevant Curriculum Director. The nature of any conviction will be considered and appropriate controls made.

3.2 Recruitment of Students with a Criminal Record

Students who disclose that they have a criminal record, or if this subsequently comes to light, will be interviewed by the Pastoral Manager with responsibility for that Directorate. The nature of the conviction will be considered and a risk assessment produced. This will identify appropriate control measures and be held and monitored by the Pastoral Manager.

Should the student change courses or be required to attend classes on a different site the Pastoral Manager completing the risk assessment will share the control measures with other Pastoral Managers who will now have responsibility for this student.

If it is not possible to provide learning for an individual due to the nature of their conviction, the reason will be explained.

3.3 Residentials, Trips and Visits

Any staff who support students on residentials or during day trips should ensure appropriate forms are completed, approved and logged with the College before commencement of the event and in accordance with college established procedures. In each case it is required that all staff or volunteers included must be DBS checked.

It is essential that all staff must be made aware of safeguarding procedures and be in contact with the College named person during the event.

3.4 Work Experience

Procedures in relation to this activity must be followed by staff.

3.5 Visitors to College premises

To ensure that all visitors are accounted for and are on-site for a legitimate purpose The Visitor Procedure must be followed and can be found within the Proof of ID Policy

3.6 Guest Speakers

Curriculum areas must therefore evaluate any potential guest speaker prior to arranging the session. This includes any request from an external speaker to use Bury College as a platform to address an audience whether that audience are students or the local community.

A risk assessment must be completed and approved by the relevant Curriculum Director prior to arranging the event

3.7 Sending a student home

Students will need to be sent home from College after a reported act of gross misconduct whilst an investigation takes place. It may also be necessary to send a student home due to persistent behaviour issues pending a parent/carer meeting. This procedure should be applied to all students studying on the College campus including those on Pre16 provision, apprenticeships, part-time and HE courses.

Where it is necessary to send a student home from College the following procedure should be adhered to:

1. A student can only be sent home by a member of the Pastoral Team or Leadership Team. In certain circumstances they may instruct another member of staff to do this on their behalf, but they are responsible for ensuring the appropriate steps are taken.
2. The student should be made aware of the reason why they are being sent home. This may be following an incident on campus where an investigation has to take place.
3. The student's parent/carer must be contacted by telephone, the reasons for sending home explained, and confirmation provided that the student is able to travel home independently.
4. A student should not be sent home unless it has been possible to speak to a parent/carer and establish that it is safe to do so. Arrangements can be made for the student to be supervised within Student Services until this has taken place. In certain situations the Pastoral Team may be able to make a judgement to send a student home without contacting a

parent/carer where they are familiar with the student and their domestic/travel arrangements.

5. Where a student is clearly distressed a member of the Pastoral Team will need to assess the impact of sending home on a student's personal safety and well-being. It may be necessary to arrange a parent/carer to collect the student from College.
6. If a student is on an EHCP (E on ProMonitor photograph) the personal protocol held by the ALS team must be consulted before any action is taken.
7. In some situations students may need a travel pass, this will be issued by Student Services.
8. Where a violent incident has taken place between two or more students, precautions must be taken to ensure further escalation does not take place off campus.
9. The student should be escorted off the College campus, another member of staff may be instructed to do this. Where a violent incident has taken place this may need to be a security guard.
10. The College ID badge should be taken off the student to prevent access to the campus during the period of suspension. If the ID badge is not surrendered reception should be instructed to deactivate.
11. The incident and actions taken must be recorded as a comment on ProMonitor, in certain circumstances this may need to be a confidential comment.
12. A Pastoral Manager will take responsibility for following up the incident using the Pastoral Support System and Disciplinary Procedure. The procedure for Pre16 students will be carried out by the Pre16 Student Support Worker in consultation with their main education provider.

3.8 Pre-16 Students

All pre-16 students will be risk assessed and protocols established as required. This will indicate whether the student is able to leave the premises at lunchtime and, if not, what the supervision arrangements will be.

Pre-16 students will be issued with a grey lanyard

Pre-16 students must not be sent out of a class or refused entry. Should a class be cancelled the Head of Curriculum will inform the pre-16 co-ordinator.

Pre-16 students will be instructed not to smoke or vape on the College campus

Any safeguarding issues or concerns for Pre-16 students will be dealt with in-line with Bury College procedures and referred back to the Designated Person at the young person's institution. A college Designated Person will liaise directly with that institution

3.9 ID Badges

Contractors & visitors must sign in and display the ID badge issued while on site. Staff wear ID badges while on campus, unless they have been removed for safety reasons, i.e. workshops with moving parts of machinery. Students MUST wear their ID badge at all times and if challenged ID badges MUST be produced, failure to do this will result in disciplinary action in line with student disciplinary procedures”.

3.10 Missing Students

The Missing Student Procedure is to be invoked when a student reaches the 3rd day of unexplained absence unless previous safeguarding concerns have been raised about the student in which case immediate action is required.

Once a student is identified as missing, the personal tutor or pastoral manager must investigate their whereabouts by methods such as phoning the student and phoning home. If the whereabouts of the student cannot be established from this, an immediate home visit should be arranged. If the student still cannot be located relevant organizations must be contacted

3.11 Managing allegations of abuse against other students

If an allegation of abuse is made by one student against another this should be taken seriously and dealt with in line with the Student Behaviour Policy. The alleged perpetrator should be suspended if appropriate. All students involved should be interviewed and the findings logged on Pro-monitor and actioned accordingly. Referral to external agencies should be made if required

3.12 Protection of students with special educational needs and/or disabilities

Where there are safeguarding concerns about a student with special educational needs or a disability, staff need to carry out an appropriate investigation supported by specialist staff as re and with reference to the protocols in place for that student. Findings must be logged on Pro-monitor and referrals made to relevant external agencies as required

3.13 Dealing with incidences of indirect disclosure

Should a student disclose a safeguarding issue through indirect means, for example, citing it in an application for consideration of mitigating circumstances or making reference to it in their Fact File this should be responded to in the same way as a direct disclosure. Students should therefore be made aware when completing such documentation that this is the College procedure.

The Curriculum Director of Health, Care, Foundation & Learner Support

- Ensures the implementation of the Supporting Students with Medical Conditions Policy and procedures within the ALS team
- Ensures the Adminstrating Medication Procedures are followed with suitably trained staff available to administer the medication.

