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## Key Related Documents:

Name	Location
Prevent Policy (M1c)	College website, Policy Hub
Admissions Policy (QS3)	College website, Policy Hub
Support (QS7)	College website, Policy Hub
Modern Slavery and Human Trafficking Statement	College Website

## Introduction

Navitas University Partnerships Europe (Navitas UPE) and Brunel University London Pathway College is committed to providing a safe and secure environment for children and vulnerable adults. This Policy outlines how the network of Navitas UPE Colleges (the College) seek to deliver its social, ethical, and legal responsibilities to protect and safeguard children and vulnerable adults to the highest possible standards.

A proportion of the students admitted to Navitas UPE Colleges will be enrolled before they reach their eighteenth (18<sup>th</sup>) birthday. Navitas UPE, through its Colleges, has specific responsibilities towards those who are under 18 years of age, as they are classified as children under the Children Act 1989 (and the amended Children Act 2004). This document defines Navitas UPE policy for the treatment of both domestic and international students under the age of eighteen years at the time of their enrolment. As most of these students will remain underage for a short time only it is the policy of the College to treat them as 'students' from the outset.

Students under the age of 18 years are legally considered minors in many jurisdictions where Navitas UPE operate and in particular in the UK. As such each College formally recognises this reality and accepts a higher level of responsibility for their educational, social and welfare provision. This higher level of responsibility is extended to vulnerable adults aged 18 or over who may be unable to take care of themselves against significant harm or exploitation.

Navitas UPE does not however act in *loco parentis*<sup>1</sup> with the exception of cases of medical emergency or when a student is unable to make a decision for themselves and the next point of contact is unreachable and there is a need to act quickly. However, it should be noted that all students U18 years of age are required to have a UK guardian who will act in loco parentis for the minor.

## Key Contacts

Navitas UPE is scrupulous in its safeguarding responsibilities. Key stakeholders for safeguarding are as follows:

- **Lead Safeguarding Officer (LSO):**

The LSO has overall accountability and strategic oversight for safeguarding children and vulnerable groups within the organisation. The LSO will delegate day to day responsibility to the College Director/Principal (CDP) or College nominee who will act as Designated Safeguarding Lead.

**The LSO for Navitas UPE is the Director of Operations, UPE:**

**Craig McIlwain**

**[craig.mcilwain@navitas.com](mailto:craig.mcilwain@navitas.com)**

- **College Designated Safeguarding Leads (DSL):**

The College CDP or nominee is required to act as the DSL. The DSL has operational responsibility for safeguarding children and vulnerable groups within the College and ensuring the policy is followed at all times.

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<sup>1</sup> The term loco parentis refers to a person who is caring for a child in the absence of the parent or guardian who has parental responsibility.

**Brunel University London Pathway College DSL:**

**Darrell Ellams**

**01895 265540, Darell.Ellams@pathway.brunel.ac.uk**

- **College Safeguarding Officer (SO):**

The College DSL will discharge a number of duties to an appointed SO including the role holder being a point of referral for safeguarding concerns raised locally. The SO will also represent the College on the UPE Wellness, Health and Safety Committee and act as deputy in the absence of the DSL.

**Brunel University London Pathway College SO:**

**Harpreet Hora**

**01895 265540, Harpreet.Hora@pathway.brunel.ac.uk**

- **University Partner Safeguarding Team / Student Wellbeing Services:**

There are a range of services available within the University for those who may wish to receive advice or support on safeguarding and related matters. The College works closely with the appropriate policies and regulations of the University Partner and may from time to time use the services and support of the University where matters arise.

**The University Safeguarding Team / Student Wellbeing Services:**

**Lesley O’Keefe, Registrar (DSL)**

**Emergency/out of hours contact: 01895 255786**

**<https://www.brunel.ac.uk/life/supporting-you/safeguarding-at-brunel>**

- **Local Council Child Protection Contacts:**

Local Councils and/or local authorities ensure that children and vulnerable adults are safeguarded. They have specific duties to safeguard and promote the welfare of all children and vulnerable adults in their area. Local authorities have a duty to undertake enquiries if they believe a child or vulnerable adult has suffered or is likely to suffer harm. Every local authority must have a Local Authority Designated Officer (LADO). The LADO is responsible for co-ordinating the response to concerns of an individual who works with children who may have caused them or could cause them harm.

**Local Council Child Protection Contacts:**

**The LADO:**

**01895 556006, [strongerfamilieshub@hillingdon.gov.uk](mailto:strongerfamilieshub@hillingdon.gov.uk),**

**<https://hillingdonsafeguardingpartnership.org.uk/contact-us/>**

- **NSPCC Child Protection:**

The National Society for the Prevention of Cruelty to Children are the UK’s leading children’s charity specialising in child protection and dedicated to protecting children. They are the only UK children’s charity with statutory powers, which means they can take action to safeguard children at risk of abuse.

**NSPCC Child Protection Helpline:**

**0800 800 5000**

**[www.nspcc.org.uk](http://www.nspcc.org.uk)**

- **Police:**

The emergency services in the UK are to be contacted if a child or vulnerable adult is in immediate danger. In all other circumstances (non-emergencies) or where guided the Police non-emergency number should be used.

