



Safeguarding Children, Young People and Adults at Risk Policy and Procedure

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This procedure may need to be reviewed before this date to reflect changes in government and other agencies' advice, guidance and legislation

This procedure is to support and guide staff in the College to fulfil their responsibilities laid out in the Safeguarding Children, Young People and Adults at Risk Policy.

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A INTRODUCTION

The College has a statutory duty placed on it by Keeping Children Safe in Education 2022 and Working Together to Safeguard Children 2018 to have in place arrangements with regards to safeguarding and promoting the welfare of young people and vulnerable persons. This is further supported by the Education Act 2011, the Education and Training (Welfare of Children) Act 2021 and the Children Act 1989. In order to comply with this duty of care, staff, students, parents, visitors, contractors, and subcontractors must be aware of the lines of communication and levels of responsibility which exist to ensure that matters of safeguarding can be dealt with.

Staff must follow this procedure, must meet the requirements and follow the guidance set out by the Colleges Safeguarding Coordinator and attend designated updating and training as required.

All College policies and procedures should be implemented with due regard to the safeguarding duties.

This Safeguarding procedure provides detailed guidance and instructions which support the College's overarching safeguarding policy. It explains the steps to be taken to keep children and young people safe and what to do when there are concerns about a child's safety or well-being.

B DEFINITIONS

"Child" by law means anyone who has not yet reached their 18th birthday.

'Child', therefore, means 'child or children and a young person or young people' throughout. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital, in prison or in a Young Offenders' Institution, does not change his or her status or entitlement to services or protection under the Children Act 1989.

Although current terminology now refers to "adults at risk" instead of "Vulnerable Adults," it remains helpful to still consider the term "vulnerable adult" which as defined in the document "No Secrets" means a person aged 18 years or over, who is in receipt of, or maybe in need of community care services by reason of 'mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation."

City College Plymouth recognises its duty of care and places the highest importance on safeguarding, the safety, well-being and mental health of students which is paramount in all College activities. The College recognises that members of staff, students, partners, visitors, contractors and subcontractors working on behalf of the College have an important role to play in safeguarding, in particular, the welfare of young people and vulnerable persons and preventing abuse and/or harm. City College Plymouth recognises that "safeguarding is everyone's responsibility", to adopt a "child-centered approach" (taking into account a child's wishes and feelings) and to provide a safe learning environment.

1.1. This includes protecting children and adults at risk from maltreatment including:

- Physical abuse
- Sexual abuse
- Neglect
- Domestic abuse
- Bullying (including cyberbullying, prejudice-based and discriminatory bullying)
- Exploitation both sexual and involvement in criminal exploitation,
- Honour based abuse
- Child on child abuse
- Sexual violence and sexual harassment (including child on the child)
- Consensual and non-consensual sharing of nudes and semi-nude images/or videos
- Abuse in intimate personal relationships between peers
- Radicalisation for violent extremism or terrorism
- Online grooming
- Sexting, up-skirting
- Female genital mutilation
- Knife crime
- Initiation/hazing type violence and rituals

1.1.1. Preventing the impairment of children's mental and physical health or development (including matters of health and safety and "lifestyle" choices) and extra-familial harm.

1.1.2. Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.

1.1.3. Taking action to enable all children and adults at risk to have the best outcomes and for children to enter adulthood successfully supported by a curriculum which will develop children's, young people's and adults' understanding, awareness and resilience of participating safely in a modern British community.

1.1.4. Protecting children and adults from radicalisation and extremism through the implementation of the PREVENT duty.

In addition, the College also recognises that some individuals are potentially at greater risk of harm or potential harm, due to their particular circumstances, e.g., but not limited to, Looked After Children, Care Leavers, Carers and asylum seekers.

The college also has an important role to play in supporting the mental health and well-being of our young people.

*For the purpose of this policy, the term young person/people is used with the same definition as a child.

C KEY POINTS

Identification of abuse and 'significant harm' is difficult. All staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another. The indicators given below are not prescriptive and must be regarded in the context of the individual's life.

Abuse

A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Harm can include ill-treatment that is not physical as well as the impact of witnessing the ill-treatment of others. This can be relevant in relation to the impact on children of all forms of domestic abuse. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can occur in intimate personal relationships between peers. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

Physical abuse

A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of or deliberately induces, illness in a child.

Emotional abuse

The persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

Sexual abuse

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse.

Sexual Harassment and Violence of Children by other Children

Sexual harassment and violence of children by other children is a specific safeguarding issue in education, and we must be aware that this can happen in or outside college as well as online and there is a need for an “it could happen here” approach.

Neglect

The persistent failure to meet a child’s basic physical and/or psychological needs, is likely to result in the serious impairment of the child’s health or development. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.

Bullying

City College Plymouth will not tolerate any form of bullying and all staff and students are responsible for making sure that the college is free from bullying. Any bullying issues should be dealt with under the procedures specified in the specific documents Student Anti-Bullying Policy and Student Anti-Bullying Procedures. All staff must challenge and deal with any form of bullying and, if necessary, seek advice and support from the Safeguarding Officers in the college.

Health & Safety

City College Plymouth “actively promotes an excellent health and safety culture” and will actively promote the concept of the “safe learner” in a safe environment. Any risk to the welfare and safety of the college community is to be safeguarded by the practices and procedures laid down in the Corporate Health, Safety and Welfare Policy Statement and the college’s risk assessment and health and safety checks.

Equality & Diversity and Inclusion

City College Plymouth “believes that every individual has the right to fair treatment, respect and understanding”. The college’s Equality and Diversity and Inclusion Policy makes it clear that issues of equality and diversity contribute to the college’s safeguarding commitment by requiring that all staff, students, governors, agents and visitors make a contribution to a safe environment and the welfare of the college community combating mistreatment and unfairness.

PREVENT

Part of the college’s safeguarding duty also includes protecting vulnerable individuals from the risk of radicalisation and extremism. This is called the ‘Prevent Duty’.

Prevent is a government initiative aimed at stopping people from becoming involved with or supporting violent extremism. The government has defined extremism as: “vocal or active opposition to British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs”. These values are shared and promoted across our College community.