ALS Admin Support Manager

- Ensures students identified through the Medical Questionnaires are triaged for suitable support requirements.
- Ensure all students identified as having a medical condition requiring support or emergency medication have an Individual Healthcare Plan (IHCP) and appropriate protocols in place.
- Ensures written consent for administering medication is provided by the parent/carer where the student is under 18 years of age or is considered vulnerable
- Ensures Student ID badges carry a covert indication that students require emergency medication.
- Liaises with healthcare professionals regarding the training required for staff.
- Liaises with relevant partners and stakeholders regarding supporting students with medical conditions reviewing the IHCP/Protocols as appropriate or at least annually.
- Ensures the day-to-day implementation and management of the Administering Medication Procedures
- Ensure that staff that need to know are informed of a student's medical condition via Pro-monitor

All Staff

- Follow appropriate steps to support students, taking into account any protocols in place.
- Where necessary, make reasonable adjustments for students with medical conditions
- Ensure all students medical needs and appropriate support are considered during Educational Trips & Visits and during Work Experience Programmes away from College.
- Administering medication, if they have agreed to undertake that responsibility.
- Undertaking training to achieve the necessary competency for supporting students with medical conditions, if they have agreed to undertake that responsibility.
- Familiarise themselves with procedures detailing how to respond when they become aware that a student with a medical condition needs help.
- Undertake any medical awareness training provided.
- Invigilators will make arrangements for emergency medication to be kept close by during exams to prevent any delays in administration.
- Members of staff will be asked to volunteer to administer Epi-Pens & use the defibrillator.
- All volunteers will receive the appropriate training.

Students:

- Will complete a medical questionnaire
- Who are competent will be encouraged to take responsibility for managing their own medicines and procedures.
- Where possible, will be allowed to carry their own medicines and devices. Where this is not possible, their medicines will be locked in a safe or fridge in line with the Adminstrating Medicines Procedures
- If students refuse to take medication or to carry out a necessary procedure, parents will be informed so that alternative options can be explored.
- Will sign the student contract which carries a line which says “Students who carry their own medication keep it secure and not share with anybody else.” Failure to follow this instruction could result in disciplinary action.
- Will have a session in tutorial about the danger of sharing medication
- During exams Students will be allowed to keep emergency medication close by

Parents and Carers:

- Keep the College informed about any changes to their child/children’s health.
- Complete a parental agreement for College to administer medicine before bringing medication into College.
- Provide the College with the medication their child requires and ensure it is in-date
- Collecting any leftover medicine at the end of the course or year.
- Discuss medications with their child/children prior to requesting that a staff member administers the medication.
- Where necessary, assisting in the development of an Individual Healthcare Plan (IHCP) for their child in collaboration with the SENCO, other staff members and healthcare professionals.

b) Charity Fundraising

Bury College encourages and fully supports the concept of charitable giving and welcomes such collections by staff and students across the college community.

In order to ensure that monies raised through fundraising are being donated to bona fide charities which work for the good of others and do not support illegal activity such as abuse or terrorism, the following procedure must be followed:

Procedure

- 2 weeks prior to the collection the lead person responsible for the activity will complete an on-line pro forma stating which charity is being supported by the fundraising, when the collection will take place and where.
- The Student Services Supervisor will approve or decline the event and will inform the lead person of the decision
- All monies collected for charity must be collected in a secure charity collection bucket (available from the Finance Office). This is a sealed bucket and must be kept sealed until the end of collection, when the monies should be immediately counted and signed for by two members of staff in a secure office.
- This must then be taken to the cash office for banking.

c) Prevent

The College is committed to its duty with regard to the Prevent agenda which aims to reduce the risk of people becoming radicalised

The college keeps students safe from recognised safeguarding issues by being trained, aware and having policies and procedures to follow should suspicions be raised. Protecting students from extremism and violent views is approached in the same way and embedded as part of the college safeguarding framework.

Roles and Responsibilities

Director of HR, Student & Customer Services

Will ensure staff complete mandatory training and provide proof as required

Safeguarding & Prevent Manager

- Will be the initial point of contact for referrals and concerns related to radicalisation and extremism
- Will provide support for staff in relation to Prevent
- Will contribute to, and regularly review, the Prevent Risk Assessment
- Will organise training for staff and students
- Will meet with Pastoral Managers to discuss referrals and agree actions

- Will represent the College at local Channel meetings

Pastoral Managers

- Will contribute to, and regularly review, the Prevent Risk Assessment
-
- Will work with Safeguarding & Prevent Manager to refer and report any concerns in a timely manner.
- Will support in the training of staff and students

Curriculum Directors

- Will ensure staff are aware of, and follow, policies and procedures
- Will provide initial approval for guest speaker forms
- Will ensure staff attend training

All Staff

- Will undertake mandatory training
- Will refer concerns via confidential comments or directly to the Director of Health, Safety and Security
- Will follow procedures for visitors and guest speakers as outlined in 3.5 and 3.6

d) Safeguarding procedures for Subcontractors

Areas of responsibility

Planning and Funding Manager

Prior to the finalizing the sub-contract and bi-annually there-after, will request documents and reports and follow up if not provided

Safeguarding Lead

Prior to finalizing the sub-contract and bi-annually thereafter will:

- Check Policies and Procedures and action as required
- Quality assure materials and action as required
- Check Single Central Record to ensure compliance with DBS and training requirements. Action as required
- Maintain up-to-date records of monitoring and actions

The Safeguarding Lead will also:

- Provide training and support on safeguarding issues
- Request and record safeguarding data. Action as required

Quality Team

- Will capture the embedding of safeguarding, Prevent and fundamental British Values during observations. Will action as required
- Will capture information regarding safeguarding and fundamental British Values in learner feedback. Will action as required
- Will maintain up-to-date records of monitoring and actions

e) Safeguarding Staff

Procedures for the Recruitment, Selection and Appointment of Staff, Agency Workers, Volunteers and Student Teachers

Guidance in Safeguarding Children and Keeping Children Safe will be taken into account.