**Police:**

**999 - emergency only (immediate danger)**

**101 - non-emergency, 24/7**

### **Navitas UPE Responsibilities**

Navitas UPE has specific legal responsibilities to ensure that children and vulnerable adults are safeguarded against the risk of harm and abuse.

Navitas UPE recognises that abuse or harm or the risk of abuse or harm to a child or vulnerable adult may take many different forms and that individuals may have different perceptions of what constitutes harm or abuse. Navitas UPE regards harm or abuse as including any physical, sexual or emotional abuse, neglect, bullying, harassment, intimidation, threats or use of violence. Further guidance on the forms that harm or abuse might take are listed in Annex A.

It is not the responsibility of Navitas UPE to investigate harm or abuse. However, it has a duty of care to act if there is cause for concern, to protect the welfare of children and vulnerable adults, and to notify the appropriate regulatory agencies about any concerns so that they can investigate.

The lead member of staff within Navitas UPE with responsibility for safeguarding children and vulnerable adults is the LSO.

Navitas UPE will keep this Policy under review to ensure that children and vulnerable adults are safeguarded, and that this Policy complies with developments in legislation, regulations and good practice. In line with the partner ethos, Navitas UPE Colleges will comply as closely as possible with policies and regulations of the University Partner.

Navitas UPE recognises that it has a duty to help staff and students through guidance, support and training in order to promote safe working practices to minimise risks to Under 18s and vulnerable individuals. This duty extends to keeping these categories of students safe from the risk of Modern Slavery and Human Trafficking, and, preventing them from being drawn into terrorism.

Our values symbolise what we stand for as an organisation and set expectations for our employees and partners. Throughout all our policy framework is a design to embody what we stand for as an organisation, providing guidance to help us make the right decisions and advice on what to do if we witness behaviour that does not reflect our values.

## The Purpose of this Policy

This Policy sets out Navitas UPE's arrangements for securing the safety and wellbeing of children and vulnerable adults who are on Navitas UPE's premises (College or Campus) or who engage in activities controlled by Navitas UPE. It sets out the steps that Navitas UPE and the Colleges will take to ensure that concerns about a child or vulnerable adult's wellbeing, risk of harm or abuse to them arising from activities connected with Navitas UPE or the Colleges can be addressed quickly and appropriately, in accordance with statutory duties.

Some Colleges within Navitas UPE operate their own specific procedures for securing the safety and wellbeing of children and vulnerable adults in accordance with guidance from relevant professional or sponsoring bodies and the University Partner. Where this is evident, Colleges are required to ensure that their own specific procedures comply with the requirements of this overarching Policy.

## Definitions

Navitas UPE uses the following definitions for the purposes of this Policy:

- 'Child' or 'children' refers to a person or persons under the age of 18 years. In Scotland, the definition of a 'child' varies according to the legal circumstances. Part 1 of the National guidance for child protection in Scotland explains that a child is generally defined as someone under the age of 18. But in some child protection contexts, including children's hearings and child protection orders, a child is someone who is under 16.
- 'Vulnerable adult' refers to a person who is aged 18 years or over who is or may be in need of community care services for reasons of mental health or other disability, age or illness, and is or may be unable to take care of themselves or protect themselves against significant harm or exploitation.
- 'Safeguarding' refers to the arrangements made to ensure that all reasonable measures are taken to prevent harm to children and/or vulnerable adults.
- 'Controlled posts' refers to posts that have frequent or intensive contact with children or vulnerable adults or have frequent access to sensitive information about children or vulnerable adults.
- 'Regulated activity' refers to activities and work that a person who has been barred by the Disclosure and Barring Service (DBS) must not do. It encompasses:
  - activity involving contact with children or vulnerable adults that is of a specified nature (e.g., teaching, training, care, supervision, advice, medical treatment or in certain circumstances transport) carried out on a frequent, intensive and/or overnight basis.
  - activity involving contact with children or vulnerable adults in a specified place (for example, schools or care homes), conducted either frequently or intensively.
  - fostering and childcare; and
  - certain specified positions of responsibility (for example, a school governor or the director of a health and social care trust responsible for the delivery of personal social services, and trustees of certain charities).

These are activities that, generally speaking, may place someone in a vulnerable position, for example, through a relationship of trust or dependency.

## Admission of Students

No student under the age of 18 years can be refused admission to a pathway of study under the Equality Act 2010. Throughout the admission process all applicants must be treated with equality and on academic and English language achievement grounds. Where the University Partner has specific risk assessment requirements surrounding students on a course under 18 years of age, these should be consulted, discussed in full and agreed with the University prior to any admission being granted. Deferred entry to a pathway or programme will be granted where appropriate.

All applicants under the age of 18 years at their time of enrolment are required to inform the College of all/any disabilities or intermittent/ongoing medical conditions at the time of admission.