SUMMARY

The College recognises that the types of abuse and neglect and the specific safeguarding issues detailed in this section do not provide an exhaustive list, and is committed to responding to all concerns around students in relation to any form of abuse or welfare concerns. This includes any form of peer-on-peer abuse, harassment or bullying, including cyberbullying. Further advice, guidance and support for staff and students about what to do if they have a concern about any safeguarding issue can be obtained from members of the Safeguarding Team, from the Safeguarding site on the College intranet or from the Plymouth Safeguarding Children Partnership (PSCP) website (www.plymouthscb.org.uk).

We recognise that because of the regular contact with young people, College staff are well placed to observe the outward signs of abuse, maltreatment (including bullying and exploitation) or risks to health and development.

The College will:

- Establish and maintain an environment where young people and adults at risk feel secure, are encouraged to talk, are listened to and the child's wishes and feelings are taken into account.
- Ensure young people and adults at risk know that there are adults in the College whom they can approach if they are worried.
- include opportunities in the tutorial curriculum for young people and adults at risk to develop the skills they need to recognise risk and stay safe.

We will follow the procedures set out by the PSCP, and take account of guidance issued by the Department of Education to:

- Designate a member of the Senior Leadership Team to assume responsibility for all safeguarding matters.
- Ensure we have designated Safeguarding Officers who have received appropriate training and support for this role.
- Ensure that the Governors monitor arrangements for young people and adults at risk and receive a report at least annually from the Safeguarding Coordinator.
- Ensure that all staff scheduled to work with 14-18-year-old students and adults at risk will have received the College's safeguarding training prior to involvement with such students.
- Ensure that all staff have received awareness-raising training about young people and adults at risk issues at induction of new staff.
- Ensure that all staff plus new governors have been DBS checked.
- Ensure all members of staff, including volunteers, know the name of the Safeguarding Officers and their roles.
- Ensure all staff, partners, visitors, volunteers, contractors and subcontractors, understand their responsibilities in being alert to the signs of abuse or other safeguarding issues and for referring any concerns to the Safeguarding Coordinator.
- Promote Prevent and Fundamental British and Community Values to develop student resilience to extremism and radicalisation and preparation for work and life in the modern British Community.

- Ensure that parents have an understanding of the responsibility placed on the College and staff for young people and adults at risk by setting out its obligations in the appropriate College publication.
- Develop effective links with relevant agencies and co-operate as required with their enquiries regarding young people and adults at risk matters including attendance at case conferences.
- Keep written records of concerns about young people and adults at risk, even where there is no need to refer to the matter immediately.
- Ensure all records are kept securely, separate from the main student file, and in locked locations.
- Develop and then follow procedures where an allegation is made against a member of staff or volunteer.
- develop and then follow procedures to handle allegations against other children.
- Ensure that safer recruitment practices and pre-employment vetting are always followed.

The College recognises that young people and adults who are at risk of harm and/or abuse or who witness violence may find it difficult to develop a sense of self-worth. They may feel helplessness, humiliation and some sense of blame. The College may be the only stable, secure and predictable element in the lives of these young people. When at College their behaviour may be challenging and defiant or they may be withdrawn. The College will endeavour to support the student through:

- The content of the curriculum includes online safety, personal safety, resilience and British values.
- The College ethos which promotes a positive, fair, supportive and secure environment and gives students a sense of being valued.
- Ensuring that young people and adults at risk know that certain behaviours are unacceptable but that they personally are valued and not to be blamed for any abuse which has occurred.
- Liaison with other agencies that support the student such as (but not limited to) Children's Services, Adult Care Services, Child and Adolescent Mental Health Services and Careers South West.
- Ensuring that when a student on the safeguarding register leaves the College their information is transferred to their new school or college immediately and that the young person's social worker is informed.

D THE DESIGNED STAFF WITH RESPONSIBILITY FOR YOUNG PEOPLE AND ADULTS AT RISK

1 ROLES AND RESPONSIBILITIES

1.1 Governors

The Governing Body is responsible for the endorsement, approval, implementation and compliance of the College's safeguarding policies and procedures. A member of the Governing Body is appointed as 'The Designated Governor with responsibility for Safeguarding and Child and Vulnerable Adult Protection' and can be contacted through the Clerk to the Governors. The designated Governor will:

- Be an active member of the Safeguarding Committee to check that the College has a Safeguarding Policy (which incorporates child and vulnerable adult protection) and procedures which reflect the PCSP policy and procedures and are available to all stakeholders upon request.
- Receive appropriate PCSP training to level 2 or above.
- Through membership of the Safeguarding Committee undertake an annual review of how duties are discharged and ensure that deficiencies or weaknesses are remedied promptly.
- Ensuring that the Governing Body considers the College policy on safeguarding each year; and
- Ensuring that each year the Governing Body is informed of how the College and its staff have complied with the policy, including but not limited to a report on the training that staff have undertaken.

The designated Governor is responsible for overseeing the liaison between agencies such as the police and social services, in connection with allegations against the Principal or the Senior Staff Member with Lead Responsibility. This will not involve undertaking any form of investigation but will ensure good communication between the parties and provide information to assist enquiries.

To assist in these duties, the designated governor shall receive appropriate training.

1.2 Principal/ Chief Executive Officer

The Chief Executive and Principal has overall accountability for safeguarding within the College.

1.3 The Executive of Curriculum, Quality and Student Experience

The Executive of Curriculum, Quality and Student Experience is the Designated Safeguarding Lead for City College and has lead responsibility for:

- Overseeing the successful implementation of the Policy and Procedures, including the PREVENT duty.
- Dealing with child protection and vulnerable person issues
- Ensuring that the College operates safer recruitment practices in accordance with statutory requirements and in conjunction with the Head of Human Resources.
- Taking a lead role in liaising and working with Local Safeguarding Children Partnerships, Safeguarding Adults Boards and other agencies as required. This should include being aware of the requirement for children to have an Appropriate Adult.

