



New College Durham

Procedure for

Safeguarding Young People and Adults at Risk

New College Durham is committed to safeguarding and promoting the welfare of children and young people, as well as vulnerable adults, and expects all staff and volunteers to share this commitment.

Policy Title	Safeguarding Young People and Adults at Risk
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Document Owner	Director of HR and Corporate Services
Owning Directorate	Corporate Services
Owning Department	ASC Department

Directorates and Departments affected by this Policy	All staff
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New College Durham

Safeguarding Young People and Adults at Risk

(Equality and Diversity Assessment)

We will consider any request for this policy to be made available in an alternative format.

We review our policies regularly to update them and to ensure that they are accessible and fair to all. All policies are subject to equality impact assessments. Equality Impact Assessments are carried out to see whether the policy has, or is likely to have, a different impact on grounds of race, gender, disability, age, religion, sexual orientation or human rights.

We are always keen to hear from anyone who wants to contribute to these impact assessments and we welcome suggestions for improving the accessibility or fairness of the policy.

To make suggestions or to seek further information please contact:

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Equality Impact Assessed: January 2019

New College Durham

Safeguarding Young People and Adults at Risk

1. Scope and Purpose and Key Definitions and Concepts

This procedure applies to all employees of New College Durham. The College has an important role to play in helping to promote and safeguard the welfare of Young People and Adults at Risk to help protect them from abuse.

The purpose of the procedure is to help and encourage all staff to achieve and maintain the highest standards of Safeguarding Young People and Adults at Risk.

Key Definitions and Concepts

a. Young People

Those under the age of 18, that is, up until his/her 18th birthday.

b. Adults at Risk (formerly known as Vulnerable Adults)

Anyone over 18 years of age who:

- may have learning or physical disabilities;
- may have mental health problems;
- may be old, frail or ill;
- cannot always take care of his/herself or protect his/herself without help.

“The Safeguarding Adults Board defines an Adult at Risk as: someone aged 18 or over, who is or maybe eligible for community care services and whose independence and well-being would be at risk if he/she did not receive appropriate health and social care support.”

c. Contextual Safeguarding

Safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside the school or college. All staff, but especially the designated safeguarding lead (or deputy) should be considering the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child’s life that are a threat to their safety and/or welfare. These threats can take a variety of different forms and children can be vulnerable to multiple threats, including: exploitation by criminal gangs and organised crime groups such as county lines; trafficking, online abuse; sexual exploitation and the influences of extremism leading to radicalisation.

d. Early Help Assessment

Children and families may need support from a wide range of local organisations and agencies. Where a child and family would benefit from co-ordinated support from more than one organisation or agency (e.g. education, health, housing, police) there should be an inter-agency assessment. These early help assessments should be evidence-based, be clear about the action to be taken and services to be provided and identify what help the child and family require to prevent needs escalating to a point where intervention would be needed through a statutory assessment under the Children Act 1989.

Any staff member who have concerns about a young person under the age of 18 living outside of the family home and who is being provided with care and accommodation by someone who they are not related to should inform the DSL. This may apply to 'informal fostering' or host family provision.

e. Abuse

The misuse of power by one person over another.

f. Neglect

Can prevent a person, who is dependent on others for his/her basic needs, from exercising choice and control over the fundamental aspects of his/her life and can cause humiliation and loss of dignity.

g. Children in Need of Protection

Some Young People are in need because they are suffering or likely to suffer 'significant harm'. Where local authorities believe a young person is suffering, or likely to suffer, significant harm, they have a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a young person.

h. Children in Need

Children and Young People and Adults at Risk who are defined as being 'in need' under Section 17 of the Children Act 1989, are those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of service(s). A child with a disability is a child in need.

i. Child Sexual Exploitation

The sexual exploitation of children and young people is a form of child sexual abuse. The UK Government (DfE, February 2017) issued a standard definition of Child Sexual Exploitation:

“Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.”