Navitas UPE further requires, that parents/legal guardians sign the Acceptance of Offer Form contained within the Offer Pack to acknowledge that they have read and understood the requirements of a mature learning environment and the responsibilities that they and their child are entering into. They are also required to complete the Consent Letter/Form, indicating that they understand the UK Visas and Immigration (UKVI) requirements for travel and living arrangements for students under the age of 18. UKVI Student sponsor guidance states that students between the ages of 16 and 18 years who apply to study in the UK, must provide parental/guardian consent to travel and live independently in the UK.

Applicants and parents/legal guardians not resident in the UK or Europe, will be made aware that it is necessary for them to appoint a UK Guardian until the student turns 18 years of age. Colleges will advise parents/legal guardians to approach the Association of Educational Guardians for International Students (AEGIS) for advice on the appointment of a Guardian or to assist more generally in the process of determining a suitable UK based Guardian. Whilst liability for the appointment of a UK Guardian remains that of the student's parent/legal guardian, the College Director/Principal reserves the right to not recognise an appointed UK Guardian if they deem them to not be suitable, and to require an alternative UK Guardian to be appointment. The individual will typically be expected to:

- Be over 25 years old
- Not be a current student at the College
- Be resident in the UK

UK Guardians should be aware of the importance of their role and should therefore be mature, and able to respond to any issues that may arise during the student's studies.

## Procedures for the Recruitment of Students Under 18 Years of Age

The Admissions team are responsible for ensuring that all applicants under the age of 18 and their parent(s)/carer(s)/legal guardian(s) are provided with information relating to the expectations and responsibilities of all parties involved in their enrolment. The Application Form will include the applicant's date of birth which must be checked in all instances prior to an Offer of Admission being made. An Offer of Admission may be made to a student under 18 with the provision that the Offer cannot be confirmed

or approved as fully accepted by the Admission Office until such time as the parent(s)/legal guardian(s) have completed the Acceptance of Offer Form and given parental consent. In doing so they indicate that they agree to all statements and therein conditions of the status of their child until they turn 18 years of age.

Navitas reserves the right to refuse to admit a vulnerable person to a programme of study, or other Navitas managed activities, if it judges that the adaptations necessary to safeguard that individual's wellbeing go beyond what is reasonable and proportionate.

Where adaptations are reasonable and proportionate, the Navitas College will put in place a number of 'control measures' in order to safeguard the wellbeing of vulnerable groups, for example the automatic enrolment of U18s on the Compass programme (see Support Policy QS7).

As a condition of admission to certain programmes of study (where a student will come into close contact with children or vulnerable groups (see Recruitment, Studying and Employment of Students section)) a student will be required to undergo an enhanced DBS disclosure prior to the commencement of the programme or placement of study. The College is obliged to refuse admission if the DBS disclosure, on a reasonable assessment, would disqualify the applicant from entering the programme or placement of study.

Except in relation to specific programmes of study/placements (see previous paragraph) the College has limited powers to ask about unspent criminal convictions on admission. Where, during the admissions process, a conviction is disclosed indicating that an individual poses a clear risk to vulnerable groups, the College has the right to deny admission as a student.

The College does not consider it practicable to take steps other than those described in this section, to vet the backgrounds of students who, during the course of learning and teaching activities and administrative activities, come into contact with other students who are vulnerable. The College takes a risk management approach to organising and adapting the delivery of curriculum and services through the use of risk assessments. The College Admissions Policy (QS3) is available on the College website.

## **Recruitment, Studying and Employment of Students**

Navitas UPE will require DBS checks to be undertaken for the following groups of students:

- i. All those offered places on professional programmes requiring placements in regulated positions (e.g., teaching, nursing and social work).
- ii. All those undertaking paid or voluntary work on behalf of Navitas UPE in a regulated setting.
- iii. Students undertaking research which requires unsupervised access to children or vulnerable adults.

Where such students are from overseas or have lived overseas for a significant period of time, checks will be sought from the countries concerned. Students from countries where no such checks are available will be required to make a declaration concerning their previous life history.



If a DBS check indicates that an individual is barred from working with children or vulnerable adults then they will not be offered a place on any course requiring placement in a regulated position, allowed to work as a volunteer in such a position, or to undertake research involving children or vulnerable adults. They may be counselled to seek an alternative course if this is appropriate.

If a DBS check indicates that a student is barred from working with children or vulnerable adults, and that student is already engaged in a programme of study leading to regulated employment, the student's registration on the course will be terminated. They may be counselled to seek an alternative course if this is appropriate.

Navitas UPE has a Statement of good practice for those who come into contact with children and vulnerable adults as part of their work or studies with Navitas UPE. This Statement can be found in Annex C and sets out examples of recommended behaviour towards children and vulnerable adults.

## College Safeguarding Panels

Where a student DBS check indicates, or the College becomes aware of other evidence of convictions or other information that indicates that children or vulnerable adults might be placed at risk, the College DSL will inform the CDP which in turn will establish a Safeguarding Panel. The Panel may include senior support staff of the College (Director of Academic and Student Services or senior equivalent), the SO and in some cases representatives of the appropriate profession and University Partner to consider the student's or applicant's suitability for the course of study, volunteer position, or research. The Panel should normally be convened within three weeks of the evidence becoming available to the College and its deliberations will be minuted. Students should normally be informed in writing of the decision of the Panel and of the process for any appeal within five working days of the Panel hearing.