Recruitment

The Recruitment and Selection Policy sets out the procedures that will be followed to minimise the risk of attracting applicants who may because of a previous conviction be unsuitable for a post involving significant and direct contact with children and vulnerable adults. The guiding principles are:

- All posts will be clearly defined in terms of a detailed role description and person specification which includes safeguarding responsibilities.
- Key selection criteria will be identified
- Vacancies will be advertised widely in order to ensure a diversity of applicants
- Documentary evidence will be required for academic and vocational qualifications
- Professional and character references will be obtained to verify candidate's employment history and suitability to work with children and vulnerable adults
- A range of selection techniques will be adopted to include (but not be limited to) interview and reference checks

All candidates applying for employment with Bury College must give, on the College application form, a declaration of any criminal record which will be considered prior to any offer of employment being made.

Applicants who declare a criminal record must give written details of any convictions. This information will only be considered by the Chair of the interview panel if an offer of employment were to be made.

Appointment

All successful candidates will be required to complete a Disclosure & Barring Service (DBS) application form.

The DBS application form must be completed and returned to Human Resources, along with the relevant documents before the commencement of employment. Any offer made is subject to satisfactory references, medicals and DBS and Teacher Prohibition checks.

Members of the College governing body are requested to declare any criminal records prior to their appointment to the Governors, are required to complete DBS disclosure.

Volunteers are responsible for obtaining their own clearance through the DBS and for providing documentary evidence of this to Human Resources.

Appointment of Temporary/Casual Staff

A number of agencies are engaged to supply temporary staff. Prior to commencement of an assignment the agency must confirm that a check on the Barred Lists and DBS checks have been completed for any individuals being placed at Bury College.

Casual and Bank staff must complete relevant Pre-employment checks including DBS clearance.

On the first day of assignment the agency worker must report to the Human Resources Team, where they must provide documentary evidence to confirm that the person presenting themselves for work is the same person on whom the checks have been made.

As part of the introduction to the College, agency workers will be given a handbook setting out our expectations in relation to Safeguarding & Prevent.

Student Teachers

- Details of any placement for a student teacher must be agreed in advance by Deputy Principal Curriculum and Quality .
- Any student teacher on placement at the College must report to the Human Resources team on the first day of attendance to provide DBS checks and other relevant documents to verify their identity prior to starting work
- Where student teachers are paid by the College, the College must ensure all necessary checks are carried out.
- Where student teachers are free-funded it is the responsibility of the training provider to carry out the necessary checks. The College will obtain written confirmation that these checks have been carried out and the trainee has been judged by the provider to be suitable to work with children. This does not have to be recorded on the SCR.

Volunteers

- HR should be notified in advance of all volunteers operating within the College to ensure relevant checks are in place.
- Volunteers should not engage in regulated activity in the College, unless DBS checks have been undertaken.
- The College may obtain an enhanced DBS check (not including barred list information for all volunteers new to working in regulated activity).

Contractors

Where the college employs contractors to provide services these contractors are subjected to certain safeguarding checks.

On-site contracted services – these include the college cleaning, security, catering, and nursery and PlayFootball contracts. All staff are DBS checked as part of the recruitment procedures and managed by Estates

Approved contractors e.g. Building Maintenance are required to comply with the colleges guidelines for contracted services as set out in the Control of Contractors Documentation and managed by Estates

If the college receives a complaint relating to any member of sub-contracted staff relating to behaviour, conduct or if specific complaints or issues are raised relating to safeguarding. The College Manager who has employed the contractor will contact the Contract Manger who will deal with the issue. The Contract Manager will be required to meet with the College Manager responsible for the contract in order to determine the most appropriate course of action in line with College procedures.

Use of College Facilities or Accommodation Bookings

All requests for use of college facilities or room bookings should be booked through Estates. Such bookings may be made by external organisations or networks or by college staff for external use. All bookings need to verify:-

- The intended purpose of the booking
- The details of the responsible lead person – and details of their professional credibility to facilitate any activity
- The types of activity planned
- Other requirements – toilets, changing facilities.
- An estimation of the numbers attending
- Details of DBS status of the lead person, and any other persons who supervise any of the activity – enhanced disclosure to be produced to HR before commencement of activity
- Details of insurance for the activity
- Details of specific Health and Safety issues and availability of a risk assessment for the planned activity

Procedure for Managing Allegations against Members of Staff

Aims:

To ensure any allegations are dealt with professionally and promptly
To fully investigate the allegation
To ensure all involved are kept updated
To maintain records in all cases
To ensure all children in our care are safe

Scope

1. The framework for managing cases set out in this guidance applies to a wider range of allegations than those in which there is reasonable cause to believe a child is suffering, or is likely to suffer, significant harm. It also caters for cases of allegations that might indicate that s/he is unsuitable to continue to work with children in their present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a person who works with children has:-
 - Behaved in a way that has harmed a child, or may have harmed a child;
 - Possibly committed a criminal offence against or related to a child; or,
 - Behaved towards a child or children in a way that indicates s/he would pose a risk or harm to children.
2. There may be up to 3 strands in the consideration of an allegation:-
 - A Police investigation of a possible criminal offence; and/or
 - Enquiries and assessment by Children's Services about whether a child is in need of protection or in need of services; and/or
 - Consideration by the employer of disciplinary action in respect of the individual if there is a breach of professional standards/code of conduct.

Oversight and Monitoring

3. Integrated Safeguarding Partnerships member organisations, and Police forces should each have a named senior officer who has overall responsibility for ensuring that the organisation operates procedures for dealing with allegations in accordance with this guidance. The title of this role is Local Authority Designated Officer (L.A.D.O).
4. The College has identified that the Director of HR, Student & Customer Services is the person to whom allegations or concerns that a member of staff or volunteer may have abused a child or failed in their safeguarding duty should be reported. Or in cases where that person is the subject of the allegation or concern, the concern should be reported to the named L.A.D.O within the Children's Services Department.