Sexual exploitation can take many forms from the seemingly ‘consensual’ relationship where sex is exchanged for attention, affection, accommodation or gifts, to serious organised crime and child trafficking. What marks out exploitation is an *imbalance of power* within the relationship. The perpetrator always holds some kind of power over the victim, increasing the dependence of the victim as the exploitative relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from their peers to have sex, sexual bullying (including cyber bullying), and *grooming* for sexual activity. Technology can also play a part in sexual abuse, for example, through its use to record abuse and share it with other like-minded individuals or as a medium to access children and young people in order to groom them. A common factor in all cases is the lack of free economic or moral choice.

j. Child Criminal Exploitation: County Lines

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns.

k. Sexting or Youth Produced Imagery

Sexting or Youth Produced Imagery is sending and/or receiving sexually explicit messages or images primarily between mobile telephones.

Sexting or Youth Produced Imagery can include sexual dialogue (chat) or requests for pictures/images of a sexual nature and can be illegal. The question of legality depends on what the image is or what the chat involves and who it is sent between. However, it is a crime to possess, take, make, distribute or show anyone an indecent or abusive image of a child or young person under 18 years of age. Also, while the age of consent is 16, the relevant age in relation to indecent images is 18.

I. Female Genital Mutilation (FGM)

FGM is a procedure where the female genitals are deliberately cut, injured or changed, but where there's no medical reason for this to be done. Whilst all staff should speak to the designated safeguarding lead (or deputy) with regard to any concerns about female genital mutilation (FGM), there is a specific legal duty on teachers. If a teacher, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher must report this to the police.

m. Honour Based Violence (HBV)

So-called 'honour-based' violence (HBV) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBV are abuse (regardless of the motivation) and should be handled and escalated as such.

n. Significant Harm

The concept of significant harm is the threshold that justifies compulsory intervention into family life in the best interests of the child or young person and gives local authorities a duty to make enquires as to whether to take action (Section 47, Children Act 1989) to safeguard or promote the welfare of a young person who is suffering, or likely to suffer significant harm. The Act also gives powers to the Police to take emergency action to protect a young person from significant harm.

2. Responding to Disclosure and Allegations of Abuse

College staff who have regular contact with students are well placed to observe significant changes in a learner's behaviour, a failure to thrive or outward signs of abuse. In addition, Young People and Adults at Risk may choose to share their concerns with staff whom they feel they can trust and with whom they are comfortable. Staff need to know how to respond sensitively to a learner's concerns and whom to approach for advice.

Whilst College staff are not responsible for investigating abuse it is essential that any suspicions of significant harm or allegations of abuse are acted upon and treated seriously.

The following brief notes provide guidance for staff who receive a disclosure or who have concerns about allegations of abuse against a Young Person (under 18) or Adult at Risk (18 or over). Full details of the Safeguarding Young People and Adults at Risk Policy are available on the College Intranet. Where a member of staff has any concerns about the risk of possible or actual radicalisation of an individual, then she/he is required to report that immediately to a Designated Safeguarding Lead (DSL).

The DSL will then refer the concern via CHANNEL, which uses existing collaboration between local authorities, statutory partners, the police and the local community to identify individuals at risk of being drawn into terrorism, assess the nature and extent of that risk and develop the most appropriate support for the individuals concerned.

Receiving a Disclosure

a. You Must ...

- take allegations or suspicions of abuse seriously;
- respond with tact and sensitivity to anyone who confides in you;
- stay calm and reassure the learner that she/he is right to tell someone of her/his concerns;
- re-assure the learner that it is right to speak to someone;
- be honest with the learner, take time to explain;
- pass on the information, to whom, and why (ie. the appropriate person in College who will seek further advice and help);
- ask the learner to accompany you if she/he wishes;
- ensure that only the people who need to know will be told;
- allow the learner to speak in her/his own way and time and at her/his own pace. Avoid interrupting when the learner is recalling significant events;
- only clarify what the learner is trying to say and ascertain whether there are any immediate issues of safety for the learner or any other learner(s);
- note as accurately as possible what was said, use the learner's own words; do not interpret.

Ensure the following:

- i. include the time, context and location of the disclosure;
- ii. in addition to the learner's name, add the learner's:
 - address;
 - date of birth;
 - telephone contact;
 - College course, if known;
 - date and sign the notes;
- iii. a College, Safeguarding Concern Form is available to write up "*rough notes*" taken at the time of disclosure. All notes should be passed on to a Designated Safeguarding Lead;
- iv. report it as soon as practicable (or within the hour) to a Designated Safeguarding Lead.

b. You Must Not ...

