

## NEW CITY COLLEGE

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## 1. Overview

New City College recognises that it has a moral and statutory duty to safeguard and promote the welfare of those receiving education and training through the College.

Throughout these policy and procedures, reference is made to 'children and young people' or "child protection". These terms are used to mean those under the age of 18. The College recognises that some adults are also vulnerable to abuse and so the policy and procedures should be applied (with appropriate adaptations) to allegations of abuse and the protection of adults at risk. The Lord Chancellor's Department defined a vulnerable adult or an adult at risk as a person "who is or may be in need of community care services by reason of disability, age or illness; and is or may be unable to take care of, or unable to protect themselves, against significant harm or exploitation".

Safeguarding and promoting the welfare of children is defined in Keeping Children Safe in Education 2020 as:

- protecting children from maltreatment;
- preventing impairment of children's mental and physical health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
- taking action to enable all children have the best outcomes.

The College is committed to safeguarding and expects everyone who works in the College to share this commitment and create a culture of vigilance, ensuring that it:

- ✓ Provides a safe and secure environment in which its students can learn and its staff can work.
- ✓ Promotes the welfare of students
- ✓ Identifies students who are suffering, or who are likely to suffer, significant harm.
- ✓ Takes prompt and appropriate action to protect its students
- ✓ Provides appropriate training for all staff and education for students so that they are taught when to recognise when they are at risk and how to get help when they need it

The College recognises the importance of considering wider environmental factors which may be a threat to a student's safety and welfare. The College assesses the risks, issues and themes in local communities when considering the wellbeing and safety of its students.

The College recognises that when a student has a social worker, it is an indicator that the child is more at risk than other students. This may mean they are more vulnerable to further harm, as well as facing educational barriers to attendance, learning, behaviour and poor mental health. Staff are aware of the vulnerabilities of Looked After Children and Care Leavers.

Staff at New City College are aware that mental health problems are aware that mental health problems can in some cases be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem; however, staff may notice behaviours that may be of concern. Staff are aware of how adverse childhood experiences can impact on mental health, behaviour and education. Where staff have a mental health concern that may also a safeguarding concern they should follow the procedures outlined in this policy.

The college works closely with its partner agencies across East London boroughs, Essex and beyond, reflecting the College's catchment area. These include the local authorities, police, Local Safeguarding Children Partnerships, Channel and local Prevent Co-ordinators to ensure information is shared and referrals are made as appropriate.

Under the Counter-Terrorism and Security Act 2015 the College is required to "have due regard to the need to prevent people from being drawn into terrorism, violent extremism and non-violent

extremism, particularly that which can create an atmosphere conducive to terrorism and can popularize views which terrorists exploit". The College recognises its responsibilities under the Prevent duty, facilitates Prevent training, has a Prevent Risk Assessment and Action Plan.

The College shall operate in all safeguarding matters with reference and regard to the following:

- ✓ Children's Act 1989 and 2004
- ✓ Data Protection Act 1998 and General Data Protection Regulation 2018
- ✓ Education Act 2002
- ✓ Safeguarding Vulnerable Groups Act 2006
- ✓ Equality Act 2010
- ✓ Safeguarding Children & Safer Recruitment in Education DCSF 2010
- ✓ The Education (School Teachers' Appraisal) (England) Regulations 2012
- ✓ The Children and Families Act 2014
- ✓ Prevent Duty Guidance for Further Education Institutions in England and Wales 2016
- ✓ Vetting and Barring Guidance (ISA) – July 2016
- ✓ Children Missing Education September 2016
- ✓ Working Together to Safeguard Children February 2018
- ✓ Sexual violence and sexual harassment between children in school and colleges 2018
- ✓ Keeping Children Safe in Education September 2020
- ✓ Early Years Foundation Stage (EYFS) Framework 2021

**This policy and procedures should therefore be read in conjunction with:**

- ✓ London Safeguarding Children Procedures
- ✓ College IT Policy
- ✓ Student and Staff Code of Conduct
- ✓ Student and Staff Disciplinary Policies

## 2. Safer Recruitment and Selection

The College pays full regard to DfE guidance on Safer Recruitment in Education. It ensures that all appropriate measures are applied in relation to everyone who works in the college e.g. support staff, volunteers and staff employed by contractors. Safer recruitment practice follows government guidelines and includes scrutinising applicants, verifying identity and academic or vocational qualifications, obtaining professional and character references, checking previous employment history and ensuring that a candidate has the health and physical capacity for the job. Further:

