

# Safeguarding Policy and Procedure: Protecting Children, Young People, Adults at Risk and Staff

January 2012

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# Safeguarding Policy and Procedure

## A - Policy

### A1 Purpose

The purpose of this document is to outline the College's framework for protecting children, young people and adults at risk from harm, abuse and exploitation, and supporting our students and staff through our general Duty of Care. It details the action that will be taken within the College in response to concerns about children, young people and adults at risk, and to allegations of harm, abuse or exploitation.

### A2 Scope

Every member of College staff has a role to play in safeguarding and as such this policy is relevant and applicable to all staff including senior and middle managers, permanent and temporary teaching and support staff, students, the Principal and the Safeguarding Co-ordinator.

Contractors, volunteers and other people working for or with the College will also be required to operate within the ethos and parameters of the policy and its associated procedure.

Since safeguarding involves our general duty of care towards students and staff, as well as ensuring the welfare and safety of children and adults at risk, the policy and procedure applies to all students.

The policy and procedure apply within the College's Student Residences, and therefore to students living there and to staff and other contractors working there.

They also apply to activity undertaken by the Students' Association including that within Association Clubs and Societies.

### A3 Definitions

These definitions have been taken from a range of legal and statutory sources including legislation relating to the protection of children and adults, and guidance from the UK and Scottish governments and their associated agencies.

**A3.1 Safeguarding** Carrying out the college's general Duty of Care in relation to students and staff, ensuring the safety and welfare of children and adults at risk.

**A3.2 Duty of Care** The College's responsibility to use professional expertise and judgement to protect and promote the best interests of students and staff, and to ensure that we exercise an appropriate level of care towards them, as is reasonable within the parameters of our relationship.

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- A3.3 Child** Someone who is aged under 18 years.
- A3.4 Child Protection** Child Protection is a part of the overall area of safeguarding and refers to the activities undertaken to protect specific children who are being harmed or are at risk of suffering harm.
- A3.5 Adult at Risk** Someone who is aged 16 or over and who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.
- A3.6 Vulnerable Adult** Vulnerable Adult is the term that was previously used to refer to someone we would most often now refer to as an Adult at Risk.
- A3.7 Harm** Harm is most broadly defined as being all harmful conduct, but more specifically is: conduct which causes physical, psychological or self harm or unlawful conduct which appropriates or adversely affects property, rights or interests. More detailed definitions are provided in Appendix 2.
- A3.8 Abuse** A broad definition of abuse is: all forms of physical and/or emotional ill treatment, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to health, survival, development or dignity in the context of a relationship of responsibility, trust or power.
- A3.9 Trafficking** The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or a position of vulnerability, or the giving or receiving of payments or benefits to obtain the consent of a person having control over another person, for the purpose of exploitation.
- A3.10 Exploitation** Includes the exploitation or the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

## A4 Key Principles

- A4.1 The College is committed to providing children and adults at risk who are College users with a safe, supportive environment in which they can prosper and are protected from harm, abuse and exploitation.
- A4.2 The College is equally committed to supporting staff in creating an environment in which they can work together to develop an ethos for children and adults at risk to feel secure, and one in which they have a clear structure within which to work safely with all students in their care.
- A4.3 The College recognises and complies with our legal and statutory obligations that arise from legislation including the Protection of Children (Scotland) Act 2003, the Adult Support and Protection (Scotland) Act 2007 and other relevant guidance and regulation.
- A4.4 The Duty of Care that the College has towards all its students remains of paramount focus and importance in our work. As such, the measures and approaches detailed in this document exist in addition to core welfare and support measures, and general quality of provision that are provided to students through the course of our work.
- A4.5 Our prime concern at all times must be the safety and interests of all students who are attending the College, including children and adults at risk.
- A4.6 All employees, and other people working in the College, have a role to play in protecting students from harm.
- A4.7 The specific needs of people with disabilities, and those from ethnic, and other minority groups that may suffer discrimination and who might be especially vulnerable to harm will be recognised and addressed within the College's Equality Scheme.
- A4.8 Any specific needs of children who are looked after or accommodated by the Local Authority will be recognised and addressed.
- A4.9 Reasonable steps will be taken to prevent foreseeable harm to children and adults at risk. A full description of the College's position on this issue is given in Appendix 4.
- A4.10 The procedure associated with this policy is intended to support appropriate action being taken immediately where it is suspected that a child or adult at risk is being harmed.
- A4.11 Staff will be provided with a Code of Conduct that they should follow in undertaking their role at the College in order to ensure their conduct at work is consistently professional and appropriate to all our students. Guidance and support on any safeguarding matter will be available to staff through the Safeguarding Coordinator on an on-going basis, and specifically for staff who

are involved in a referral under this policy/procedure. The Code of Conduct can be found in Appendix 3.

