


Hull College Guidance	Procedure Status: Approved	
Title: Safeguarding Children, Young People, and Adults at Risk Guidance	Ref: CS1.9	Pages 1-42
Brief: Procedures and Guidance for Safeguarding Children, Young People and Adults at Risk		Next Review: September 2022

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1.Introduction

Hull College is committed to safeguarding and promoting the welfare of children, young people and adults at risk and expects all staff, Governors, volunteers and partners working across the College to share this ethos and commitment.

2.Scope

This guidance has been developed to ensure that the Governing Body complies with statutory duties under Section 175 of the Education Act and in response to Government statutory guidance, including Working Together to Safeguard Children 2018 and Keeping Children Safe in Education, Statutory Guidance 2010 (KCSiE) about the Group's role in safeguarding and promoting the welfare of children, young people and adults. This guidance also relates to the Office for Students (2021) statement of expectations for preventing and addressing harassment and sexual misconduct affecting students studying higher education.

For the purpose of these procedures, the term 'young people' refers to anyone who has not reached their 18th birthday. 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 or in custody in the secure estate for children and young people does not change his or her status or entitlement to services or protection under the Children Act 1989. The Act gives every child the right to protection from all forms of abuse and exploitation and the right to have enquiries made to safeguard their welfare and wellbeing.

Children Looked After, Through Care, Leaving Care and Young Carers

Within the College there are students who, for one reason or another, may be vulnerable. students in care, leaving care or those caring for relatives are amongst this group although this is not exclusive and there are other minority groups who are also considered to be vulnerable. The College supports all vulnerable students and the lead for Looked After Children in the College is the Equality, Diversity, & Inclusion Coordinator. All CLA and Care Leavers are offered a mentor who liaises with the curriculum and support staff to ensure that these students are fully supported.

This guidance covers all Hull College sites at Hull, satellite sites, and sub contracted provision.

Safeguarding

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

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

3.Procedure for Staff

Keeping Children Safe in Education, Sept 2021 stipulates that ‘schools and colleges and their staff form part of the wider safeguarding system for children. This system is described in statutory guidance ‘Working together to Safeguard Children’ (2018). Safeguarding is everyone’s responsibility and KCSiE states ‘Safeguarding and promoting the welfare of children is **everyone’s** responsibility. **Everyone** who comes into contact with children and their families and carers has a role to play in safeguarding children. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centered. This means that they should consider, at all times, what is in the **best interest** of the child’.

Hull College recognises the responsibility placed upon its staff to deal with concerns around wellbeing and actual or suspected child abuse in a positive and effective way. Staff will endeavour to recognise and deal with concerns as quickly as possible and in accordance with the outlined safeguarding policy, which are intended to provide guidance and help/protection for young people, parents/carers and staff. These apply to anyone who is enrolled as a student of the College or anyone attending specific activities arranged and managed by the College, including placements, irrespective of location.

Staff will be required to complete annual KCSiE training, as well as attend mandatory safeguarding training as quickly as possible following their staff induction and refresh this fully every 3 years. They will also be required to adhere to this guidance and ensure their behaviour and conduct with students is appropriate at all times.

Any person who is either employed by the College (voluntarily or paid) or acting in a position of responsibility with children, young people or vulnerable adults, who has concern for the wellbeing of a child, young person or vulnerable adult or knowledge or a suspicion that a child/young person/vulnerable adult is being abused or is at risk of abuse has a duty to refer his/her concern immediately.

Early Help

‘**All** school and college staff should be prepared to identify children who may benefit

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from early help. Early Help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years. In the first instance staff should record any concerns on the Promonitor safeguarding tab and discuss early help requirements with the relevant allocated Designated Safeguarding Officer.

4. Definitions of Abuse

Definitions of abuse updated in KCSiE, Sept 21, reflect updated departmental guidance. Abuse is 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. Children may be abused in a family or in an institution or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children'.

All staff should be aware safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but not limited to: bullying (including cyber bullying), gender based violence/sexual assaults and sexting. Staff should be clear as to the college procedure with regards to peer on peer abuse. All concerns of this nature should be reported to the relevant site Designated Safeguarding Officer.

The 2004 Children Act also includes those less than 25 years of age who are defined as 'vulnerable adults'.

The Care Act 2014 defines an adult at risk as a person in need of care and support, including:

- An older person
- A person with a physical or learning disability or a sensory impairment
- Someone with mental health needs, including dementia, or personality disorder
- A person with a long-term health condition
- Someone who misuses substances or alcohol to the extent that it affects their ability to manage day-to-day living
- A carer providing unpaid care to a family member or friend

The Care Act acknowledges the wider aspects of adult safeguarding and makes key links with:

- Domestic abuse/violence
- Modern Day Slavery (Human Trafficking)
- Forced Marriage
- Honour-based violence
- Female Genital Mutilation
- (Sec 42 must be met for these to become adult safeguarding issues)

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Duty to make enquiries

The Local Authority must make enquiries or ensure others do so, if it reasonably suspects an adult who has care and support needs is being abused or neglected and is unable to protect themselves against that abuse or neglect or the risk of it, because of those needs (Sec 42 eligibility criteria – Guidance 2014, Ch. 14).

Any enquiry should establish whether any action needs to be taken to prevent or stop abuse and neglect and by whom.

A person's capacity to make decisions is determined by the Mental Capacity Act 2005.

There are two types of adult safeguarding enquiry:

Section 42 Safeguarding Enquiries

The enquiries where an adult meets all of the sec 42 criteria. The criteria are:

- (a) The adult has needs for care and support (whether or not the authority is meeting any of those need
- (b) The adult is experiencing, or at risk of, abuse or neglect
- (c) As a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it

Other Safeguarding Enquiries

Enquiries where an adult does not meet all the Sec 42 criteria but the local authority considers it necessary and proportionate to have a safeguarding enquiry.

The Care Act 2014 replaces most current law regarding carers and people being cared for. It outlines the way in which local authorities should carry out carer's assessments and needs assessments; how local authorities should determine who is eligible for support; the new obligations on local authorities; and how local authorities should charge for both residential care and community care.

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The Care Act is mainly for adults in need of care and support, and their adult carers. There are some provisions for the transition of children in need of care and support, parent/carers of children in need of care and support, and young carers. However the main provisions for these groups (before transition) are in the Children and Families Act 2014.

The Care Act introduces a general duty on local authorities to promote an individual's 'wellbeing'. This means that they should always have a person's wellbeing in mind and when making decisions about them or planning services.

Wellbeing can relate to:

- ☐ personal dignity (including treatment of the individual with respect)
- ☐ physical and mental health and emotional wellbeing
- ☐ protection from abuse and neglect
- ☐ participation in work, education, training or recreation
- ☐ social and economic wellbeing
- ☐ domestic, family and personal relationships
- ☐ suitability of living accommodation
- ☐ the individual's contribution to society

Categories of Abuse – Children

Physical Abuse

Physical abuse 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 fabricated the symptoms of, or deliberately induces illness in a child.

Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

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Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child from physical or emotional harm or danger, failure to ensure adequate supervision including the use of adequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Domestic Violence

This is often not considered a direct form of abuse due to its associations with physical abuse, but staff should be aware of the impact of witnessing, hearing and/or experiencing domestic violence when assessing risks and our general duty of care.

