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CHILDREN/YOUNG PEOPLE AND VULNERABLE ADULTS PROTECTION POLICY

1. POLICY STATEMENT

- 1.1 Leicester College has a statutory and moral duty to ensure that the College functions with a view to safeguarding and promoting the welfare of children/young people and vulnerable adults receiving education and training at the College. This policy applies to all College activity including ESF contracts.
- 1.2 Throughout these policies and procedures, reference is made to “children and young people”. This term is used to mean “those under the age of 18”.
- 1.3 It is also recognised that some adults are vulnerable to abuse. Accordingly, the procedures are also applied to allegations of abuse and the protection of vulnerable adults. The Care Act 2014 identifies ‘an adult at risk.’ An adult at risk of abuse or neglect is defined as someone who has needs for care and support, who is experiencing, or at risk of, abuse or neglect and as a result of their care needs - is unable to protect themselves.’.
- 1.4 The definition of an Adult at Risk includes (but is not exclusive to) individuals with any of the following:
 - Learning Difficulties
 - Physical Impairments
 - Sensory Impairments
 - Mental Health Needs
 - Age Related frailty
 - Dementia
 - Brain Injuries
 - Drug or Alcohol Problems
- 1.5 The College will refer concerns that a child, young person or vulnerable adult might be at risk of significant harm to the City/County Council’s

Department of Children and Young People's Services (CYPS), the City/County Council Adult Social Care Service, the police or in cases of radicalisation to the Channel Scheme as appropriate.

- 1.6 The Principal and all staff working with children/young people and vulnerable adults will receive training adequate to familiarise them with child/vulnerable adult protection issues and their responsibilities and the College's procedures and policies, with refresher training at least every three years.
- 1.7 The senior member of the College Leadership Team with special responsibility for protection issues is the Deputy Principal. He/she shall be assisted by other members of staff with responsibility of child/vulnerable adult protection. These are known as the Designated Team and their names and titles are set out in section 2 of this policy.
- 1.8 The governing body recognises the following as definitions of abuse:

- .1 **Physical abuse** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or otherwise causing physical harm. Physical injury may occur as a result of injury inflicted by a family member, including a brother or sister, or by another person, or an injury sustained accidentally but as a result of neglect. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child whom they are looking after. This situation is commonly described using terms such as fabricated or induced illness by proxy, or Munchausen syndrome by proxy.

Bullying can also be a form of physical and emotional abuse. However, it is more often between peers and needs to be dealt with locally by personal tutors with the assistance of Student Services, with cases reported as per the College Anti Bullying & Harassment Policy.

- .2 **Psychological/Emotional abuse** is the persistent emotional ill-treatment of a person such as to cause severe and persistent adverse effects on him or her emotional development. It may involve conveying to that child or person that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on the child or person concerned. It may involve causing that child or person to feel frightened or in danger, or exploitation or corruption. Emotional and other forms of abuse may occur as a result of domestic violence. Some level of emotional abuse is involved in all types of ill-treatment or abuse, though it may occur alone.
- .3 **Sexual abuse** involves forcing or enticing a child or vulnerable adult to take part in sexual activities, whether or not they are aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activity such as involving children or vulnerable adults in looking at, or in the production of,

pornographic material or watching sexual activities, or encouraging them to behave in sexually inappropriate ways. Sexual abuse may also take place through the inappropriate use of cameras and phone images.

- .4 **Child Sexual Exploitation** is the sexual abuse of young people (aged under 18) in the context of exploitative relationships, contexts and situations.
- .5 **Neglect** is the persistent failure to meet a child or vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of his or her health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, or the failure to ensure access to appropriate medical care or treatment. It may also involve the neglect of basic emotional needs.
- .6 **Peer on Peer abuse** is abuse of one learner by another and may cover any aspect of safeguarding, including domestic abuse between learners aged under-18 and who are in a relationship. In allegations of peer-on-peer abuse the parents/carers of both learners should be informed (unless to do so would place either at risk of harm) and a risk assessment should be carried out to determine the appropriateness of the alleged perpetrator remaining in College whilst the matter is investigated. If the matter does not meet the threshold for either police or CYPS involvement it can be dealt with via the Learner Disciplinary Policy and pastoral support.
- .7 **Sexting** is defined, for the purpose of this policy, as the sharing of sexual images created by a young person under-18, or another young person, of themselves. This includes both still and moving images. **Any images created should not be viewed, copied, or reproduced in any form when investigating an allegation, unless this is the only way to determine the facts of the case, in which case permission from the Deputy Principal should be obtained.** As with peer-on-peer abuse, the parents/carers of any young people involved should be informed of the allegation unless to do so would place them at risk of harm. Instances of sexting can often be dealt with via the Learner Disciplinary Policy and pastoral support unless any of the following are indicated:
 - the incident involves an adult or child under the age of 13;
 - there is reason to believe that the young person has been coerced, blackmailed, or groomed, or is not able to give informed consent;
 - the image has been shared without consent and with malicious intent.