- promise confidentiality (only those who need to know will be told);
- make judgements;
- investigate the allegation or suspicion of abuse;
- ask leading questions or probe for details (this may jeopardise future investigations);
- interpret what has been said or make assumptions/judgements about the situation;
- contact parents/carers before seeking advice;
- talk to the alleged perpetrator(s) or pass on any information about the learner.

3. Following up a Disclosure, Allegation or Suspicion of Abuse

- a. Contact a College Designated Safeguarding Lead immediately:

Christine Padgett

ASC Manager

+44 191 375 4163, B 0.10

Kay Wilson

Safeguarding Support Officer

+44 191 375 4089, B 0.17

- b. In exceptional circumstances, if none of the above Designated Safeguarding Leads are available seek advice from Karl Fairley, Director of HR and Corporate Services (Lead DSL)
- c. If, at any point, there is a risk of immediate serious harm to a person a referral should be made to First Contact immediately. Anybody can make a referral. If the person's situation does not appear to be improving the staff member with concerns should press for re-consideration. Concerns should always lead to help for person/child at some point.
- d. Provide written details (a Safeguarding Concerns Form can be downloaded from the Intranet). Include the time, context and location of the disclosure, the name, address, date of birth, telephone contact and College course, if known. Sign and date the notes.
- e. All written information and rough notes will be retained by a Designated Safeguarding Lead.
- f. The Designated Safeguarding Lead will seek advice from First Contact (**03000 26 79 79**).
- g. First Contact will then pass the referral to the Durham Council Community Services Teams, the exact one of which will be determined by the nature of the referral.
- h. Where there are serious concerns of 'significant harm' the Designated Safeguarding Lead will refer *immediately* to First Contact.
- i. A referral form will then be forwarded by the Designated Safeguarding Lead to First Contact within 2 days.
- j. In an emergency it may be necessary for a Designated Safeguarding Lead, the Principal and Chief Executive or a member of SEG to call the police if First Contact cannot be contacted or if life appears to be in danger and immediate protection is required.
- k. Police Central Unit – **101**.

- i. Inform the Designated Safeguarding Lead if urgent hospital treatment is needed which relates to a Safeguarding issue for a Young Person or Adult at Risk whilst on College premises. Contact the Principal and Chief Executive or a member of SEG in the absence of a Designated Safeguarding Lead.

It may sometimes be necessary to respond immediately to a situation to prevent further harm:

- in an emergency, if the learner is in immediate danger, it may be necessary for a Designated Safeguarding Lead, the Principal and Chief Executive or member of Senior Executive Group to call the police and/or ambulance service;
 - if there is a delay in contacting a Designated Safeguarding Lead, and there is immediate risk of harm or need for treatment, the staff member should:
 - contact First Contact (**03000 26 79 79**) to make a referral;
 - (Durham Constabulary CSE Co-ordinator **07946 419 522** in a case of possible Child Sexual Exploitation);
 - follow up this action by informing a Designated Safeguarding Lead at the earliest opportunity.
- m. Be aware that medical and criminal evidence may need to be preserved, so *do not* attempt to remove torn or soiled clothing:
 - avoid touching or moving anything in the immediate environment.
 - n. Copies of the referral, all related notes and correspondence will be kept securely by the Designated Safeguarding Leads, separately from the main student records. The student file will be marked to show the existence of the referral file.
 - o. Personal information about the learner's situation his/her family will be regarded as confidential and only disclosed to those who need to know:
 - this will be discussed with the learner, who will be informed of any follow up arrangements.
 - p. The Designated Safeguarding Lead will co-ordinate any requests for information which will contribute to an assessment of the learner and agree monitoring and follow up arrangements as appropriate.
 - q. When a young person, who is subject to a Child Protection Plan, leaves College the Designated Safeguarding Lead will inform the new education establishment and arrange the transfer of appropriate information to the appropriate Designated Safeguarding Lead.