Categories of Abuse – Adults at Risk

Physical Abuse

This includes hitting, slapping, pushing, kicking, rough handling or unnecessary physical force either deliberate or unintentional, misuse of medication, restraint or inappropriate sanctions.

Sexual Abuse

This includes rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent to, or was pressured into consenting. Sexual abuse can occur between people of the same sex and it can also occur within a marriage or any long-term relationship. A relationship of trust should exist between a member of staff or a volunteer and the person for whom they are caring, it would be seen as a betrayal of that trust, and therefore abusive, for that member of staff or volunteer to have a sexual relationship with the person they are caring for.

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Psychological Abuse

This includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Financial or Material Abuse

This includes theft, fraud, exploitation, pressure in connection with wills, property, enduring power of attorney, or inheritance or financial transactions, or the inappropriate use, misuse or misappropriation of property, possessions or benefit

5.Responding to Concerns or Suspicions of Abuse

The College acknowledges that abuse of children and adults at risk can take different forms – physical, emotional, sexual, financial and neglect.

Where a child or adult at risk is giving cause for concern through their behaviour or actions, we will always follow our investigation procedures. We will always allow the investigation to be carried out with sensitivity. Staff are trained not to influence the outcome of any investigation either through the way they speak to children or adults or ask questions of them.

Disclosure

Any person who is either employed by the College (voluntarily or paid) or acting in a position of responsibility and trust with children, young people or adults, who has concern for the wellbeing of a child, young person or adult at risk or knowledge or a suspicion that a child/young person/vulnerable adult is being abused or is at risk of abuse has a duty to refer his/her concern immediately. This guidance is to inform staff what they should do and why if they suspect or have disclosed to them an incident of abuse.

When a student discloses abuse to a member of staff their account must be taken seriously and listened to. Staff will proceed in accordance with the procedures set out below which are in accordance with local Safeguarding Children Partnership's Child Protection Procedures and Guidance.

Duty to initially inform

All staff, acting in a position of responsibility with children, young people or adults at risk are required to record their concerns about a student on the College's safeguarding Promonitor tab, and/or follow-up and discuss with the relevant Designate Safeguarding Officer who the case will be referred to, or in the DSO's absence the Duty Manager. However, according to Keeping Children Safe

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in Education, Sept 2020, 'in exceptional circumstances, such as in an emergency or a genuine concern that appropriate action has not been taken, staff members can speak directly to children's social care or relevant multi-agency safeguarding hub (MASH) for adults.

Confidentiality

The student should be informed that there is a legal duty to inform an authorised agency. Promises of confidentiality should not be given as developments may result in this not being possible.

Staff and external agencies will be informed of relevant information in respect of individual cases regarding safeguarding on a 'need to know' basis only.

Duty to refer

In cases requiring the protection of the young person or vulnerable adult the College will conform to the duty to refer the concern to either the appropriate Safeguarding Children or Adult Teams or the Police. The student or parents/carers may wish separately to refer their concern to the police.

Concerns

A full record should be made, as practically as possible, of the nature of the concern/disclosure and any other relevant information on the student's Promonitor safeguarding tab. The required information will include:

- **Record Keeping**
- A clear and comprehensive summary of the worries and/or concerns by the relevant member of staff
- Details of how the concern was followed up and resolved by the DSO
- A note of any action taken, decisions reached and the outcome by the DSO, tutors, or other relevant staff
- A record of any further monitoring and/or required, for example attendance at child or adult protection meetings, Child in Need meetings, etc.

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As per above the completed information should be recorded on the student Promonitor safeguarding tab, where relevant staff involved in the students learning and support will be copied into the information and will be able to view the information recorded and any actions required. It is the responsibility of a DSO to determine the appropriate action to be taken.

Where a child or adult makes a disclosure to a member of staff, that member of staff will:

- Offer reassurance to the child or adult at risk that their concerns will be taken seriously and they will be supported
- Listen to the child or adult at risk
- Not question what is said
- Give reassurances that action will be taken and when

Action to be taken when reporting a safeguarding concern

On receipt of a Safeguarding concern the relevant Designated Safeguarding Officer will make a decision regarding action to be taken.

Possible actions are identified:

- Child Protection Referral to Police or Children's Social Care – this should be acted upon as soon as possible
- Referral to relevant multi-agency adults at risk agency
- Referral to Early Help
- Referral to Student Support or single external agency
- Completion of a Risk Assessment
- Record and monitor incident, disclosure or concern

In making this decision the following factors will be taken into account:

- Nature and severity of concern/disclosure
- Potential risk to the young person (or others)
- Needs of the young person
- Whether a multi-agency approach is required to address concerns highlighted

In making this decision advice may be sought from the relevant Children's Social Care Team at the Local Authority.

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When a Designated Safeguarding Officer identifies the need to make a referral to Children's Services he/she will:

- Contact the Police / relevant Safeguarding Children Team,
- Complete and return the LA Children's Service referral form
- A copy of the LA referral form will be held.
- Record of concerns from the staff member will be held

6. Other Areas of Concern

Prevent - Vulnerability to Radicalisation and Violent Extremism

Since 2010, when the Government published its Prevent Strategy, there has been increased awareness of the specific need to safeguard children, young people and vulnerable adults from radicalisation and violent extremism. Hull College seeks to protect children, young people, and vulnerable adults against all messages of all violent extremism including, but not restricted to, those linked to Islamist ideology, far right/Neo Nazi/White Supremacist ideology, and extremist animal rights movements, etc.

Section 21 of the Counter-Terrorism and Security Act 2015 (the Act) places a duty on certain bodies, including schools and colleges, listed in Schedule 3 to the Act, to have

“due regard to the need to prevent people from being drawn into terrorism”.

The Designated Safeguarding Officer will liaise with the Director of Learner and Customer Services and the relevant Prevent engagement officer from the local police force over concerns related to students and combating radicalisation and violent extremism, including referrals through the Channel process.

In February 2008, the Government published guidance to local partners including colleges on preventing violent extremism. While the guidance was prompted following examples of Al Qaida terrorist activities, it was also aimed at reducing the risk of radicalisation of vulnerable people by other groups, including some Animal Rights Groups and Far Right Groups. Children, young people and vulnerable adults are particularly targeted by extremist groups who may promote violent extremist narrative and activity. All staff should be aware of signs or indicators of radicalisation and have the confidence to report their concerns to their line manager or Designated Safeguarding Officer.

Any safeguarding concerns concerning radicalisation and extremist views should be recorded in writing and reported to the Designated

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Safeguarding Officer who will liaise as appropriate with the local Prevent Engagement Officer, following the agreed referral and Channel process.

Hull College promotes Prevent to its staff via awareness raising, for example training and development opportunities in partnership with local police forces, and by encouraging free and open debate but challenging extremist and radical views. College staff should be aware of signs of radicalisation and have the confidence to report their concerns to the Designated Safeguarding Officer. Students are encouraged to think about Prevent through teaching, learning and classroom practice, themed activities, and through induction and celebration activities reinforcing our commitment to British Values, and Equality, Diversity, and Safeguarding.