- Ensuring that the College operates procedures for dealing with allegations in accordance with Working Together to Safeguard Children 2018: a Guide to Inter Agency Working to Safeguard and Promote the Welfare of Children, Keeping Children Safe in Education 2022 and the document “No Secrets” to protect at-risk adults from abuse.
- Ensuring that the ESFA have been contacted if the College or one of its subcontractors is subject to investigation by the local authority or the police
- Ensuring college protocols are followed following the death of a student
- Taking the lead for raising awareness of issues relating to the well-being and welfare of young people, and the promotion of a safe learning environment for the young people learning at City College.
- Ensuring that staff receive basic training in safeguarding issues and are aware of the College’s safeguarding procedures.
- The delivery of the safeguarding procedures.
- Attending, when necessary, case strategy meetings with the designated officer from the relevant local authority in respect of safeguarding issues.
- Ensuring that the College has appropriate resources available for safeguarding.
- Ensuring the college's PREVENT duty is fully implemented.
- Providing supervision, advice and support to the Safeguarding Coordinator and other staff on issues relating to young people and adults at risk.

The Designated Safeguarding Lead will have received training in young people and adults at risk issues and inter-agency working, as required by the Plymouth Safeguarding Children’s Partnership Board (PSCPB) and Plymouth Safeguarding Adults Board (PSAB) and will receive refresher training at least every 2 years.

1.4 Safeguarding Coordinator

The Safeguarding Coordinator is responsible for:

- Receiving, recording and passing on external agencies, where appropriate and following consultation with the Designated Safeguarding Lead, disclosures in accordance with College procedures.
- Liaising with the Designated Safeguarding Lead as appropriate.
- Providing advice and support to other employees/volunteers on issues related to young people and vulnerable persons.
- Informing parents/carers, where appropriate, and following consultation with the College’s Designated Safeguarding Lead, in line with the College’s Disclosure to parents/carers Policy.
- Attending training commensurate with the role.
- Keeping themselves up to date with any changes in College policy/procedures or legislative changes.
- Attending College meetings to report on safeguarding matters.
- Conducting Criminal Convictions Reviews liaising with Designated Safeguarding Lead as appropriate.
- Reporting to the senior member of staff with lead responsibility.
- Making an appropriate referral.
- Providing advice and support to other staff on issues relating to young people and adults at risk.
- Dealing with individual cases, including attending case conferences, supporting any relevant assessment processes and attending review meetings as appropriate.

- Ensuring that a proper record is kept of any young people and adults at risk of referral, (even where that concern does not lead to a referral to another agency or authority).
- Taking a lead role in liaising and working with Local Safeguarding Children Partnerships, Safeguarding Adults Boards and other agencies as required.
- The operational management of the Safeguarding Officers, including the provision of supervision, support, training, advice and guidance as appropriate.
- Ensuring that the procedures contained within the Working Together to Safeguard Children 2018; a Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children, Keeping Children Safe in Education 2022 and 'No Secrets' are followed at an operational level.
- Liaising and working with other agencies to ensure a "multi-agency approach" to safeguarding in the College and to contribute to safeguarding in the wider community.
- Liaising with schools that send pupils to the College to ensure that appropriate arrangements are made.
- Ensuring that systems are in place for the safe and secure transfer and receipt of confidential safeguarding files, in accordance with relevant local authority requirements
- Managing and liaising with the Virtual School.
- Ensuring an Annual Report is produced and presented to the Governing Body to ensure the effectiveness of the College's safeguarding policy and procedures and enabling the Governing Board to make any recommendations for revisions where appropriate

The Safeguarding Coordinator will have received training in young people and adult issues and inter-agency working, as required by the PSCP, and will receive refresher training every 2 years.

1.4.1 Safeguarding Officer

The Safeguarding Officer will support the Safeguarding Coordinator by:

- Receiving, recording and passing onto external agencies, where appropriate and following consultation with the Safeguarding Coordinator, disclosures in accordance with College procedures
- Liaising with the Safeguarding Coordinator and Designated Safeguarding Lead as appropriate
- Providing advice and support to other employees/volunteers on issues related to young people and vulnerable persons
- Informing parents/carers, where appropriate, and following consultation with the College's Safeguarding Coordinator, in line with the College's Disclosure to parents/carers Policy
- Attending training commensurate with the role
- Keeping themselves up to date with any changes in College policy/procedures or legislative changes
- Attending College meetings to report on safeguarding matters.
- Partake in conducting Criminal Convictions Reviews liaising with the Safeguarding Coordinator and Designated Safeguarding Lead as appropriate.

1.5 Volunteer Safeguarding Officers

The Volunteer Safeguarding Officers are responsible for:

- Reporting to the Safeguarding Coordinator.
- Dealing with and making an appropriate referral.
- Providing advice and support to other staff on issues relating to young people and adults at risk.
- Responding to a disclosure and listening to young people studying at the College
- Dealing with individual cases, including attending case conferences, supporting any relevant assessment processes and attending review meetings as appropriate.
- The Volunteer Safeguarding Officers will have received training in young people and adult issues and inter-agency working, as required by the PSCP, and will receive refresher training every 2 years.

A full list of staff with responsibility for safeguarding can be found in Appendix 1.

1.6 Estates Management Team

The Estates Management Team are responsible for:

- Ensuring that all contractors satisfy safeguarding requirements under their statutory obligations and provide information to contractor employees
- Liaise with the Designated Safeguarding Lead for issues related to safeguarding the welfare of young persons and vulnerable persons
- Periodically conduct a review of the college estate in relation to safeguarding staff, students and visitors and report findings to the Deputy Principal / Designated Safeguarding Lead

1.7 All staff

All staff have a responsibility under the Safeguarding Children, Young People and Adults at Risk Policy to:

- Promote and apply our Safeguarding Children, Young People and Adults at Risk Policy and procedures.
- Raise any safeguarding concern about a student through the safeguarding referral process.
- Raise any safeguarding concerns about another staff member to the DSL or Principal.
- Be aware that children may not feel ready or know how to tell someone that they are being abused. This should not prevent staff from having a professional curiosity and speaking to the safeguarding team if they have concerns.
- Raise any concerns regarding safeguarding practices within the College
- Be aware of and follow their statutory duties as detailed in 'Keeping Children Safe in Education 2022', 'Working Together to Safeguard Children' 2018, 'What to do if you are worried a child is being abused' 2015, and 'Guidance for Safer Working Practices for Adults working with Children and Young People' 2015
- Wear their College Lanyard and ID badge at all times while on College premises (with the exception of hazardous areas such as workshops).