- r. Evidence on the extent of abuse among Young People and Adults at Risk with learning difficulties and disabilities suggests that some may be especially vulnerable to abuse, for example those who have difficulty communicating:
- those working with Young People and Adults at Risk with special educational needs and/or disabilities often provide close support and may encounter indications of possible abuse;
 - whilst extra care may be needed to ensure that signs of abuse and neglect are interpreted correctly, any suspicions should be reported in exactly the same manner as for other Young People and Adults at Risk.
- s. Both the learner, and if required, the member of staff to whom the disclosure was made can access support from the College's Counselling and Support Services.

4. Dealing with Allegations of Abuse Against College Staff

In addressing allegations of abuse made about staff, the College will seek to ensure compliance with the prevailing guidance from the Local Safeguarding Children Board, Durham Safeguarding Adults Board, Department for Education, United Kingdom employment legislation, laws of natural justice and its own internal procedures. Particular attention will be given to Part Four: Allegations of abuse made against teachers and other staff, Duties as an employer and an employee [DfE (2016), Keeping Children Safe].

The following arrangements relate to all staff and volunteers working at New College Durham.

a. Initial action by the person receiving or identifying an allegation or concern

The person to whom an allegation or concern is first reported should treat the matter seriously, keep an open mind and follow the approach identified in Section 3 (page 8).

She/he must not:

- i. investigate or ask leading questions if seeking clarification;
- ii. make assumptions or offer alternative explanations;
- iii. promise confidentiality (but should give assurance that the information will only be shared on a 'need to know' basis).

She/he must:

- i. make a written record of the information (where possible in the persons own words) including the time, date and place of incident(s), persons present and what was said;
- ii. sign and date the written record;
- iii. immediately report the matter to the Principal and Chief Executive, or in his absence a member of the Senior Executive Group;
- iv. if the allegation is about the Principal and Chief Executive it should be reported to the Chair of the Corporation.

b. Initial Action by the Principal and Chief Executive

The Principal and Chief Executive will follow the LSCB procedures (outlined below) if there is a concern or it is alleged that a member of staff has:

- i. behaved in a way that has harmed or may have harmed a young person;
- ii. possibly committed a criminal offence against or related to a young person; or
- iii. behaved towards a young person/or Young People and Adults at Risk in a way that indicates she/he is unsuitable to work with children or Young People and Adults at Risk.

The Principal and Chief Executive will not investigate the matter nor interview the member of staff, person concerned nor potential witnesses.

She/he will:

- i. obtain written details of the concern/allegation, signed and dated by the recipient (not the young person making the allegation);
- ii. countersign and date the written details;
- iii. record any information about times, dates and location of incident(s) and names of any potential witnesses;
- iv. record discussions about the young person and/or members of staff, any decisions made and the reasons for those decisions;
- v. report to the Local Authority Designated Officer (**01207 588247**) as soon as practicable (eg. the same day);
- vi. consult the Emergency Duty Team through First Contact
- vii. (**03000 26 79 79**) or local police if the allegation requires immediate attention but is received out of hours, then inform the Local Authority Designated Officer as soon as practicable.

c. Initial Consideration

- i. The Local Authority Designated Officer will discuss the matter with the Principal and Chief Executive and where necessary obtain further details of the allegation and the circumstances in which it was made. The discussion should also consider whether there is evidence or information that establishes that the allegation is false or unfounded but the College will not instigate any investigation into the allegation at this stage.

However, this does not preclude the College from considering and actioning suspension from duty for the member of staff whom the allegation has been made against.

- ii. If the allegation is not patently false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, the Local Authority Designated Officer will immediately refer to Children's Care and ask for a Strategy Discussion in accordance with Working Together to Safeguard Children to be convened straight away. In those circumstances the Strategy Discussion should include the Local Authority Designated Officer and Principal and Chief Executive.

If there is not cause to suspect that "significant harm" is an issue, but a criminal offence might have been committed, the Local Authority Designated Officer should immediately inform the police and convene a similar discussion to decide whether a police investigation is needed.