If which case a referral to CYPS or the police should be made.

- 1.9 In respect to vulnerable adults, the local City and County Council Guidelines identify seven forms of abuse. In addition to the four above they also identify:
- .1 **Financial abuse** is defined as the misappropriation of money or assets; transactions to which the person could not consent or which were invalidated by intimidation or deception; or, the misuse of assets. Examples include misuse of benefits, denying access to money, not spending allowances on the individual, and unreasonable restriction on a person's right to control over their lives to the best of their ability.
 - .2 **Discriminatory abuse** is defined as any form of abuse based on discrimination because of a person's race, culture, belief, gender, age, disability, sexual orientation, etc.
 - .3 **Institutional abuse** is defined as repeated incidents of poor professional practice or neglect, and inflexible services based on the needs of the providers rather than the person requiring the service.
- 1.10 In respect of **safeguarding individuals from radicalisation**, the College works to the Prevent element of the Government's Counter Terrorism Strategy, and where deemed appropriate seeks external support for learners through referrals to the Channel Programme. This programme aims to work with the individual to address their specific vulnerabilities, prevent them becoming further radicalised and possibly entering the criminal justice system because of their actions. It is recognised that radicalisation can occur to an individual from any section of society and is not particular to any racial, ethnic or social group. It is further recognised that in many instances the process of radicalisation is essentially one of grooming by others.
- 1.11 **County lines** is the police term for urban gangs supplying drugs to suburban areas and market and coastal towns using dedicated mobile phone lines or "deal lines". It involves **child criminal exploitation (CCE)** as gangs use children and vulnerable people to move drugs and money. Gangs establish a base in the market location, typically by taking over the homes of local vulnerable adults by force or coercion in a practice referred to as 'cuckooing'. County lines is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons.
- 1.12 **Female Genital Mutilation (FGM)** should be reported immediately to the police by any person who becomes aware of this and the safeguarding team updated.

2. DESIGNATED STAFF WITH RESPONSIBILITY FOR CHILD PROTECTION/ VULNERABLE ADULTS

Senior Staff Members with Lead Responsibility for Child/Vulnerable Adults Protection

- 2.1 The designated senior member of staff with lead responsibility for child/vulnerable adult protection issues is Shabir Ismail, Deputy Principal (Finance and Corporate Services). He is based at the Freemans Park Campus (Tel: 0116 2242010, email: sismail@leicestercollege.ac.uk)
- 2.2 This person is a senior member of the College Leadership Team. He has a key duty to take lead responsibility for raising awareness within the staff of issues relating to the welfare of children and young people, and the promotion of a safe environment for the children, young people and vulnerable adults learning within the College.
- 2.3 He has received training in child/vulnerable adult protection issues and inter-agency working, as required by the Local Safeguarding Children Board and will receive refresher training at least every two years.
- 2.4 The Deputy Principal will provide an annual report to the governing body of the College setting out how the College has discharged its duties. He/she is responsible for reporting deficiencies in procedure or policy identified by the LSCB (or others) to the governing body at the earliest opportunity.
- 2.5 The Director of Student Services and Marketing is responsible for overseeing the operation of procedures. This involves:
 - .1 Overseeing the referral of cases of suspected abuse/radicalisation or allegations to the City/County Council's Department of Children and Young People's Services, or other agencies (such as the police, Channel) as appropriate.
 - .2 Providing advice and support to other staff on issues relating to child /vulnerable adult protection
 - .3 Maintaining a proper record of any child/vulnerable adult protection referral, complaint or concern (even where that concern does not lead to a referral)
 - .4 Ensuring that parents/carers of children and young people/vulnerable adults within the College are aware of the College's Child/Vulnerable Adult Protection Policy
 - .5 Liaising with the Children and Young People's Services Department of the Local Authority, the Local Safeguarding Children Board and other appropriate agencies
 - .6 Liaising with secondary schools which send pupils to the College to ensure that appropriate arrangements are made for the pupils

- .7 Liaising with employers and training organisations that receive children or young people/vulnerable adults from the College on long term placements to ensure that appropriate safeguards are put in place
- .8 Ensuring that all staff receive basic training in child protection/vulnerable adult issues and are aware of the College's Child/Vulnerable Adult Protection Procedures
- .9 Convening and chairing regular meetings of the Designated Child Protection & Vulnerable Adult Protection Team.