- ✓ An Enhanced DBS Certificate (with barred list check) is obtained for **all** new appointments to the college.
- ✓ Prohibition checks are carried out for all those involved in teaching work.
- ✓ The college maintains a single central record detailing a range of checks carried out on their staff.
- ✓ All new appointments to the college who have lived outside the UK are subject to additional checks as appropriate.
- ✓ The college ensures supply staff undergo the necessary checks, depending on the agency checks conducted and the activities to be undertaken.
- ✓ Identity checks are carried out on all appointments to the college before the appointment is made.
- ✓ The selection panel will always include a member of staff who has undertaken safer recruitment training. Where there is not a panel, the person interviewing will have completed the training.

### 3. Existing Staff

If there are concerns about an existing staff member's suitability to work with children, the College will carry out all relevant checks as if the person were a new member of staff. Similarly, if a person working at the College moves from a post that was not regulated activity into work which is considered to be regulated activity, the relevant checks for that regulated activity will be carried out.

### 4. Learning about Safeguarding

The College takes all welfare concerns very seriously and encourages its students to talk to us about anything that worries them. The College will always act in the best interest of the child or vulnerable adult.

All students receive information on policies, procedures and the College's safeguarding arrangements during their induction. Students are to be informed that there is a senior member of staff with responsibility for safeguarding, and other members of staff with safeguarding responsibility on each campus, and know who they are. Students are informed of whom they might talk to, both in and out of College, their right to be listened to and heard and what steps can be taken to protect them from harm. Students are responsible for complying with all College policies and procedures that are designed to keep the College a safe and secure place in which to learn.

Through age-appropriate tutorials, teaching and learning opportunities, enrichment activities and provision of information on the student VLE, students are taught to recognise when they are at risk and how to get help when they need it, including keeping safe online.

### 5. Partnership with Parents and Carers

The College recognises the contribution that parents and carers can make in keeping children safe. The College values the effective communication of its safeguarding stance to parents and carers. The full policy is placed on the college website and relevant information is passed on in communications with parents during the year.

### 6. SEND

Research shows that students with additional and special educational needs are more vulnerable to abuse, exploitation and other safeguarding concerns. This is because of the way that SEN affects processing, cognition and communication. Students with SEN may have greater need in the areas of comprehension, communication, weighing up information and making judgements which can leave them open to being taken advantage of.

At New City College we take the safety of our SEN students very seriously. We actively work with them, their families and caregivers to ensure that their comprehension and communication needs are met and students feel safe. Staff use appropriate communication methods and visual resources to remove barriers to disclosure and ensure that students are able to communicate their experiences or concerns. Their main programmes are planned holistically so that alongside their academic and skills development, students also progress in their ability to advocate for themselves and communicate clearly with those around them.

## 7. Children Missing in Education

A child missing from education is a potential indicator of abuse or neglect and such children are at risk of being victims of harm, exploitation or radicalisation. The College monitors attendance carefully and addresses poor or irregular attendance without delay.

A young person (14-16) joining the College must be placed on the admission register at the beginning of the first day of attendance. The register for any young person (14-16) on joining the College must be updated at the beginning of the first day of attendance. Should the young person not arrive at College a plan needs to be put into place and if necessary the local authority should be informed. When a 14-16-year-old young person leaves the College before the completion of the programme of study the Local Authority must be informed immediately. In addition, it may be appropriate to highlight any contextual information concerning a vulnerable young person who is missing education, especially in the case of safeguarding concerns which must be reported.

The College liaises with social workers and local authorities to monitor the progress of Looked After Children and where there are concerns about their attendance.

## 8. Nurseries

All college nurseries have their own separate safeguarding policies, however all safeguarding incidents are reported to the College DSL and recorded onto the central college safeguarding log. Concerns are likewise addressed in the broader safeguarding meetings as well as the nurseries own safeguarding meetings. In addition to complying to the Early Years Foundation Stage (EYFS) Framework 2021 safeguarding and welfare legislation the nurseries adhere to the requirements under the EYFS to “promote the good health of children”, including oral health.

## 9. Criminal Convictions

All enrolling students will be asked whether they have any criminal convictions, cautions, reprimands, final warnings or prosecutions pending, or whether they have been released by the police subject to investigation or are under youth triage or on police/court bail. How we ask this question will be reviewed to ensure that it does not deter students from disclosing.

