



Safeguarding Policy Children and Adults at Risk

ELT manager	Vice Principal Academic Affairs
Responsible officer	Head of Student Support
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Further information (where relevant)	

Reviewer	Date	Review Action/Impact	BoM approval
FF	14.01.2014	Appendix 2: added deputy at Fort William	
FF	Dec-14	Review – Title change	
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TM	12.02.2016	Lead Officer and Team	
MMc	17.10.16	Review of Policy and update of named officers and deputies.	13Dec16

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Contents

	Page number
1. Purpose	3
2. Scope	3
3. Definitions	3
4. Responsibilities	4
5. Key Principles	5
6. Safe Recruitment Practices	5
7. Safe Student Practice	6
8. Confidentiality and Data Protection	7
9. Related Documents	8

1 Purpose

This policy sets out the commitment of West Highland College UHI to provide a safe and supportive learning and working environment for all of its students and staff.

The College has a specific legal responsibility to protect children and adults at risk of harm. Also to ensure that their rights as individuals not to be harmed, physically or psychologically whilst at College are upheld.

The College and its employees and contractors have specific obligations under the law to protect vulnerable people and to report incidents of actual or suspected harm to the relevant authorities. Failure to meet these obligations can lead to prosecution of both individual members of staff and the organisation.

All staff are expected to read and understand the contents of this policy and to ensure that their training in regards to current safeguarding procedures and practices are up to date and current.

2 Scope

This policy applies to all children and adults at risk of harm.

3 Definitions

- 3.1 **Children** refers to young people under the age of 18 years of age. Where the child is under the age of 16 years and is legally defined as a child the college acts in the role of loco parentis. Where the child is 16 – 18 years the college has a duty of care which gives the same safeguards as it would for under 16s.
- 3.2 **Adults at risk of harm** refers to individuals aged 16 years or over who are unable to ensure that their own wellbeing, property, rights or other interests are safeguarded or they are at risk of harm because they are affected either temporarily or permanently by the following:
- disability,
 - mental disorder,
 - illness
 - physical or mental infirmity

and are therefore more vulnerable to being harmed than other individuals who are not so affected.

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- 3.3 An incident of harm refers to any incident reported to or witnessed by staff in the course of their work whether these have occurred on College property or elsewhere. It also covers incidents that have involved students or others where harm is alleged to or has been seen to occur.
- 3.4 Harm is most broadly defined as being all harmful contact, but more specifically is conduct which causes:
- physical harm - either physical abuse or serious neglect
 - psychological abuse – eg verbal abuse about gender, sexuality, race etc
 - sexual abuse
 - unlawful conduct which appropriates or adversely affects property rights or interests e.g. theft
 - conduct by another person that leads to self-harm

4 Responsibilities

- 4.1 The Board of Management are responsible for ensuring the legal compliance of this policy.
- 4.2 The College Management Group are responsible for overseeing compliance with the principles of this policy.
- 4.3 The Vice Principal Academic Affairs is responsible for implementing and monitoring this policy
- 4.4 All Heads of Department and Line Managers are responsible for ensuring all staff are trained and comply with the requirements of this policy within their own teams.
- 4.5 The AP Quality Learning and Teaching is responsible for monitoring the training of all staff in relation to this policy.
- 4.6 It is the responsibility of the Head of Student Support in consultation with the Vice Principal Academic Affairs and the Safeguarding Team to report appropriate cases to the relevant external agency in a timely manner and to support the student involved throughout the process of handover.
- 4.7 All staff to include any external staff working on a freelance basis with college students are responsible for following and adhering to this policy

5 Key Principles

- 5.1 The College recognises its legal obligation to protect children and adults at risk of harm from instances of physical, psychological, sexual abuse and other unlawful conduct
- 5.2 The College will as part of its legal duty ensure that concerns are reported in a timely manner to all relevant authorities and seek to ensure that partnership working is fostered between those agencies and the college.
- 5.3 The College will ensure that mandatory training on safeguarding children and adults at risk is carried out with all staff and with contractors regularly working at the college. It will form part of induction for all new members of staff.
- 5.4 The College has in place a named Safeguarding Team and they are the first point of contact in all instances of actual or suspected harm.
- 5.5 It is the responsibility of the Safeguarding Team to collectively review all cases and decide on the action to take regarding referral to an external agency. The

6 Safe Recruitment Practices

The College will take all reasonable steps to ensure it applies safe recruitment procedures. The College's approach to the recruitment of staff is outlined in the Recruitment and Selection Policy and Procedure and in the PVG Scheme Policy.