Hull College will not host or allow its premises to be used by extremist groups and will seek to prevent the distribution of extremist literature.

The College has a responsibility not to allow the promotion of partisan political views in the teaching of any subject in the college and must take such steps as are reasonably practicable to secure that where political issues are brought to the attention of students they are offered a balanced presentation of opposing views. Promotion of any organisations linked to violent extremism is contrary to the values of the College and could constitute misconduct.

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Safeguarding Disabled Children and Young People (SEND)

Abuse can happen to anyone but deaf and disabled children are over 3 times more likely to be abused or neglected than non-disabled children (Jones, 2012). Disabled children are recognised as the most vulnerable group in respect of safeguarding their wellbeing. They may have physical, sensory and learning disabilities and difficulties. Severely disabled children often rely on parents and carers to meet most or all of their needs. They may have limited mobility and may find it hard to make their feelings and wishes known because of communication or language difficulties. Children with complex needs may receive services in a range of settings from a number of care providers leaving them vulnerable to ill or cruel treatment, to neglect and abuse. If they have been harmed or ill-treated they may find it difficult to know how they can express their own concerns about their welfare and they may not even know that the care they are receiving is not safe or appropriate. Disabled children trust their care-givers and rely on them to be sensitive to their personal care needs, their health, their emotional well-being and their safety.

Why deaf and disabled children and young people are at increased risk of abuse

- Young people with learning disabilities are vulnerable to Child Sexual Exploitation (CSE) due to factors that include overprotection, social isolation and society refusing to view them as sexual beings
- Communication barriers
- Increased isolation
- Dependency on others
- Missing the signs of abuse
- Inadequate response to disclosure
- Lack of education on staying safe

The link below provides more detailed information on the above factors

<https://www.nspcc.org.uk/preventing-abuse/safeguarding/deaf-disabled-children/>

Attitudes and assumptions about Disability can lower a child or young person's self-confidence and make them feel disempowered. Building a child or young person's self-esteem can help to promote their safety. A child or young person who feels empowered is less likely to blame themselves and more likely to seek support.

Support and empower deaf and disabled children and young people a by giving them:

- a say in their safeguarding. It's important to consult a child on their views and wishes about their life and care in order to meet their needs
- access to advocacy services

- communication support and opportunities to express themselves
- a supportive relationship with a trusted person - this can increase the chances of disclosing abuse to that person
- accessible education on keeping safe, sex and relationships and on-line safety
- access to information in accessible formats

Self-Neglect

This is not a direct form of abuse but staff need to be aware of it in the general context of assessing risks and to be aware that they may owe a duty of care to a vulnerable individual who places him/herself at risk in this way.

Forced Marriage

The difference between a forced marriage and an arranged marriage

The tradition of arranged marriages has operated successfully within many communities and many countries for a very long time. A clear distinction must be made between a forced and an arranged marriage. In arranged marriages, the families of both spouses take a leading role in choosing the marriage partner but the choice whether or not to accept the arrangement remains with the young people. In forced marriage, one or both spouses do not consent to the marriage or consent is extracted under duress. Duress includes both physical and emotional pressure.

Possible Indicators of Forced Marriages:

- ☐ Absences
- ☐ Decline in performance
- ☐ Decline in punctuality
- ☐ Low motivation
- ☐ Poor exam results
- ☐ Being withdrawn from the College by those with parental responsibility
- ☐ Not allowed to attend extra-curricular activities, e.g. enrichment

What to do if you are Concerned that a Student is Being Forced to Marry

You should immediately contact one of the Designated Safeguarding Officer(s). However, if the student insists on talking to you, you should:

- ☐ Make sure you meet them in a place where there is a telephone
- Have a 'story' ready about how you are providing support with learning in case you are challenged by the family
- ☐ Listen to what the student has to say and write it down
- ☐ Not question apart from the clarify
- ☐ Inform the student that you will have to talk to a senior member of College staff but that the issues will remain confidential
- ☐ Provide the opportunity for them to talk to the forced marriage unit on 0207 008 0151

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Female Genital Mutilation (FGM)

FGM is child abuse and a form of violence against women and girls, and therefore should be dealt with as part of existing child and adult safeguarding/protection structures, policies and procedures.

Female Genital Mutilation comprises all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons (WHO). It is also sometimes referred to as female genital cutting or female circumcision. There are no health benefits to FGM and it is recognised internationally as a human rights violation.

Female genital mutilation is classified into four major types:

- Type 1 – Clitoridectomy: partial or total removal of the clitoris (a small, sensitive and erectile part of the female genitals) and, in very rare cases, only the prepuce (the fold of skin surrounding the clitoris).
- Type 2 – Excision: partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora (the labia are “the lips” that surround the vagina).
- Type 3 – Infibulation: narrowing of the vaginal opening through the creation of a covering seal. The seal is formed by cutting and repositioning the inner, or outer, labia, with or without removal of the clitoris.
- Type 4 – Other: all other harmful procedures to the female genitalia for non-medical purposes, e.g. pricking, piercing, incising, scraping and cauterizing the genital area.

FGM is illegal in the UK. In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003 (this offence captures mutilation of a female’s labia majora, labia minora or clitoris), and in Scotland it is illegal under the Prohibition of Female Genital Mutilation (Scotland) Act 2005. Under the 2003 Act, a person is guilty of an offence if they excise, infibulate or otherwise mutilate the whole or any part of a girl’s or woman’s labia majora, labia minora or clitoris, except for necessary operations performed by a registered medical practitioner on physical and mental health grounds; or an operation performed by a registered medical practitioner or midwife – or a person undergoing training with a view to becoming a medical practitioner or midwife – on a girl who is in labour or has just given birth for purposes connected with the labour or birth (these exceptions are set out in section 1(2) and (3) of the Act).

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Other than in the excepted circumstances, it is an offence for any person (regardless of their nationality or residence status) to: perform FGM in England, Wales or Northern Ireland (section 1 of the Act); assist a girl to carry out FGM on herself in England, Wales or Northern Ireland (section 2 of the Act); and assist (from England, Wales or Northern Ireland) a non-UK person to carry out FGM outside the UK on a UK national or permanent UK resident (section 3 of the Act). Provided that the mutilation takes place in England, Wales or Northern Ireland, the nationality or residence status of the victim is irrelevant.

There are a number of factors in addition to a girl's or woman's community or country of origin that could increase the risk that she will be subjected to FGM:

- The position of the family and the level of integration within UK society – it is believed that communities less integrated into British society are more likely to carry out FGM.
- Any girl born to a woman who has been subjected to FGM must be considered to be at risk of FGM, as must other female children in the extended family.
- Any girl who has a sister who has already undergone FGM must be considered to be at risk of FGM, as must other female children in the extended family.
- Any girl withdrawn from Personal, Social and Health Education or Personal and Social Education may be at risk as a result of her parents wishing to keep her uninformed about her body and rights.

Safeguarding girls at risk of harm of FGM poses specific challenges because the families involved may give no other cause for concern, for example with regard to their parenting responsibilities or relationships with their children. However, there still remains a duty for all professionals to act to safeguard girls at risk – with four key issues to consider:

1. An illegal act being performed on a female, regardless of age.
2. The need to safeguard girls and young women at risk of FGM.
3. The risk to girls and young women where a relative has undergone FGM.
4. Situations where a girl may be removed from the country to undergo FGM.