An individual risk assessment will be done by the campus safeguarding lead, before a student who declares is enrolled. The main purpose of this risk assessment is to ensure that we can put support in place to support the student at college. However, we will also ensure that we are assessing any risks to the college community and we do reserve the right to refuse to enrol a student.

Where data sharing agreements exist with local police we will check the conviction with our police in order that we are fully informed regarding the case.

## 10. Staff Responsibilities

- ✓ All members of staff must develop their understanding of the signs and indicators of abuse and their responsibility for referring any concerns.

- ✓ All new members of staff must receive a copy of the college safeguarding and child protection procedures as part of their college induction.
- ✓ All members of staff must read Keeping Children Safe in Education, the Safeguarding Policy and Annex. The safeguarding team will support staff in understanding these key documents and implementing it in their practice.
- ✓ All members of staff will be expected to know how to access the London Child Protection Procedures at <http://www.londoncp.co.uk/>.
- ✓ All members of staff must know how to respond to a student who discloses abuse.

All members of staff should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life. All staff must know how to respond to a student who discloses abuse. Any child may benefit from early help but all College staff should be particularly alert to the potential need for early help for a child who have additional vulnerabilities.

## 11. Types, Signs and Symptoms of Abuse & Neglect

See Annex B for guidance on recognising the types, signs and symptoms of abuse and neglect. This information is compulsory for all staff to read and it will also be available on the College's safeguarding site on Campus. Any queries regarding this document should be directed to the safeguarding team.

## 12. Procedures in the Event of a Disclosure or Suspicion of Below Threshold Issues

- ✓ All complaints, allegations or suspicions must be taken seriously when there is a possibility that abuse or considerable harm may be involved.
- ✓ Staff should remain calm and reassuring throughout any discussions with a student who is disclosing abuse or suspected abuse or issues which may be below the threshold of the definition of abuse.
- ✓ Under no circumstances should staff promise complete confidentiality to a student who is declaring abuse or suspected abuse. The staff member should explain that if what the student wishes to say or has said relates to the student's own safety or that of another person, then the staff member will have to inform the college's designated safeguarding officer. (See Annex C – 'Safeguarding and Child Protection Procedures').

When dealing with a disclosure, the following communication and recording method should be followed:

### Receive

- ✓ What is said
- ✓ Accept what is said
- ✓ Listen without displaying shock or disbelief

### Reassure

- ✓ The student
- ✓ Acknowledge their courage in telling
- ✓ Do not promise confidentiality
- ✓ Remind them that they are not to blame – avoid criticism of the alleged perpetrator
- ✓ Do not promise that "Everything will be alright now" (it may not be)

## **React**

- ✓ Respond to the student but do not interrogate
- ✓ Avoid leading questions but ask open ended ones
- ✓ Seek clarification from the student
- ✓ Explain the next steps.

## **Record**

- ✓ Make notes as soon as possible – during the interview if possible
- ✓ Use the student's own words – do not assume – ask, e.g. "Please tell me what xxxx means?"
- ✓ Describe observable behaviour and appearance
- ✓ Do not destroy any original notes – these should be given to the senior manager dealing with the case

## **Support**

- ✓ Consider what support needs the student has and make contact with the relevant staff
- ✓ Such incidents can be stressful and time-consuming. If dealing with such a situation the member of staff should feel free to speak to a manager, a member of the Senior Management Team (SMT) or someone from HR or indeed any colleague with whom you feel comfortable discussing the matter
- ✓ If necessary, the designated safeguarding officer will take responsibility for the matter and will take all necessary actions.

\*\* It is strongly recommended that during any disclosure interview you stick to the following line of questioning:

- ✓ Name and date of birth of student
- ✓ Date, time and location of incident
- ✓ Names of people present and relationship (if any) to student
- ✓ A description of the incident / events
- ✓ Finish by asking the student: is there anything else you wish to tell me?

## **Dealing with Confidentiality**

Information sharing is vital in identifying and tackling all forms of abuse and neglect. The Data Protection Act 2018 and GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of students.

However, information about safeguarding should only be shared on a need-to-know basis, as advised by the safeguarding team and/or external agencies. Any personal and sensitive data should be processed in accordance of the terms of Data Protection legislation as amended by GDPR and as interpreted in the College's data management, storage, retention and related statements.