Designated Staff Members

2.6 Designated members of staff with particular responsibility for child protection/vulnerable adult issues are (as of February 2019)

- David Jackson, Director of Student Services and Marketing
- Gretta Tharratt, Head of Learner Engagement and Equalities
- Sharon Drury, Team Leader for Learning Mentors and LAC Designate
- Kieran McKee, Head of Learner Support
- Debbie Preston, College Counsellor
- Jo Thomas, College Counsellor,
- Gayle Anderson, College Counsellor
- Stella Williamson, Programme Area Manager for Supported Learning
- Jo Keogh, Additional Support Co-ordinator

2.7 These designated staff members:

- .1 report to the Director of Student Services and Marketing on child/vulnerable adult protection issues
- .2 are trained and able to receive and make an appropriate child/vulnerable adult protection referral to external agencies
- .3 will be available to provide advice and support to other staff on issues relating to child/vulnerable adult protection
- .4 have particular responsibility to be available to listen to children, young people and vulnerable adults studying at the College
- .5 will deal with individual cases, including attending case conferences and review meetings as appropriate
- .6 have received training in child protection/vulnerable adult issues (Designated safeguarding Lead) and inter-agency working, as required by the LSCB, and will receive refresher training at least every two years

3. DEALING WITH DISCLOSURE OF ABUSE: THE COLLEGE PROCEDURES FOR REPORTING CONCERNS

- 3.1 The College has published procedures for reporting cases of suspected abuse of young people or vulnerable adults. These have been endorsed by the City Council's then Department of Social Care and Health and by the Local Safeguarding Children Board. A full copy is set out in Appendix One to this document.
- 3.2 These procedures are issued to all members of staff and all new recruits to the College during their induction. Further staff (mandatory) training is provided to all College staff and renewed every three years.
- 3.3 To safeguard students it may be necessary to share information with third parties without the student's consent. In all cases information will only be shared in line with the General Data Protection Regulation/Data Protection Act 2018 and the Privacy Notice for Students and Apprentices. Information will only be shared without consent in exceptional circumstances and consent will always be sought where possible.

4. RECRUITMENT AND SELECTION PROCEDURES

- 4.1 The College has written recruitment and selection procedures which can be found on the College Intranet. The policy and procedures are designed with the aim of safely recruiting staff and providing a safe environment for children/young people and vulnerable adults to learn in. Key aspects of the procedures and processes are as follows;
 - Job descriptions are available for all roles. All jobs contain explicit responsibility for safeguarding and promoting the welfare of learners having due regard to the College's Child & Vulnerable Adults Protection Policy
 - A person specification setting out the key selection criteria for all roles. The person specification includes demonstrating commitment to safeguarding policies and the suitability to work with children and young adults
 - A standard application form that provides for the collection of information on applicants that enables the College to recruit safely
 - Advertising of posts externally as appropriate
 - A requirement for those appointed to produce documentary evidence of academic/vocational qualifications
 - Standard interview questions for lecturer appointments and other key staff who work with children and young adults exploring their suitability in this respect. Interviewers are advised to follow up on any gaps or discrepancies in the employment history of applicants

- two satisfactory references are obtained for each successful applicant as a condition of their employment. The first reference should be the applicant's existing or most recent employer. The second reference should also be from an employer. Character references are only used where an applicant has little or no previous work experience e.g. young persons. Where appropriate referees are asked specific questions about an applicant and their role in safeguarding children
- A policy on the recruitment of ex offenders
- A policy on obtaining a satisfactory Disclosure and Barring Service (DBS) disclosure and 'barred list' check for appropriate positions as a condition of employment at the college.

PROCEDURES FOR REPORTING CASES OF SUSPECTED ABUSE INVOLVING CHILDREN/YOUNG PEOPLE OR VULNERABLE ADULTS

1. THE DUTY TO REPORT

- 1.1 ***Leicester College and all its members of staff have a legal duty to report cases of suspected abuse. If you, as a member of staff, have concerns that a child/young person or vulnerable adult has been mistreated or abused, you MUST report this.***

2. WHAT TO DO IF YOU NOTICE ABUSE

- 2.1 You may become aware of potential abuse in two main ways:
- .1 you may observe signs in a student that lead you to suspect that they have been physically, emotionally, or sexually abused, or suffer severe neglect, or are becoming radicalised; or in addition in the case of a vulnerable adult, they may be experiencing financial, discriminatory or institutional abuse.
 - .2 the tables below gives examples that may indicate that an individual is being abused. In addition to these a person may be being abused by virtue of their race, gender, age, disability or sexual orientation which would indicate discriminatory abuse. Similarly, any of the examples listed may be an indication of institutional abuse if the individual is in receipt of organised care.
 - .3 the students themselves may disclose to you that they have been abused.