Students should be advised in their invitation to the Panel hearing that they are able to access advice and support from the College.

## Accommodation and Contracts

Navitas UPE aims to help support all new students to source accommodation if requested. It is ultimately the responsibility of each student (including students U18, their parent or guardian) to assess whether the accommodation on offer is suitable for their needs and whether the terms of occupancy are reasonable.

Any person under the age of 18 is unable to enter a legal contract. If a student U18 needs to enter a contract with, for example, an accommodation provider, a parent or guardian is required to guarantee the student's obligation under that contract including the payment of rent or other associated fees. A failure to pay any sums due under a contract may result in demand being made by the contractor on the parent or guardian. Any continuing failure to pay may result in studies being interrupted.

U18 year olds are actively encouraged to participate in clubs and societies organised by the College and/or the University's Student Union (where the University allows). However, an U18 is unable to hold



Office until they reach the age of 18, as they will be unable to discharge an office-holder's legal responsibilities.

## Recruitment and Employment of Staff

### a) Declaration of Offences

It is illegal for an organisation to knowingly allow a person barred by the DBS to work in regulated activity.

Navitas UPE will therefore:

- i. Require all applicants for employment at Navitas UPE to declare any criminal convictions on application forms for employment.
- ii. Require persons appointed to regulated or controlled posts (including contractors or sub-contractors) to undertake relevant DBS checks.

For the College this includes:

- All College-based staff are required to undergo a basic DBS check, with teachers undergoing enhanced checks on the basis that we expect the individuals to be frequently teaching individuals under the age of 18. Where a college is confident that an individual will not teach under 18s (such as where that college does not accept under 18s), only a basic check is carried out. Where a college believes that a non-teaching member of staff will frequently be working with students under the age of 18, an enhanced check should also be carried out.
  - Where a college is not sure what check to carry out for a particular staff member, this is checked online at <https://www.gov.uk/find-out-dbs-check> and if required verified through the HR team.
  - Staff located primarily in administrative premises and not within a College are not typically required to undergo a DBS check, unless a specific role is identified by the recruiting manager as being likely to come in to contact with minors or vulnerable adults. Where relevant the CDP should have the final decision in consultation with the HR team.
  - Where teaching has commenced and a DBS outcome has not been received, that teacher may commence teaching, however any one-to-one sessions, or sessions primarily consisting of vulnerable adults or minors, must be under the supervision of another DBS staff member.
  - DBS checks will be considered valid for a period of three years from the date of the DBS outcome.
  - Where an individual holds a personal basic DBS, and the college is able to verify this via the online verification service, and the individual does not require an enhanced check, the college will not carry out a further DBS check, unless the three years since the certificate was validated has elapsed.
- iii. If the person appointed is from overseas or has lived overseas for a significant period of time then where required, checks will be sought from the countries concerned. If such checks are not available from the countries concerned, then the person appointed will be required to make a declaration concerning their previous life history.
  - iv. Exercise its legal right to require existing employees occupying regulated posts or undertaking regulated work to reveal their full criminal history, including any spent convictions and/or undertake standard or enhanced DBS checks. Navitas UPE or the College may exercise this right as an annual requirement for certain roles.

Navitas UPE recognises the need to take a proportionate approach to personal and DBS disclosures and will treat all such information in the strictest confidence. Navitas UPE will not discriminate unfairly on the basis of such information.

### **b) Consideration of Offences**

Interview panels will ensure that a fair and measured discussion of any declared offences takes place either at the interview stage or at a subsequently arranged time. Guidance on the conduct of this discussion should be sought from the HR Team. Guidance should also be sought from the HR Team prior to any offer of employment being made.

If a subsequent DBS check shows a conviction or caution or contains other information in relation to a potential or existing employee, then the CDP and HR Team will form a view on whether this is sufficiently serious to constitute an impediment to their employment by Navitas UPE. In forming this view, they will take account of factors such as the nature of the conviction or information, time elapsed, and whether this indicates a pattern of behaviour that may place children or vulnerable adults at risk. A confidential written record of this decision will be retained. Guidelines for informing this decision are outlined in Annex B.

### **c) Reporting to the DBS**

If Navitas UPE dismisses or removes someone from regulated activity (or would have done had they not already left its employment) because they have abused or harmed children or vulnerable adults, then it has a legal responsibility to report the person concerned to the DBS. This responsibility will normally be undertaken by the CDP in consultation with the HR Team.

## **Responsibilities of Staff**

### **a) Statement of Good Practice**

Navitas UPE has a Statement of good practice for those who come into contact with children and vulnerable adults as part of their work with Navitas UPE. This Statement can be found in Annex C and sets out examples of recommended behaviour towards children and vulnerable adults. All staff are expected to be guided by this Statement.

### **b) Higher Levels of Responsibility**

All students U18 and vulnerable adults are captured under the College Compass programme (see Student Support Policy QS7) which provides additional oversight of the student's welfare and academic progress.

Each College will hold a record of all students' emergency contact details for parents and legal guardians for U18s and vulnerable adults.