Hull College Guidance	Procedure Status: Approved	
Title: Safeguarding Children, Young People, and Adults at Risk Guidance and Procedures	Ref: CS1.9	Pages 17-31
Brief: Procedures and Guidance for Safeguarding Children & Adults at Risk		Next Review: September 2022

Anyone member of staff who has concerns who has concerns about a student should speak to their relevant line manager or College Designated Safeguarding Officer who will refer the matter to children's social; care services. Initially, the professional will refer the potential victim as a child in need and social care will assess the risk.

For further information, guidance and support please see 'Multi-Agency Practice Guidance: Female Genital Mutilation, DFE 2014 available on the Portal.

Child Sexual Exploitation

Involves exploitative situations, contexts and relationships where young people receive "something" (food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing sexual activities and/ or another performing sexual activities on them.

Can occur through use of technology without the child's immediate recognition e.g. persuasion to post sexual images on the internet/mobile with no immediate payment or gain.

Those exploiting the child/young person have power over them by age, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common

It is unlikely that concerns about possible sexual exploration are as a result of a one off incident.

Peer on Peer Abuse - Child on Child Sexual Violence and Sexual Harassment

Staff should recognise that children/young people are capable of abusing their peers. The College will take any concerns of this nature very seriously and concerns should be raised in the same way as any other safeguarding and protection concerns, directly to the site Designated Safeguarding Officer. Peer on peer abuse can take the form of bullying (including cyber-bullying), sexual violence and harassment, upskirting (from April 2019), sexting, and any other form of sexual or physical abuse. Gender based issues can also occur for example girls being sexually touched/assaulted or boys being subject to initiation/hazing type violence.

Where there has been a report of sexual violence and/or harassment an immediate risk and needs assessment will be completed and will consider:-

- The victim, especially their protection and support
- The alleged perpetrator, and
- All the other children/young people (and adult students, and staff) at college, especially any actions that are appropriate to protect them

All risk and needs assessments will be recorded on the Promonitor safeguarding tab and subject to close monitoring and review by the DSO and other relevant staff, and will include the views of parents and carers. Reports of child on child sexual violence and harassment will

be managed on a case by case basis, however DSO's will be mindful of the updated detailed guidance set out in **'Sexual violence and sexual harassment between children in schools and Colleges: Advice for governing bodies, proprietors, headteachers, principals, senior leadership teams and designated safeguarding leads'** (DfE, 2021) that can be found in the additional guidance section of this document

Hull College has developed **a statement and comprehensive Action Plan on Sexual Violence and Harassment** following the review by Ofsted in schools and colleges in 2021, and this is available to view on our website, intranet and Canvass learning platform.

Peer on peer abuse - Please see appendix 1 for more detailed guidance and what actions all staff need to take in the event of sexual violence and/or harassment between children and young people

ICT and Online Safety

Online sexual harassment, for example via mobile or smart technology may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include non-consensual sharing of sexual images and videos, sexualised online bullying, unwanted sexual comments and messages (including on social media), sexual exploitation, coercion and threats, and upskirting. If college staff have a concern about a student or a student discloses harm to them that relates to child-on-child sexual violence and/or sexual harassment, you must record your concerns on the student promonitor safeguarding tab where the case will be quickly allocated to a DSO, and provide immediate protection, support and reassurance to the student.

The College recognises that the use of technology has become a significant component of many safeguarding issues and that an effective approach to on-line safety empowers a college to protect and educate the whole college community in their use of technology and has mechanisms to identify, intervene in and handle incidents that occur. Students have access to a secure wifi connection, which has appropriate filters and. We are careful that 'over blocking' does not lead to unreasonable restrictions as to what students can be taught with regard to online safety and safeguarding. Students are taught about on-line safety, including the risk of being exposed to harmful material and content, the risk of harmful interaction with others and the risk of on-line behaviour that causes or increases the likelihood of exploitation and harm. Students are taught about the dangers of sexting and the risks associated with location sharing. All members of college staff are required to have read and to follow the College's ICT Acceptable Use Policy, Social Media Policy and our On-line Safety Policy.

Breast Ironing

In the procedure, hot objects, including stones and hammers, are used to pound and beat girls' breasts to stop them growing, in the belief it makes them less desirable to men and discourages premarital pregnancy. Breast ironing originated in **Cameroon**, where it affects as many as one in four girls. It also takes place in Nigeria, Benin and Chad. It is typically carried out by the girl's mother who will say she is trying to protect the girl from sexual harassment and rape, to prevent early pregnancy that would tarnish the family name, or to allow the girl to pursue education rather than be forced into early marriage.

As well as extreme pain, the practice can cause tissue damage and some medical experts have warned it could contribute towards breast cancer, cysts, abscesses and lead to problems with breastfeeding.

Serious Violence

All college staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include increased absence from college, a change in friendships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in well-being, or signs of assault or unexplained injuries.

Unexplained gifts or new possessions could also indicate that children and young people have been approached by, or are involved with, individuals associated with criminal networks or gangs, more commonly known as child criminal exploitation (CCE). Please report any concerns to a Designated Safeguarding Officer.

Hidden Harm

The effects on the young person as a result of a parent or carers misuse of substances such as drugs or alcohol.

Self-Harm

Self-harm can be described as the intentional self-poisoning or self-injury, irrespective of the apparent purpose of the act. Self-harm includes cutting, poisoning, asphyxiation, burning and other self-inflicted injuries'. Self-harm can also include eating disorders, risk-taking behaviour and drug and alcohol issues. Self-harm is often a coping mechanism, an individual harms their physical self to deal with emotional pain or to break feelings of numbness. Self-harm can become a natural response to the stresses of day-to-day life and can escalate in frequency and severity.

All instances of self-harm should be referred to the site Designated Safeguarding Officer who will liaise with relevant College staff and various external agencies who can become involved in order to support a young person.

Mental Health

Hull College recognises that it has an important role to play in supporting the mental health and wellbeing of our students and that in some cases mental health can be an indicator that a student has suffered or is at risk of suffering abuse, neglect or exploitation. Whilst only appropriately trained professionals should attempt to make a diagnosis of a mental health problem, College staff are well placed to observe students day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. Where students have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is essential that staff are aware of how these children's experiences can affect their mental health, behaviour and education. If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken by recording their concerns on the students promonitor safeguarding tab where support and follow-up advice will be provided by a DSO.

Low-level Concerns

Hull College gives guidance to staff about their duty to report low level concerns, including concerns regarding the behaviour of a member of staff towards children (i.e. concerns that fall below the threshold for mandatory reporting to the local authority LADO). It is recognised by the College that the method of commencing abuse often includes the erosion of boundaries, slow progression to abuse, use of trust and authority, meeting the student's needs (including physical and emotional), and developing relationships with the child's family.

There seems to be a 'slippery slope' of boundary violations towards abuse and that there are many stages on the slippery slope towards the breach of a boundary within a relationship. Sometimes initial infringements are part of a grooming process but at other times they are made innocently and with good intention. However, once boundaries are breached (e.g. inappropriate conversations or other communications, inappropriate physical contact, social contact outside college and favouritism) it then becomes more difficult to restore the relationship to one in which proper boundaries are respected.

