



New College Durham

Policy on

Looked After Children, Care Leavers and Young Carers

Approved on

November 2017

Approved by

Academic Policy Review Board

This Policy will be subject to review in **5 years** of the approval date or earlier if required under Section 4/4 of the Academic Policy Review and Development Framework

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.

This Policy applies to all activity undertaken by the College in pursuing its purpose as an educational institution whilst serving its students, community and wider stakeholder interests.

If you require this document in an alternative format and/or language, please contact the relevant Administrative Coordinator.

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 which are carried out to determine whether the policy has, or is likely to have, a different impact on those with protected characteristics.

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

To make suggestions or to see further information please contact:

Policy Author ASC Manager

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Equality Impact Assessment

A statement confirming that the policy has been subjected to a rigorous assessment for any potential impact on the full range of stakeholders with those impacts being assessed and considered and, where appropriate, suitable adjustments to the policy have been included prior to the adoption of the policy.

Footnote

In an effort to keep costs to a minimum a conscious decision has been made not to print out this document and it would be appreciated that you refer to the copy and relevant Appendices available on the Intranet

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1. Rationale

The reason for the development of this policy is derived from New College Durham recognising that it has an important role to play in helping to promote and safeguard the welfare of all students each of whom have the right to learn, enjoy and achieve; regardless of their personal circumstances. This Policy relates specifically to learners who are Looked After Children (LAC), Care Leavers (CL) and Young Carers (YC).

In May 2010, the College successfully gained the Buttle Quality Mark, having developed formal systems, processes and support mechanisms specifically aimed at the admission, monitoring, support and progression of LAC, CL and YCs.

Key Definitions and Concepts

a. Looked After Children

The term 'Children, Looked After' has a specific legal meaning based on the Children Act (1989). A child is looked after by a local authority if she/he has been provided with accommodation for a continuous period of more than 24 hours, in the circumstances set out in sections 20 and 21 of the Children Act 1989, or is placed in the care of a local authority by virtue of an order made under part IV of the Act.

b. Care Leaver

A person that has been looked after for at least 13 weeks since the age of 14, and who was in care on her/his 16 birthday. A young person's status as a Care Leaver can be divided into the following:

- i eligible child – a young person who is 16 or 17 and who has been looked after by the local authority/Health and Social Care Trust for at least a period of 13 weeks since the age of 14, and who is still looked after;
- ii relevant child – a young person who is 16 or 17 who has left care after her/his 16 birthday and before leaving care was an eligible child;
- iii former relevant child – a young person who is aged between 18 and 21 (or beyond if being helped with education or training) who, before turning 18 was either an eligible or a relevant child, or both.

c. **Young Carer**

A young person under 18 years of age who helps to look after a family member who is disabled, physically or mentally ill or has a substance misuse problem. Caring can involve physical or emotional care, or being responsible for someone's safety and wellbeing. The level of responsibility assumed by a Young Carer is often inappropriate to her/his age and beyond the level of simply helping out at home as part of the process of growing up.

2. Aim

The aim of this policy is to enable New College Durham to demonstrate its commitment to supporting the engagement, admission, monitoring, support and progression of LAC, CL and YC's. It should be read in conjunction with all the associated College Policies and Procedures. The College acknowledges its duty to provide these learners with an excellent learning experience, as well as providing them with the confidence and motivation to succeed in their lifelong learning and wider life experiences. Underpinning the aim is a series of objectives which, once achieved will demonstrate the fulfilment of the stated aim of this policy.

In order to fulfil the stated aim of the policy the College has established the following objectives which are to:

- a. establish a safe, supportive and productive environment in which its learners can learn and develop;
- b. promote College support for potential LAC, CL and YCs and those colleagues in Local Authorities/Health and Social Care Trusts etc, who are supporting them in their educational progression;
- c. have a nominated person who will have a lead responsibility to act as a key point of contact and advisor for LAC, CL and YCs to provide support prior to and on entry, as well as throughout the learning programme;
- d. ensure that information on the full range of support (financial, welfare and academic) offered to LAC, CL and YCs is readily available, easily accessible and formally reported;
- e. maintain effective links with Local Authorities/Health and Social Care Trusts, Schools, Colleges and other partners in order to make available relevant information, advice and guidance about progression to and study options at FE/HE.

3. Student Entitlements

Under the terms of this policy all students at the College are entitled to:

- a. personal support, having been identified before the course starts;
- b. be taught in an environment which ensures that their circumstances are reflected in the support offered and accommodated;
- c. expect appropriate action from the College to tackle any incidents of violence, threatening behaviour, abuse, discrimination or harassment;
- d. be accorded confidentiality and treated with respect;
- e. contribute to the review of this Policy.