## **13. Procedures in the Event Of A Disclosure**

Annex C – is the procedure to follow when a disclosure is made. Annex C includes guidance on whether the threshold for referral has been reached.

## 14. Role of the Designated Safeguarding Lead (DSL) and Campus Safeguarding Lead

The Designated Safeguarding Lead is a member of the College SMT and is the senior member of staff with overall responsibility for safeguarding in the college. There are also other members of staff dealing with safeguarding at each campus – Campus Safeguarding Leads and Safeguarding Officers. Referrals to outside agencies should be made by the Campus Safeguarding Leads (see Annex C for Safeguarding and Child Protection Procedure). However, in the event that the Campus Safeguarding Lead is not present, another Safeguarding officer or appropriate manager may make a referral. In very exceptional circumstances, a teaching staff member may make a referral to a relevant agency (e.g. Havering Multi Agency Safeguarding Hub (MASH)). However, this action would only be undertaken in very exceptional circumstances (see Annex C).

The Campus Safeguarding Leads (or relevant person) is responsible for:

- ✓ maintaining links with local multi-agency safeguarding agencies
- ✓ providing advice, guidance and training for staff on safeguarding issues
- ✓ managing agency referrals, such as those made to Social Services and Channel
- ✓ maintaining robust records of safeguarding incidents including the actions taken and when the case has been signed off as completed
- ✓ ensuring a robust system for monitoring vulnerable students
- ✓ being the 'designated teacher' for 'looked after' and 'previously looked after' children (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order)
- ✓ holding the contact details of "looked after" students, social workers and the name of the Virtual School Head in the authority who has responsibility for each 'looked after' student.
- ✓ holding details of the local authority Personal Advisor that has been appointed to guide and support students who are care leavers and liaising with them as necessary regarding any issues of concern affecting the care leaver.
- ✓ providing an annual report to the Corporation on safeguarding issues
- ✓ ensuring the college safeguarding policy is known, understood and used appropriately
- ✓ reviewing the safeguarding policy at least annually.
- ✓ liaising with the nominated safeguarding governor

External organisations who provide services or activities on the college premises are expected to submit details of their safeguarding procedures whilst on site, to the DSL or Campus Safeguarding Leads, including a policy and records of DBS checks.

## 15. Training

The Campus Safeguarding Leads and Safeguarding Officers are trained to Level 3 standard, as are middle managers. All staff will have annual reminders of key safeguarding issues delivered in teams, at staff conferences or online. It is the responsibility of the Campus Safeguarding Leads to ensure training is delivered.

The Campus Safeguarding Leads, with the wider safeguarding team, will also be responsible for ensuring there are materials aimed at raising student awareness.

## 16. Role of the College Governing Body

The governing body should ensure that:

- ✓ The College has a safeguarding policy and procedures in place that are in accordance with local authority guidance and locally agreed inter-agency procedures, and the policy is made available to student and parents on request.

- ✓ The College operates safe recruitment procedures and makes sure that all appropriate checks are carried out on staff and volunteers who work with children.
- ✓ The College has procedures for dealing with allegations of abuse against staff and volunteers that comply with guidance from the local authority and locally agreed inter-agency procedures.
- ✓ A member of the College's Executive is designated to take lead responsibility for safeguarding issues for each of the sites.
- ✓ Staff undertake appropriate safeguarding training.
- ✓ They remedy, without delay, any deficiencies or weaknesses regarding safeguarding arrangements.
- ✓ A governor is nominated to be responsible for liaising with the Local Authority and / or partner agencies in the event of allegations of abuse being made against the Principal.
- ✓ They review the safeguarding policy annually.

Governors are subject to DBS checks on appointment and subsequently. Governors are required to undertake safeguarding training. Governors who come into contact with students, for example when visiting curriculum areas, may receive disclosures of abuse or suspected abuse from students. In these circumstances they should follow the safeguarding principles given above for staff, and inform a member of senior management, the DSL or Campus Safeguarding Lead as soon as possible.

## 17. Dealing with Allegations of Abuse: Peer-on-Peer Abuse

The College recognises that students are vulnerable to abuse by their peers. There are many forms of peer on peer abuse. It can be physical, emotional, sexual and/or financial and can impact any young person, although the characteristics/experiences of some can be exploited by their peers, making them more vulnerable to abuse than others.