A4.12 The College will ensure that all staff, including temporary, part-time and voluntary staff, who could potentially have unsupervised contact with children and/or adults at risk are deemed to be appropriate to work with them in terms of the relevant legislation.

A4.13 Further, written guidance on the College policy and procedure and our expectations in terms of conduct towards students will be provided to contractors and other people working with the College who are not employed by the College.

A4.14 It will also be ensured that all staff receives training in their legal and professional obligations to protect children and adults at risk from harm, abuse and exploitation, as well as in relation to the procedure in place within the College.

A4.15 A systematic means of recording details of and monitoring students known or thought to be at risk of harm will be employed, including the recording of concerns.

A4.16 The College recognises the statutory responsibility of the Education and Children's Services section within Perth and Kinross Council to ensure the welfare of children and adults at risk and is committed to working with the local area Child Protection Committee, to operate in line with their procedures as appropriate and to share information if necessary and appropriate.

A4.17 The process followed to review and implement the policy and procedure will involve the Students' Association with the aim of ensuring that awareness is raised of the existence and nature of the documents, among Student Representatives, and in turn, other students.

## A5 **Responsibilities**

A5.1 The Board of Management has overall strategic responsibility for the Safeguarding Policy and Procedure and for ensuring that all children and adults at risk involved in any way with the College are protected.

A5.2 The Assistant Principal has overall responsibility for the implementation of the policy and execution of the procedures.

A5.3 The Student Services Manager is the nominated Safeguarding Co-ordinator, working alongside the Learning and Teaching Director and Curriculum Operations Director. Matters will be reported to the Senior Management Team as appropriate as both overview reports and particular cases as per risk assessment considerations.

- A5.4 The Student Services Manager is also responsible for the review and update of the policy and procedure.
- A5.5 All staff members have a responsibility to work within the Code of Conduct and procedure detailed within this document.
- A5.6 The quality approval check of the final policy is the responsibility of the Quality Manager who will arrange for the policy to be posted on the intranet and College Website where applicable.

**A6 Linked Policies/Related Documents**

- Dignity in the College Community Policy.
- Data Protection Policy.
- E Safety Policy.
- Freedom of Information Policy.
- Health and Safety Policy.
- Information Services – Acceptable Use Policy.
- ICT Security Policy.
- Learning Support Policy.
- Extended Learning Support Policy and Procedure.
- Recruitment and Selection Policy.
- PVG Scheme Policy.
- Student Disciplinary Code.
- Student Disciplinary Procedure.
- Staff Disciplinary Policy and Procedure.
- Protecting Children - A Shared Responsibility - Guidance on Inter-Agency Co-operation (Scottish Office, 1998).
- Protecting Children and Young People: Framework for Standards (Scottish Executive March, 2004).
- Protecting Children and Young People: The Charter (Scottish Executive March, 2004).

- Safe and Well: A Handbook for Staff, Schools and Education Authorities (Scottish Executive, 2005).
- 'It's Everyone's Job to Make Sure I'm Alright' (Scottish Executive, November 2002).
- SSSC Codes of Practice.
- Perth and Kinross Council Inter-Agency Child Protection Guidelines.
- Perth and Kinross Council Adult Support and Protection Multi-Agency Guidelines.
- HMle Aspect Report on Safeguarding arrangements and practice in Scotland's colleges (2010).

#### A7 Relevant Legislation

- Adult Support and Protection (Scotland) Act (2007).
- Protection of Children and Prevention of Sexual Offences (Scotland) Act (2005).
- Protection of Children (Scotland) Act (2003).
- The Children (Scotland) Act (1995).
- Protection of Vulnerable Group (Scotland) Act 2007.
- Forced Marriage etc (Protection and Jurisdiction) (Scotland) Act 2011.
- Additional Support for Learning (Scotland) Act (2004).
- Sexual Offences (Amendment) Act (1998) (Section 3).
- Adults with Incapacity (Scotland) Act (2005).
- Mental Health (Care and Treatment) (Scotland) Act (2003).
- Legislation outlined in Annex C of *'Protecting Children and Young People: Framework for Standards'* (Scottish Executive March 2004).
- UN Convention against Transnational Organised Crime.
- The Palermo Protocol.
- European Convention on Action Against Trafficking in Human Beings.
- The Data Protection Act (1998).
- The Police (Scotland) Act (1997).
- EU Directive of 5th April 2011 on Preventing and Combating Trafficking in Human Beings and Protecting its Victims.

## **B - Procedure**

### **B1 Purpose**

The purpose of this procedure is to support the effective implementation of Perth College UHI's Safeguarding Policy and to ensure that concerns about the welfare of children and adults at risk in the College are dealt with sensitively, effectively and promptly. The procedure provides step-by-step guidance on how to respond to a concern or disclosure.