Supporting those involved

5. Parents or carers of a child or children involved should be told about the allegation as soon as possible if they do not already know of it (subject to paragraph 10 below). They should also be kept informed about the progress of the case.
6. In cases where a child may have suffered significant harm, or there may be a criminal prosecution, Children's Services, or the Police as appropriate, should consider what support the child or children involved may need.
7. Director of HR, Student & Customer Services should also keep the person who is the subject of the allegations informed of the progress of the case, and arrange to provide appropriate support to the individual while the case is ongoing. If the person is suspended the Director of HR & Customer Services should also make arrangements to keep the individual informed about developments in the workplace. As noted in paragraph 15, if the person is a member of a union or professional association s/he should be advised to contact that body at the outset. They will also be given access to counselling and medical services, provided by the College.
8. The College will act to manage and minimise the stress inherent in the allegations process. Support for the individual is vital. Individual employees will be informed of concerns or allegations soon as is possible and given explanation of the likely course of action, unless there is an objection by Children's Services or the Police

Initial Considerations

9. Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated/considered.
10. Procedures need to be applied with common sense and judgement. Some allegations will be so serious as to require immediate referral to Children's Services and the Police for investigation. It is important to ensure that even apparently less serious allegations are seen to be followed up, and that they are examined objectively by someone independent of the organisation concerned. Consequently, the LA designated officer should be informed of all allegations that come to the College attention and appear to meet the criteria in paragraph 1, within one working day so that s/he can consult Police and social care colleagues as appropriate. The LA designated officer should also be informed of any allegations that are made directly to the Police (which should be communicated via the Police force designated officer) or to Children's Services.
11. The LA designated officer should first establish in discussion with the College that the allegation is within the scope of these procedures, see paragraph 1, and may have some foundation. If the parents/carers of the child concerned are not already aware of the allegation, the designated officer will also discuss how and by whom they should be informed. In circumstances in which the Police or Children's Services may need to be involved, the LA officer should consult those

colleagues about how best to inform parents. However, in some circumstances the College may need to advise parents of an incident involving their child straight away, for example if the child has been injured whilst in their care and requires medical treatment.

12. The Director of HR, Student & Customer Services should inform the accused person about the allegation as soon as possible after consulting the LA designated officer. However, where a strategy discussion is needed, or it is clear that Police or Children's Services may need to be involved, that should not be done until those agencies have been consulted, and have agreed what information can be disclosed to the person. If the person is a member of a union or professional association s/he should be advised to seek support from that organisation.
13. If there is cause to suspect a child is suffering or is likely to suffer significant harm, Children's Services will convene a strategy discussion. In these cases the strategy discussion should include a representative of the College (unless there are good reasons not to do that), and take account of any information the College can provide about the circumstances or context of the allegation.
14. In cases where a formal strategy discussion is not considered appropriate, but a Police investigation might be needed, the LA designated officer should nevertheless conduct a similar discussion with the Police, the College, and any other agencies involved with the child to evaluate the allegation and decide how it should be dealt with. That initial evaluation may not need to be a face to face meeting. It should share available information about the allegation, the child, and the person against whom the allegation has been made, consider whether a Police investigation is needed and if so, agree the timing and conduct of that. In cases where a Police investigation is necessary the joint evaluation should also consider whether there are matters which can be taken forward in a disciplinary process in parallel with the criminal process. The College may feel it necessary to progress disciplinary action against staff in line with its stated disciplinary policy before the conclusion of any Police investigation.
15. If the complaint or allegation is such that it is clear that investigations by Police and/or enquiries by Children's Services are not necessary, or the strategy discussion or initial evaluation decides that is the case, the LA designated officer should discuss next steps with the Director of HR, Student & Customer Services. In those circumstances options open to the Director of HR, Student & Customer Services will be agreed by the Principal and may range from taking no further action to summary dismissal or a decision not to use the person's services in future.
16. In some cases further investigation will be needed to enable a decision about how to proceed. If so, the LA designated officer should discuss with the Director of HR, Student & Customer Services how and by whom the investigation

will be undertaken. That should normally be undertaken by the College. However in some circumstances appropriate resources may not be available within the College or the nature and complexity of the allegation might point to the College commissioning an independent investigation.

17. If a disciplinary investigation needs to be undertaken then the Disciplinary Policy and Procedure should be followed

Suspension

18. The possible risk of harm to children posed by an accused person needs to be effectively evaluated and managed. In some cases that will require the College to consider suspending the person. Suspension should be considered in any case where there is cause to suspect a child is at risk of significant harm, or the allegation warrants investigation by the Police, or is so serious that it might be grounds for dismissal. People must not be suspended automatically, or without careful thought. The College must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children until the allegation is resolved. In many cases an investigation can be resolved quickly and without the need for suspension. A member of staff may be suspended from duty by a Senior Postholder on full pay, if the Senior Postholder considers that there is good reason to do so. However, where a strategy discussion or initial evaluation discussion concludes that there should be enquiries by Children's Services and/or an investigation by the Police, the LA designated officer should also canvass Police/Children's Services views about whether the accused member of staff needs to be suspended from contact with children, to inform the College consideration of suspension.
19. If immediate suspension is considered necessary the rationale and justification for such a course of action should be agreed and recorded. This should also include what alternatives to suspension have been considered and why they were rejected.

Monitoring progress

20. The LA designated officer will regularly monitor the progress of cases either via review strategy discussions or by liaising with the Police and/or Children's Services colleagues, or the employer as appropriate. They will ensure reviews will be conducted at fortnightly or monthly intervals depending on the complexity of the case.

Timescales

21. It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation. Every effort should be made to manage cases to avoid any unnecessary delay.
22. For cases where it is clear immediately that the allegation is unsubstantiated or malicious, they should be resolved within one week.

Information sharing

23. In the initial consideration at a strategy discussion or joint evaluation the agencies concerned, including the College, should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim.
24. Wherever possible the Police and Children's Services should obtain consent from the individuals concerned to share the statements and evidence they obtain with the employer, and/or regulatory body, for disciplinary purposes. That should be done as the investigation proceeds rather than after it is concluded.

Action following a criminal investigation or a prosecution

25. The Police or the CPS should inform the Director of HR, Student & Customer Services and LA designated officer straightaway when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to prosecute after the person has been charged. In those circumstances the LA designated officer should discuss with the College Designated Officer whether any further action including disciplinary action and, if so, how to proceed. The information provided by the Police and/or Children's Services should inform that decision. Action by the College, including dismissal, is not ruled out in any of those circumstances. The range of options open will depend on the circumstances of the case and the consideration will need to take account of the result of the Police investigation or trial, as well as the different standard of proof required in disciplinary and criminal proceedings. The College may have already undertaken disciplinary investigation/action in line with its stated policy before the outcome of any criminal investigation.