Each College will ensure that relevant staff, students and other personnel will receive appropriate

training in working with those Under 18 and vulnerable adults.

Each College will seek to cultivate an environment that encourages students to approach staff if they have any concerns.

### **c) Declaration of Investigations, Cautions and Criminal Convictions**

All staff are required to notify the CDP or HR Team if they are the subject of an investigation by the police or other safeguarding agency into an allegation of abuse of a child or vulnerable adult. Disciplinary action may be taken against staff failing to disclose this information.

All staff are required to notify the CDP or HR Team if they receive a police caution or conviction for a criminal offence. Disciplinary action may be taken against staff failing to disclose this information.

### **d) Risk Assessments**

Members of staff with responsibility for activities at the College or run by Navitas UPE which involve children or vulnerable adults must ensure that they conduct a risk assessment of the activities involved and take appropriate steps to protect the welfare of the children or vulnerable adults involved. Guidance on producing risk assessments is available from the Navitas UPE's Wellness, Health and Safety (WHS) team.

Members of staff with responsibility for activities at the College or run by Navitas UPE which involve children or vulnerable adults must confirm with the CDP that the College has appropriate insurances in place to indemnify the proposed activity.

### **e) Sexual Relationships**

It is a criminal offence for any person in a position of trust to engage in sexual activity with someone who is subject to this trust and is under the age of 18 years. Navitas UPE will also consider this to be a disciplinary issue.

## **Reporting**

### **a) Reporting Suspicions, Allegations or Actual Incidents**

The welfare of a child or vulnerable adult must be paramount. Members of staff have a duty to report suspicions, allegations or actual incidents to the College SO (or DSL in their absence) in the first instance (see 'Key Contacts' section), regardless of whether the information has been disclosed in confidence to them or if they remain unsure of their suspicions. Suspicions must not be discussed with anyone else on campus other than the SO (or DSL in their absence). Staff who fail to discharge this responsibility may be liable to disciplinary action.

Any suspicions, allegations or actual incidents must be recorded in the prescribed form (Annex D) which will then be handed/sent promptly to the College SO (or DSL in their absence). This form must be completed as soon as possible after receiving information that causes suspicion or an allegation of the

abuse of a child or vulnerable adult. Do not delay by attempting to obtain information to complete all the details. If the concern arises out of normal office hours, contact should be made with the local Council/Authority Child Protection team (See 'Key Contacts'). Advice can also be sought from a professional practitioner through the NSPCC Helpline (see 'Key Contacts') or if someone is in immediate danger call the Police (999). It is recognised that staff may need support after receiving a disclosure and will be offered appropriate counselling. The SO (or DSL in their absence) will need to be notified of any out of normal hours activity (contact with local council/Authority, NSPCC or Police) as soon they return to office.

On being notified of any suspicion, allegation, incident or apparent abuse involving Navitas UPE staff or students the SO/DSL shall:

1. Take such steps considered necessary to ensure the safety of the child or vulnerable adult in question and any other child or vulnerable adult who might be at risk.
2. Liaise with the person who reported the original concern and ensure that a report of the incident(s) is completed (Annex D).
3. Consult with other Navitas UPE staff members if deemed appropriate or take advice if required (e.g., Safeguarding Panel, LSO or HR team).
4. Report the matter to the local Council/Authority\*.

If the SO/DSL are the subject of the suspicion, allegation, incident or the claim of apparent abuse then this must be reported to the LSO directly.

\*The SO will collate details of allegations or suspicion and review the matter with the DSL (or Safeguarding Panel, LSO or HR team) prior to any referral to the appropriate statutory authority (if deemed applicable or if not already in action). Staff must not attempt to deal with a suspicion, allegation, or actual incident themselves but must report it through the channels outlined above. All suspicions and allegations will be taken seriously and will be responded to swiftly and appropriately.

Failing the availability of the DSL or SO the College CDP must be informed of the allegation, suspicion or incident unless where the CDP is the DSL and therefore the LSO is to be contacted.

## **b) Suspension**

In the event of any suspicion, allegation, incident or apparent abuse committed by a Navitas UPE staff or student, the matter should be reported to the College SO (or DSL in their absence) in the first instance (as set out in reporting requirement (a)). The SO/DSL, on the basis of evidence and in consultation with the Safeguarding Panel, LSO and/or the HR team may decide to suspend the Navitas UPE staff member or student for the period of the investigation. Suspension in this context is not a disciplinary measure and implies no assumption of guilt. Depending upon the outcome of the investigation, the Navitas UPE staff member or student may be liable for further suspension and disciplinary action.

Navitas UPE may refer a member of staff to the relevant professional body if there are concerns over their suitability to practise and/or remain on the professional register or equivalent.

Where the situation involves a member of staff from the University Partner, the SO or DSL will raise this with the University Partner Safeguarding Team/Lead and the College CDP.

### **c) Reporting Concerns from Placements, Mentoring Schemes, Projects or External Visits**

Staff and students who are undertaking activities at the premises of another organisation should familiarise themselves with the host organisation's safeguarding policies and procedures and the name and contact details of the organisation's Safeguarding Officer or Designated Safeguarding Lead.