### **B2 Scope**

Every member of College staff has a role to play in safeguarding and as such this procedure is relevant and applicable to all staff including senior and middle managers, permanent and temporary teaching and support staff, students, the Principal and the Safeguarding Co-ordinator.

Contractors, volunteers and other people working for or with the College will also be required to operate within the ethos and parameters of the procedure.

Since safeguarding involves our general duty of care towards students and staff, as well as ensuring the welfare and safety of children and adults at risk, the policy and procedure applies to all students.

The procedure applies within the College's Student Residences, and therefore to students living there and to staff and other contractors working there.

It also applies to activity undertaken by the Students' Association including that within Association Clubs and Societies.

### **B3 Responsibilities**

Adhering to this procedure is mandatory and safeguarding is the responsibility of every member of College staff.

#### **B3.1 Role of the Safeguarding Co-ordinator**

For effective implementation of the Safeguarding policy and procedure, all staff must work in partnership to ensure the protection of those attending the College. However, the Safeguarding Co-ordinator has a specific role in dealing with any safeguarding matters that arise.

The role of the Safeguarding Co-ordinator is to:

- Write, update and maintain the policy and procedure;
- Ensure that the policy and procedure maintain the College's compliance with statutory and legal obligations;
- Support the provision of appropriate staff training;

- Manage and coordinate the gathering of information on student criminal convictions;
- Monitor student criminal convictions information and take action in response to any concerns this may raise;
- Complete risk assessments and agree as required with Learning and Teaching Director and/or Curriculum Operations Director in relation to people who wish to study at the college and have a criminal conviction that may mean they pose a risk;
- Make recommendations to the Senior Management Team on the awarding of places on courses to people who may pose a risk;
- Work in conjunction with external professionals and agencies such as the Police, Social Work and Criminal Justice in relation to offenders and any study opportunities that may be available at the College;
- Participate in MAPPA – Multi-Agency Public Protection Arrangements – meetings and work;
- Within the parameters of appropriate confidentiality, share pertinent information about students with criminal convictions with relevant staff on a "need to know" basis in order to support and protect these members of staff;
- Act as a point of contact, advice and support for staff in the College in relation to any concerns about, or disclosures of alleged abuse from students;
- Receive and advise on all incidents and concerns reported by staff or students; initiate action to deal with incidents and concerns where necessary, ensuring all appropriate persons have been contacted, potentially including the Social Work Department within Perth and Kinross Council and the Police;
- Act as a point of contact and source of support for students who are ex-offenders while they study at the College;
- Take a lead role in the implementation of the safeguarding procedure within Perth College UHI Nursery and monitor any concerns;
- Take a lead role in the implementation of the safeguarding procedure within Perth College UHI Student Residences and monitor any concerns;
- Inform and liaise with the Director of Human Resources and Organisational Development of any incident in connection with the Safeguarding Policy which involves an allegation against a member of staff;
- Liaise with the Director of Human Resources and Organisational Development on the issue of staff undergoing Disclosure Scotland checks as appropriate and necessary;
- Maintain up to date knowledge and training on safeguarding issues through attendance at, and participation in, relevant training courses, conferences and seminars offered through agencies such as Perth and Kinross Council, Scotland's Colleges and the Child Exploitation and On-line Protection Centre (CEOP);
- Maintain complete and accurate records and retain these confidentially.

## B4 Procedure

**For an overview of this procedure please refer to the flow diagram shown in Appendix 1**

### B4.1 Identifying Harm

Through day-to-day contact with students, staff in the College is well placed to observe outward symptoms of abnormality or change in appearance, behaviour, learning pattern or development. Such symptoms could be due to a wide variety of causes including mental ill-health, bereavement, changes in family circumstances, drug, alcohol or solvent misuse and relationship problems. Sometimes, however, they could be due to harm.

Concerns regarding the protection of children or adults at risk may arise because:

- A child or adult at risk discloses that they are being harmed.
- There are suspicions or indicators that a child or adult at risk could be being harmed.
- There are observable changes in the behaviour of a child or adult at risk that could relate to harm.
- The behaviour of a member of staff towards a child or adult at risk causes concern or there is a suspicion that a staff member or volunteer is harming a child or adult at risk.

**Possible** signs of harm include:

- Bruises and injuries with which the explanation given seems inconsistent.
- Possible indicators of neglect, such as inadequate clothing, poor growth, hunger, poor hygiene.
- Possible indicators of emotional harm, such as excessive dependence; attention seeking; self harming.
- Possible indicators of sexual harm - physical signs such as bruises, scratches or bite marks; or behavioural signs such as precocity, withdrawal or inappropriate sexual behaviour.

Other **possible** signs are:

- Withdrawn behaviour.
- Agitated or anxious behaviour.
- A student being isolated by other students or isolating themselves from fellow students.
- Nervousness when approached.
- Inappropriate or improper dress.
- Appearing unkempt or unwashed.
- Being overly anxious to please.
- Signs of discomfort or pain.