Serious case reviews in the sector repeatedly indicate that staff, parents and carers were often aware of individual incidents of inappropriate behaviour but that there was a failure to 'join the dots' and take appropriate action. Concerns were not voiced; incidents were viewed in isolation and as too low level to require reporting. A series of low-level concerns may cumulatively meet the mandatory reporting threshold and need to be reported to the local authority LADO as such.

The "low level concerns" guidance given by the College informs staff that:

- Whilst the concern may seem very minor and one-off, the behaviour may form part of a pattern that is putting young people at risk or (without intervention) may develop into such a pattern.
- The behaviour may have been innocent but the member of staff may need to be given guidance to understand why it was inappropriate and should not happen again.

Wider guidance is provided in this document for staff on 'setting and maintaining professional boundaries' with students, and 'additional guidance on 'relationships with students'.

The 5 R's

Introduction

Safeguarding, if it is to impact on all aspects of operational activity at Hull College, must become the informed responsibility of all. All staff, Governors and board members, volunteers, partners and others have a responsibility actively to make the learning environment safe and secure for all. To do so you will find it helpful to consider and act on the

5 R's:

- Recognition
- Response
- Reporting
- Recording
- Referral

Recognition

The ability to recognise behaviour that may indicate abuse or exploitation is of fundamental importance. Whether the abuse may occur on the premises of the Hull College, in the home or any other setting in which the student may find themselves, all those playing a role in meeting the students' needs should be aware and informed so that possible abuse can be recognised, investigated and acted on seamlessly and effectively. Signs and symptoms of abuse of young people and/or vulnerable adults may include direct disclosure. Other people in a position to identify concerns include classroom lecturers, tutors, student support services, counselling staff, assessors, business support staff, student and Trade Union representatives, immediate colleagues and peers and those offering additional services, such as the Connexions and IGEN service. All of these are trained to understand signs of possible abuse and know how, where and to whom to report concerns.

Response

Appropriate response is vital. No report of, or concern, about possible abuse should ever be ignored. In order to determine the most appropriate response, find out whether you are dealing with an allegation from a student against a member of staff or a fellow student, or another. Is this a disclosure from an individual alleging abuse to themselves or to another? Is it the reporting of a concern or suspicion? What, precisely, is alleged to have happened? Detailed clarity is vital. Do not lead or probe with questions. Remain calm and demonstrate interest and concern while listening. Listen well. Inform the person sharing a concern with you that the concerns they have raised must be recorded and passed on so that possible abuse or exploitation can be dealt with, and that this will be done on a limited "need to know" basis, with as few others as possible knowing the identity of the complainant and all in the

chain of reporting will respect confidentiality. Reassure that they have done the right thing in reporting their concerns and that you will do everything you possibly can to help.

Do not make unrealistic promises.

Ensure that testimony is recorded and reported, and that the complainant and subject of the complaint are treated in line with policy and guidance.

Reporting

Reporting, as with recording concerns is via the student's promonitor safeguarding tab your concerns in the first instance. This should be the "default" action to be taken. Should this be inappropriate for whatever reason, you should not hold back from reporting, but report directly to a Designated Safeguarding Officer, or in their absence the emergency duty safeguarding officer. In the event of this not being possible you should report your concerns to the Duty Manager. Once you have reported concerns about abuse or exploitation to any of the colleagues mentioned above the responsibility for taking any further decisions and/or actions resides with them.

Recording

You should record (on the student's promonitor safeguarding tab) precisely what has been alleged, using the words of the complainant as far as possible. Your record should use accurate quotation. It should also, if appropriate, include factual observations about the observable physical and emotional state of the individual sharing their concerns with you. This information should be recorded and stored securely, in line with confidentiality policy and should be accessible only to those who need to access it as part of action taken to resolve a complaint or allegation.

Referral

Only the Designated Safeguarding Officer(s) or their deputy can make a decision to refer a complaint or allegation, having gathered and examined all relevant testimony and information. No one other than the Designated Safeguarding Officer(s) or their deputy should mount an investigation into complaints, allegations or suspicions of abuse. An investigation may include questioning colleagues, students, carers, parents, student and Trade Union representatives, volunteers, assessors, partners and the complainant. Actions of these sorts carried out by someone other than the Designated Safeguarding Officer(s) or their deputy could be construed as unjustified interference, which could jeopardise an investigation and any possible subsequent court case.

If you are ever in doubt as to what action you should take to safeguard and promote the welfare of children, young people and adults, please seek guidance and support from the relevant College Designated Safeguarding Officer(s) without delay.

The OfS Statement of Expectations

This set of expectations provides a set of consistent recommendations to support higher education providers in England develop and implement effective systems, policies and processes to prevent and respond to incidents of harassment and sexual misconduct. Harassment (as defined by Section 26 of the Equality Act 2010) includes unwanted behaviour or conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics:

- Age;
- Disability;
- Gender reassignment;
- Race;

- Religion or belief;
- Sex;
- Sexual orientation.

Harassment includes domestic violence and abuse (which can involve control, coercion, threats) and stalking. This would also include any incidents of physical violence towards another person(s) on the basis of a protected characteristic, and hate crimes, such as those criminal offences which are perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability, race or perceived race, or religion or perceived sexual orientations or transgender identity or perceived transgender identity.

Sexual Misconduct

This relates to all unwanted conduct of a sexual nature, this includes, but is not limited to:

- Sexual harassment (as defined by Section 26 (2) of the Equality Act, 2010);
- Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by Section 26 (2) of the Equality Act, 2010);
- Assault (as defined by the Sexual Offences Act, 2003);
- Rape (as defined by the Sexual Offences Act, 2003);
- Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual Harassment and the Law, 2017);
- Intimidation, or promising resources for benefits in return for sexual favours (as set out by the Equality and Human Rights Commission: Sexual Harassment and the Law, 2017);
- Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act, 2015).

The above statements, if it is to impact on all aspects of operational activity at Hull College, must become the informed responsibility of all. All staff, Governors and board members, volunteers, partners and others have a responsibility actively to make the learning environment safe and secure for all.