- iii. Where it is determined that a criminal offence might have been committed the College will suspend its internal discipline investigation, until a conclusion is reached by the Police/Crown Prosecution Service (CPS).
- iv. If the police and/or CPS decide not to charge the individual with an offence, or decide to administer a caution, or the person is acquitted by a Court, the police should wherever possible aim to pass all information they have which may be relevant to a disciplinary case to the College within three working days of the decision. The College will then consider the matter under section 6d.
- v. If the person is convicted of an offence the police should also inform the College Principal and Chief Executive immediately so that appropriate action can be taken.

d. Action following Initial Consideration

- i. Where the initial consideration decides that the allegation does not involve a criminal offence the College will consider the matter under its prevailing discipline procedure. In such cases, if the nature of the allegation does not require formal disciplinary action, the College will institute an appropriate response/action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held as soon as practicable.
- ii. Where further investigation is required to inform consideration of disciplinary action the College's lead Human Resources professional will discuss who will undertake that with the Local Authority Designated Officer. The investigation will seek to be concluded as soon as practicable, resulting in a formal report for the consideration of the Principal and Chief Executive.

- iii. Within two days of receipt of the report of the disciplinary investigation, the Principal and Chief Executive will consult the Local Authority Designated Officer, and determine if a *prima facie* case exists in relation to the allegations and whether a disciplinary hearing is needed. In all cases in which Children's Care has undertaken enquiries to determine whether the young person is in need of protection, the College will take account of any relevant information obtained in the course of those enquiries when considering disciplinary action.
- iv. If it is determined that a disciplinary hearing is needed it should be held as soon as practicable. The Local Authority Designated Officer will provide advice or support when required or requested. The disciplinary hearing will be held in accordance with the College's prevailing policy.

5. Referral to Department for Education

If, on conclusion of the process detailed in section 4 above, the College ceases to use the person's services, or the person ceases to provide his or her services, the College will consult the Local Authority Designated Officer about whether a referral to the Department for Education is required. If a referral is appropriate the report should be made within one month of the advice being sought.

6. Responsibility for Implementing this Procedure

Responsibility for the implementation of this procedure resides at all levels of the College specifically:

- a. Christine Padgett, ASC Manager
- b. Kay Wilson, Safeguarding Support Officer
- c. Karl Fairley, Director HR and Corporate Services (SEG)

7. Review of this Procedure

All procedures will be subject to a review either as a consequence of the changing landscape, against which the procedure was originally drafted, or in keeping with good governance.

The timings of review will, if not as a result of that changing landscape, be no longer than five years from the previous review.

8. Associated Documentation

This procedure should be read in conjunction with the following supporting/related documentation:

- Policy on Safeguarding Young People and Adults at Risk

9. History of Policy Reviews

Implementation Date:	January 2019
1st Review Date:	January 2020

Appendix A: Types of Abuse and how to recognise them

The following explanations of types of possible signs of abuse are taken from Working Together to Safeguard Children (2013) and County Durham Safeguarding training materials.

Lists of signs and symptoms cannot provide a definitive diagnosis of abuse and many Children or Young People and Adults at Risk at some time of their life may exhibit one or maybe more of them. However, such signs and symptoms may suggest abuse if a learner exhibits either several of them, perhaps within a short space of time, or an extreme form of a particular symptom, or if a pattern of signs and symptoms emerges. It is important that staff are aware of the signs and symptoms and, whilst they may be indicative of some other problem or issue, the possibility that the learner is being abused should not be discounted. Any concern about a learner who is showing signs of abuse or of being at risk of abuse should be followed up with the Designated Member of Staff.

1. Physical Abuse

Physical abuse is the physical ill treatment of a person which may or may not cause physical injury. It may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a person. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child. It can also occur when a person is not provided with adequate care and support, causing him/her unjustifiable physical discomfort. This can include inappropriate use of restraint or sanctions, withholding of food, drink or necessary aids to mobility or independence.

a. Possible Signs of Physical Abuse:

- fractures or any bruising on a baby;
- bruises and scratches to face and head;
- pinch bruises or bite bruises;
- bruising around both eyes simultaneously;
- torn frenulum (skin linking upper jaw and lip);
- fingertip bruising on front and back of chest (gripping);
- finger or hand marks on any part of the body;
- ligature marks on either neck, arms or legs;
- cigarette burns;
- linear or shaped burns or bruises (e.g. iron/radiator);
- 'non-cascade' scalds;
- head injury, may be no outward sign of injury;
- poisoning;
- bald patches;
- recurrent unexplained/untreated injuries or lingering illness.

b. Possible Behaviour:

- explanation inconsistent with injury;
- refusal to discuss injuries;
- fear of going home or parents being contacted;
- arms and legs kept covered in hot weather or fear of undressing;
- aggressive bullying behaviour;
- frozen watchfulness/cowering/flinching at sudden movements;
- withdrawal from physical contact;
- fear of medical help;
- admission of excessive punishment;
- running away;
- self-destructive tendencies.