- Comply with the established Visitor Protocol by ensuring that all visitors sign in at Reception on arrival; Wear their Visitor ID badge at all times whilst on College property, and sign out on departure

IMPLEMENTATION

E DEALING WITH DISCLOSURE OF ABUSE AND PROCEDURE FOR REPORTING CONCERNS INCLUDING PREVENT TRAINING

Any member of staff who has knowledge of or a suspicion that a child / vulnerable adult is or has been suffering significant harm must refer their concern to a Safeguarding Officer as soon as possible. They must also pass any written notes to the Safeguarding Officers and not retain any written information. All allegations or suspicions must be taken seriously. The student must be advised that this information cannot be kept confidential and will be passed on to the designated member of staff in the College in the first instance. (Appendix 2)

If a young person or adult at risk tells a member of staff about possible abuse or safeguarding concern staff should:

- Listen carefully and stay calm; do not interview the young individual, let them talk and without pressure, in order to be sure that you understand what the young person is telling you; questions should be kept to the minimum required for clarity, and leading questions must be avoided.
- Reassure the individual that by telling you, they have done the right thing.
- Inform the individual that you must pass the information on, but that only those that need to know about it will be told. Inform them of whom you will report the matter.
- Note the main points carefully.
- Make a detailed note of the date, time, place, what the individual said, did and your questions and any injuries observed if any.
- Pass, by hand, or other secure method of delivery (not e-mail) such detailed notes into the care and control of the Designated Staff Members. The Designated Staff Members shall store the notes in a secure and central location and will use them to assist in the identification of possible patterns of concerns; and
- In the event of the risk of significant or immediate harm to the individual staff should contact the Police or the appropriate Local Authority service.

Staff should not investigate concerns or allegations themselves, but should report them immediately to the Designated Safeguarding Staff Members.

PREVENT Referral

1.1

Part of the college's safeguarding duty also includes protecting vulnerable individuals from the risk of radicalisation and extremism. This is called the 'Prevent Duty'. Prevent is a government initiative aimed at stopping people from becoming involved with or supporting violent extremism. The government has defined extremism as: "vocal or active opposition to British values, including

democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs". These values are shared and promoted across our College community.

1.2

All staff should be able to recognise signs and indicators of concern and respond appropriately. The following lists are not exhaustive and all or none may be present in individual cases of concern. Nor does it mean that vulnerable young people experiencing these factors are automatically at risk of exploitation for the purposes of extremism. There is no such thing as a 'typical extremist' and those involved in extremism come from a range of backgrounds and experiences.

The following indicators may help to identify factors that suggest a vulnerable adult, a young person or their family that may be vulnerable or involved with extremism.

1.3

Association with those known to be involved in extremism

- Possession or distribution of extremist literature/other media material likely to incite racial/religious hatred or acts of violence
- Use of closed network groups via electronic media for the purpose of extremist activity
- Evidence of fraudulent identity/use of documents to support
- Accessing extremist websites, especially those with a social networking element.

1.4

Experiences, behaviors and influences

- Experience of peer, social, family or faith group rejection
- International events in areas of conflict and civil unrest had a personal impact on the young person resulting in a noticeable change in behavior
- Verbal or written support of terrorist attacks, left / right wing activities
- First-hand experience of racial or religious hate crime
- Extended periods of travel to locations known to be associated with extremism
- Significant changes to appearance/behavior
- Articulating support for extremist causes or leaders
- Experience of disadvantage, discrimination or social exclusion
- History of criminal activity
- Pending a decision on immigration/national status

1.5

Prevent Risk Assessment and Action Plan

The college Prevent Risk Assessment and Action plan identifies risks associated with national, regional and local profiles, control measures and actions.

1.6

Channel Referral Process

1.6.1 Where staff have a concern they should report this to the Safeguarding Coordinator who will raise the concern with the PREVENT Regional, HE/FE Co-ordinator – Southwest. Once identified a multi-agency meeting will be convened to agree on actions to support the individual. If it is deemed that there are no concerns around radicalisation, appropriate and targeted support will be considered for the young person.

1.6.2 ESFA Referrals where the college or one of its subcontractors becomes the subject of a prevent-related police or Local Authority investigation the Designated

Safeguarding Lead will work with the Chair and/or Chief Executive to report this to the ESFA.

F REPORTING AND DEALING WITH ALLEGATIONS OF ABUSE AGAINST MEMBERS OF STAFF

The procedures apply to all staff, whether teaching, administrative, management, senior management or support, supply/agency staff as well as to volunteers and contractors. The word “staff” is used for ease of description. The procedures are to be applied and managed in accordance with Working Together 2018 guidance and Keeping Children Safe in Education 2022, the principal requirements of which are contained herein.

Introduction

1.1

In rare instances, staff within education institutions have been found responsible for the abuse of children or adults at risk. Because of their frequent contact with children and adults at risk, staff may have allegations of child 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 those investigations are thorough and not subject to delay.

1.2

The College recognises that the Children Act 2004 states 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.

1.3

Subject to paragraph 4.4 below the parents or carers of a child or adult at risk involved shall be told about the allegation as soon as possible if they did not know about it and shall be kept informed as to the progress and outcome of the case.

1.4

If a young person may have suffered significant harm, or there may be a criminal prosecution, children’s social care or the police, as appropriate, should consider what support the young person may need.

1.5

The College will also (subject to paragraph 4.4 below) keep the person who is the subject of the allegation informed of the progress of the case and arrange to provide appropriate support whilst it is ongoing. This may include support via human resources, occupational health or other welfare arrangements.