7.Setting and Maintaining Professional Boundaries

Essential Practice

Hull College staff and any of their contractors, volunteers from local businesses and community agencies in collaboration with our partners in education will be very clear about and observe professional boundaries by:

- Never embarking on a personal relationship with any current student
- Not sharing personal or professional information inappropriately, including personal phone numbers and addresses, personal life routines, affiliations and opinions
- Ensuring that appropriate language is used at all times and in no circumstances, or under provocation, should staff swear
- Avoiding all occasions where a single adult is in the company of a lone student, particularly where there is little or no possibility of the activity being supervised or observed (other than for appointments with College Counsellors)
- Ensuring that activities that involve a single student take place in a room which can be easily observed by others, or leaving doors open (other than for appointments with College Counsellors)
- Not meeting with students away from the College premises except on official College business. Home visits should not be undertaken
- Ensuring that in any activities involving staff and students, that staff behave in a controlled and professional manner at all times
- Avoiding any physical contact, unless there is a genuine reason in relation to the activity
- Not giving or receiving gifts of any significant cash value, other than for formal prize giving or where a member of staff is leaving the College
- Not giving or offering lifts to students beyond a College based activity. If a member of staff needs to transport a student on College business, an educational visit form and risk assessment should be completed. It is recommended that a member of staff does not travel alone with a student
- Ensuring that, on residential visits, accompanying staff represent the same gender(s) as the students
- Never using verbal interactions that are demeaning or belittling. Jokes should never be made at the expense of students, and extreme care should be taken so that what is said cannot be misconstrued. Innuendo should also be avoided
- Not exceeding the requirements of your role by embarking on any form of personal counselling. In cases of pastoral concern, students should be advised to seek support from Student Services. Confidential records relating to individual students should be kept in a secure place and marked 'Strictly Confidential'

- Ensuring that the organisation effectively monitors students who have been identified as at risk
- Ensuring that students are encouraged to report any concerns in relation to contact with staff, contractors, volunteers from local businesses and community agencies, including work experience providers, and any contacts outside the College to a members of the College who will then follow College policy
- Attending any mandatory training such as Safeguarding, Equality and Diversity, Managing Student Behaviour and Data Protection
- Using the disciplinary and reporting procedures appropriately to deal with any issues in a timely fashion before they escalate.

8. Additional Guidance on Relationships with Students

The majority of staff who work with young people and vulnerable adults in education settings act professionally and seek to provide a safe and supportive environment for students. It is recognised that achieving this aim is not always straightforward. Much relies on student and staff interactions where tensions and misunderstandings can occur. It is here that staff behaviours can give rise to allegations being made against them. Allegations may be genuine, malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all

concerned.

This guidance should not be interpreted to mean that, in order to avoid misplaced allegations, all forms of physical or close contact with students should be avoided.

There will be occasions where physical contact is appropriate, e.g. in situations where a degree of physical intervention is required. The guidance is concerned with avoiding sexual activity in a relationship of trust and other contact which may be inappropriate.

Relationships of Trust

A relationship of trust exists where a teacher, member of staff or volunteer is in a position of power or influence over a student by virtue of the work or nature of the activity being undertaken. Those in a position of trust must carry the responsibility of ensuring that they do not abuse their position or put themselves in a position where allegations of abuse of trust, whether justified or unfounded, could be made.

It is important to recognise that a variety of circumstances can arise, including a sexual relationship at one end of the scale, through close friendships, to, at the other end of the scale, an innocent situation which has been entirely misconstrued. Staff and volunteers should take steps to minimise the risk of circumstances being misconstrued or misunderstood and relationships with language and conduct which could give rise to comment and speculation.

All staff should clearly understand the need to maintain appropriate boundaries in their dealings with students. Intimate or sexual relationships between staff and students will be regarded as a serious breach of trust and good faith. Where a relationship of trust exists, allowing a relationship to develop in a way that might lead to a sexual relationship is wrong. A sexual relationship will be intrinsically unequal within a relationship of trust and is therefore unacceptable. Abuse of trust involving sexual activity with a young person under 18 or a adult at risk who is a student at the College may be a criminal offence under the Sexual Offences Act 2003. It is also inappropriate since the professional relationship of trust would

be altered.

From time to time staff may encounter students who display attention-seeking behaviour, profess to be attracted to them or begin to develop a relationship of emotional dependency. Particular care should be exercised if the student is vulnerable. Staff should aim to deal with those situations sensitively and appropriately, but ensure that their behaviour cannot be misinterpreted. The member of staff or volunteer should inform their line manager if they have any concerns or if there is a concern that a young person is becoming attracted to him or her, or that there is a developing attachment or dependency. If a member of staff or volunteer is concerned that (s)he might be developing a relationship with a young person which could have the potential to represent an abuse of trust, the first advice must be to ensure that the relationship does not develop further. Arrangements should be made by the line manager to minimise direct contact between the student and member of staff or volunteer and to prevent all contact if possible.

Where contact must take place another member of staff should be present at all times.

Staff should be aware that private meetings with individual students might give rise to concern. There will be occasions when a confidential interview or a one-to-one meeting is necessary. Such interviews should be conducted in a room with visual access or an area which is likely to be frequented by other people. Another student should be present or nearby. Where such conditions cannot apply, staff should ensure that another adult knows that the interview is taking place.

Students should not be asked or encouraged to visit the home of a member of staff or socialise informally outside College. These contacts or visits can place staff in a vulnerable position and can in some case lead to allegations being made against staff.

The following are examples of actions, albeit not overtly abusive, that could be interpreted as a member of staff 'grooming' a student or allowing a dependent relationship to begin or continue:

- Inviting students to their home
- Visiting students at their home
- Giving students gifts
- Offering students lifts outside normal duties
- Singling individual students out for special attention
- Seeing students socially

Members of staff should not give students their mobile or home telephone number.

The frequency, nature and degree of such behaviour may justify the need for further investigation.

Physical Contact

Physical contact may be misconstrued by a student, parent or observer. Touching students, including well-intentioned gestures such as putting a hand on a shoulder, can, if repeated regularly, lead to serious questions being raised, particularly if this occurs when a member of staff is alone with a student. As a general principle, staff must not make gratuitous physical contact with their students. It is particularly unwise to attribute touching to their teaching style or as a way of relating to students. Teachers and other staff do, however, have the right to use reasonable physical intervention to restrain students in certain circumstances. Staff

should be aware of the College's policy on the use of physical intervention and restraint.

There may also be occasions where a distressed student needs comfort and reassurance which may include physical comforting such as a parent or carer would give. Staff should use their discretion in such cases to ensure that what is normal and natural does not become unnecessary and unjustified contact, particularly with the same student over a period of time. Where a member of staff has particular concern about the need to provide this type of care and reassurance, they should seek the advice and guidance of the Designated Safeguarding Officer(s) who, if necessary, will consult with the College's Director of Learner and Customer Services.

Some staff are also likely to come into physical contact with students in the course of their duties. Examples of this could include sports coaching or Performing Arts programmes which may involve a degree of non-sexual physical contact. Contact of this type should not take place when a member of staff is alone with a student.

In care situations, where a student may require assistance with personal care such as toileting, staff should respect the student's right to dignity and the level of support needed agreed with the student. Staff should be aware of the limits within which such contact should properly take place and of the possibility of such contact being misinterpreted. Staff should inform their line manager of the level of support they have agreed with the student, following the Personal Care Policy.