- Frequent absences for admission to hospital.
- Atypical incidence of absence from College.
- Uncharacteristic changes in the child or adult at risk's behaviour, attitude and commitment eg becoming quiet and withdrawn, or displaying sudden outbursts of temper.
- Inappropriate sexual awareness or behaviour.
- Fear of particular adults or students - especially those with whom a close relationship would normally be expected.
- Children or adults at risk being reluctant to go home.

Indicators that might suggest a child has been the victim of trafficking or is at future risk of trafficking include:

- Being unable, or very reluctant to give details of accommodation or other personal details.
- Being one among a number of unrelated children living at one address.
- Wearing clothing that is unusual or inappropriate for age/stage, borrows clothing from older people.
- Having a significantly older boyfriend/girlfriend.
- Having a mobile phone but appearing to have little or no money.
- Acquiring money, expensive clothes, mobile phones or other possessions without plausible explanation.
- Being involved in underage marriage.
- Showing indicators of working, eg being tired or hands being in poor condition.
- Being unable or reluctant to give details of accommodation or other personal details.
- Claims to have lived in the UK for years but hasn't learnt the local language or culture.

**No list of symptoms can be exhaustive and alternative medical, psychological or social explanations will most often exist for the signs and symptoms described above. The presence of one or more indicators is not proof that someone is actually being harmed or exploited.**

**It is not the responsibility of staff working in the College to decide that someone is being harmed or to investigate concerns or allegations, but it is a responsibility of every member of staff to follow through on any concerns they may have by sharing them with the Safeguarding Co-ordinator. In their absence, refer to the Learning and Teaching Director, the Curriculum Operations Director or the Assistant Principal.**

## B4.2 How to Respond if a Child or Adult at Risk Discloses that they are Being Harmed

If a child or adult at risk tells you they are being harmed, as a member of staff you should:

- Be honest and transparent with the person making the disclosure in relation to your professional responsibilities. Make it clear that you will **have** to share information with appropriate others.
- Allow the person to speak without interruption.
- Listen to what the person says and show that you take them seriously.
- Stay calm - do not rush into inappropriate action.
- Reassure the person - confirm that you know it must be difficult to confide.
- Ensure that you clearly understand what has been said so that you can refer the matter to the Safeguarding Co-ordinator.
- Keep questions strictly to a minimum. If you must ask questions, use open ended questions ie those where more than a yes/no response is required. Make sure that you do not use leading questions or suggest words.
- Record information in the relevant documentation, available on Perthnet and from the Student Services area in the Brahan Building.
- Consult with the Safeguarding Co-ordinator ensuring that you communicate all the information accurately.

### As a member of staff you should not:

- Make promises you cannot keep. You must explain that you will have to tell other people in order to be able to help but that you will maintain maximum possible confidentiality.
- Make the person repeat the story unnecessarily.
- Delay.
- Panic.
- Investigate the matter.

**In all cases you should refer the matter to the Safeguarding Co-ordinator straight away.**

**In all matters of Child Protection, Nursery staff should, in the first instance, consult with the Nursery Co-ordinator who will then liaise with the Safeguarding Co-ordinator. Further details on Child Protection Procedures within the Nursery are contained in Appendix 5.**

#### B4.3 Recording Information

If you have a concern regarding a child or adult at risk or a concern is declared to you, you should record the relevant information in the following ways. This recording can be done in consultation with the Safeguarding Coordinator if you wish.

If a child or adult at risk **discloses** to you that they are being harmed, you should complete the Safeguarding Disclosure Form (Appendix 6) as soon as possible and certainly within 24 hours. This recording can be done in consultation with the Safeguarding Coordinator if you wish. The first 2 sides of the Disclosure Form should be completed as fully, and as much in the words of the student, as possible. It is important that all details are recorded. If the Safeguarding Co-ordinator has been involved in the completion of the Record, they will retain the document and follow up the disclosure. If they have not been involved, the document should be immediately forwarded to them.

If you have a **concern** that a child or adult at risk may be being harmed, or that a member of staff or other adult is behaving inappropriately, or if you have another child or adult at risk protection concern you should consult with the Safeguarding Coordinator and complete the Concern Form (Appendix 7) as soon as possible. The form should be completed as fully, and with as much relevant detail, as possible. After completion, the document will be retained by, or should be immediately forwarded to the Safeguarding Co-ordinator.

Standard Data Protection guidelines for holding sensitive information should be observed when recording information. The College's Data Protection Policy can be found on the Intranet.

All recorded information should be handled sensitively and all conventions of confidentiality must be adhered to at all times.

#### B4.4 Referring Information Within the College and to Relevant External Agencies

Information should only be referred within the College to the Safeguarding Coordinator or a member of the Senior Management Team.