1.6

Every effort shall be made to maintain confidentiality and guard against publicity while an allegation is being investigated/considered. However, the College may be obliged to notify the Disclosure and Barring Service, through the Head of Human Resources of the investigation, regardless of the outcome.

1.7

The fact that a person tenders his or her resignation or ceases to provide their services will not prevent an allegation from being followed up in accordance with these procedures.

1.8

“Settlement Agreements” are not to be used in these cases.

1.9

The College shall keep clear and comprehensive records of any allegations made, details of how the allegations were followed up and resolved and of any actions taken and decisions reached. These shall be kept in accordance with paragraph 9.

2 Receiving an Allegation from a Young Person

2.1

A member of staff who receives an allegation about another member of staff from a young person should follow the guidelines in Part D, Responding to an Allegation or Disclosure

2.2

The allegation should be reported immediately to the DSL member of ELT, Safeguarding Coordinator, or the Head of HR in line with College internal procedures. If the Senior Staff Member with Lead Responsibility is the person against whom the allegation is made the report should be made to the Principal or the Designated Governor.

2.3

If the allegation is made against the Principal it should be reported to the Chair of the Corporation, or in his or her absence the Vice Chair of the Corporation in accordance with the Senior Post Holders' Disciplinary Policy.

2.4

The Senior Staff Member with Lead Responsibility for Safeguarding (or Principal if the allegation is against the Senior Staff Member with Lead Responsibility) should:

2.4.1 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 Principal (or designated person)

2.4.2 Record information about times, dates, locations and names of potential witnesses

2.4.3 Inform the Head of Human Resources of the situation

3 Initial Assessment by the Principal (CEO),(or Designated Person)

3.1

The Principal (or designated person as referred to in Clause 2.4 above) should make an initial assessment of the allegation, consulting with the Senior Staff Member with Lead Responsibility, the Designated Governor and / or the Local Authority Designated Officer as appropriate.

3.2

The criteria to be considered initially are where it is alleged that a member of staff has: behaved in a way that has harmed a child, or may have harmed a child; possibly committed a criminal offense against a child or related to a child or; behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children. This is regardless of whether the school or college is where the alleged abuse took place. Historical allegations of abuse should also be referred to the Police. The Local Authority Designated Officer (LADO) should also be informed

of any allegations that are made directly to the police (which should be communicated via the police force's designated officer) or to Children's Social Care.

3.3

It is important that the Principal (or designated person) does not investigate the allegation. The initial assessment should be on the basis of the information received and is a decision on whether or not the allegation warrants further investigation.

Potential outcomes are:

3.1.1 Substantiated: there is sufficient evidence to prove the allegation

3.1.2 Malicious; there is sufficient evidence to disprove the allegation, and there has been a deliberate act to deceive

3.1.3 False: there is sufficient evidence to disprove the allegation

3.1.4 Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term does not, therefore imply guilt or innocence.

3.1.5 It might be the case that the allegation represents inappropriate behavior or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the young person. The matter should be addressed in accordance with the College disciplinary procedures. Advice from the Head of Human Resources should be sought at this stage

3.5 Concerns and or allegations that do not meet the harm threshold - Low-Level Concerns

3.5.1 Creating a culture in which all concerns about adults are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. If implemented correctly, this should:

- Encourage an open and transparent culture
- Enable schools and colleges to identify inappropriate, problematic or concerning behaviour early
- Minimise the risk of abuse, and
- Ensure that adults working in or on behalf of the school or college are clear about professional boundaries and act within these boundaries and in accordance with the ethos and values of the institution.

3.5.2 The term 'low-level' concern does not mean that it is insignificant. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work and
- Does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

3.5.3 It is crucial that all low-level concerns are shared responsibly with the right person and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of schools and colleges from becoming the subject of potential false low-level concerns or misunderstandings.

4 Enquiries and Investigations

4.1

Young people and adults enquiries by social services 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 young people and 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.

4.2

The College shall hold in abeyance its own internal enquiries while the formal police or social services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform to the existing staff disciplinary procedures.

4.3

If there is an investigation by an external agency, for example the police, the Principal (or designated person) should normally be involved in, and contribute to, the inter-agency strategy discussions. The Principal (or designated person) is 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.

4.4

Following consultation with the police (or other investigating agency), and the LADO, as to what information may be disclosed and to whom the Principal (or designated person) shall:

2.1.1 inform the young person or parent/carer making the allegation that the investigation is taking place and what the likely process will involve

2.1.2 ensure that the parents/carers of the young person making the allegation have been informed that the allegation has been made and what the likely process will involve

2.1.3 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

2.1.4 Inform the Head of Human Resources of the member of staff affected and that the investigation is taking place

2.1.5 If the member of staff against whom the allegation was made is a member of a union or professional association he or she should again be advised to seek support from that organisation

2.1.6 Inform the Chair of Governors and/or the designated Governor of the allegation and the investigation

2.1.7 Where necessary, e.g. in exceptional circumstances, inform the Community and Public Relations team (if necessary) to attend to media and public enquiries

4.5

The Principal (or designated person) shall keep a written record of the action taken in connection with the allegation.

4.6 Suspension of Staff

Suspension should not be automatic and should only occur with careful thought in accordance with the Disciplinary Procedures and following advice given by Police, LADO or Local Authority services where appropriate. In the event of a dispute between this Procedure and the Disciplinary Procedures then the Disciplinary

Procedures shall take precedence. In respect of staff other than the Principal and Senior Post Holders, suspension may be carried out by a designated ELT member. In respect of the Principal and Senior Post Holders, suspension can only be carried out by the Chair of Governors (or in his/her absence, the Vice Chair of Governors).

4.7

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

4.8

Suspension should only occur in accordance with the Disciplinary Policy and following the advice of the Head of Human Resources. Circumstances which justify suspension include the following:

4.8.1 allegations of gross misconduct

4.8.2 where the member of staff is the subject of a police investigation

4.8.3 where a more objective examination of circumstances can be made in the absence of that member of staff

4.8.4 where the alleged misconduct is such that dismissal could be an outcome.