Possible signs of physical abuse include:

- | | |
|---|---|
| • Unexplained injuries or burns, particularly if they are recurrent | • Fear of medical help |
| • Refusal to discuss injuries | • Aggression/bullying |
| • Improbable explanations for injuries | • Over compliant behaviour or a 'watchful' attitude |
| • Untreated injuries or lingering illness not attended to | • Running away |
| • Admission of punishment which appears excessive | • Significant change in behaviour without explanation |
| • Shrinking from physical contact | • Deterioration of work |
| • Fear of returning home or of parents being contacted | • Unexplained pattern of absence which may service to hide bruises or other physical injuries |
| • Fear of Undressing | |

Possible signs of emotional abuse include:

- Continual self-deprecation
- Fear of new situations
- Inappropriate emotional responses to painful situations
- Self-harm or mutilation
- Compulsive stealing/scrounging
- Drug/solvent abuse
- 'Neurotic' behaviour – obsessive rocking, thumb-sucking, and so on
- Air of detachment – 'don't care' attitude
- Social isolation – does not join in and has few friends
- Desperate attention-seeking behaviour
- Eating problems, including overeating and lack of appetite
- Depression, withdrawal

Possible signs of sexual abuse include:

- Bruises, scratches, burns or bite marks on the body
- Scratches, abrasions or persistent infections in the anal or genital regions
- Sexual awareness inappropriate to the person's age – shown, for example, in drawings, vocabulary, games and so on
- Frequent public masturbation
- Attempts to teach others about sexual activity
- Refusing to stay with certain people or to go to certain places
- Aggressiveness, anger, anxiety, tearfulness
- Withdrawal from friends
- Promiscuity, prostitution, provocative sexual behaviour
- Self-injury, self-destructive behaviour, suicide attempts
- Pregnancy – particularly in the case of young adolescents who are evasive concerning the identity of the father
- Recoiling from physical contact
- Eating disorders
- Tiredness, lethargy, listlessness
- Over-compliant behaviour
- Genital discharge/irritation
- Sleep disturbance
- Unexplained gifts of money
- Depression
- Changes in behaviour

Possible signs of neglect include:

- Constant hunger
- Poor personal hygiene
- Inappropriate clothing
- Frequent lateness or non-attendance at College
- Untreated medical problems
- Low self-esteem
- Poor social relationships
- Compulsive stealing or scrounging
- Constant tiredness

Possible signs of financial abuse include:

- Loss of jewellery and personal property
- A bill not being paid when money is entrusted to a third party
- Unexplained withdrawal of cash
- Lack of money to purchase basic items
- Misuse of benefits
- Inadequate clothing
- Theft of property
- Over protection of money or property
- Loss of money from a wallet or purse

Possible signs of radicalisation include:

- The individual's views become increasingly extreme regarding another section of society or government policy
- The individual becomes increasingly intolerant of more moderate views
- The individual expresses a desire/intent to take part in or support extremist activity
- They are observed downloading, viewing or sharing extremist propaganda from the web
- They become withdrawn and focused on one ideology
- The individual may change their appearance, their health may suffer (including mental health) and they may become isolated from family, friends, peers or social groups.

Possible signs of involvement in County Lines include:

- Persistently going missing from college/home and/or being found out-of-area
- Unexplained acquisition of money, clothes, or mobile phones
- Excessive receipt of texts/phone calls and/or having multiple handsets
- Self-harm or mutilation
- Compulsive stealing/scrounging
- Increasing drug use or possession of large amounts of drugs
- Relationships with controlling/older individuals or groups
- Leaving home/care without an explanation
- Suspicion of physical or sexual assault/unexplained injuries
- Increasingly disruptive behaviour
- Possession of hotel cards/keys that they can't account for

2.2 If a student discloses to you that they (or indeed another child/young person or vulnerable adult) have been, or are being abused/radicalised

DO

- **Do** listen very carefully to what they tell you.
- **Do** take what is said seriously and accept what you are told.
- **Do** stay calm and reassure the student that they have done the right thing in talking to you.
- **Do** write down as soon as you can exactly what you have been told.
- **Do** tell them that you must pass this information on but that only those that need to know will be told. Tell them to whom you will report the matter.

DO NOT

- **Do not** panic.
- **Do not** promise to keep things secret. You have a duty to refer a child/young person or vulnerable adult who is at risk.
- **Do not** say that everything will be fine now that they have told someone.
- **Do not** criticise the abuser, especially if it is a parent/carer
- **Do not** ask lots of detailed or leading questions such as: 'What did he do next?' Instead, ask open questions such as: 'Anything else to tell me?', 'Yes', or 'And...?'. Do not press for answers the student is unwilling to give.

It is important that the person to whom disclosure is made **does not investigate** or question the person concerned except to clarify what they have heard. This is particularly important in cases of sexual abuse.

2.3 It is very important to record, as accurately as possible, what was said to you when you received the disclosure of abuse. Clearly all written records should be handled confidentially. These records should be passed to a member of the safeguarding team.

2.4 ***If a child/young person or vulnerable adult discloses to you that they or another child have been abused/radicalised, or if you suspect from what you observe that they are being abused, you MUST REPORT THIS.***

2.5 Because the College is so large and spread over so many sites, there is a Designated Team of staff whose role it is to deal with cases of suspected abuse. **You must inform any one of these staff immediately if you have concerns that a child/young person or vulnerable adult has been, or is, being abused.** They should be informed in person, or by telephone or (in extreme circumstances) by email.

