



# Safeguarding of Children and Vulnerable Adults (Inc. Prevent Duty) Policy

(Formerly Safeguarding Procedure)

Date: January 2021

Version 5

## Contents

<b>1. Purpose.....</b>	<b>3</b>
<b>2. Scope .....</b>	<b>3</b>
<b>3. Policy Statement.....</b>	<b>3</b>
<b>4. Definitions.....</b>	<b>5</b>
<b>5. Responsibilities.....</b>	<b>6</b>
<b>6. References .....</b>	<b>7</b>
<b>7. Document Control and Review.....</b>	<b>10</b>
<b>8. Revision Log.....</b>	<b>11</b>
<b>Annexe A.....</b>	<b>12</b>

## 1. Purpose

The purpose of this Policy is to outline the commitment of City of Glasgow College in its duty to safeguard children, young people and vulnerable adults who may be at risk of harm, abuse, neglect, exploitation, discrimination or extremism.

## 2. Scope

This Policy applies to all staff, students, stakeholders, volunteers, agency workers and any other contractor/consultant who may be engaged by the College. This Policy recognises the College's duty to safeguard children, young people and vulnerable adults and, as the college does not operate wholly or mainly in the areas of child and/or adult protection, to work closely with those practitioners and professional organisations who do work within this area.

## 3. Policy Statement

**3.1** Section 4 outlines the definitions related to the Safeguarding of Children and Vulnerable Adults.

**3.2** All children and young people have the right to be cared for and protected from harm, and to grow up in a safe environment in which their rights and needs are respected. The National Guidance for Child Protection in Scotland, which was published in May 2014, provides a clear definition of what abuse and neglect is, as well as expectations for all those working with children and young people regarding identifying and responding to child protection concerns. (*National Framework for Child Protection and Learning 2012*).

**3.3** A child's network of support will almost always have at its heart their parents, carers and family. It will also include the universal services of health and education. Some statutory agencies have legal duties towards children and young people, but everyone who comes into direct or indirect contact with them has a fundamental duty of care. The "Getting It Right for Every Child" (GIRFEC) approach is multi-agency and puts the well-being of the child and young person at the centre of how services for them are designed, planned and delivered. It is based on early intervention as soon as a concern is identified. (*National Guidance for Child Protection in Scotland 2014*).

**3.4** The Children and Young People (Scotland) Act 2014 outlines the duties and responsibilities for the 24 public bodies listed, including colleges and universities as “post-16 education bodies”, as Corporate Parents. These duties require all corporate parents to collaborate with each other to promote the well-being of looked after children and care leavers in their care and to enable them to achieve the best outcomes.

**3.5** The *Adult Support and Protection (Scotland) Act 2007* seeks to protect and benefit adults at risk of being harmed. The Act requires councils and a range of public bodies to work together to support and protect adults who are unable to safeguard themselves, their property and their rights.

**3.6** The Scottish Government published their *Common Core of Skills, Knowledge & Understanding and Values for the “Children’s Workforce” in Scotland* in June 2012. This Common Core is cross-referenced to the United Nations Convention on the Rights of the Child (UNCRC) and the values are taken from GIRFEC. It includes the need to “understand appropriate child protection procedures and act accordingly”. The Common Core describes the skills, knowledge and understanding, and values that everyone should have if they work with children, young people and their families.

**3.7** The College’s responsibilities for the safeguarding of children and vulnerable adults at risk includes:-

- Prevention;
- Recognising symptoms and behaviours through support and training of staff;
- Recording concerns;
- Reporting concerns;
- Promoting their interests, and;
- Inter-agency working.

**3.8** The College Safeguarding of Children and Vulnerable Adults Procedure is comprehensive, with clear lines of responsibility, and reporting takes place on an annual basis through the Staff, Students and Equalities Committee of the Board of Management.

**3.9** The College will ensure that any safeguarding concerns raised are dealt with appropriately, sensitively, proportionately, without undue delay and in a confidential manner.

**3.10** This Policy takes due cognisance of the relevant legislation, and other related legislation, regulation and guidance outlined in Annexe A. The College recognises that this guidance is not exhaustive and there is a need to be vigilant around emerging themes related to children and vulnerable adults within the College and wider society.

## 4. Definitions

**4.1 Child:** Anyone under 18 years of age.

**4.2 Adult at Risk:** Anyone aged 16 or over whom for the time being:

- are unable to safeguard their own well-being, property, rights or other interests;
- are at risk of harm, and;
- Because they are affected by disability, mental condition, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

**4.3 All** three elements of the definition above must be met, and the presence of a particular condition does not automatically mean an adult is an 'adult at risk'.