Staff with concerns about a child or a vulnerable adult with whom they come into contact in a placement setting or in the course of external visits should follow the procedure in place at the visiting institution. If, for whatever reasons, the member of staff feels that this is inappropriate then they must refer their concerns to the College SO (or DSL in their absence) who will contact the appropriate agency.

Students with concerns about a child or a vulnerable adult with whom they come into contact in a placement, through a mentoring scheme, a project setting or in the course of external visits should follow the procedure in place at the visiting institution. If, for whatever reasons, the student feels that this is inappropriate or they lack the confidence to raise their concerns then they should refer their concern to the member of Navitas UPE staff who is supervising their placement, mentorship scheme or project. This member of staff should then follow the procedure set out in part (a) of this section.

### **d) Reporting Other Concerns**

There may be instances when a member of staff receives information in the course of their normal duties about allegations of abuse towards a child or vulnerable adult that are unconnected with the activities of Navitas UPE or the use of its premises (Colleges or Campuses). In such instances, staff must exercise a duty of care and should either encourage the informant to report the matter to the appropriate agencies or, if they remain concerned, make a report themselves. If, for whatever reasons, a member of staff in receipt of an allegation feels that it is inappropriate for them to make the report then they must refer their concerns to the SO (or DSL in their absence) who will contact the appropriate agency.

### **e) Whistleblowing**

Whistleblowing is an important aspect of a safeguarded Institution. Any individual has the right and the responsibility to raise concerns, without prejudice to their own position, about the behaviour of staff, students or other persons which may be harmful to those in their care and will receive appropriate support when doing so. In accordance with the Navitas Whistleblowing Policy Navitas UPE will support and protect those individuals, who, in good faith and without malicious intent report suspicions of abuse or concerns. Staff are encouraged to report issues in the first instance to their direct manager/supervisor, however, if this is not appropriate (fear of doing so, uncomfortable, etc) the matter can be reported directly to the Whistleblower portal 'Speak Up through Whispli'. The portal is operated by an independent third party and accessible 24/7 through the Navitas intranet or at <https://navitas.whispli.com/Navitas-Anonymous-Reporting?locale=en>.

## **f) Reporting/Record-Keeping**

All safeguarding correspondence and communication in relation to students will be recorded on the Navigate Student Management System. In the case of permanent staff all record keeping will be maintained on the corporate HR system, and in hard copy files for academic teaching staff within the Colleges.

## **Responsibilities of Parents, Guardians and Carers**

Navitas UPE cannot take responsibility for ensuring the wellbeing of children or vulnerable adults who are on its premises without acknowledgement and consent. Parents, guardians or carers who bring children or vulnerable adults onto Navitas UPE premises must take responsibility for their safety and wellbeing and ensure that they do not place themselves at risk, disturb others or damage property.

Unless they are students of the Navitas UPE or are attending the College as part of an authorised visit or activity, children and vulnerable adults are not allowed to enter learning environments, laboratories, workshops or other premises which present hazards or contain valuable or fragile equipment.

## **Accident Reporting Involving Children or Vulnerable Adults**

Any accident on Navitas UPE premises involving a child or vulnerable adult must be reported to the Navitas UPE's WHS Team immediately and formally recorded on the accident reporting system as soon as possible.

## **Safeguarding and Protection from Radicalisation (Prevent)**

Navitas UPE has due regard for the Prevent duty and complies with its statutory duty to help to stop people from being drawn into terrorism or support for terrorism through radicalisation. All members of the College community have the right to speak freely and to express their opinions in line with the values of inclusion, tolerance and freedom of speech. As with managing other safeguarding risks, all members of the College must be vigilant to the risks of radicalisation and must report any activities or behaviour of concern. Any concerns should be reported to the nominated Prevent Lead in the College or in their absence the College CDP. Please read the Prevent Policy (M1c) for further advice and guidance.

## **Confidentiality and Data Protection**

As far as possible, the confidentiality of all individuals involved in any allegation, investigation or resulting disciplinary proceedings will be respected by Navitas UPE. However, there may be circumstances in which it is necessary for Navitas UPE to share information with parties such as social services, the police, and the parents, guardians or carers of the child or vulnerable adult concerned. Information may also need to be disclosed if there is a public interest imperative. Navitas UPE cannot therefore guarantee that the confidentiality of any disclosures can be maintained in all circumstances.

The GDPR and Data Protection Act 2018 do not prevent, or limit, the sharing of information for the purposes of keeping children and vulnerable adults safe. Where there are concerns about the safety of a child or vulnerable adult, the sharing of information in a timely and effective manner between organisations can improve decision-making so that actions taken are in the best interests of the child or vulnerable adult. The GDPR and Data Protection Act 2018 place duties on organisations and individuals to process personal information fairly and lawfully; they are not a barrier to sharing information, where the failure to do so would cause the safety or well-being of a child or vulnerable adult to be compromised. Similarly, human rights concerns, such as respecting the right to a private and family life would not prevent sharing where there are real safeguarding concerns. The most important consideration is whether sharing information is likely to support the safeguarding and protection of a child or vulnerable adult. Fears about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children and vulnerable adults at risk of abuse or neglect.