2. Emotional Abuse

This is the persistent emotional maltreatment of a person such as to cause severe and persistent adverse effects on his/her emotional development. It may involve conveying that (s)he is worthless or unloved, inadequate, or valued only insofar as (s)he meet the needs of another person. It may include not giving the person opportunities to express her/his views, deliberately silencing her/him or deriding what (s)he says or how (s)he communicates.

It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber 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.

It may include a calm but destructive attitude towards an adult, intimidation, threats of harm or abandonment, indifference, isolation or withdrawal from services/support, humiliation, blaming, controlling, coercion, harassment, verbal abuse, emotional blackmail, the denial of basic human rights, denial of sexuality and the treatment of adults as children.

a. Possible Signs of Emotional Abuse:

- speech delay, poor verbal ability, lack of communication skills;
- lack of concentration, learning problems; unreasonable fear of new situations;
- eating disorders (over eating and under eating);
- inappropriate emotional responses to stressful situations;
- low self-esteem;
- self-mutilation;
- alcohol, drugs, solvent misuse.

b. Possible Behaviour:

- over reaction to mistakes;
- obsessive behaviour (e.g. rocking, twisting hair, sucking thumb);
- withdrawal from relationships with other children;
- fear of parents being contacted;
- extremes of passivity or aggression;
- attention seeking;
- chronic running away;
- compulsive stealing, scavenging for food or clothes;
- Impaired capacity to enjoy life.

3. Neglect

Neglect is the persistent failure to meet a person's basic physical and/or psychological needs and a necessary level of care and support, likely to result in the serious impairment of the person's health and/or development. Neglect can be deliberate or unintentional. Neglect can be:

- i. medical or physical care needs being ignored to such an extent that a person's health and well-being is impaired;
- ii. administering too much, too little, or the wrong type of medication;
- iii. a failure to allow the person access to appropriate health, social care or education services;
- iv. withholding of the necessities of life, eg adequate nutrition, heating or clothing;
- v. a failure to intervene in situations assessed to be dangerous to the person or others around them, especially when the person lacks capacity to assess risk.

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, clothing and shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers);
- or ensure access to appropriate medical care or treatment.

Neglect may also include neglect of, or unresponsiveness to, a person's basic emotional needs.

a. Possible Signs of Neglect:

- unkempt appearance, poor personal hygiene;
- poor skin/hair condition;
- drop through height/weight centiles;
- small stature (where not a family characteristic);
- constant tiredness;
- repeated accidents;
- untreated medical conditions;
- inappropriate clothing;
- constant hunger;
- frequent lateness, or non-attendance at school;
- accidental self-poisoning.

b. Possible Behaviour:

- chronic running away;
- compulsive stealing;
- scavenging of food and clothes;
- low self-esteem;
- neurotic behaviour (e.g. rocking, thumb sucking, hair twisting);
- inability to make social relationships;
- tendency to destroy things.

4. Sexual Abuse

Sexual abuse includes acts which involve physical contact; it may also include those acts which do not. Non-contact sexual abuse may include voyeurism, (coerced into being photographed or videotaped), being subjected to indecent exposure, serious sexual harassment and innuendo. It could also include showing sexual material to a person who does not consent to, or have the capacity to consent to, watching such material.

Sexual abuse involves forcing or enticing a person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the person is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Sexual abuse can include an isolated incident of assault, or sexual acts within an on-going relationship where the person is unable to give consent, either because of impaired capacity or because the power imbalance in the relationship is too great for the consent to be considered important by the perpetrator.

Sexual abuse usually involves acts performed by the perpetrator on the person being abused, but a person might be forced or persuaded to do things to themselves, the perpetrator or others.