No information should be referred to an external agency by any staff member other than the Safeguarding Co-ordinator, a member of the College's Senior Management Team, or (with prior agreement from the Safeguarding Co-ordinator), the Nursery Co-ordinator.

On receiving information relating to a concern about a child or adult at risk, the Safeguarding Coordinator will undertake consultation in order to be able to make a decision as to appropriate action.

Three decisions may be made:

- **No further action required** – concerns have been allayed but written documentation regarding the concern and the reasons for no further action being taken will be kept.
- **Continued monitoring of the situation** – concerns have not been fully allayed but a formal referral to Social Work is not required at that time. Involved parties will continue to listen, observe, record, consult and report.
- **Formal referral** – referral will be made to Social Work Services for further investigation.

If it is appropriate that a referral of a child or adult at risk protection matter is made to Social Work Services, the College's Safeguarding Coordinator will make this referral using Perth and Kinross Council's "Child Protection Referral" (CP1) Form or by phoning the adult care Access Team on 0845 3011120

#### B4.5 Confidentiality

In any safeguarding matter, the welfare of the child or adult at risk is paramount and as such, only a restricted number of people within the College will have access to information that involves such issues. Information will be shared on a 'need to know' basis in accordance with current legislation and Codes of Practice.

#### B4.6 Keeping Children and Adults at Risk Informed and Involved

The views of the child or adult at risk should be taken into account throughout the process of dealing with a safeguarding matter.

The Safeguarding Coordinator will keep the person informed while the matter is within the jurisdiction of the College and will provide support as required.

Students will be provided with information on the College's child and adult at risk protection procedures in appropriate College publications.

#### B4.7 Working with Children from Schools

This procedure has been influenced by Multi/Inter-Agency Operating Procedures that are in place within the Perth and Kinross Council area and which have been adopted by local schools. Therefore, working within the procedure will help to ensure the safety of school pupils, as well as all other children attending the College.

If a child protection disclosure is made by or regarding a school pupil and it relates to events that have taken place within the College or which involve College staff, the disclosure will be dealt with by the College's Safeguarding Co-ordinator but appropriate members of school staff will be informed and

updated regularly. However, if a school pupil discloses to staff within the College a child protection issue which relates to events which have taken place out with the College, this will be passed to the appropriate school to be dealt with by staff there.

Teaching staff are required to record the attendance of school pupils who are attending College, and any absenteeism will be reported to the Schools Administrator who will inform the relevant school in order that they can take any appropriate action in the interests of safeguarding.

The College will inform the relevant school if a school pupil requires to be transported to hospital following an incident on college premises. The pupil will be escorted by a First Aider and an additional member of College staff to the hospital.

#### **B4.8 Student Accommodation**

If international students who are aged under 18 years are to be placed with a host family, Enhanced Disclosure Scotland checks will be carried out on all members of that family, and anyone else living in the household, aged 16 years and over. A student who is aged under 18 years will not be placed with a family for whom a satisfactory Enhanced Disclosure Report has not been received.

The welfare and support arrangements in place within the Student Residences will link directly with those in the wider College and as such this procedure will be observed and implemented as necessary within the operating of the Residences.

#### **B4.9 Staff Development and Support**

To support staff in the implementation of the Safeguarding Policy and Procedure, the College will provide initial and ongoing appropriate training to all staff members on the policy and its associated procedure.

The College will also support staff by ensuring, through the publication of a Code of Practice, that they are aware of best practice relating to working with children and adults at risk in order that they can work within the parameters of our Duty of Care, and protect themselves from wrongful allegations of harm.

The College will further support staff by providing an opportunity to talk through anxieties relating to Safeguarding issues with the Safeguarding Coordinator and offer reasonable appropriate support from external agencies if requested.

#### **B4.10 Student Development and Support**

Students will be supported to protect themselves from harm in both the real and the virtual world through the College's guidance and support services and opportunities provided to learn about on-line safety.

#### B4.11 Allegations Against Staff

A student may make an allegation against a member of staff. If an allegation is made, the member of staff to whom the allegation is disclosed should immediately inform the Safeguarding Co-ordinator.