Action on conclusion of a case

26. If the allegation is substantiated and the person is dismissed or the College ceases to use the person's services, or the person resigns or otherwise ceases to provide his/her services, the LA designated officer should discuss with the Director of HR, Student & Customer Services, who will refer to the Principal whether a referral to the Disclosures Barring Services is required, or advisable. Also, if the person is subject to registration or regulation by a professional body. The L.A designated officer should advise on whether a referral to that body is appropriate. If referral is appropriate the report should be made within one month.
27. If it is decided on the conclusion of the case that a person who has been suspended can return to work the College should consider how best to facilitate that. Most people will benefit from some help and support to return to work. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The College should also consider how the person's contact with the child or children who made the allegation can best be managed if they are still in the workplace.

Action in respect of Malicious or unsubstantiated allegations

28. If an allegation is determined to be unsubstantiated or malicious, the College should refer the matter to Children's Services to determine whether the child concerned is in need of services, or may have been abused by someone else. If an allegation is shown to have been deliberately invented or malicious, the Principal should consider whether any disciplinary action is appropriate against the student who made it, or whether the Police should be asked to consider if action might be appropriate against the person responsible.
29. Cases in which an allegation was found to be false, unsubstantiated or malicious should not be included in employer references.

Resignations and "Settlement agreements"

30. The fact that a person tenders his or her resignation, or ceases to provide their services, must not prevent an allegation being followed up in accordance with these procedures. A referral to the DBS must be made if the criteria are met. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children including any in which the person concerned refuses to cooperate with the process.
31. Wherever possible the person should be given a full opportunity to answer the allegation and make representations about it, but the process of recording the allegation and any supporting evidence, and reaching a judgement about whether it can be regarded as substantiated on the basis of all the information available should continue even if that cannot be done or the person does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.
32. By the same token "Settlement agreements" by which a person agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, must not be used in these cases. In any event, such an agreement will not prevent a thorough Police investigation where appropriate. Nor can it override an employer's statutory duty to make a referral to the Barred Lists, or Disclosure & Barring Service where circumstances require that.

Record keeping

33. It is important that a clear and comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and details of any action taken and decisions reached, on a person's confidential HR file and give a copy to the individual. Such information should be retained on file, including for people who leave the organisation, at least until the person retired for 10 years if that will be longer. The purpose of the record is to enable accurate information to be given in response to any future request for a reference. It will provide clarification in cases where a future DBS Disclosure reveals information from the Police that an allegation was made but did not result in a prosecution or a conviction. And it will prevent unnecessary re-investigation if, as sometimes happens, allegations resurface after a period of time.
34. If a referral is made the following must be recorded:
- Reason for referral
 - Description of any observed injuries and who has seen them
 - Any discussions held with the child or others
 - Date(s)/time(s)/place(s) of alleged incident(s)
 - Any known witnesses of the alleged abuse
 - Action taken and people contacted (including when the referral was made, to whom, their response and any agreed action)
 - Details of allegations that are found to be malicious should be removed from personnel records.

Learning lessons

35. At the conclusion of a case in which an allegation is substantiated the Designated Person should review the circumstances of the case to determine whether there are any improvements to be made to the organisation's procedures or practice to help prevent similar events in the future.

Recruitment of Ex-offenders

36. Please see Appendix 4.

Procedure for managing allegations against Agency Workers

37. Agency workers are not employees of the College and therefore the procedure detailed below applies in these circumstances.
38. If an allegation is received about an agency worker it is the employment agencies responsibility to conduct an investigation with support from the College.

39. The College will receive the allegation, collect appropriate initial evidence and then contact the Agency to inform them of the allegation.
40. The College will liaise with the Local Authority Designated Officer (LADO) to agree an appropriate course of action and agency involvement.
41. There will be a discussion or meeting if appropriate with the Agency representative, Director of HR, Student & Customer Services and LADO (if appropriate) to discuss the case and agree the relevant course of action.
42. The College will support the employment agency investigation by providing access to the College staff and students as necessary. The Employment Agency will update the College throughout the investigation including notification of the outcome.
43. The Employment Agency will also update the LADO on the outcomes and discuss appropriate action including referral to the DBS.
44. The College, after discussion with the Employment Agency may decide not to further engage that worker, where this applies relevant information will be provided to the Employment Agency.

Section 4

List of Associated Documents:

Visitor Procedure
Proof of ID Policy
Data Protection
Administering Medication Procedures
Supporting Students with Medical Conditions Policy & Procedure
Student Contract
Parental Agreement
Education and Inspection Act 2006
Staff Code of Conduct
DfE Guidance “the use of force to control or restrain students”
Behavioural Policy Prevent Risk Assessment
Guidance in Safeguarding Children & Keeping Children Safe
2019
Recruitment & Selection Policy
Agency Staff Handbook
Control of Contractors
Disciplinary Policy & Procedures
Off Site Working
Vehicle Policy
Home Visit Procedure
Rehabilitation of Offenders Act 1974 (Exceptions) order 1975
Pastoral |Safeguarding Handbook

Appendix 1

Physical Intervention/Restraint Guidance

Introduction

1. Section 93 of the Education & Inspections Act 2006 enables College staff to use such force as is reasonable in the circumstances to prevent a Student from doing, or continuing to do any of the following:
 - **Committing any criminal offence**
 - **Causing personal injury to, or damage to the property of any person (including themselves) or**
 - **Prejudicing the maintenance of good order and discipline within the College**
2. The College is committed to ensuring that all our staff and adults with responsibility for student's health, safety and welfare will deal professionally with all incidents involving aggressive or reckless behaviour, and only use physical intervention/restraint as a last resort in line with College Code of Conduct and the DfE Guidance document "the use of force to control or restrain students".
3. In all cases conflict resolution must be attempted before any physical intervention/restraint
4. If physical intervention/restraint is used at all, it will be in the context of a respectful, supportive relationship with the student. The aim must always be to ensure minimal risk of injury to students and staff.
5. The College provides for, welcomes and encourages student feedback to ensure that the environment and atmosphere within College minimises the risk of incidents requiring the use of force arising. This approach creates and maintains good order and relationships through positive approaches.
6. All staff should attempt to de-escalate any incident and only use force as a last resort and when the risks involved in doing so are outweighed by the risks involved in not using force.
7. There is no expectation for staff to intervene in a violent or dangerous situation where they feel their own well-being/health would be at risk.

Objectives of the Guidance

8. The key objective of the Guidance is to ensure and maintain the safety of students and staff. The College recognises that there is a need, reflected in law, to intervene when there is an obvious risk of safety to its students, staff and property.