Contact sexual abuse may include sexual acts to which the person has not consented or could not give consent, or was pressured into giving consent or being touched in a sexualised manner.

Abuse of Trust: under the Sexual Offences Act 2003 it is an offence for a person over 18 to have a sexual relationship with a young person under 18 where that person is in a position of trust in respect of that young person, even if the relationship is consensual. This includes teaching and a range of support staff within educational establishments.

a. Possible Signs of Sexual Abuse:

- young people wetting and soiling themselves;
- sudden drop in college performance/poor concentration;
- obsessed with sexual matters as opposed to normal exploration;
- changes from being happy and active to being fearful and withdrawn;
- unexplained sources of money/gifts;
- urinary infections, bleeding or soreness in the genital/anal areas;
- vaginal discharge – vaginal warts;
- soreness and bleeding to the throat;
- chronic ailments e.g. stomach pains, headaches without obvious cause;
- eating disorders;
- becomes severely depressed;
- has a poor self-image;
- uses drugs/alcohol to excess;
- not allowed to have friends around or to go out on dates;
- fearful of undressing for physical education;
- venereal infection;
- pregnancy.

b. Possible Behaviour:

- overly compliant behaviour;
- behaves in a sexually inappropriate way in relation to their age;
- withdrawn and unhappy, insecure and 'clingy';
- plays out sexual acts in too knowledgeable a way for their age;
- regresses to behavioural pattern of much younger children;
- say of themselves that they are bad or wicked;
- arriving early at school/college and leaving late with few, if any, absences;
- excessive masturbation – exposing themselves;
- drawings of sexually explicit nature;
- attempts to sexually abuse another child;
- recurring nightmares and/or fear of the dark;
- had a 'friend who has a problem' and then tells about the abuse of 'a friend';

- self-mutilates/attempted suicide;
- running away;
- prostitution.

5. Sexual Violence

When referring to sexual violence we are referring to any sexual offences under the Sexual Offences Act 2003.

6. Sexual Harassment

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline. 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, which might include: non-consensual sharing of sexual images and videos and sharing sexual images and videos (both often referred to as sexting); inappropriate sexual comments on social media; exploitation; coercion and threats. Online sexual harassment may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.

It is important to consider sexual harassment in broad terms. Sexual harassment (as set out above) creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

7. Financial and Material Abuse

Financial and material abuse involves an individual's funds, resources or possessions being taken or inappropriately used by a third party. With Adults at Risk, this may include theft, fraud, or extortion through threat, exploitation, misuse or misappropriation of property or possessions by someone trusted to handle the adult's finances, preventing the adult's access to his/her funds. Risks of financial abuse may increase if (s)he lacks capacity or numeracy skills, lives alone and is regarded as "vulnerable" within the local community, and where there is a dependence on other people with the management of finances.

8. Discriminatory Abuse

Discriminatory abuse is motivated by oppressive and prejudicial attitudes towards a person's disability, (including physical or sensory impairment, learning difficulty or mental ill health), their age, race, gender, religion, cultural background, sexual orientation or social situation, or dependence on substances such as drugs or alcohol. It may include all the above types of abuse, inequality in access to statutory service provision or breaches in civil liberties and denial of rights. Incidents or crimes caused by someone who has a prejudice against a group of people are sometimes described as Equality or Hate Incidents or Crimes.

9. Multiple or Institutional Abuse

Multiple or institutional abuse includes the practice of an abusive regime or culture which denies an adult or group of adults care, support, dignity and respect to which every human has a right. It may occur when an individual's needs and choices are ignored or trivialised in order to make an institution or organisation easier to manage and run and/or to save an organisation's resources.

10. Domestic Violence

The cross government definition of domestic violence and abuse is:

- Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.
- Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

Domestic abuse affecting young people can also occur within their personal relationships, as well as in the context of their home life. Domestic violence may include any or all of the types of physical, sexual, emotional and financial abuse listed above. It can happen in any family relationship. It can be carried out by men against women, but also by women against men.