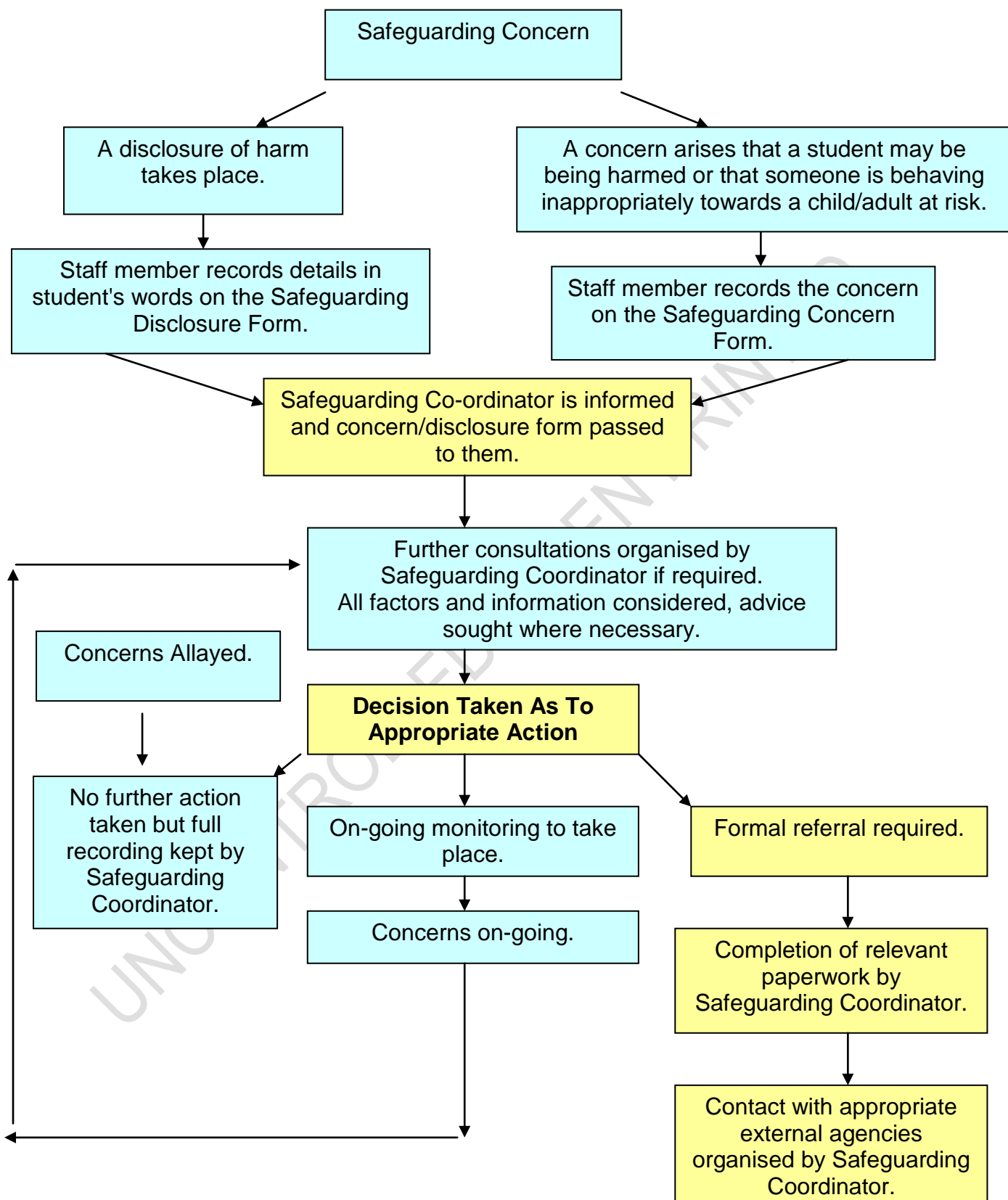
Whenever an allegation against any member of staff is received by the Safeguarding Co-ordinator, it will immediately be referred to the Director of Human Resources and Organisational Development. Reports of alleged staff misconduct to students could cover a wide variety of behaviours and therefore, the College will consider each case on its unique merits as to whether misconduct has or has not occurred.

The College may make an immediate decision to temporarily suspend an individual accused of harming a child or adult at risk pending further inquiries in line with Staff Disciplinary Procedures.

If the allegation is against the Safeguarding Co-ordinator, the matter should be reported directly to the Director of HR and Organisational Development.

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# Appendix 1: Summary of Procedures for Responding to Concerns about a Child or Adult at Risk or Suspicions of Harm



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## Appendix 2: Definitions of Harm

These definitions have been compiled from a number of sources including "Protecting Children – a Shared Responsibility" (Scottish Executive 1998); World Health Organisation literature on Child Protection; and "No Secrets: Guidance on developing and implementing multi-agency policy and procedures to protect vulnerable adults from abuse" (Department of Health 2000).

### General Definition of Harm

Harm or maltreatment constitutes all forms of physical and/or emotional ill treatment, sexual harm, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

### Categories of Harm

#### Physical Harm

Physical harm of is that which results in actual or potential physical harm from an interaction or lack of an interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents.

#### Sexual Harm

Any child or adult at risk may be deemed to have been sexually harmed when any person(s), by design or neglect, exploits the child or adult at risk, directly or indirectly, in any activity intended to lead to the sexual arousal or other forms of gratification of that person or any other person(s) including organised networks. This definition holds whether or not there has been genital contact and whether or not the child or adult at risk is said to have initiated, or consented to, the behaviour.