Therefore suspension should only occur for a good reason. For example,

4.8.5 where a young person is at risk

4.8.6 where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct

4.8.7 where necessary for the good and efficient conduct of an investigation, including but not limited to a police investigation

4.9

If the suspension is being considered, the member of staff should be encouraged to seek advice, for example from a trade union.

4.10

Prior to making the decision to suspend, the Principal or designated person (or Chair or Vice Chair of Governors) may decide to interview the member of staff. This should occur with the approval of the LADO. In particular, if the police are engaged in an investigation, the officer in charge of the case should be consulted.

4.11

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 raising a serious matter which may lead to suspension and further investigation.

4.12

During the meeting, the member of staff should be given as much information as possible, 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 give 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.

4.13

If the Principal or designated person (or Chair or Vice Chair of Governors) considers that suspension is necessary, the member of staff shall be informed that he/she is suspended from duty. Written confirmation of the suspension, with reasons, shall be dispatched as soon as possible, and ideally within two working days.

4.14

Where a member of staff is suspended, the Principal or designated person (or Chair or Vice Chair of Governors) should address the following issues:

4.14.1 the Chair of Governors should be informed of the suspension in writing

4.14.2 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

4.14.3 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

4.14.4 the parents/carer of the young person making the allegation should be informed of the suspension, they should be made aware that this suspension is to enable the College to manage the investigation and is not an indication of guilt. They should be asked to treat the information as confidential. Consideration should be given to informing the young person making the allegation of the suspension

4.14.5 senior staff who need to know of the reason for the suspension should be informed

4.14.6 depending on the nature of the allegation, the Principal should consider with the nominated Governor whether a statement to the students of the College and/or parents/carers should be made, taking due regard to the need to avoid unwelcome publicity.

4.14.7 an appropriate member of the marketing team to deal with publicity where appropriate.

4.15

The Senior Staff Member with Lead Responsibility shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The Local Authority Designated Officer and all appropriate external investigating agencies shall be consulted at all times.

4.16

The suspended member of staff should be given appropriate support during the period of suspension. He/she should also be provided with information on progress and developments in the case at regular intervals.

4.17

The suspension should remain under review in accordance with the College Disciplinary Procedures. It shall not therefore be unnecessarily prolonged.

5. The Disciplinary Investigation

The disciplinary investigation should be conducted in accordance with the current Staff Disciplinary procedures. In the event of dispute between this Procedure and the Disciplinary Procedures then the Disciplinary Procedures shall take precedence. Advice and guidance should be sought from the Head of Human Resources throughout this process.

6. The Disciplinary Hearing

6.1

Where the initial investigation decides that the allegation does require formal disciplinary action a disciplinary hearing will be held in accordance with either the current Staff Disciplinary procedures or Disciplinary Procedures for Senior Post Holders as may be applicable. In the event of dispute between this Procedure and the Disciplinary Procedures then the Disciplinary Procedures shall take precedence.

6.2

The Senior Staff Post Holder shall continue to liaise with the Local Authority Designated Officer at all times.

7. Action on conclusion of a case

7.1

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.

The College will, with the member of staff, consider how best to facilitate this return. Depending upon individual circumstances, considerations can include counselling, a phased return, a provision of a mentor for support, and how their contact with the young person involved in the allegation can best be managed if such young person is still in the workplace/learning environment.

7.2

If the allegation is substantiated and the person is dismissed, or the College ceases to use the person's services the College will discuss with the Local Authority Designated Officer with regard to the referral to the Disclosure and Barring Service (DBS) and/or to the necessary professional and regulatory bodies (e.g. ESFA, DfE and/or OFSTED).

7.3

The young person or young people 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 the College of the member of staff (if suspended).

7.4

The Senior Staff Member with Lead Responsibility (or designated person) should give consideration to what information should be made available to the general population of the College.

8. Allegations which are malicious, false or unsubstantiated

8.1

Obviously false allegations may be indicative of problems of abuse elsewhere. A record should be kept, and the College, following consultation with the Local Authority Designated Officer, should refer the matter to children's social care to determine whether the young person concerned is in need of services or may have been abused by someone else. In the rare event that the allegation is shown to have been deliberately invented or malicious, the police should be asked to consider whether an action might be appropriate against the person responsible.

In consultation with the designated Senior Staff Member and/or the designated Governor, the Principal shall:

8.1.1 inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or young people and adults action will be taken. Consideration should be given to offering counselling/support to effect a successful return to full duties

8.1.2 inform the parents/carer of the alleged victim that the allegation has been made and of the outcome

8.1.3 where the allegation was made by a young person other than the alleged victim, consideration to be given to informing the parents/carer of that young person; and

8.24 prepare a written report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken

9. Records

9.1

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.

9.2

Where the allegation has been found to be without foundation, and no disciplinary action has been taken the investigation records are to be kept separate from employment records.

9.3

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.

9.4

Records will be retained in accordance with the Information and Records Management Society "records management toolkit for schools" of 2019. (Appendix 3)

10. Monitoring Effectiveness

10.1

Where an allegation has been made against a member of staff, the nominated Governor, together with the senior staff member with lead responsibility, should, after 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 PSCP. Consideration should also be given to the training needs of staff.

G REPORTING AND DEALING WITH ALLEGATIONS OF ABUSE AGAINST OTHER STUDENTS

The procedures are applied and managed in accordance with the Working Together 2018 guidance and Keeping Children Safe in Education 2022, the principal requirements of which are contained herein.

1. Introduction

1.1

Occasionally, allegations may be made against students by others within the College, which are of a safeguarding nature. Safeguarding issues raised may include physical abuse, emotional abuse, sexual abuse and sexual exploitation and exploitation connected with crime or attempts at radicalisation for violent and non-violent extremism.

1.2

An allegation may:

- Be made against another student and refer to their behaviour towards a fellow student or a young person within the College community
- Be of a serious nature, possibly including a criminal offence

- raise risk factors for other students and young people within the College community
- Indicate that other students and young people within the College community may have been affected by this student;
- Indicate that young people outside of the College community may be affected by this student

1.3

If a young person may have suffered significant harm, or there may be a criminal prosecution, social services or the police, as appropriate, should consider what support the young person may need.