9. The guidance aims to give all members of the college community clear guidance so that any physical intervention/restraint that they undertake is carried out in a way that supports the values and principles described in the staff Code of Conduct. In particular, it aims to describe the circumstances in which restrictive physical intervention/restraint is an appropriate response and how staff at College will fulfil their responsibilities in those circumstances.
10. Where necessary, if physical intervention/restraint is applied by an authorised member of staff in an appropriate manner in line with the College Code of Conduct and this Guidance, and as a result of the necessary and/or reasonable physical intervention/restraint, a student chooses to complain or take legal action against the member of staff, it is very likely that the College would support the member of staff.
11. Members of staff must be aware that, should the force of the physical intervention/restraint applied to the student not be considered to be necessary and/or reasonable, this may be viewed as a disciplinary offence and could result in dismissal. Staff must be aware that any breach of College procedures will be treated separately from any Criminal procedures instigated by the Police, although the result of any Police investigation could be taken into consideration during the college disciplinary procedures.

Authorised Staff

12. The legal right to use force is provided by Section 95 of the Act and extended to:
 - All members of staff who have lawful control over the Students
 - Any other person whom the Principal has authorised such as:
 - Managers
 - Support Workers
 - Support Staff
 - Teaching Assistance
 - Learning Support Workers (ESW's)
 - Mentors
 - Any member of staff whose job involves supervising students
 - Any members of staff who have lawful control over students away from College, i.e. educational trips and visits.
 - Security Staff
 - Those exercising the use of force must take into account any particular special educational need and/or disability that a student might have.

Note:

13. It is always unlawful to use force as a punishment
14. The search procedures in the Behavioural Policy also make reference to restraint and must be read and understood along with this guidance.

When to Use Force

15. Physical Intervention/restraint is discouraged at Bury College, but authorised staff may use reasonable force to prevent a Student from doing or continue to do any of the following:
 - a. Committing any criminal offence
 - b. Causing personal injury to, or damage to the property of any person (including themselves) or
 - c. Prejudicing the maintenance of good order and discipline within the College
16. The decision to use reasonable force will take into account the circumstances of the incident. All staff should be aware that the use of physical intervention/restraint in response to a clear or developing danger of injury will always be more justifiable than the use of force to prevent damage or misbehaviour.
17. Staff will view physical intervention/restraint or restraint of students as a last resort to maintaining a safe environment. If students are behaving disruptively or anti-socially, every effort will be made to manage behaviour positively to prevent a deterioration of the situation and to restore a safe, secure environment.
18. Staff must understand the importance of listening to and respecting the students to create an environment that is calm and supportive especially when dealing with students who may have emotional and behavioural needs that may increase their aggression. Conflict resolution will remain the first priority at all times.
19. Staff must understand the importance of responding to the feelings and well-being of the student, as well as to the behaviour itself.
20. Staff intervening with student's will seek assistance from security guards or other members of staff as early as possible, since single-handed intervention/restraint increases the risks of injury to both parties and does not provide a witness.
21. All staff who become aware that another member of staff is intervening physically with a student will have responsibility to provide a presence and to offer support and assistance should this be required.
22. Where possible, staff who have not been involved in the initial confrontation leading up to an incident may be in a better position to intervene or restrain the student if this proves necessary. Staff should support colleagues by offering to take over the role of restraining to minimise stress.

23. A student's behaviour may be adversely affected by the presence of an audience. Wherever possible, the audience will be removed, or if this is not possible, the student will be removed from the audience. The student and member(s) of staff will withdraw to a quiet, but not completely private, place (e.g., other members of staff or security should be present or a door left open so that others are aware of the situation).
24. Staff must inform the student being restrained, in a calm and gentle manner that the reason for the intervention/restraint is to keep the student and others safe. Staff will explain that as soon as the student calms down, he/she will be released.

Physical intervention/restraint considered appropriate

25. The following approaches are regarded as reasonable in appropriate circumstances:
 1. Standing between students;
 2. Blocking a student's path;
 3. Leading a student by the hand or arm;
 4. Ushering a student away by placing a hand in the centre of the back;
 5. In more extreme circumstances, using appropriate restrictive holds, which may require specific expertise or training

Restraints to be avoided

26. The following restraint must not be used other than in the most extreme emergency and only if trained in this physical restraint procedure. This is when emergency action is needed to prevent the risk of serious injury or loss of life.
 - Twisting or forcing limbs against a joint
27. The following restraints must never be used
 - holding a student around the neck, or by the collar, or in any other way that might restrict a student's ability to breathe
 - slapping, punching or kicking a student
 - stamping on or pushing a student
 - tripping a student
 - holding a student by the hair or ear
 - holding a student face down on the ground

Recording an Incident

28. All incidents that result in non-routine/emergency intervention/restraints must be reported immediately by the quickest possible means to the Curriculum Director (CD) and/or Director of Estates, Health & Safety and IT . Then followed up with an Accident/Incident Report to the Health & Safety Department.
29. The use of physical intervention/restraint in Bury College will be monitored and will be reported on a regular basis to College Governors and the Principal through the normal monitoring report procedures.

Post Intervention/restraint

30. The College will ensure that the student and the member of staff have immediate access to first aid for any signs of injury. This must be recorded
31. The Investigation MUST start as soon as possible after the incident. The Investigating Director will give the student time to become calm while staff continue to supervise him/her. When the student regains complete composure, they will discuss the incident with the student and try to ascertain the reason for its occurrence. The student will be given an opportunity to explain things from his/her point of view.
32. In cases where it is not possible to speak to the student on the same day as the incident occurred, the College will ensure a debrief takes place as soon as possible after the student returns to College.
33. All members of staff involved will be allowed a period to recover from the incident. This may involve access to external support. Director of HR & Customer Services (or his/her nominee) will arrange support to the member of staff involved.
34. If considered necessary the Principal will be informed at the earliest possible opportunity of incidents where physical intervention/restraint or restraint has been used.
35. The Curriculum Director will inform parents/carers of any incident involving physical intervention/restraint as soon as possible after the incident and whenever practicable on the day of the incident before the student arrives home.
36. On conclusion of the initial investigation the CD may consider disciplinary action is appropriate and will follow the student disciplinary procedures which could result in suspension or exclusion of the student.
37. Depending on the circumstances surrounding the incident, department risk assessments may need to be reviewed. The Director of Health, Safety & Security will assist in this if required.