9.Appropriate Taking and Use of Images of Students

You should:

- Be very clear about the use of images and voices of people in photographs, videos and web-cams by getting permission of all people who will appear in a photograph, video or web-cam image before recording the footage
- Make it clear why we are using that person's image, what we will be using it for, who might want to look at the pictures and how long we will be using it for. It is College policy to seek to obtain permission to use photographs of individuals as part of its marketing and publicity material
- If taking images at any event attended by large crowds, such as a sports event, this will be regarded as a public area and will not need the permission of everyone in a crowd shot. However, verbal permission will be obtained for any image of an individual
- If using images from an agency, it will be the agency's responsibility to obtain permission from all those appearing in the image before it is recorded
- Acquire written permission from anyone who will be used in marketing or advertising

10. Additional Guidance Documents.

There are a number of both statutory and non-statutory documents which this procedure is based upon and which can provide further information and advice:

Working Together to Safeguard Children, 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779401/Working_Together_to_Safeguard-Children.pdf

Keeping Children Safe in Education, September 2021

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1014057/KCSIE_2021_September.pdf

What to do if you are worried a young person is being abused, 2015

<https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>

Sexual Violence and Sexual Harassment Between Children in Schools and Colleges (2021)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1014224/Sexual_violence_and_sexual_harassment_between_children_in_schools_and_colleges.pdf

Searching, screening and confiscation at school

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/674416/Searching_screening_and_confiscation.pdf

Sexting in Schools and Colleges Guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719902/Sexual_violence_and_sexual_harassment_between_children_in_schools_and_colleges.pdf

Guidance for safer working practice for those working with children, 2015

<http://www.saferrecruitmentconsortium.org/GSWP%20Oct%202015.pdf>

Disqualification under Children Act 2006, 2015

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/414345/disqual_stat-guidance_Feb_15_3_.pdf

Counter-Terrorism and Security Act, 2015

<http://www.legislation.gov.uk/ukpga/2015/6/contents/enacted>

Prevent Duty Guidance, 2015

<https://www.gov.uk/government/publications/prevent-duty-guidance>

Serious Crime Act, 2015

<http://www.legislation.gov.uk/ukpga/2015/9/contents/enacted>

We have the right to be safe; protecting disabled children from
abuse (NSPCC Ex Summary)

<https://www.nspcc.org.uk/globalassets/documents/research->

Office for Students (2021) Statement of Expectations

<https://www.officeforstudents.org.uk/media/d4ef58c0-db7c-4fc2-9fae-fcb94b38a7f3/ofs-statement-of-expectations-harassment-and-sexual-misconduct.pdf>

Senior manager responsible	Director of Learner & Customer Services
College Committee	
Date of next guidance review	September 2021
Date Equality Analysis agreed	September 2011

Appendix 1

Peer on Peer Abuse (including bullying, cyber-bullying, sexting, sexual violence, upskirting and sexual harassment)

1. Purpose and content

The purpose of this appendix of the Hull College Safeguarding guidance is to provide a clear set of guidelines to staff regarding the actions they must take if they become aware that a learner is at risk of abuse from peers including through bullying, cyber-bullying and sexting.

2. Definitions

The key terms in this document are defined as:

- **Peer:** A person of similar age
- **Child:** Those under the age of eighteen
- **Vulnerable Adult:** For the purpose of safeguarding, and the College duty of care, a vulnerable adult is defined as any adult considered to be at risk
- **Education and Health Care Plan (EHCP):** From September 2014 EHCPs began to replace Statements of special educational needs and Learning Difficulty Assessments from those under the age of 25. An EHCP outlines information about the person including how they communicate, what support they need and what they would like to achieve
- **Bullying:** Behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. This includes any repeated words or actions, which are aimed at causing someone to feel frightened, miserable and helpless. Bullying can take many forms, including:
 - Verbal: e.g. name calling, sarcasm, threatening & teasing
 - Physical: e.g. pushing, hitting, kicking, punching or any use of physical aggressive contact
 - Social: e.g. ignoring, spreading rumours or treating someone like an outsider
 - Psychological: e.g. stalking & intimidation
- **Cyber-bullying:** 'Virtual' bullying using technology (e.g. chat rooms, instant messaging, email & mobile phone) which can occur in or outside College. Cyber-bullying can happen at all times of the day, with a potentially bigger audience, as people can forward on content very quickly and easily. See Appendix E, online safety.
- **Sexting:** Whilst professionals refer to the issue as 'sexting' there is no clear definition. Many professionals consider sexting to be sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the Internet but learners may be more likely to interpret sexting as writing and sharing explicit messages with people they know. Creating and sharing sexual photos and videos of under-18s, including selfies, is illegal.

- **Harassment:** Any conduct which is unwanted by a learner, which affects the dignity of the learner or group of learners in the College. Harassment may be repetitive or an isolated occurrence against one or more learners
- **Up skirting:** Up skirting typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification or cause the victim humiliation, distress or alarm. Since April 2019 Up skirting has been a criminal offence - Under the Voyeurism Act, up skirting offenders can now be arrested, face up to 2 years in prison and have their name placed on the sex offenders register if caught up skirting. This includes instances where culprits say the images were taken just for a laugh.
- **Sexual Harassment:** Sexual harassment means 'unwanted conduct of a sexual nature' that can occur online and offline. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Whilst not intended to be an exhaustive list, sexual harassment can include;
 - Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
 - Sexual "jokes" or taunting;
 - Physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
 - Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
 - Non-consensual sharing of sexual images and videos. (UKCCIS sexting advice provides detailed advice for schools and colleges);
 - Sexualised online bullying;
 - Unwanted sexual comments and messages, including, on social media; and Sexual exploitation; coercion and threats.

Sexual Violence: Under the Sexual Offences Act 2003 sexual violence is describes as;

- **Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.
- **Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.
- **Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

What is consent?

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

- A child under the age of 13 can never consent to any sexual activity
- The age of consent is 16
- Sexual intercourse without consent is rape.

3. External guidance

Peer on peer abuse can take many forms including physical, sexual (e.g. inappropriate touching) and emotional abuse (including bullying). Department for Education (DfE) September 2020: Keeping Children Safe in Education; statutory guidance for schools and colleges, makes it clear that abuse is abuse and should never be tolerated or passed off as 'banter' or part of 'growing up.'

The Equality Act 2010 replaced previous anti-discrimination laws with a single Act. A key provision was a new public sector Equality Duty, which came into force on 5 April 2011. This requires the College to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the act
- Advance equality of opportunity between people who share a protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it

Peer on peer abuse often involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators having control over the relationship which makes it difficult for those they abuse to defend themselves. This imbalance of power can manifest itself in several ways. It may be physical, psychological (knowing what upsets someone), or social (e.g. isolating or excluding someone). It could also include issues such as revenge porn or what are often gender issues (e.g. girls being touched or boys being involved in initiation activities).

Bullying (including cyber-bullying) can be involved in any type of abuse and is often motivated by prejudice or ignorance due to actual or perceived differences between people or groups or people. People who are lesbian, gay, bisexual or transgender (LGBT), those from minority ethnic groups, or those with disabilities and/or learning difficulties can be more vulnerable to this form of abuse and the College takes it duty to protect more vulnerable learners very seriously.

Peer on peer abuse should be addressed as a child or vulnerable adult protection concern when there is reasonable cause to suspect that a child or vulnerable adult is suffering, or is likely to suffer, significant harm. Sexting involving those under the age of 18 must always be referred to a Designated Safeguarding Officer via the learners Promonitor safeguarding tab.