#### Non-Organic Failure to Thrive

Children who significantly fail to reach normal growth and developmental milestones (ie physical growth, weight, motor, social and intellectual development) where physical and genetic reasons have been medically eliminated and a diagnosis of non-organic failure to thrive has been established.

#### Psychological Harm

Failure to provide for the basic emotional needs of children and adults at risk such as to have a severe effect on the behaviour and development of the individual. This form of harm also includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal harm, isolation or withdrawal from services or supportive networks.

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## **Abuse of Trust**

Young people are indoctrinated with attitudes to drugs; education; social, political or religious views which are unacceptable to the student, the student's family, community or the College. The inappropriate use of photographic material taken at events is also an abuse of trust.

## **Bullying**

Verbal, emotional and physical bullying is also a form of harm and there is a requirement for all within the College to ensure that there are sufficient mechanisms to allow children to report instances of bullying. The College must ensure that everyone understands bullying will not be tolerated in any form, and that the College is prepared to take the problem seriously and investigate any incident and decide on appropriate action, also ensuring that children are able to report bullying to someone in authority.

## **Neglect**

This occurs when the essential needs of a child or adult at risk are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care, including deprivation of access to health care, may result in persistent or severe exposure, through negligence, to circumstances which endanger the child or adult at risk.

## **Financial Harm**

Including theft, fraud, exploitation, pressure in connection with wills, property, inheritance, financial transactions, or the misuse or misappropriation of property, possessions or benefits.

## **Discrimination**

Harm that results because of, or in association with: age, colour, disability, gender, race, religion, cultural background or sexual orientation.

## **Forced Marriage**

A forced marriage is a marriage that is performed under duress and without the full and informed consent or free will of both parties. Being under duress includes feeling both physical and emotional pressure. Some victims of forced marriage are tricked into going to another country by their families. Victims fall prey to forced marriage through deception, abduction, coercion, fear, and inducements. A forced marriage may be between children, a child and an adult, or between adults. Forced marriages are not limited to women and girls, as boys and men are also forced to marry against their will.

## Appendix 3: Code of Conduct for Staff

The College recognises that it is not practicable to provide definitive instructions that would apply to all situations at all times whereby staff come into contact with children and adults at risk. However, below are standards of conduct that staff is required to meet in fulfilling their roles and duty of care within the College.

This code aims to assist in the safeguarding and promotion of the welfare of children and adults at risk and in the protection of children, adults at risk and members of staff. The code also applies to volunteers and any other people who may work in an unpaid capacity on College premises, and to individuals supporting work placements for our students.

All staff and others working in the College are required to implement the Safeguarding Policy and Procedure at all times and should routinely act to promote the welfare of children and adults at risk, prevent harm and report any harm that is discovered or suspected.

### All staff shall:

- Consistently display high standards of personal behaviour and appearance in line with the professional role being undertaken at the College. This high standard includes ensuring that language used is never inappropriate, offensive or abusive.
- Carry out their role in a manner that respects diversity and promotes and ensures quality.
- Wherever possible, avoid situations where they will be completely unobserved with an individual student, for example, during interviews. An attempt should always be made to arrange for individual contact to take place where the student and staff member can be clearly observed by others eg in a room with a glass door or in a room with the door open, if appropriate.
- Ensure that any overly enthusiastic personal feelings that are expressed to a member of staff by a student are immediately reported to the staff member's Line Manager and/or the Safeguarding Co-ordinator.
- Report immediately to their line-manager and/or the Safeguarding Co-ordinator any incident in which they accidentally hurt a student, or cause distress in any manner, or a student appears to be upset by their actions, or misunderstands, or misinterprets something they have done.
- Obtain prior permission from the student and/or their parents/carer to use cameras or video recording equipment to record images of the student. Seek advice from the Safeguarding Co-ordinator on when and how it might be appropriate to contact a carer/parent.

### **Everyone should also be aware that staff shall not:**

- Spend time alone with a student away from others and outside the normal classroom/tutorial/professional situation. This includes spending time alone with someone in a virtual or on-line environment.
- Become friends with students within social networking environments unless the interaction is on the basis of College business.
- Develop friendships with students out-with College organised activities.
- Overtly criticise students or use sarcasm where it may cause a student to lose self-esteem or confidence.
- Physically restrain a student unless the restraint is to prevent physical injury of the individual or another person. In all circumstances, physical restraint must be appropriate and reasonable.
- Take a student to their home unless this has been arranged as part of a College activity. If it should arise that a situation demands that a student is taken to a staff member's home, it should only take place with the full knowledge and consent of the relevant line manager and/or the student's parents/carer.
- Travel alone with a student in a vehicle, however short the journey. Where circumstances require the transportation of a student in a vehicle, another member of staff or a volunteer should also travel in the vehicle. In an emergency situation, eg a medical emergency, where it is essential that a staff member/volunteer transports a student on their own, it is vital that the appropriate Curriculum Manager, or the Safeguarding Coordinator or a member of the College Senior Management Team and the parents/guardians are notified immediately.