4. Student Responsibilities

This policy requires students to fully acknowledge and actively engage in fulfilling their responsibilities by:

- a. disclosing any and all pertinent information at the earliest possible opportunity;
- b. show respect to College staff, fellow students, College property and the College environment;
- c. take a positive and proactive role within the College and online to keep themselves and others safe;
- d. follow the reasonable instructions of College staff and others involved with their learning;
- e. report any incidents of concern (and are encouraged to do so);
- f. adhere to the student charter and do not contravene any aspect of the student disciplinary code;
- g. co-operate with, and abide by, any arrangements put in place to support their behaviour.

5. Teaching Staff Responsibilities

The policy requires teaching and support staff to ensure that:

- a. they are aware of and implement the Colleges Policy and Procedures on Looked After Children, Care Leavers and Young Carers;
- b. they provide a safe, secure and supportive environment for LAC, CL and YCs;
- c. they listen to LAC, CL and YCs and respond in an appropriate way;
- d. they protect LAC, CL and YCs from abuse;
- e. they provide regular attendance and performance monitoring to the nominated person;
- f. they undertake safeguarding training, appropriate to their role.

6. College Management Responsibilities

The Corporation

“Governing bodies must ensure that they comply with their duties under legislation. They must also have regards for this guidance to ensure that the policies, procedures and training in their colleges are effective and comply with the law at all times.” (Keeping Children Safe in Education, Department for Education, September 2016).

The Corporation should ensure that:

- a. there are effective safeguarding policies and procedures that are in line with the Local Safeguarding Children Board (Durham LSCB) and County Durham Safeguarding Adults Board (SAB) procedures and that the policy is made available to students or parents/carers on request;
- b. the College operates safe recruitment procedures and appropriate checks are carried out on staff and volunteers who work with LAC, CL and YCs;
- c. there is a nominated person who ensures the implementation, including monitoring and evaluation of the Colleges commitment to LAC, CL and YCs across the institution. The nominated person will liaise with Local Authorities/Health and Social Care Trusts as appropriate;
- d. the College monitors compliance and undertakes an annual review of the Safeguarding Young People and Adults at Risk Policy and Procedures. It amends, as soon as practicable, any weaknesses in arrangements as these are brought to its attention.

The Principal and Chief Executive

The Principal and Chief Executive should ensure that:

- a. the policies and procedures adopted by the Corporation are implemented and followed by staff;
- b. sufficient resources and time are allocated to the nominated LAC, CL, YC person to discharge her/his responsibilities;
- c. all staff and volunteers feel able to raise concerns about poor or unsafe practice with regards to LAC, CL, YC and that such concerns are addressed sensitively and effectively in accordance with the Public Interest Disclosure Policy, where appropriate.

College Managers

- a. Embrace a whole College approach to promoting and safeguarding the welfare of LAC, CL and YCs.
- b. Consider how learners may be taught about safeguarding, including online, through teaching and learning opportunities, as part of providing a broad and balanced curriculum, including covering relevant issues through personal and social health education (PSE).
- c. Ensure staff are aware of this policy and procedure and that this policy and its associated procedure are implemented within their areas.
- d. Ensure that all students are taught in environments which are safe, conducive to learning and free from disruption or threat of harm.

Nominated Person

The Governing body should ensure that the College designates an appropriate Member of staff to take lead responsibility for LAC, CL, YCs. This person should have the authority within the College to carry out the duties of the post including committing resources and, where appropriate, supporting and directing staff (Keeping Children Safe). When required, she/he has the responsibility for:

- a. liaison with the local authority, other agencies and schools, including those with Key Stage 4 pupils attending College;
- b. acting as a source of support and expertise within the College when deciding how best to support LAC, CL and YCs;
- c. liaising with the Principal and Chief Executive informing him/her of any issues and ongoing investigations and ensure there is always cover for this role;

- d. maintaining accurate, secure records of LAC, CL, YCs attendance and performance; and responding to Welfare Call enquiries.
- e. working with the Corporation to ensure the Safeguarding Young People and Adults at Risk Policy and its associated Procedure is updated and that arrangements are reviewed annually;
- f. forwarding relevant information when LAC, CL, YCs move to another educational establishment.

7. Standards by which the Success of this Policy can be Evaluated

The following standards/measures will be considered when evaluating the success of this policy:

- a. formal reflection of, and reporting on, operating LAC, CL YC safeguarding procedures through the recording, monitoring and analysis of regular tutor reports;
- b. learner voice feedback received from surveys, focus groups, forums and during tutorials;
- c. recording, monitoring and analyses of Safeguarding Concern forms submitted relating to student behaviour;
- d. self-assessment and external review.