**4.4** It should be noted that a person may have a disability, physical and/or mental health condition, and be fully capable of safeguarding their personal well-being and interests. It is the whole of an adult's particular circumstances which can combine to make them more vulnerable to harm than others and a **proportionate** response to the situation is an important consideration.

**4.5 Care Experienced Young People:** Previously known as 'Looked After Young People', care experienced young people (CEYP) includes anyone under 26 years old who has been or is currently in care, or from a looked after background, at any stage in their life. It includes people who have been in foster care, residential care, kinship care and those who are looked after at home with a supervision requirement.

*(Statutory Guidance on Part 9 (Corporate Parenting) of the Children and Young People (Scotland) Act 2014).*

## **5. Responsibilities**

**5.1** All members of staff have a duty of care to protect and safeguard the groups defined in Section 4 from any situation where they may suffer verbal, physical or psychological abuse, bullying, harassment, ill-treatment, discrimination, exploitation or extremism.

**5.2** Associate Deans and Heads of Service are responsible in their role as Safeguarding Coordinators for providing first line support to staff who may be concerned about a Safeguarding or Child Protection issue.

**5.3** The Senior Management Team and Executive Leadership Team are responsible for responding to and acting on any concerns related to a Safeguarding or Child Protection issue.

**5.4** The Student Experience Director (Safeguarding Lead) and/or Associate Director Learner Journey will, together with the appropriate member of SMT/ELT, report a concern to Police Scotland where appropriate.

**5.5** The Student Experience Director is responsible for providing welfare and support services for students.

**5.6** The Student Experience Director (College Corporate Parenting Lead)/ and/or the Associate Director Learner Journey is responsible for progressing the College's Corporate Parenting Action Plan which provides detailed actions related to the additional responsibilities which apply to the College as a Corporate Parent.

**5.7** The Associate Director Learner Journey and appropriate Faculty Associate Dean, are responsible for the Applicants with Unspent Criminal Convictions Policy and Procedure ensuring that a risk assessment is undertaken for applicants with unspent criminal convictions who may pose a risk to other college students, staff and visitors.

**5.8** The College Secretary (College Prevent Lead) is responsible for progressing the College Prevent Action Plan.

**5.9** The Human Resources Director is responsible for the College Staff Protection of Vulnerable Groups Scheme (PVGS) which improves safeguarding for children and vulnerable adults by preventing (barring) unsuitable people from doing regulated work through the maintenance of lists of disqualified persons. They are also responsible for providing welfare and support services for staff.

- 5.10** The appropriate Associate Dean is responsible for the College Student Protection of Vulnerable Groups Scheme which ensures that students working with children and/or vulnerable adults through their work placement, have a satisfactory report, and have been suitably disclosed; thus ensuring those barred from this type of work do not have access to children or protected adults.
- 5.11** The Head of Organisational Development is responsible for developing an induction and training plan for Safeguarding/Prevent and Corporate Parenting together with appropriate College Leads.
- 5.12** The College Legal Team (Thorntons Solicitors) are is responsible for providing legal advice and guidance in relation to the College Safeguarding, Corporate Parenting and Prevent Duties.
- 5.13** The Information Technology Director is responsible for ensuring the responsible use of digital technologies.
- 5.14** The Principal supported by the Executive Leadership Team is responsible to the Board of Management for ensuring that the College's commitment to this Policy is effectively communicated and implemented.
- 5.15** The Board of Management is responsible for ensuring the College complies with its statutory obligations in terms of the Safeguarding of Children and Vulnerable Adults, Corporate Parenting and Prevent Duties.

## 6. References

### 6.1 Policy Framework

<b>Associated Policies and Procedures</b>	<b>Title</b>
Policy	Prevent Policy
Procedures	Safeguarding of Children and Vulnerable Adults (Incorporating Prevent Duty) Procedure
Action Plan	College Corporate Parenting Action Plan
Action Plan	College Prevent Action Plan

## 6.2 Other College Policies and Procedures

<b>Policy / Procedure</b>	<b>Title</b>
Procedure	College Staff Protection of Vulnerable Groups Scheme (PVGS) Procedures
Procedure Forms	College Students on Work Placement (PVG) Scheme  PVG – Student Meeting Disclosure Form  PVG – Risk Assessment Record  PVG – Record Control Form
Procedure	Admissions for applicants with Relevant Unspent Criminal Convictions Procedures.
Forms	Declaration Form Risk Assessment Form
List	Safeguarding Coordinators Details List
Policy	ED&I and Dignity at Work Guidance
Policy	Student Bullying and Harassment Policy