### **Further, staff shall never:**

- Engage in rough physical or sexually provocative games, including horseplay with students.
- Allow or engage in any form of inappropriate touching.
- Permit a student to use inappropriate language unchallenged.
- Make sexually suggestive comments to, or within earshot of a student, even in fun.
- Allow allegations made by a student to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature that a student can do for themselves.
- Agree to meet a student on their own out-with College activity.

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## Appendix 4: Employment of Staff

The Protection of Vulnerable Groups (Scotland) Act 2007 builds on previous pieces of legislation aimed at safeguarding children and adults at risk. The legislation enables a robust vetting and barring scheme that will safeguard children and adults at risk by keeping people who would harm them out of caring positions. It is an offence for an organisation to permit a person who is barred from working or volunteering with vulnerable groups to undertake such work.

Through a fair and consistent system employers, such as Perth College UHI, can ensure that people who have demonstrated through past behaviour that they pose an unacceptable risk do not gain access to children or protected adults through the workplace or through volunteering.

Perth College UHI will ensure that all members of its staff, and those undertaking work activities such as work experience placements, are suitably vetted through Disclosure Scotland prior to commencing employment and at regular intervals during the course of their employment. This allows us to make safe recruitment decisions and to continue to protect our staff, students and service users. The College will deal sensitively but promptly with any person who becomes unsuitable in the course of their employment.

Perth College UHI will vet all staff to Enhanced Disclosure level. Additional vetting may apply to staff working within the Nursery.

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## Appendix 5:

### Nursery Child Protection Procedure

Perth College UHI Nursery will operate within the College's Policy and Procedure on the Safeguarding and the Child Protection Guidelines developed by Perth and Kinross Council.

Perth College UHI Nursery aims to create an environment in which children are safe from harm and in which suspicions of harm are responded to promptly and appropriately. Each individual member of staff owes a duty of care to the children in their charge and as such will have an understanding of possible signs of all forms of harm, developed through ongoing training. It is the policy of the Nursery to work in partnership with parents to promote the welfare of children.

If a member of Nursery staff suspects that a child may be being harmed or a child discloses information giving rise to concern for the safety of that child they will:

- 1 Follow the procedure detailed in this document.
- 2 Refer the matter immediately to the Nursery Co-ordinator. In the absence of the Nursery Co-ordinator, the referral should be made to the Depute Co-ordinator, another nominated person or the College Safeguarding Co-ordinator (Customer and Student Services Manager).
- 3 Continue to observe and note any further signs as appropriate and directed by the Nursery Coordinator.

All written documentation will be signed by the staff members involved and retained securely in the Child Protection files of both the Nursery Co-ordinator and the College Safeguarding Co-ordinator.

Parents will normally be a first point of reference in taking forward any matter relating to Child Protection, unless there are suspicions that the parents are implicated.

Decisions on appropriate action will normally be taken by the Nursery Co-ordinator in conjunction with the Safeguarding Co-ordinator.

## Appendix 6: Safeguarding Disclosure Form

### Disclosure Form – A Disclosure of Harm by a Child or Adult at Risk

Your name:
Your position:
Person's name:
Person's address:
Person's date of birth:
Name(s) and address of parent/carer:
Name of school (if applicable):
Date and time of disclosure:
Your observations:

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# Safeguarding Disclosure Form

## Disclosure Form – A Disclosure of Harm by a Child or Adult at Risk

Exactly what the person said and what you said:

Remember to record details in the person's own words. Continue on a separate sheet if necessary.

Action taken so far:

Your signature:

Print name:

Date:

**This document should now be passed to the College's Safeguarding Coordinator.**

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**Disclosure Form – A Disclosure of Harm by a Child or Adult at Risk**

Consultation undertaken:

**Decision Made:** No Further Action   
Continued Monitoring   
Formal Referral   
**Date:**

Details:

# Safeguarding

## Safeguarding Form – A Disclosure of Harm by a Child or Adult at Risk

Details of Formal Referral:

(including the agency to which the case is being referred and a contact name within the agency, date of referral)

Notes:

Safeguarding Coordinator:

Signature:

Name:

Date:

Copy of Record Form to:

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## Appendix 7: Safeguarding Concern Form

### Concern Form – A Child/Adult at Risk Concern

Your Concern:

(Include as much relevant detail as possible including reasons for concern, name(s) of person(s) involved, dates and times, any discussion that has taken place.)

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Date Record Form Completed:

Your Signature:

Print Name:

**This document should now be passed to the College's Safeguarding Coordinator.**

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