If a staff member is uncertain about sharing sensitive information or in an instance where the local authority or emergency services are involved (Police) the Navitas UPE Data Protection team must be informed to ensure the necessary laws and regulations regarding processing data are met.

## **Communication of the Policy**

All staff must be aware of this Policy and must abide by its requirements. It will be published on the College website and on Policy Hub (Navitas Intranet) to ensure that it is available to all those within the Navitas UPE community who have a responsibility for the wellbeing and safeguarding of children and vulnerable adults.

## **Further Information and Guidance**

Further information, guidance and interpretation of this Policy should be sought from the SO/DSL in the first instance.

The Disclosure and Barring Service maintains guidance on making referrals outlining legal duty and general information on safeguarding. This can be found at

<https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs#referrals-for-automatic-barring-offences>

The UK Government provide advice and guidance for schools, colleges and children services:

<https://www.gov.uk/topic/schools-colleges-childrens-services/safeguarding-children>

Furthermore, the NSPCC contain a host of practical guidance and advice on their website:

<https://learning.nspcc.org.uk/safeguarding-child-protection>



## Policy Review

This policy will be reviewed every two years unless there are internal or legislative changes that necessitate an earlier review.

The Policy was last reviewed in January 2023 by the Academic Board.

## Annex A - Potential Indicators of Harm, Abuse or Neglect

Harm, abuse or neglect can take many forms and can include, but not be limited to:

### **Physical abuse:**

Physical abuse is deliberately causing physical harm to another person. This might involve punching, kicking, biting, burning, scalding, shaking, throwing or beating with objects or implements. It can include giving a child or vulnerable adult alcohol or illegal drugs.

### **Emotional abuse:**

Emotional abuse is where repeated verbal threats, criticism, ridicule, shouting, lack of love and affection causes a severe adverse effect on a child or vulnerable adult's emotional development. It may feature inappropriate expectations being imposed on a child or vulnerable adult, over-protection and limitation of exploration and learning, or preventing the child or vulnerable adult from taking part in normal social interaction.

### **Sexual abuse:**

Sexual abuse involves forcing or enticing a child or vulnerable adult to take part in sexual activities, whether or not the child or vulnerable adult is aware of what is happening. This may involve physical contact or it may involve non-contact activities such as involving children or vulnerable adults in watching sexual activities, producing or looking at sexual images, encouraging children to engage in sexual acts or behaviour, or grooming a child or vulnerable adult in preparation for abuse (including via the internet).

### **Neglect or acts of omission:**

Neglect is the persistent failure to meet a child's or vulnerable adult's basic physical and/or psychological needs in a way that is likely to result in serious impairment of their health, development or wellbeing. It can include failure to provide adequate food, clothing, shelter (including exclusion from home or abandonment), medical care, or protection from physical and emotional harm or danger. It also includes failure to ensure access to education or to look after a child or vulnerable adult whilst under the influence of alcohol or drugs.

### **Online abuse:**

Online abuse is any form of abuse that happens via the internet, whether through social networks, online games or mobile telephones. It may involve cyberbullying, grooming in preparation for abuse, sexual abuse, sexual exploitation or emotional abuse. In such cases, the abuser may be known to the child or vulnerable adult, they may not be known or they may disguise their real identity.

Children and vulnerable adults can be subject to one or more forms of abuse at the same time. They may display physical symptoms of abuse or neglect in the form of injuries or untreated medical issues; they may exhibit behaviour or knowledge that is inappropriate or unexpected for their age or circumstances; they may appear to be uncomfortable in the presence of certain people or being left alone with them; they may also exhibit aggressive or anti-social behaviour or display symptoms of depression or anxiety.

It is important to recognise that harm, abuse and neglect may be inflicted by others or may be inflicted by an individual upon themselves.

## Annex B - Guidelines on Considering Criminal Records and Related Information

Navitas UPE must assess criminal records history within the relevant legal framework and in accordance with the principles of applying public law.

Any decision the Navitas UPE makes on the impact of previous offences committed by an individual should be proportionate, fair and reasonable, within its powers, and based upon considerations that are strictly relevant.

Navitas UPE will consider a number of factors in assessing the risk presented by any individual to children or vulnerable adults. These include:

- Whether the offence poses a cause for concern and is relevant to the work or activity to be undertaken.
- Whether the offence was an isolated incident or whether it is indicative of a pattern of behaviour that may place others at risk.
- The time that has elapsed since the offence occurred.
- The age of the individual at the time of the offence.
- Whether subsequent amendments to the law mean that the offence is no longer illegal.
- Whether there were particular mitigating circumstances at the time that led to the offence being committed.
- Evidence of remorse, positive change and rehabilitation since the offence was committed.

It is also a requirement to gain references and to try to make all reasonable efforts to obtain information about any unexplained gaps in an individual's life history that may give rise to concern.

## Annex C - Statement of best practice

Navitas UPE expects all its staff and students to act in an exemplary manner towards children and vulnerable adults and to ensure that their behaviour does not lead to concerns about their integrity and moral standing or to allegations of harm or abuse.