### 6.3 External References

Source	Title
Scottish Government Website	<a href="#">National Guidance for Child Protection in Scotland</a>
Scottish Government Website	<a href="#">National Framework for Child Protection Learning and Development in Scotland</a>
Scottish Government Website	<a href="#">Getting it Right for Every Child</a>
Scottish Government Website	<a href="#">Children and Young People (Scotland) Act</a>
Scottish Government Website	<a href="#">The Adult Support and Protection (Scotland) Act</a>
Scottish Government Website	<a href="#">Common Core of Skills, Knowledge &amp; Understanding and Values for the “Children’s Workforce” in Scotland</a>
Scottish Government Website	<a href="#">Revised Prevent Duty Guidance for Scotland</a>

## 7. Document Control and Review

<b>Approval Status</b>	Approved
<b>Approved by</b>	Students, Staff and Equalities Committee of the Board of Management.
<b>Date Approved</b>	July 2019
<b>EQIA Status</b>	EQIA Conducted? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
<b>Proposed Review Date</b>	January 2023
<b>Lead Department</b>	Student Experience
<b>Lead Officer(s)</b>	Student Experience Director
<b>Board Committee</b>	Student, Staff and Equalities Committee of the Board of Management.
<b>Copyright © 2019 City of Glasgow College</b>	Permission granted to reproduce for personal use only. Commercial copying, hiring lending, posting online is strictly prohibited

## 8. Revision Log

<b>Version</b>	<b>Section of</b>	
<b>Date</b>	<b>Document</b>	<b>Description of Revision</b>
Version 1 15 May 2013	n/a	Created
Version 2.1 21 July 2014	Footer	Revised to reflect new roles after re-structure.
Version 2.2 23 April 2015	All	Reviewed and College Policy Template applied.
Version 3 2016	All	New Government Legislation 2014 and 2015
Version 4 November 2017	All	Includes Prevent Duty and Corporate Parenting. Updated emphasis on child protection and emerging themes in Annexe A
Version 5 January 2021	All	Revised to reflect new roles after re-structure. Updated government legislation.

## Appendix A

### Safeguarding of Children and Vulnerable Adults – Related Legislation, Regulation and Guidance

---

1. The United Nations Convention (of the rights of the child 1992) states that each child has a right to be treated as an individual and have protection from all forms of abuse, neglect or exploitation. For a child to require protection from abuse it does not require it to have actually taken place but there must be prior assessment that identifies a significant likelihood or risk that abuse could occur.

2. The Sexual Offences (Amendment) Act 2000 – Abuse of Trust makes it an offence for a person aged 18 years and over to have sexual intercourse or engage in any other sexual activity with or directed towards a person under that age if the person aged 18 and over is in a position of trust in relation to the younger person. A person convicted of such an offence, unless they are under 20 years of age will be subject to the notification requirements under the Sex Offenders Act 1997 and may be the subject of an extended sentence by the court.

3. The Female Genital Mutilation (FGM) (Scotland) Act 2005 extends the 1985 legislation by making it a criminal offence to have FGM carried out either in Scotland or abroad.

---

4. A Forced Marriage (FM) is a marriage conducted without the valid consent of one or both parties and where duress is a factor. FM is now a specific offence under Section 121 of the Anti-Social Behaviour, Crime and Policing Act 2014.

5. There is no specific offence of "honour based crime". It is an umbrella term to encompass various offences covered by existing legislation. Honour based violence (HBV) can be described as a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code. This is a violation of human rights and form of domestic and/or sexual violence.

6. Section 26 of the Counter-Terrorism and Security Act 2015 places a duty on public bodies to have, in the exercise of their functions, "due regard to the need to prevent people from being drawn into terrorism". For the purposes of the City of Glasgow College Policies and Procedures this will mean prevention of extremist views of any nature aimed at the radicalisation or exploitation of children, vulnerable individuals or groups. The term "due regard" as used in the Act means that the authorities (the College) should place an appropriate amount of weight on the need to prevent people being exploited when they consider all the other factors relevant to how they carry out their usual functions.

7. The Human Trafficking and Exploitation (Scotland) Act 2015 relates to the illegal trade of human beings for exploitation. Some examples of the forms of exploitation which victims can be subjected to are below:

- Sexual – including commercial sexual exploitation such as prostitution, pornography, lap dancing and stripping.

- Labour - factory, agricultural, food industry, care work, hospitality industry and construction.
  - Domestic Servitude – housework, cooking, childcare.
  - Criminal – cannabis cultivation, shoplifting, petty crime, fraud (benefits/identify thefts), forced and sham marriages.
  - Organ Removal.
-