8. Responsibility for Implementing this Policy

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

- a. the Principal has overall responsibility for the implementation of this policy and its associated procedure across the College;
- b. the Heads of Department/School and Vice Principals are responsible for overseeing the operation of this policy and its associated procedure in the Departments/Schools;
- c. Curriculum Managers are responsible for ensuring that course teams collaboratively address the requirements of this policy and its associated procedure;
- d. the teaching staff, including tutors and subject lecturers, are responsible for meeting Student Entitlements;

- e. the Colleges Equality Group and Safeguarding/PREVENT Group are standing bodies which are accountable, amongst other activities, for ensuring intelligence and information is shared to build a comprehensive picture of any Safeguarding of LAC, CL YC issues/problems.

9. Associated Documentation

Promoting and Safeguarding the Welfare of Looked After Children, Care Leavers and Young Carers includes:

- a. ensuring the safe recruitment of staff (Recruitment and Selection Procedure, Disclosure and Barring Service Utilisation Policy);
- b. having effective arrangements in place to promote and maintain a safe learning environment. (Prevention of Bullying Policy, Health, Safety and Welfare Policy Manual, Prevention of Harassment, Bullying and Victimisation in the Workplace Policy, Work Placement Policy, First Aid Policy, Prevention and Management of Substance Misuse Policy, Young Persons Policy, Disciplinary Procedure, Tutorial Policy). This list is not exhaustive and new policies will be developed to discharge the duties relating to this Policy;
- c. raising awareness of issues and providing Looked After Children, Care Leavers, Young Carers with development opportunities through the curriculum, tutorial, preparing for work experience, through the relevant themes of Spiritual, Moral, Social and Cultural development and links with Advice, Support and Careers (ASC) service, Learner Development Coordinator and New College Durham Students' Union.

This policy and its accompanying procedure are underpinned and shaped by the relevant legislation and guidance including:

- a. The Children Act 1989
- b. The Education Act 2002
- c. The Children Act 2004
- d. Safeguarding Children and Safer Recruitment in Education – DfE January 2007
- e. Durham Local Safeguarding Children Board (LSCB) Child Protection Procedures (www.durham-lscb.gov.uk)
- f. County Durham Safeguarding Adults Inter-Agency Partnership (<http://www.safeguardingdurhamadults.info>)
- g. Working Together to Safeguard Children – 2015
- h. County Durham Practice Framework: Single Assessment Procedure and Practice Guidance – April 2014
- i. Keeping Children Safe in Education – DfE September 2016 *
- j. Care Act May 2014
- k. The Human Rights Act 1998
- l. Equality Act Oct 2010

- m. No Secrets' Guidance – Department of Health 2000
- n. Mental Capacity Act 2005
- o. Safeguarding Adults – National Framework of Standards, Association of Directors of Social Services 2005
- p. Safeguarding Vulnerable Groups Act 2006
- q. Safeguarding Adults – County Durham Inter-Agency Policy Statement of Commitment, 2012
- r. Safer Practice, Safer Learning – a whole organisation approach. National Institute of Adult and Continuing Education 2007

*This is the key statutory document for Safeguarding in Schools and Colleges. All Schools and Colleges must have regard to this statutory guidance when carrying out their duties to safeguard and promote the welfare of children.

Appendix A - Equality Impact Assessment

Appendix B - Part C

Appendices



New College Durham

Equality Impact Assessment Record

New College Durham actively promotes the basic British values of democracy, the rules of law, individual liberty and mutual respect and tolerance for those of different faiths and beliefs.

1. Department/School:	Student Progression
2. People carrying out the assessment:	Malcolm McBain Head of Student Progression
3. Policy/procedure being assessed:	Looked After Children, Care Leavers and Young Carers
4. Main aims of the policy/procedure: To enable New College Durham to demonstrate its commitment to keeping Looked After Children, Care Leavers and Young Carers with whom it works safe. The College acknowledges its duty to act appropriately and immediately to any allegations, reports or suspicions of abuse.	
5. What examples of current good practice are there relating to the protected characteristics? a. Implementation of, and strict adherence to, the Safeguarding Young People and Adults at Risk, and Looked After Children, Care Leavers and Young Carers policies will improve the prevention of neglect and abuse as the College takes positive action to meet the needs of people with protected characteristics. b. Where neglect and abuse is suspected or occurs, staff uphold the rights of people about their safety and involve them throughout the Safeguarding process. c. Staff take account of the person's lifestyles, beliefs and rights to private life when developing protection plans with them.	
6. For which of the protected characteristics could there be a negative impact? (Refer to guidance notes) The EIA has found that there are no negative impacts resulting from the implementation of the Safeguarding of Looked After Children, Care Leavers and Young Carers. Indeed it has a positive impact on Looked After Children, Care Leavers and Young Carers as it outlines the responsibility of all staff should they have any concerns relating to their welfare and safety. It also outlines guidelines for safe working practices for all staff. However, it is recognised that staff with visual impairment may experience difficulty with the layout and font used in the documentation.	