1.4

Every effort shall be made to maintain confidentiality and guard against publicity while an allegation is being investigated/considered.

1.5

The College shall keep clear and comprehensive records of any allegations made, details of how the allegations were followed up and resolved and of any actions taken and decisions reached. These shall be kept in accordance with paragraph 3 below.

2. Receiving an allegation from a Young Person

2.1

A member of staff who receives an allegation about a student or young person within the College community from another student should follow the guidelines in part D for dealing with disclosure.

2.2

The allegation should be reported immediately to the Safeguarding Coordinator in line with the College's internal procedures. Staff should not investigate concerns or allegations themselves but should report them immediately to the Safeguarding Coordinator.

2.3

The Safeguarding Coordinator should contact social services to discuss the case where required. It is possible that social services are already aware of safeguarding concerns around this student. The Safeguarding Co-ordinator will follow through with the outcomes of the discussion and make a social services referral where appropriate.

2.4

If the allegation indicates a potential criminal offence has taken place, the police should be contacted at the earliest opportunity and parents informed (of both the student being complained about and the alleged victim).

2.5

It may be appropriate to suspend the student being complained about for a period of time in accordance with the College's Disciplinary Procedure.

2.6

Where neither social services nor the police accepts the complaint, a thorough investigation should take place into the matter using the College's Disciplinary Procedure.

2.7

In situations where the College considers a safeguarding risk is present, including a report of sexual violence or harassment, a risk assessment should be prepared

along with a preventative supervision plan. The risk assessment shall be led by the Safeguarding Coordinator.

2.8

The plan should be monitored and a date set for a review with everyone concerned.

3. Records

3.1

It is important that records relating to the concern and any investigation are retained in a secure place, together with a written or electronic record of the outcome. The Safeguarding Coordinator shall ensure that records are retained on both students' files.

3.2

Records will be retained in accordance with the Information and Records Management Society "records management toolkit for schools" of 2019.

4. Monitoring Effectiveness

4.1

Where an allegation has been made against another student, the Safeguarding Coordinator, together with the Senior Staff Member with Lead Responsibility, should, after 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 practices, procedures and policies. This should occur regardless of whether the case is accepted by social services and/or the police. Consideration should also be given to the training needs of staff and student induction.

H RECRUITMENT AND SELECTION PROCEDURES

The College has safer recruitment and selection procedures which meet the requirements of the existing legislation and associated statutory guidelines. These are regularly reviewed in order to ensure that they take account of the following:

- They should apply to all staff, workers and volunteers who may work with young people.
- The post or role should be clearly defined.
- The key selection criteria for the post or role should be identified.
- Vacancies should be advertised widely in order to ensure a diversity of applicants.
- Require documentary evidence of academic/vocational qualifications.
- Obtain professional references.
- Verify previous employment history
- Online searches (publicly available) on shortlisted candidates.
- Disclosure and Barring Service (maintain sensitive and confidential use of the applicant's disclosure).
- Use a variety of selection techniques (eg qualifications, previous experience, interview, reference checks).
- Agency staff working at the College.
- Recruitment of ex-offenders.
- Reporting of criminal records.
- People banned from working with children.

I RECORDS

All records handed to or created by the Safeguarding team must be retained securely and remain in confidence. Records will be stored in a locked filing cabinet contained within the office of the Safeguarding Coordinator (K030). This office shall be locked when unattended. Only members of the Safeguarding Team are authorised to gain access to the records.

Should records need to be disclosed to another member of the Safeguarding Team or to other authorised (by law) individuals, then such disclosure must take place securely and confidentially (e.g. Via hand delivery or postmarked "Strictly Private & Confidential"). E-mail is not a secure method of communication and as such can be intercepted and read in the same way as a postcard.

Records will be retained in accordance with the Information and Records Management Society "records management toolkit for schools" of 2019

Records may only be destroyed by the Safeguarding team and shall be destroyed firstly by shredding before utilising the confidential waste system as provided by the College.

Any breaches of security concerning safeguarding records shall be investigated by the Designated Safeguarding Lead or member of ELT.

J SUPPORTING DOCUMENTATION INCLUDING SAFEGUARDING

Internal:

- College Charter
- Induction documentation
- Student Handbook
- Recruitment & Selection Policy
- Health and Safety statements and procedures
- Anti Bullying Policy
- Safeguarding Children, Young People and Adults at Risk Policy Anti Bullying Procedure
- Student Disciplinary Procedure
- Staff Disciplinary Procedure
- Harassment Policy
- GDPR
- Whistleblowing Procedure
- Mental Health Charter

External:

- Children Acts 1989 and 2004
- Education Act 2002 – Section 175
- Children and Young Persons act 2008
- Keeping Children Safe in Education 2022
- Working Together to Safeguard Children 2018
- Every Child Matters (5 outcomes still inform our work)
- Safeguarding Vulnerable Groups Act 2006
- Childcare Act 2006

- No Secrets document (to protect vulnerable adults from abuse)
- Equality Act 2010
- Protection of Freedoms Act 2012
- Children and Families Act 2014
- Counter Terrorism and Security Act 2015
- What To Do If You Are Worried A Child Is Being Abused 2015
- Information Sharing – Advice for Practitioners providing Safeguarding Services to Children, Young People, Parents and Carers 2018
- Sexual violence and sexual harassment between children in schools and colleges 2021
- Domestic Abuse Act 2021
- Education and Training (Welfare of Children) Act 2021