2.6 There are three routes to refer concern about abuse:

.1 Contact the College's Designated Child/Vulnerable Adult Protection Team directly. Two members of this team are always on duty between the hours of 9.00-5.00, Mon-Fri during term time. These members of staff can be contacted by telephoning either of these numbers:

07825 175729
07917 370304

Outside of these hours, please contact the Duty Principal who has the contact number of a member of the safeguarding team.

The Designated Team consists of:

- David Jackson, Director of Student Services & Marketing
- Gretta Tharratt, Head of Learner Engagement and Equalities
- Sharon Drury, Team Leader for Learning Mentors and LAC Designate
- Kieran McKee, Head of Learner Support
- Debbie Preston, College Counsellor
- Jo Thomas, College Counsellor,
- Gayle Anderson, College Counsellor
- Stella Williamson, Programme Area Manager for Supported Learning
- Jo Keogh, Additional Support Co-ordinator

.2 If the disclosure/concern involves a member of College staff, contact the Principal or the deputy Principal (Finance and

Corporate Services), in which case the procedures detailed in appendix 2 will be followed.

- .3 If, for any reason, you are unable to contact a member of the designated team or the Duty Principal and the matter is urgent, then contact the Local Authority or the police directly and report the matter to the Director of Student Services at next available opportunity.
 - The Leicester City Duty Desk telephone number is 0116 4541004
Leicestershire & Rutland is 0116 3050005
 - The police is 0116 222 2222 or 999.

In all cases, if you are concerned, the rule is to pass this on quickly and to seek help and further support, rather than to worry alone or to do nothing.