Complaints/ Allegations about Physical Intervention/restraint

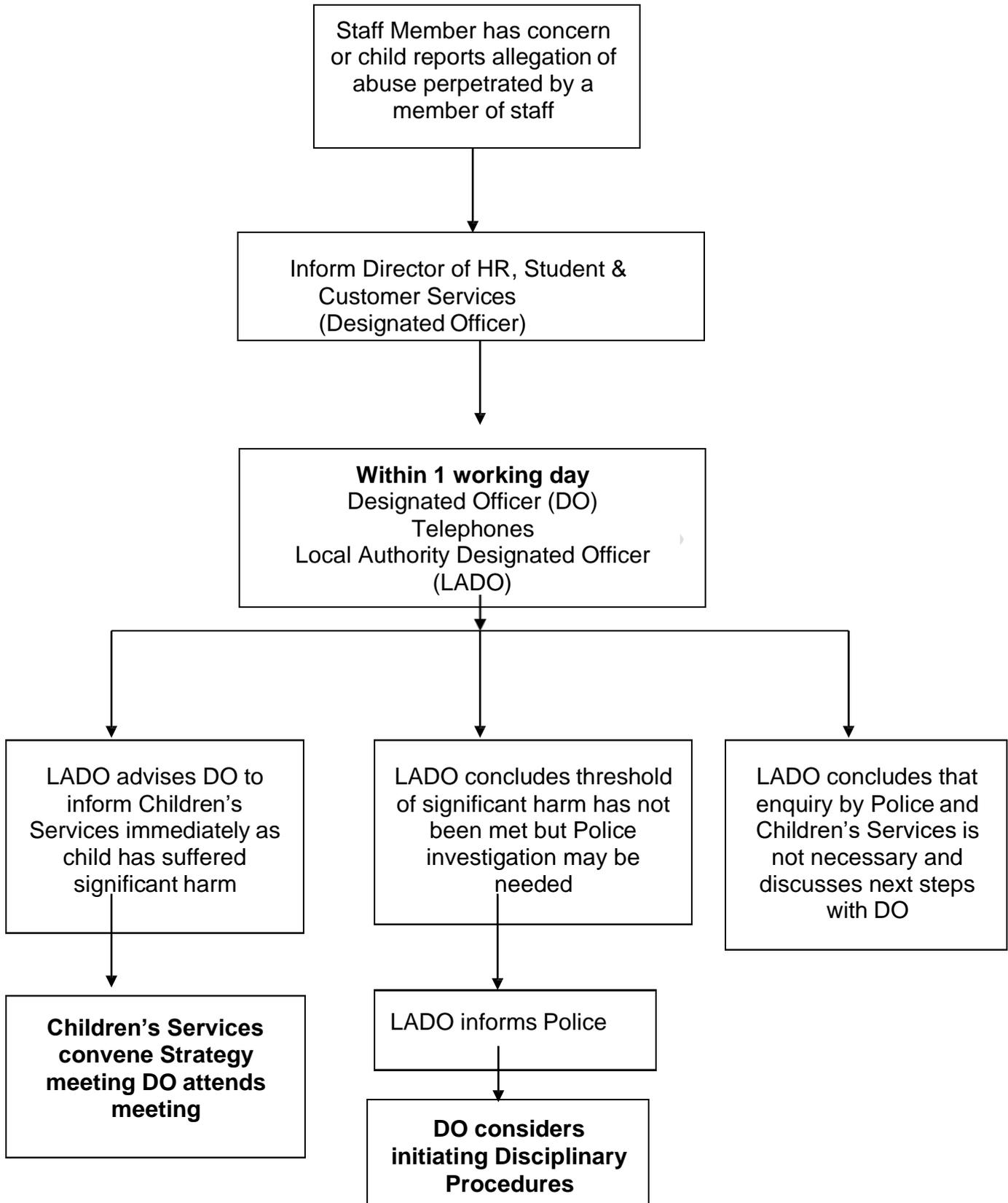
38. If any complaints are received from a student, parent or guardian about any physical intervention/restraint by a member of staff, the usual complaints procedure must be followed.

Staff Training

39. Staff training on physical intervention & conflict resolution will be available through CPD days.
40. Physical restraint training must be provided to staff where the nature of the learning environment is considered to pose a significant risk to staff or other students and the department risk assessments identify it as a required control measure.

Appendix 2

FLOWCHART OF ABUSE BY A PROFESSIONAL



Home Visits Guidelines

1. Home visits can be arranged for students and apprentices who:
 - Have repeatedly failed to respond to previously attempted contact
 - Are unable to attend college/work, for whatever reason, and need support to continue on their course
2. Requests for a home visit should be made to the relevant Pastoral Manager (PM) for students or the Departmental Lead (DL) for apprentices. The request should be made via the ProMonitor comment category – Home Visit.
3. The ProMonitor Home Visit comment should outline:
 - Current attendance summary
 - Academic progress
 - An explanation of the cause for concern
 - The reason for suggesting a home visit
 - Any additional background information relating to personal circumstances
 - Coursework and learning materials that needs to be taken
4. The home visit will be carried out by a member of the Pastoral Team, who will in conjunction with the Student Services Supervisor determine if the visit requires more than one person to attend; this may be done on the basis of location, circumstances or other information provided by the PM/DL.
5. Details of the visit will be recorded in the Home Visits book held in Student Services and will be updated on return to college by Student Services.
6. Home visits should be carried out following the guidance and procedures outlined in the *Off Site Working* document, which can be found on the Bury College Intranet or the link below



Off%20Site%20Working%20Guidance.d

In particular, staff should:

- Comply with college requirements for travel to and from the place of visit
- Take a mobile phone with them, keep it switched on and advise Student Services Supervisor of mobile number (there is a facility on smartphones to activate a GPS tracker that enables the phone's whereabouts to be tracked if appropriate)
- Inform Student Services Supervisor on return to College

7. The college risk assessment must be followed for the visit.



Lone%20Working%
20and%20Home%20

8. Upon return to College the member of staff who carried out the visit will record a ProMonitor follow-up comment to summarise the main discussion points and actions.
9. Where there are safeguarding concerns these should be recorded as a ProMonitor Confidential Comment.