11. Forced Marriage

A forced marriage is one where one or both of the partners do not, or perhaps in the case of an Adult at Risk, are not able to consent to the marriage and an element of duress is involved. Duress or "force" can include physical, psychological, sexual or emotional pressure. Forced marriage is a form of domestic abuse for adults, and where children are involved, child abuse. It happens to males and females and should not be confused with an "arranged marriage", where the partners have a choice to accept or reject the arrangements. Forced marriage is a marriage conducted without the full consent of both parties where duress is a factor. This should not be confused with an 'arranged marriage'.

Forced marriage is regarded as a form of domestic abuse for adults, and where children are involved, as a form of child abuse. Initial concerns should be reported to the Designated Safeguarding Lead who will liaise with appropriate agencies, First Contact Services or the Police. Contact should not be made with the person's family.

For further information on forced marriages the Forced Marriage Unit can be contacted on:

- 02070080151 Monday – Friday 9.00 am until 5.00 pm
- Outside the above hours through the Foreign Office Response Centre on: 02070081500)
- via email fm@fco.gov.uk or www.fco.gov.uk/forcedmarriage

12. Female Genital Mutilation (FGM)

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences. Whilst all staff should speak to the designated safeguarding lead (or deputy) with regard to any concerns about female genital mutilation (FGM), there is a **specific legal duty on teachers**. If a teacher, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher **must report** this to the police.

13. Honour-Based Violence (HBV)

So-called 'honour-based' violence (HBV) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators.

It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBV are abuse (regardless of the motivation) and should be handled and escalated as such. If in any doubt, staff should speak to the designated safeguarding lead.

14. Modern Day Slavery and Human Trafficking

These crimes include holding a person in a position of slavery, servitude, forced or compulsory labour, or facilitating their travel with the intention of exploiting them soon after. Although human trafficking often involves an international cross-border element, it is also possible to be a victim of modern day slavery within your own country. It is possible to be a victim even if consent has been given to be moved.

Children cannot give consent to being exploited therefore the element of coercion or deception does not need to be present to prove an offence.

15. **Peer on Peer Abuse**

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

16. **Child Criminal Exploitation: County Lines**

Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs. Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
- can affect any vulnerable adult over the age of 18 years;
- can still be exploitation even if the activity appears consensual;
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
- can be perpetrated by individuals or groups, males or females, and young people or adults; and
- is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

17. **Specific Issues and Further Information**

Further information and specialist advice is available on areas such as forced marriage, female genital mutilation, those affected by drugs and alcohol abuse in families, fabricated illness, children abused through prostitution, complex (organised or multiple) abuse involving one or more abusers and a number of children.

NB: Advice on recognising signs and symptoms of abuse is available on NCD Online, Safeguarding Adults and Young People Policy or from ASC.

Appendix B: Consultation

In reviewing the Policy on Safeguarding Young People and Adults at Risk and this resultant Procedure, the following key representatives were consulted:

- Training and Communications Officer
- Durham County Council Safeguarding Officer
- Durham County Council
- New College Durham Students

including: Further Education Course Representative

Quote: “I feel that the policy covers a lot of detail and I especially like the details of the types of abuse. The policy gives me confidence that staff will follow the policy. The dealing with an allegation of abuse against College staff was also well detailed.”

Part Time Representative

Quote: “I have been through both policies, and now feel that the College takes full responsibility of my safety within New College Durham. All the posters are in good appropriate places.”

Higher Education Course Representative

Quote: “I like how the policy describes and instructs about the different forms of abuse. The safeguarding procedures are distinctive around the College, and the staff and pupils know how to approach the subjects.”

LGBT Representative

Quote: “I feel as though the safeguarding policy, both Young People and Adults at Risk adults [at] risk, are thorough and give me confidence that the College takes safeguarding very seriously. From what I have seen, they have covered all the necessary areas, and I particularly like the fact that they promote ‘equality and opportunity will be available to all adults at risk, regardless of their identity or personal circumstances (avoiding discrimination on the grounds of race, religion, ethnicity, age, gender, sexual orientation, disability or language.’ The policies also show a good range and description of types of abuse. I am confident and continue to feel safe at New College Durham. With the safeguarding posters in all the visible places, such as the LRC, Starbucks, Students’ Union etc., – I am pleased that they promote safety.”