Clearly, peer on peer abuse should never be tolerated or passed off as "banter" or "part of growing up" and such abuse is subject to the same child protection procedures as abuse by adults. While bullying, fighting and harassment between young people are not generally seen as child protection issues, a student's behaviour may be regarded as abusive if:

- ✓ There is a large difference in power (for example age, size, ability, development) between the young people concerned; or
- ✓ The perpetrator has repeatedly tried to harm one or more other children; or
- ✓ There are concerns about the intention of the alleged perpetrator.

Examples of peer on peer abuse that may be regarded as safeguarding concerns include, but are not limited to, [cyber] bullying, gender based violence, sexual assaults and 'sexting' (for further information, see Annex B).

In any form of peer on peer abuse, if the evidence suggests that there was an intention to cause severe harm to the victim, this should be regarded as abusive whether or not severe harm was actually caused.

The College procedures to minimise the risk of peer on peer abuse include:

- ✓ Vigilance – staff and students have a clear method of making referrals
- ✓ Referrals – where concerns about students are raised by staff or other students, these are fully investigated. Where necessary, the College Disciplinary procedure is enacted.

Further details are identified in the Anti-Bullying and Harassment Policy, and Student Disciplinary Procedure.

Staff should not therefore dismiss abusive behaviour as normal between young people and should not develop high thresholds before taking action.

## All staff should

- ✓ Be vigilant to peer on peer abuse and be aware of the potential uses of information technology for bullying and abusive behaviour between young people, including the sharing of nudes and semi-nudes
- ✓ Be aware of the added vulnerability of young people who have been the victims of violent crime (for example mugging), including the risk that they may respond to this by abusing younger or weaker children or young people.
- ✓ Be aware that the alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to others.
- ✓ Be aware of appropriate actions. Where concerns have been raised regarding [on-line] bullying, fighting and harassment, staff should follow the disciplinary procedures identified in the college's Anti Bullying and Harassment Policy. However, where there are concerns raised or disclosures of abuse (such as, but not limited to, gender-based violence, sexual assaults and 'sexting'), staff should follow the Child Protection Procedure (see Annex C).

## 18. Dealing with Allegations of Abuse: Students with SEND

Young people with special educational needs (SEN) and disabilities can face additional safeguarding challenges. These can include:

- ✓ assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the young person's disability without further exploration;
- ✓ being more prone to peer group isolation than other students;
- ✓ the potential for students with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- ✓ communication barriers and difficulties in overcoming these barriers.

In addition to the points raised above, addressing these additional challenges should be undertaken with the support of the SEND staff.

## 19. Dealing with Allegations of Abuse: Against Members of Staff

Should an allegation regarding the points below be made against a member or volunteer who has for example

- ✓ 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 that they are unsuitable to work with children; or
- behaved or may have behaved in a way that indicates that they may not be suitable to work with children

Then the following procedures must be enacted;

- ✓ The member of staff or person receiving the allegation, or having the concern, will immediately inform the appropriate senior leader.

- ✓ The appropriate senior leader on all such occasions will discuss immediately, on the same working day, the content of the allegation with the Local Authority Designated Officer.
- ✓ If the allegation made to a member of staff concerns the senior post holders in the College, the member of staff will immediately inform the Chair of Governors who will consult with the Local Authority Designated Officer (LADO). This must be done on the same working day. If the Chair of Governors is not available, the member of staff must make direct contact with the LADO.
- ✓ The college and the LADO will liaise on the process to manage the allegation. The appropriate senior leader will take the steps necessary to ensure the safety of the child/adult in question and any other person who is considered at risk (in conjunction with the DSL and/or Campus Safeguarding Lead).

## 20. Enquiries & Investigations

Child protection enquiries by the relevant local authority Duty and Referral Team or the Police are not to be confused with internal disciplinary enquiries by the College. In addition, the College may be able to use the outcome of external agency enquiries as part of its own procedures.

The College should seek advice from the relevant external agency as to whether to hold in abeyance its own internal enquiries while any Duty & Referral Team, LADO and/or Police investigation proceeds; to do otherwise may prejudice the investigation. Any subsequent internal enquiries should conform to existing staff disciplinary procedures.

If there is an investigation by the Police, the designated senior leader should normally be involved in, and contribute to, the inter-agency strategy discussions. The designated senior leader, is responsible for ensuring that the College gives every assistance to the agency's enquiries. They 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 designated senior leader shall advise the member of staff that s/he should consult with a representative, for example, a trade union.