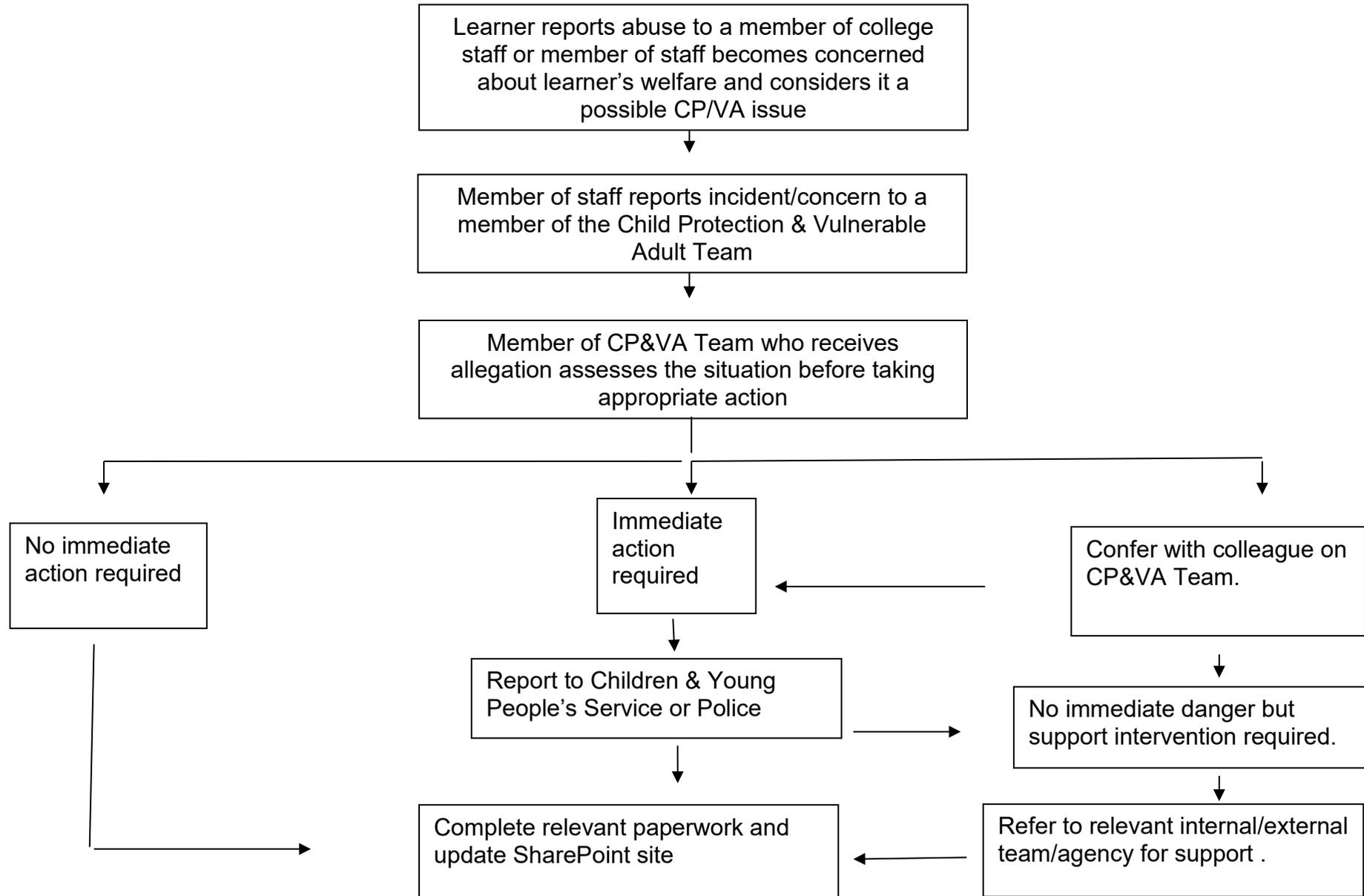
3. THE OPERATION OF THE DESIGNATED TEAM

- 3.1 When a member of staff refers a case of suspected abuse to a member of the Designated Team, he/she decides whether or not the situation should be referred to the Local Authority or the police, or whether some other course of action is more appropriate (see flow chart). In coming to a decision about what action to take the member of the Designated Team may confer with other members of the team. He/she may also take advice from the college's contacts in the Local Authority. If they consider that abuse may have taken place, or that a child/young person or vulnerable adult is at risk of abuse, they will formally notify the Local Authority or police about this.
- 3.2 At this point the Local Authority take over responsibility for the issue. If they decide that there are serious concerns, they will initiate a formal assessment and, where circumstances warrant it, involve the police.
- 3.3 Involvement in cases of suspected abuse can be personally disturbing and distressing. Although the individuals involved in taking the disclosure may feel a need to talk about it with someone – a colleague, a friend, a partner – they should avoid this in order to respect the confidentiality of the student concerned. The college counsellors can offer you guidance and time to talk over what has happened in a confidential setting. The college's staff assistance programme can also offer support and advice.
- 3.4 Disclosure of, or being the subject of abuse is obviously a very difficult and distressing time for the student, who needs to be offered continuing support in the College. They should be made aware of the support available to them (the college counselling service for example) and helped to initiate contact with this support if so desired.
- 3.5 A confidential record will be kept of all cases referred to the Designated Team, including details of cases referred to the Local Authority or the police. These written records will be kept securely via a restricted site

on the College's SharePoint file sharing system, with any paper information held securely by the Director of Student Services and Marketing.

- 3.6 The Director of Student Services and Marketing and the Deputy Principal will be informed where a case has arisen which has been referred to the Local Authority or the police.

Child Protection/Vulnerable Adult Reporting Procedure



1. REPORTING AND DEALING WITH ALLEGATIONS OF ABUSE AGAINST MEMBERS OF STAFF

- 1.1 In rare instances, staff of education institutions have been found responsible for child/vulnerable adult abuse. Because of their frequent contact with children, young people and vulnerable adults, staff may have allegations of abuse made against them. The College recognises that an allegation of abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and that investigations are thorough and not subject to delay.
- 1.2 The College recognises that the welfare of the child is the paramount concern. It is also recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence and career. Therefore, those dealing with such allegations within the College will do so with sensitivity and will act in a careful, measured way.

Receiving an Allegation

- 1.3 A member of staff who receives an allegation about another member of staff should follow the college's published procedure for dealing with a disclosure against a member of staff. These are reproduced in Appendix One.
- 1.4 The allegation should be reported immediately to the Principal, unless the Principal is the person against whom the allegation is made, in which case the report should be made to the Chair of the Governing Body, or in his/her absence the Deputy Principal. The Principal or the Chair of the Governing Body/Deputy Principal if the allegation is against the Principal, should:
- .1 obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the Chair/Principal or Deputy Principal.
 - .2 record information about times, dates, locations and names of potential witnesses.

Initial Assessment by the Principal (or Chair/Deputy Principal (Finance and Corporate Services))

- 1.5 The Principal or Chair/Deputy Principal, assisted by the Director of Human Resources, should make an initial assessment of the allegation. Where the allegation is considered to be either a potential criminal act or indicates that the child/vulnerable adult has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the Local Authority Designated Officer.

In the case of a vulnerable adult, the matter should also be reported immediately to the City/County Council's Adult Social Care Services (formerly Social Care and Health).

- 1.6 It is important that the Principal or Chair/Deputy Principal (Finance and Corporate Services) does not investigate the allegation. The initial assessment should be on the basis of the information received and is a decision whether or not the allegation warrants further investigation.
- 1.7 Other potential outcomes are as follows:
 - .1 The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the child/vulnerable adult. The matter should be addressed in accordance with the College disciplinary procedures.
 - .2 The allegation can be shown to be false because the facts alleged could not possibly be true.