Hazard(s)	Affected Groups	Severity	Probability	Risk before Controls	Current Control Measures	Risk Level with Controls	Additional Controls Needed to Reduce Risk
Travelling to & from the Premises	Staff	Medium	Low	Medium	<ul style="list-style-type: none"> College Vehicle Policy (guidance on safety while driving for work included) Insurance must be in place for business use. Avoid leaving valuable equipment on display, Supervision – Details of visit including Time of arrival & expected time of return must be recorded with the appropriate supervision. 	Low	Home Visit Procedure with Student Services.
Slips & Trips	Staff	High	Low	Low	<ul style="list-style-type: none"> Home visits – considered insignificant risk 	Low	
Attack From Pets etc.	Staff	High	Medium	High	<ul style="list-style-type: none"> Be aware of potentially dangerous pets, in particular dangerous dogs. Database build-up of intelligence on pro-solutions – flag system 	Low	Abort visit if there are any concerns – report on return
Safeguarding	Students	High	Low	Low	<ul style="list-style-type: none"> College safeguarding procedures & staff training Do not challenge parents/guardians 	Low	All safeguarding worries must be reported.
Violence / abduction	Staff	High	Low	Low	<ul style="list-style-type: none"> Home visit procedure Procedure is agreed with parents at enrolment Letters will be sent before a visit takes place Pre-visit plan to be discussed with Supervisor Database build-up of intelligence on pro-solutions – flag system If considered necessary – two staff will be sent personal dynamic assessment, if feeling vulnerable have an excuse ready so they can leave easily – this must be reported as an Incident if it happens. Supervision – as above Abort visit if there are any concerns – report on return emergency procedure 	Low	I-Phone could be provided and the GPS could be monitored in the event of the member of staff going missing.
					<ul style="list-style-type: none"> Consider personal safety while in the house, i.e. keep an exit clear at all times, stay on the doorstep if uncomfortable and leave ASAP, do not enter if feeling vulnerable. Report on return If feeling uncomfortable, consider saying that you have just come to invite them into college to discuss further and leave. 		

The risk level associated with this task / area has been reduced to as low as reasonably practicable

Signature of Assessor

Brian Wood

Date

28/01/2016

Appendix 4

Policy statement on the Recruitment of Ex-Offenders

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Bury College complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. Bury College undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

Bury College can only ask an individual to provide details of convictions and cautions that we, as a college are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended) and where appropriate Police Act Regulations (as amended), Bury College can only ask an individual about convictions and cautions that are not protected.

Bury College actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. Bury College select all candidates for interview based on their skills, qualifications and experience.

Bury College is committed to the fair treatment of its staff, potential staff or users of its services regardless of gender, disability, colour, race or ethnic origin, marital status, religion, sexual orientation, TU membership, age, individual learning needs, nationality or offending background.

As Enhanced DBS Disclosures are requested for all positions in the College, application forms contain a statement that a Disclosure will be requested in the event of an individual being offered the position.

We ask applicants to provide details of their criminal record at an early stage in the recruitment process and we guarantee that this information is only seen by those who need to see it as part of the recruitment process. Failure to reveal information that is directly relevant to the position sought could lead to a withdrawal of an offer of employment.

Bury College ensures that all those in Bury College who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. Bury College also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, Bury College ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

Bury College makes every subject of a criminal record check submitted to DBS aware of the existence of the Code of Practice and makes a copy available on request.

Bury College undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar a person from working with us. This will depend on the nature of the position and the circumstances and background of his/her offences. Any individual denied employment will have the right to make written representations to the Principal, whose decision will be final.

Further information regarding conviction information

On the 29 May 2013, legislation (1) came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure.

In addition, employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions.

All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.

Applicants can find further guidance and criteria on the DBS website which explains the filtering of old and minor cautions and convictions which are now 'protected' so not subject to disclosure to employers.

(1) See Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013; and Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) (England and Wales) Order 2013.

Preliminary Equality Impact Assessment

Screening for effects on equality	
Name of policy being assessed.	Safeguarding Policy & Procedures
Policy Holder and/or person with authority to make changes to policy:	Lisa Woodman/Joanne McKenzie
Position:	Director of HR, Student & Customer Services /
Directorate:	HR / Operational
New/Revised/Reviewed Policy:	Reviewed
What is the aim, objective or purpose of the policy, procedure, strategy or decision?	
To safeguard students and staff.	
Who was consulted when the policy was first written?	
<ul style="list-style-type: none"> • Unions • Students • Leadership Team • AoC 	
Who does the policy affect?	
<ul style="list-style-type: none"> • Students • Board members • Staff • Agency staff • Contractors • Subcontractors • Volunteers 	
Who implements the policy, and what steps will be taken to ensure the effective implementation of the policy?	
<ul style="list-style-type: none"> • Everyone • Regular training and updates. 	

What pre-existing evidence is available to facilitate the screening of the policy?

- Previous issues / inspections

What impact is the policy likely to have on the following characteristics?

Protected characteristic*	Positive impact	Negative impact	Neutral impact	Unclear	Further comments
Age (or age group)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>	The policy is designed to protect 16-18 year olds
Disability	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>	
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>	
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>	
Race (including ethnicity and nationality)	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>	
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>	
Sex	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>	
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>	
Looked after student	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Social-economic	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Carers	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>	
Ex-offenders	<input type="checkbox"/>	✓	<input type="checkbox"/>	<input type="checkbox"/>	There may be a negative impact if the offense related to child protection issues.

*Protected Characteristics as identified by the Equality Act 2010.

If any answers are 'negative' can any adverse impact be justified on the basis of a legal requirement? Yes No

If 'yes', please explain:

People with a criminal record are not permitted to work with children.

Please detail any suggested actions identified to improve positive impact or remove negative impact of this policy.

Issue identified	Suggestion action to address this issue

Should a Full Equality Impact Assessment be carried out?

Yes No

If 'yes', is the priority High or Low? (Based on the number of people to whom the policy applies and the level of impact it is likely to have as a result.)

Yes No

Please explain the justification of Full Equality Impact Assessment Decision

How will this policy be approved?

Leadership Team
Governors

This Preliminary Impact Assessment was checked and signed off by the policy holder:

Name & Signature	Lisa Woodman
Date	

Once completed please return (a) a signed hard copy of the form and (b) an electronic version (to be published on the intranet) to

.....