N.B: If the allegation is about physical contact, the strategy discussion or initial evaluation with the police should take into account that teachers and College staff are entitled to use 'reasonable force' to control or restrain children in certain circumstances, including dealing with disruptive behaviour.

(see below for further details)

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

In the event of an investigation against a senior post holder, the designated Governor is responsible for ensuring that the college gives every assistance to the agency's enquiries. They will ensure that appropriate confidentiality is maintained in connection with the enquiries in the interests of the senior post holder. The designated Governor shall advise the senior post holder that s/he should consult with a representative, for example, a trade union.

Subject to consultation with the Police and other external agencies, an appropriate member of SMT (or designated Governor) should:

- ✓ Inform the member of staff against whom the allegation has been made of the fact that the investigation is taking place and what the likely process will involve;
- ✓ Inform the student making the allegation that the investigation is taking place and what the likely process will involve;

- ✓ Ensure that the parents/carers of the student making the allegation have been informed that the allegation has been made and what the likely process will involve.
- ✓ Inform the Chair of Corporation (and/or the designated Governor) of the allegation and the investigation.

An appropriate member of the leadership team or senior designated person (or designated Governor) should keep a written record of the action taken in connection with the allegation if found to be true. This record should be retained at least until the person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.

Media attention during an investigation of an allegation can add to the problems for the member of staff and may even hinder an investigation. The college should manage all media relations sensitively and appropriately. Any briefings to staff and governors should emphasise the need to avoid media coverage. Staff have some protection under the Human Rights Act 2000 with its commitment to protect “privacy”. Advising the member of staff of any early indications of media interest and or coverage is essential.

## 21. Suspension of Staff

The LADO should be consulted regarding any suspension.

Suspension should not be automatic. In respect of staff other than senior post holders, suspension should be carried out with agreement of the CEO/Group Principal and Group HR Director. In respect of the CEO/Group Principal, suspension can only be carried out by the Chair of Corporation (or in his absence the Deputy Chair).

The member of staff should be advised to seek the advice and/or assistance of his/her trade union and should be informed that they have the right to be accompanied by a friend. The member of staff should be informed that an allegation has been made and that consideration is being given to suspension. It should be made clear that the interview is not a formal disciplinary hearing, but solely for the purpose of raising a serious matter which may lead to suspension and further investigation. The outcome of any investigation will be recorded on the relevant individual staff file, as well as any action taken.

During the interview the member of staff should be given as much information as possible and in particular, the reasons for any proposed suspension, provided that doing so would not interfere with the investigation into the allegation. The interview is not intended to establish the member of staff's innocence or guilt, but to provide the opportunity for the member of staff to make representations about possible suspension. The member of staff should be given the opportunity to consider any information given to him/her at the meeting and prepare a response although that adjournment may be brief.

If suspension is considered necessary, the senior leader should inform the member of staff that he/she is suspended from duty. Written confirmation of the suspension, with reasons, should be dispatched as soon as possible and ideally within one working day.

If the Chair or Deputy Chair of Corporation considers that suspension of the CEO and Group Principal is necessary, s/he should be informed that they are suspended from duty. Written confirmation of the suspension, with reasons, should be dispatched as soon as possible and ideally within one working day.

Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary act and shall be on full pay. Consideration should be given to alternatives, for example, paid leave of absence, agreement to refrain from attending work, change of, or withdrawal from, specified duties.

Suspension should only occur for a good reason (such as those 'allegations' identified in point 13 above). Suspension may also occur where the member of staff is at risk. For example, if s/he is at risk of further allegations.

Where a member of staff is suspended under safeguarding, the CEO/Group Principal and Group HR Director, or an appropriate member of the SMT should ensure that:

- ✓ The Chair of Corporation is informed of the suspension in writing.
- ✓ Senior Staff who need to know the reason for the suspension are informed.
- ✓ The Corporation receives a report that a member of staff has been suspended pending investigation.
- ✓ A senior member of staff is a named representative to keep the member of staff who is the subject of the allegation informed of the progress of the case (ensuring any legal proceedings are not compromised). The representative should also consider what other support is appropriate for the individual. This may include support via occupational health for example.
- ✓ The parents/carers of the student making the allegation have been informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the student making the allegations of the suspension.