This Statement is not intended to present an exhaustive list but sets out general expectations of behaviour in terms of what Navitas UPE regards as appropriate behaviour.

Navitas UPE staff and students should at all times:

1. Treat children and vulnerable adults fairly, equally and respectfully and should not show favouritism or disfavour.
2. Be sensitive to the child or vulnerable adult's appearance, race, culture, religious belief, sexuality, gender or disability.
3. Act as a good role model and challenge any unacceptable behaviour from others within the Navitas UPE community towards children or vulnerable adults.
4. Report allegations or suspicions of harm or abuse of children or vulnerable adults in line with this Policy.
5. Work, where possible, in an open environment with children and vulnerable adults so that others can clearly observe and hear you.
6. Be aware that physical contact and speaking, acting or jesting in certain ways with a child or vulnerable adult may be misinterpreted.
7. Avoid physical contact with a child or vulnerable adult unless it is reasonably necessary for health and safety or their wellbeing.
8. Respect the right to privacy of a child or vulnerable adult and do not enter any private room occupied by of a child or vulnerable adult alone unless necessitated by an emergency.
9. Avoid unaccompanied journeys in a vehicle with a child or vulnerable adult unless necessitated by an emergency.

### Responding to allegations or suspicions

If you receive an allegation of harm or abuse or suspect that this is occurring then:

DO	DO NOT
<ul style="list-style-type: none"><li>• Stay calm and remain objective</li></ul>	<ul style="list-style-type: none"><li>• Do not panic or over-react</li></ul>
<ul style="list-style-type: none"><li>• Listen, hear and take seriously</li></ul>	<ul style="list-style-type: none"><li>• Do not probe for more information. Inappropriate questioning may influence how the allegation is received or considered by others at a later date</li></ul>
<ul style="list-style-type: none"><li>• Give time to allow the child or vulnerable adult to say what they want to say</li></ul>	<ul style="list-style-type: none"><li>• Do not make assumptions. Do not paraphrase or offer explanations or justifications for actions</li></ul>
<ul style="list-style-type: none"><li>• Reassure and explain that they have done the right thing in telling you about the incident</li></ul>	<ul style="list-style-type: none"><li>• Do not promise that complete confidentiality can be maintained</li></ul>
<ul style="list-style-type: none"><li>• Act immediately in accordance with the procedure in this Policy by informing the College SO</li></ul>	<ul style="list-style-type: none"><li>• Do not try to deal with the allegation by yourself</li></ul>
<ul style="list-style-type: none"><li>• Make a written record of what was said to you as soon and as accurately as possible using the form outlined below</li></ul>	<ul style="list-style-type: none"><li>• Do not express your own opinions or conclusions in the report. Do not make a child or vulnerable adult repeat themselves unnecessarily</li></ul>

<ul style="list-style-type: none"><li>• Report the incident in accordance with the procedures outlined in this Policy</li></ul>	<ul style="list-style-type: none"><li>• Do not fail to report the incident or delay reporting the incident</li></ul>
<ul style="list-style-type: none"><li>• Maintain confidentiality about the incident and the people involved</li></ul>	<ul style="list-style-type: none"><li>• Do not divulge information to people with no role in dealing with the incident</li></ul>

## Annex D - Referral Form for Suspicions or Allegations from a member of a vulnerable group including children and young people

Details of person making report
Name:
Position:
Contact telephone number:
Details of Child/Young Person/ Adult
Name:
Date of Birth:
Address:
Contact telephone number:
Names and address of parents/guardian/carers:
Details of person about whom there is concern
Name:
Position:
Date of Birth:
Address:
Relationship to child/young person/ adult:
If you are reporting this alleged incident on behalf of someone else, please provide details of that person
Name:
Position:
Address:
Contact telephone number:
Date this person advised you of alleged incident:
Record here the information you were given from this person about the alleged incident:

Details of the alleged incident
Date of alleged incident:
Time:
Place:
Names and addresses of witnesses:
Describe in detail what happened (Please use additional paper if required):
Describe in detail visible injuries/bruises and concerning behaviour of the child/young person/ adult, if any (use diagrams if this helps you to describe) (Please use additional paper if required):
Was the child/young person/ adult asked what happened: YES/NO  If yes, record exactly what they said in their own words and any questions asked if the situation needed clarifying (Please use additional paper if required):
Details of action taken
Detail what action, if any, has been taken following receipt of this information:
<b>ONLY AFTER SEEKING ADVICE FROM THE POLICE/SOCIAL WORK DEPARTMENT</b> Were the child/young person/ adult's parent's/guardian/carers contacted?



Details of external agencies contacted	
Police	Police station contacted:  Name and contact number:  Advice received:
Social Work Department	Social Work Dept:  Name and contact number:  Advice received:
Other	Name of organisation:  Name and contact number:  Advice received:
Other information	
Record any other information you have about this matter (It is important that all information is passed on even that which you think is not important or helpful).          	
Signature:  Print name:  Date:  <b>Where a referral has been made to the Police and Social Work Department a copy of this form must be sent to them as soon as possible.</b>	