Appendix 1

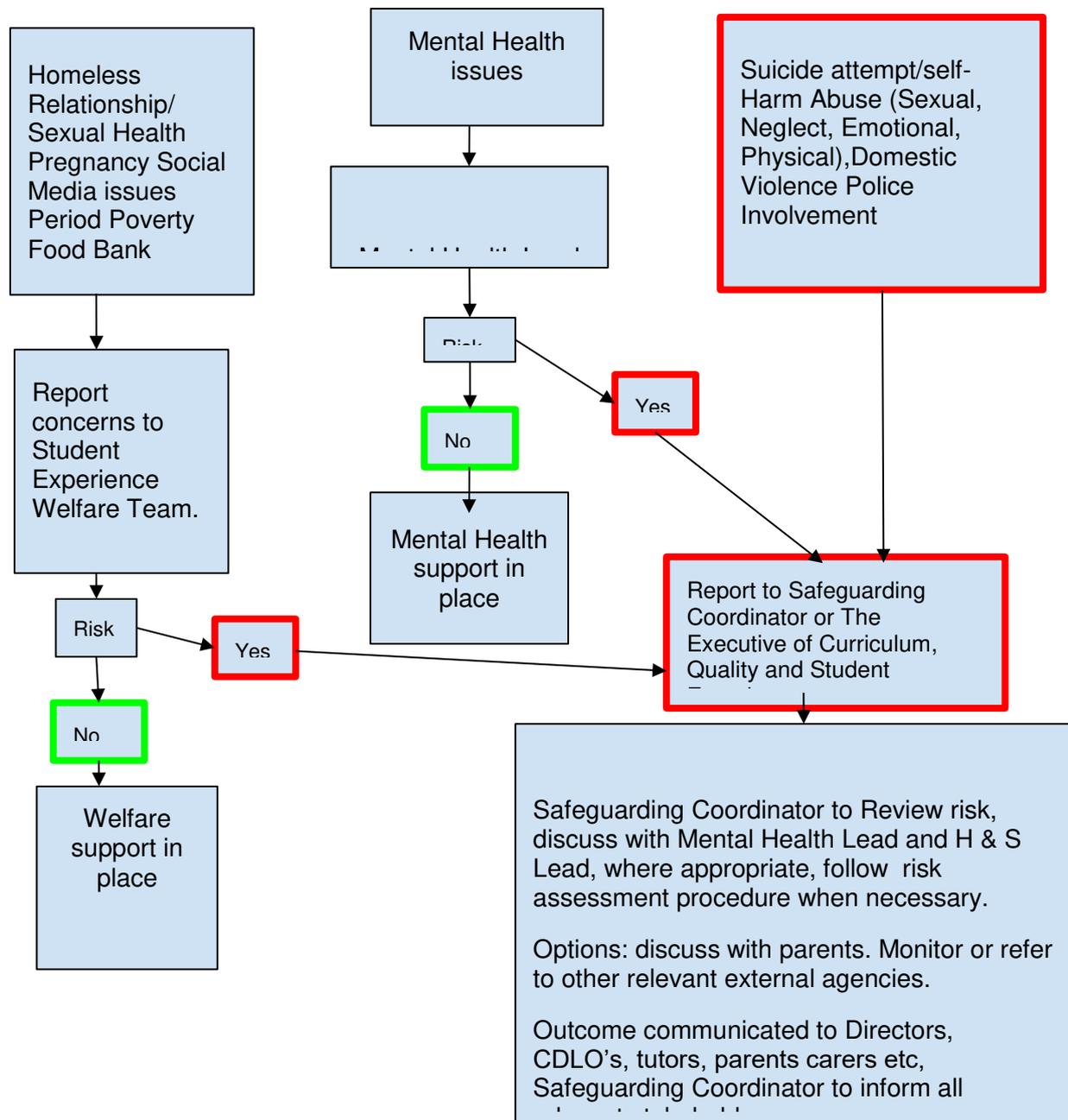
CITY COLLEGE PLYMOUTH SAFEGUARDING CONTACTS

Name	Contact Number	Area of support
Ben Manning		ELT Designated Lead
Bridgette Henry	5296 or 07891 573177	Any
Lindsay Muldoon	5032 or 07800 810593	Any
Sheryl Jenkins	5728 or 07971 943034	Any
Cheryl Powell	6873	WBL & SP - Picquet
Chaz Talbot	Contact x5112 to arrange contact with a voluntary safeguarding officer	
Ashleigh Johnston	Juli Austin	
Lauren Parker-Smith	Kim Taylor-Lewis	
Dave Seccombe	Helen Lessware	
Al Cook	Jenny Skelcey	

Appendix 2

Guide for raising safeguarding concerns about a student.

FLOW CHART FOR RAISING SAFEGUARDING CONCERNS



Note: The process above aims to ensure students are referred quickly and signposted to the most appropriate support. If you have a safeguarding concern use the chart above as a guide only to report the concern to the relevant team. If in any doubt contact the Safeguarding Coordinator or Director of Student Journey.

Appendix 3

The following is an extract from the Information and Records Management Society “records management toolkit for schools” 2019

6.1

Young people and adults are at risk. The retention and use of records relating to safeguarding matters concerning pupils, young people, and adults at risk allegations against staff require specific guidance in this schedule. This will be subject to update following the implementation of the recommendations by Sir Michael Bichard.

Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
Child Protection files	Yes	Keeping Children Safe in Education statutory guidance Sept 2022, Working Together to Safeguard Children 2018	DOB +25 years	Secure disposal	Young people and adults at risk information must be copied and sent under separate copy to a new school./college whilst the young person is under 18 (i.e. the information does not need to be sent to the university for example). When a young person is removed from the roll to be educated at home, the file should be copied to the Local Education Authority.

Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
Allegation of a safeguarding nature against a member of staff, including where the allegation is unfounded	Yes	Employment Practices Code: Supplementary Guidance 2.13.1 (Records of Disciplinary and Grievance) Education Act 2002 guidance "Dealing with Allegations of Abuse against Teachers and Other Staff" November 2005	Until the person's normal retirement age, or 10 years from the date of the allegation if that's longer.	Secure disposal	Employment Practices Code: Supplementary Guidance 2.13.1 (Records of Disciplinary and Grievance) "Records of allegations about workers who have been investigated and found to be without substance should not normally be retained once an investigation has been completed. There are some exceptions to this where for its own protection the employer has to keep a limited record that an allegation was received and investigated, for example, where the allegation relates to abuse, and the worker is employed to work with young people or other vulnerable individuals. Summary record to be retained on a confidential personnel file, and a copy given to the person concerned.