Where the senior post holder has been suspended, the Chair or Deputy Chair of Corporation will need to take action to address the management of the College.

The suspension should remain under review in accordance with the college's Disciplinary Procedure for Staff.

Depending upon the nature of the allegation, the CEO and Group Principal, Local Principal or an appropriate member of the SMT should consider whether a statement to the general population of the College should be made, following advice, taking due regard of the need to avoid unwelcome publicity. Any statement should only be made after taking legal, human resources and public relations advice.

## 22. The Disciplinary Investigation (in the case of a single agency investigation)

The disciplinary investigation should be conducted in accordance with the existing Disciplinary Policy for Staff. The member of staff should be informed of the disciplinary charge against him/her and his/her entitlement to be accompanied or represented by a trade union representative or work colleague. Where the member of staff has been suspended and no disciplinary action is to be taken the suspension should be lifted immediately and arrangements made for the member of staff to return to work. It may be appropriate to offer counselling. The student making the allegation and/or their parents should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to College of the member of staff (if suspended). The CEO and Group Principal, Local Principal or an appropriate member of the SMT should give consideration to what information should be made available to the general population of the College.

## 23. Allegations without Foundation

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 Duty & Referral Team in order that other agencies may act upon the information. Following discussions with the LADO and in consultation with the Designated Safeguarding Lead, Assistant Safeguarding Lead and/or the designated Governor, the CEO and Group Principal or Local Principal should:

- ✓ Inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or child 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.
- ✓ Consider informing the parents of the young person where the allegation was made by a student other than the alleged victim.
- ✓ Prepare a report outlining the allegation giving reasons for the conclusion that the allegation has no foundation. The report should confirm that the above actions have been taken. Where allegations are found to be with 'malicious' intent, records of the allegation will be removed from the staff member/volunteer's personnel file. Any personal targets resulting from the process can be added to the staff member's file.
- ✓ Consider initiating disciplinary proceedings against the student(s) making the false allegation in line with the Anti- Bullying and Harassment Policy. Police may be asked to consider if action might be appropriate against the person responsible for the allegation, even if he or she is not a student of the College.

## 24. Reporting to the ESFA

Where NCC or one of its subcontractors, is subject to an investigation by the local authority or the Police, the Chair of Governors, Principal or DSL will email the ESFA directly at [Enquiries.EFA@education.gov.uk](mailto:Enquiries.EFA@education.gov.uk). In this instance, the ESFA will need to know the name of the institution, the nature of the incident and confirmation that it is, or is scheduled to be, investigated by the local authority and/or the Police.

## 25. Records

It is important that all 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. All information obtained whilst implementing any part of this procedure will be kept strictly confidential and in accordance with Data Protection legislation on the understanding that should the Police be involved then such records may need to be disclosed by law. If a member of staff resigns before the disciplinary process is completed, he/she should be informed about the college's statutory duty to inform the Secretary of State for Education (NCTL) under the Vetting & Barring Scheme.

## 26. Monitoring Effectiveness

Where an allegation has been made against a member of staff, the Principal (or Designated Governor in the event of the allegation being made against the Principal), together with the senior staff member with lead responsibility should, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from the case that could lead to the improvement of the college's procedures and/or policies. Consideration should also be given to the training needs of staff.

## 27. Equalities Impact

This policy is annually reviewed by the DSL, SMT and Corporation. Safeguarding processes and/or updates are provided to the SMT team half termly and to the Governors at least twice per year.

## 28. Whistleblowing

All staff should feel able to raise concerns about poor or unsafe practice in the College's safeguarding regime and know that such concerns will be taken seriously by the Senior Management Team.

Any concerns about how an actual or potential safeguarding case is being managed should be raised with the campus safeguarding lead in the first instance. If the person raising the concern is not satisfied with the response, they should raise the matter with the College's Designated Safeguarding Lead.

The College has a Whistleblowing Policy which can be consulted and the NSPCC has a Whistleblowing Advice Line which offers free advice and support to professionals with concerns about how child protection issues are being handled in their own or another organisation. Staff can call 0808 800 5000 or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

## 29. Key Safeguarding Contacts:

The Designated Safeguarding Lead is [Narzny.Khan@ncclondon.ac.uk](mailto:Narzny.Khan@ncclondon.ac.uk).

The contact details for the Campus Safeguarding Leads are on our website and intranet.