7. Describe that impact

Whilst training is undertaken by all staff, inability to read the detailed and prescriptive contents of the Looked After Children, care Leavers and Young Carers Policy and Procedure (which also encompasses and Looked After Children) could possibly result in inappropriate action or inaction being undertaken.

8. What action needs to be taken to remove the impact?

Both the Safeguarding Young People and Adults at Risk and Looked After Children, Care Leavers and Young Carers policies and accompanying Procedure contain a statement welcoming suggestions for improving the accessibility or fairness of the policies and procedure. Both the Safeguarding Young People and Adults at Risk and Looked After Children, Care Leavers and Young Carers policies and accompanying Procedure will be available via the College intranet and are therefore subject to the College's Accessibility requirements.

9. Who will implement the action plan?

Head of Student Progression.

10. By when?

Subsequent to upload to the College intranet following formal Vice Principals approval of the Looked After Children, Care Leavers and Young Carers policy and accompanying Procedure.

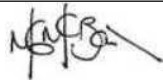
11. Monitoring Process

Safeguarding and PREVENT Group, Designated Safeguarding Leads' meetings.

Completed by:

Endorsed by: Christine Padgett

Signature :



Signature:



Printed name: M G McBain

Printed Name: Christine Padgett

Role: Head of Student Progression

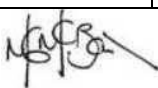
Role: ASC Manager

Date: 06 July 2017

Date: 01/12/2017

Date for Review: July 2017

Appendix C

Policy Review/Development Request		Date of Request:	
Current title of Policy: Looked After Children, Care Leavers and Young Carers			
Is this a proposed new policy or a review of an existing policy <i>(please tick whichever is appropriate)</i>	Proposed new Policy	Review of an existing Policy	
		✓	
	Due date for Submission	Due date for Review	
		July 2018	
Rationale: New College Durham recognises that it has an important role to play in helping to promote and safeguard the welfare of all students each of whom have the right to learn, enjoy and achieve; regardless of their personal circumstances. This Policy relates specifically to learners who are looked after children (LAC), Care Leavers (CL) and Young Carers (YC).			
Consultation (Where appropriate)			
Meeting <input type="checkbox"/> Students Union President <input type="checkbox"/> Learner Development Co-ordinator		Date of Meeting(s) January 2018	Key points emerging from the consultation exercise: Update in line with LSCB and other regional Safeguarding agencies.
Review/Development undertaken by:	Name: Malcolm McBain	Signed: 	Date submitted to PRG: TBC
Policy Review/Development Request		Date of Request:	
Policy Review Group Use only: (once completed in full please forward to the VP Group)			

Date draft policy submitted to PRG	Considered fit for further consideration and approval Yes/No	To be submitted to which Approval body:	Date of submission	Approved Yes/No
If <u>Not</u> fit for further consideration please provide specific feedback on how the submission needs to be improved:				Date for resubmission to PRG
Date draft policy resubmitted to PRG	Considered fit for further consideration and approval Yes/No	To be submitted to which Approval body:	Date of submission	Approved Yes/No
Signed by the Chair PRG	Name:	Signature:	Date:	
Approval Body Use only, (once completed in full please return to the Policy Review group Chair)				
Approval Body Title: Academic Policy Review Group			Date Received: 6/11/17	
Policy Approved – <i>(Please delete appropriately)</i>	If No please specify the nature of the issue(s)		Chair Dawn Fairlamb	Date 6/11/17
Yes			Signature <i>Dawn Fairlamb</i>	
Policy Review Group Chair's Actions:				
Date notifying Policy/Procedure Author of approval	Date sent to IT Services for upload to Intranet	Date Intranet checked to ensure correct and timely upload	Final sign off by Chair of Policy Review Group (is fully satisfied that the policy, any accompanying procedure and EIA are fully completed)	
01/12/2017	01/12/2017		Date: 01/12/17	Signature: <i>Dawn Fairlamb</i>