4. Actions

The following actions must be taken by all staff:

- All staff and learners have a responsibility to work together to ensure that abuse does not occur, or where it is found, action is taken
- Staff must ensure ground rules are set in induction and that learners are made aware of the importance of adhering to fundamental British values, what constitutes abuse (including bullying and cyber-bullying) and how any incidents of abuse will be addressed through the college's safeguarding policy and student behaviour and disciplinary policy
- Tutors for under 18s, and those under the age of 25 in receipt of an EHCP and/or high needs funding, must ensure learners understand how to stay safe from abuse through the mandatory tutorial programme
- Staff receiving reports of abuse, including incidents that take place off College premises, must take appropriate action to follow up all allegations/incidents and record the information on the relevant learners Promonitor safeguarding tab that will be followed up by a DSO
- Sanctions against perpetrators may include suspension whilst an investigation takes place and permanent exclusion
- All concerns must be recorded on the learners Promonitor safeguarding tab to be referred by the Deputy Senior Safeguarding Lead to a Designated Safeguarding Officer for follow-up safeguarding action
- Staff must ensure appropriate Heads of Curriculum are also notified via the learners Promonitor safeguarding tab, and the ALS Coordinator for a learner under the age of 25 who is in receipt of an EHCP and/or high needs funding
- All staff involved must carefully consider the potential impact of the abuse on both the perpetrator/s and the victim/s and refer those involved for additional support from the student services welfare team as appropriate.
- The Designated Safeguarding Officer will consider referring learners and their parents/carers to other agencies where appropriate. This may include referral to children's social care (EHaSH), police, or counselling, or other agency as although some types of abuse (e.g. bullying) may not be a specific criminal offence in the UK, some types of harassing or threatening behaviour could be a criminal offence (e.g. under the Protection from Harassment Act 1997)
- All allegations/incidents must be recorded on the learners Promonitor safeguarding tab and learners involved told what is being recorded, in what context, and why
- Any incident of abuse must be discussed with the learners' parents/carers for under 18s and those under the age of 25 in receipt of an EHCP and/or high needs funding
- An agreement must be reached as to what action should be taken subject to discussions with DSO, and/or Senior and Deputy Senior DSO
- Advice for Senior and Deputy Senior Safeguarding leads where sexual violence occurs –

The victim may ask the college not to tell anyone about the sexual violence or sexual harassment. There are no easy or definitive answers when a victim makes this request. If the victim does not give consent to share information, staff may still lawfully share it, if it can be justified to be in the public interest, for example, to protect children from harm and to promote the welfare of children. The designated senior or deputy senior safeguarding lead should consider the following:

- Parents or carers should normally be informed (unless this would put the victim at greater risk);

- The basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to children's social care;
- Rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of referring to the police remains. The police will take a welfare, rather than a criminal justice approach, in these cases.

5. Useful contacts

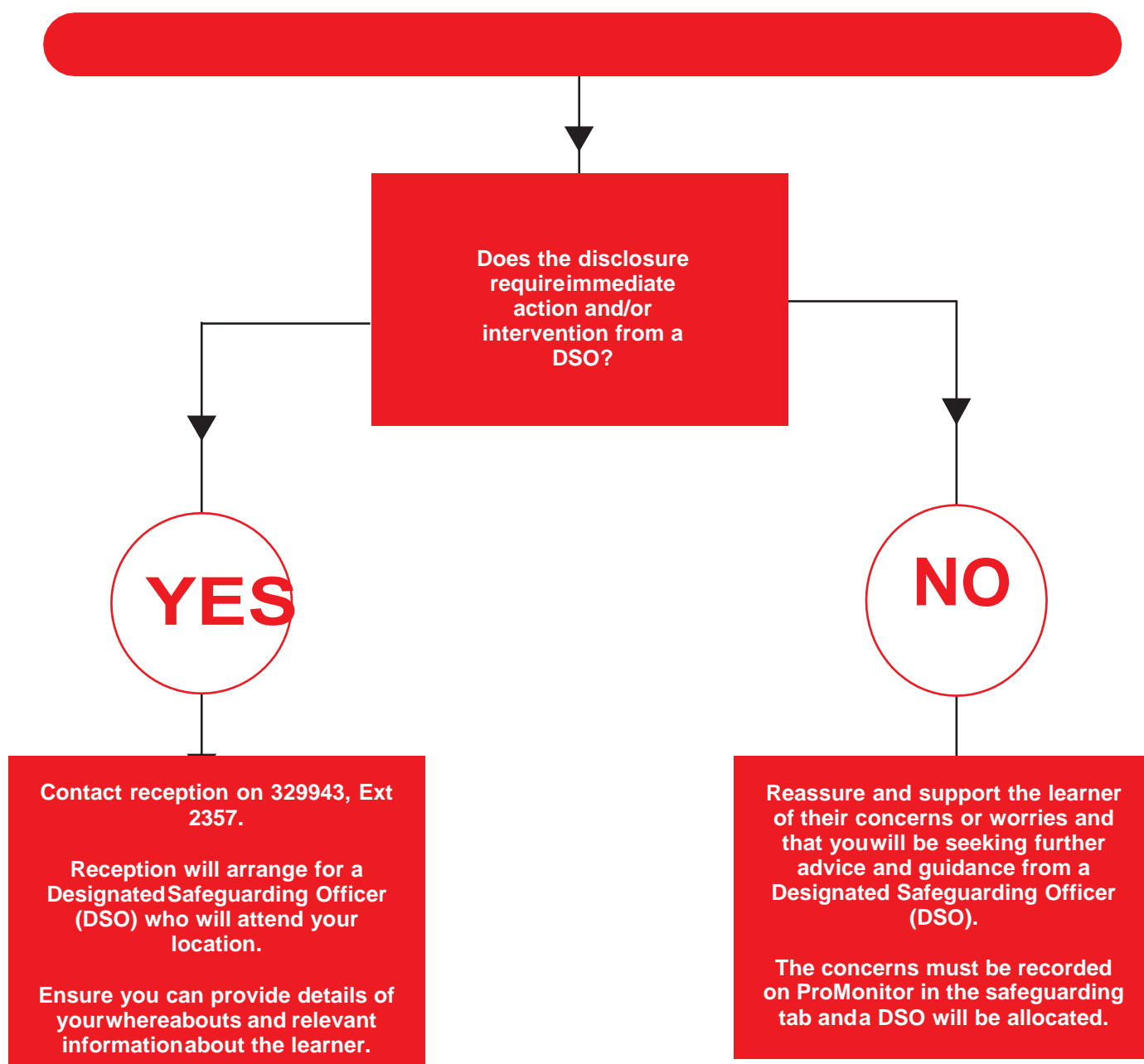
- NSPCC Helpline 0808 800 5000
- NSPCC [Harmful Sexual Behaviour](#)
- ChildLine 0800 500 / www.childline.org.uk
- Kidscape www.kidscape.org.uk
- Anti-Bullying Alliance www.antibullyingalliance.org
- Bullying UK www.bullyinguk.org.uk

Hull College – Safeguarding Flowchart 2021/22

SAFEGUARDING IS EVERYONE'S RESPONSIBILITY



If it is an emergency or an immediate threat to life call 999 and inform DSO Lead/ Deputy



Any concerns or questions regarding this process
please contact: Zailie Barratt – 07538113343 (Ext 2019)
David Greenway – 07538113395 (Ext 2038)

SAFEGUARDING IS EVERYONE'S RESPONSIBILITY