Enquiries and Investigations

- 1.8 Child/vulnerable adult protection enquiries by the Local Authority or the police are not to be confused with internal, disciplinary enquiries by the College. The College may be able to use the outcome of external agency enquiries as part of its own procedures. The child protection/vulnerable adult agencies, including the police, have no power to direct the College to act in a particular way. However, the College should assist the agencies with their enquiries.
- 1.9 If a formal police or Local Authority investigation is required, a joint evaluation will take place to consider whether there are disciplinary matters which can be taken forward in parallel with police/Local Authority proceedings or whether such action will need to await completion of these processes. Any internal enquiries shall conform with the existing staff disciplinary procedures.
- 1.10 If there is an investigation by an external agency, for example the police, the Principal or Chair/Deputy Principal should normally be involved in, and contribute to, the inter-agency strategy discussions. The Principal or Chair/Deputy Principal are responsible for ensuring that the College gives every assistance with the agency's enquiries. He/she will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The Principal or Chair/Deputy Principal shall advise the member of staff that he/she should consult with a representative, for example, a trade union.
- 1.11 The Principal or Chair/Deputy Principal will consult with the police or other investigating agency (eg Social Care and Health), particularly in relation to timing and content of the information to be provided, and shall:
 - .1 inform the child/young person/vulnerable adult or parent/carer making the allegation that the investigation is taking place and

what the likely process will involve. They should also be kept advised of the progress of the case.

- .2 ensure that the parents/carers of the child/vulnerable adult making the allegation have been informed that the allegation has been made and what the likely process will involve. They should be kept advised of progress.
- .3 inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve. However where a strategy discussion is needed or police or the Local Authority may need to be involved this should not be done until those agencies have been consulted and have agreed what information can be disclosed. The member of staff should be advised to contact his trade union or professional association at the outset. Consideration should also be given to what other support is appropriate for the individual.
- .4 inform the Chair of Governors of the allegation and the investigation.
- .5 consider who should undertake the investigation in consultation with the Local Authority designated officer. In some circumstances the nature and complexity of the investigation may require an external independent investigator

1.12 The Principal or Chair/Deputy Principal shall keep a written record of the action taken in connection with the allegation.

Suspension of Staff

1.13 The College has procedures for the suspension of staff, which are included as Appendix Three. In addition, the College's agreed disciplinary procedures refer to suspension. These procedures set out in what circumstances suspension may be considered and how a decision to suspend should be taken and put into effect. They are intended to apply to **all** appropriate situations, i.e. those that may involve child/vulnerable adult abuse and others that do not. In the case of allegations of child/vulnerable adult abuse the additional steps set out below should be taken.

1.14 The Principal or Chair/Deputy Principal should seek the approval of the Local Authority Designated Officer before interviewing the member of staff. In particular, if the police are engaged in an investigation, the officer in charge of the case should be consulted.

1.15 Where a member of staff is suspended:

- .1 the Chair of Governors should be informed of the suspension in writing

- .2 the Governing Body should receive a report that a member of staff has been suspended pending investigation: the detail given to the governing body should be minimal
- .3 where the Principal has been suspended, the Chair or Vice Chair of Governors will need to take action to address the management of the College
- .4 the parents/carers of the child/young person/vulnerable adult making the allegation should be informed of the suspension (in the case of a vulnerable adult it may only be the individual themselves who is informed). They should be asked to treat the information as confidential. Consideration should be given to informing the child/vulnerable adult making the allegation of the suspension
- .5 Senior staff who need to know of the reason for the suspension should be informed
- .6 depending on the nature of the allegation, the Principal should consider with the Chair of Governors whether a statement to the students of the College and/or parents/carers should be made, taking due regard of the need to avoid unwelcome publicity
- .7 the Principal shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The LSCB and external investigating authorities should be consulted.

The Disciplinary Investigation

- 1.16 The disciplinary investigation should be conducted in accordance with the Leicester College Staff Disciplinary Procedures. In addition the steps set out below should be taken.
- 1.17 The child/vulnerable adult making the allegation and/or their parents/carers should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to the College of the member of staff (if suspended).
- 1.18 The Principal or Chair/Deputy Principal should give consideration to what information should be made available to the general population of the College.
- 1.19 The fact that a person tenders their resignation or ceases to provide their services must not prevent an allegation being investigated and every effort must be made to reach a conclusion.

Allegations without foundation

- 1.20 Obviously false allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to a referral to the Local Authority Designated Officer or the Department of Social Care and Health in order that other agencies may act upon the information.