To ensure staff employed by the College do not pose a risk to students, the College will:

- 6.1 Implement procedures to ensure that the scope of all roles within the College are assessed in relation to the Protection of Vulnerable Groups Scheme and that on appointment staff become members of the appropriate scheme as per Disclosure Scotland guidelines.

Safeguarding

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- 6.2 Ensure that all staff, agency staff and the staff of contractors who could potentially have unsupervised contact with children and/or adults at risk are deemed to be appropriate to work with them in terms of the relevant legislation.
- 6.3 When recruiting staff from within the EU or from overseas require new recruits to provide a Criminal Record Certificate from their country of origin.
- 6.4 Ensure sure that any staff are aware that they must inform the HR Department of any changes to their criminal record during the period of their employment.
- 6.5 Where an allegation of misconduct involving a child or adult at risk of harm is made against a member of staff the College will investigate using established procedures. Where there is evidence that misconduct has occurred, the College's Disciplinary Policy will be applied.
- 6.6 If a member of staff is dismissed for harming a child or adult at risk or having put a child or protected adult at risk of harm, the College will inform Disclosure Scotland in accordance with the Protection of Vulnerable Groups legislation.
- 6.7 A similar course of action will be followed as in 10.2 above if the member of staff would have been dismissed or if the College would have considered dismissal but he or she left the employment of the College prior to the decision being made.

7 Safe Student Practice

7.1 Admissions

- 7.1.1 College admissions process requires all applicants to disclose all unspent convictions. In the case of care, outdoor education and any applicants who require to go on work placement as part of their studies where they will be in contact with children or adults at risk they are required to disclose **all** convictions.
- 7.1.2 Where convictions are revealed that could have implications for restricting access to children or adults at risk of harm the application is referred to the College Safeguarding Team for investigation and decision. Decisions will be on a case by case basis but will include liaison with other agencies and will result in a risk assessment being carried out to inform any decision made.
- 7.1.3 Where a student neglects to inform the college of a previous conviction for harm of a child or adult at risk they will be suspended from the College with immediate effect and may be permanently excluded following an investigation by the College Safeguarding Officer.

Safeguarding

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- 7.1.4 Where students, in the course of their studies or through work experience placement, will have access to children and/or adults at risk of harm, the College will undertake a Protection of Vulnerable Groups Scheme check as part of the admission or induction process.
- 7.1.5 Where a student discloses, or is identified by other means as having been charged with or convicted of a serious offence during the academic year measures may be taken under the terms of the Student Disciplinary Code. In certain circumstances such measures could include dismissal from the College.

7.2 Student Attendance

The College monitors all attendance. For children, and for adults with guardianships or who are known to be at risk of harm, the College will report unexplained absence to the individual or organisation responsible for that person's welfare.

7.3 Student Behaviour

Where a student is accused of causing harm to a child or an adult at risk of harm the college will deal with such instances under its student disciplinary procedures and where appropriate will report to and seek advice from the Child Protection/Public Protection Unit. Any such incident must be reported to the College Safeguarding Team.

8 Confidentiality and Data Protection

The College respects a student's right to personal privacy and will maintain confidentiality as far as possible. However, for the purposes of protecting an individual from serious harm there may be times when information has to be shared without consent of the individual. The degree of confidentiality will be governed by the need to protect the student or the child about whom concern has been made and will comply with the requirements of the Data Protection Act 1998.

- 8.1 Information will normally be shared with the consent of the student. However, in relation to issues Safeguarding, where there are serious concerns information may need to be shared without consent, but will be done so in line with our legal responsibilities.
- 8.2 At all times, information shared will be relevant, necessary and proportionate to the circumstances, and limited to those who need to know.
- 8.3 The main point of contact for external agencies seeking information of a confidential nature relating to the welfare of children, adults at risk of harm and offenders will be the Safeguarding Team.

9 Related Documents

External

Protection of Children (Scotland) Act 2003

<http://www.scotland.gov.uk/Resource/Doc/30859/0023655.pdf>

The Adult Support and protection (Scotland) Act 2007

<http://www.scotland.gov.uk/Publications/2008/07/10140804/1>

<http://www.scotland.gov.uk/Publications/2009/02/25110701/1>

Adult Support and protection: Ensuring Rights and Preventing Harm SBC

Version: ASPA July 2009

Adults with Incapacity (Scotland) Act 2000

<http://www.scotland.gov.uk/Publications/2008/03/25120154/1>

National Guidance for Child Protection in Scotland 2010, The Scottish Government

<http://www.scotland.gov.uk/Publications/2010/12/09134441/0>

Internal

Safeguarding Procedures

Student Admissions Policy

Disclosure of Information by Students Policy

Positive Behaviour Management Policy

Work Placement Policy

Recruitment and Selection Policy