- 1.21 In consultation with the Chair/Deputy Principal and the Director of Human Resources the Principal shall:
- inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or child/vulnerable adult protection action will be taken. Consideration should be given to offering counselling/support
 - inform the parents/carers of the alleged victim that the allegation has been made and of the outcome
 - where the allegation was made by a person other than the alleged victim, consideration to be given to informing the parents/carers of that person
 - prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken

Taking action

- 1.22 Where the nature of the allegation does not require formal disciplinary action the Principal/Chair/Deputy Principal should ensure action is taken within 3 working days.
- 1.23 On receipt of information from the Local Authority Designated Officer, the Principal/Chair/Deputy Principal should decide whether a disciplinary hearing is needed within two working days. The hearing should be held within 15 working days.
- 1.24 If a disciplinary hearing can be held without further investigation the hearing should be held within 15 working days.
- 1.25 Where investigation is required the investigating officer should aim to provide a report within 10 days. A decision will then be made on whether a hearing should be held. If a hearing is required then this should be held within 15 working days.
- 1.26 Compromise agreements and agreed forms of words in respect of any future reference must not be used.

Records

- 1.27 It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the member of staff's personal and confidential file. Where the allegation is found to be without foundation, a record of the allegation, investigation and outcome should be retained until the person retires or for 10 years from the date of the allegation if that is longer.

Referral to Department for Education and/or the Disclosure and Barring Service

- 1.28 If on conclusion of the case the College ceases to use the services of the employee or the person ceases to provide their services the College will consult the Local Authority Designated Officer about whether a referral to the DfE is required. Any report should be made within one month.
- 1.29 If a member of staff is dismissed or resigns before the disciplinary process is completed, he/she should be informed about the College's statutory duty to inform the Disclosure and Barring Service under disclosure and barring procedures.

Monitoring Effectiveness

- 1.30 Where an allegation has been made against a member of staff, the Principal/Chair/Deputy Principal should, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of the College's procedures and/or policies and/or which should be drawn to the attention of the LSCB. Consideration should also be given to the training needs of staff.

PROCEDURE TO BE FOLLOWED WHEN A SERIOUS ALLEGATION IS MADE WHICH MAY LEAD TO THE SUSPENSION OF AN EMPLOYEE

1. INTRODUCTION

- 1.1 When a serious allegation is made against an employee it is usually necessary for the College to consider whether the employee should remain at work or be suspended from work while the allegation is investigated.
- 1.2 During a period of suspension an employee receives full pay but is instructed not to attend work. Suspension is a neutral act and is not a disciplinary sanction. Paid leave of absence, alternative duties/ location or removal from contact with students may also be considered as an alternative to suspension.

2. PRINCIPLES

- 2.1 When considering the suspension of an employee the following factors are taken into consideration:
 - the nature of the allegation
 - assessment of the risk
 - the context in which the allegation occurred
 - whether the allegation involves children or other vulnerable students
 - any other relevant information
 - alternatives to suspension
- 2.2 Suspension of an employee would not take place without good reason and generally only considered if one or more of the following grounds apply:
 - a child or other vulnerable students are at risk
 - the allegation is so serious that summary dismissal for gross misconduct is possible
 - it is necessary to allow any investigation to continue unimpeded.
 - where employees need protection
 - where the College's reputation may suffer unduly

3. PROCEDURE

- 3.1 When an allegation is received that appears to be serious and potentially meets one of the grounds for suspension of an employee the following steps should be taken:
 - .1 The Duty Principal will be informed and asked to undertake a risk assessment of the situation to determine whether suspension of the employee should take place or if other alternative arrangements may be more appropriate.

- .2 The Duty Principal will normally undertake the risk assessment in conjunction with a representative of the HR Department and the management representative who has received the complaint and spoken to the complainant. If child/adult protection issues exist, the initial assessment should be made in conjunction with the Principal/Chair/Deputy Principal (Finance and Corporate Services). In this event there will be additional considerations and further procedures to follow.
- .3 A meeting will be held with the employee to inform them that a serious allegation has been made against them and that they may be suspended from work while the matter is investigated. Where possible the meeting will be scheduled to take place when the employee's union representative or work colleague is available to accompany them. The employee's Trade Union representative will be consulted upon the matter prior to the meeting taking place with the consent of the employee concerned.
- .4 It should be made clear to the employee that the meeting is not a disciplinary hearing. The employee will be given as much information as possible in the circumstances, particularly reasons for any proposed suspension, provided that doing so would not interfere with an investigation into the allegation. The meeting is not intended to establish the employee's innocence or guilt or to undertake an examination of the evidence. The purpose of the meeting is to raise a serious allegation which may lead to suspension and give the opportunity to the employee to make representations in this respect. The employee may ask for a short adjournment during the meeting to consider the information provided and their response.
- .5 Following the meeting the appropriate course of action will be decided upon. The employee and their representative will be informed immediately of the decision and the necessary steps taken.
- .6 The Duty Principal will complete a record of action to be taken to include the following:

Assessment of risk	The risks should be recorded, outlining details of the allegation, the risk factors identified and the rationale for any decision made in view of those risks.
Action to be taken	Include who will do what, by when, and reasons for the action agreed. Outcomes may include: suspension, an alternative to suspension e.g. temporary redeployment/alternative duties, investigation without the need for suspension, no further action
Welfare support	Named HR and management representative, Counselling.