



Safeguarding Policy

July 2024

History of Changes

| Version | Description of Change | Authored by | Date |
|---------|--|-------------|--------------|
| 1.1 | Reference added to document explaining the legal position under the Sexual Offences (Scotland) Act 2009 (Section 43(5) – Position of Trust). Updating of telephone numbers. | D. Killean | 19 June 2015 |
| 1.2 | Regional Board replaces Board of Management. Note the duty of care to care experienced children and young people. | D. Killean | 1 March 2017 |
| 1.3 | Review of document following staff changes. Updating Policy to include recommendations from OCSR to report any significant instance through their Notifiable Events Regime. Policy and Procedures will now be reviewed annually. | H Anderson | 23/10/18 |
| 1.4 | The Policy is being amended to include the Prevent agenda and safeguard against exploitation. | H Anderson | 31/10/19 |
| 1.5 | Addition of reporting significant staff instances to GTCS and Disclosure Scotland. | H Anderson | 9/11/20 |
| 1.6 | Student Discipline Policy renamed Student Behaviour and Discipline Policy | H Anderson | 16/3/22 |
| 1.7 | Updated policy to 'Safeguarding Policy'. Updated author to Director of Student Support Services. Included reference to key legislation and definitions within 'Scope' section. Included contact details for Safeguarding Team. Updated 'Roles and Responsibilities' section. Addition of reference to Prevent duty. | A Brydon | 5/7/2024 |
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Introduction

Borders College is committed to providing a safe and protected environment for all. This policy sets out the College's legal responsibilities and commitment to safeguard and protect children, young people and protected adults at risk of harm, abuse and of exploitation.

The College and its employees have specific obligations under the law to protect children, young people and vulnerable adults and to report incidents of actual or suspected harm to the relevant authorities. All staff should familiarise themselves with the contents of this policy and ensure that their training on the safeguarding of children, young people and vulnerable adults at risk of harm is updated regularly in line with college policy.

The College will work in collaboration with Social Services, Police Scotland and other agencies to protect children, young people and vulnerable adults. It is guided by National Guidance for Child Protection in Scotland 2010; Protection of Vulnerable Groups (Scotland) Act 2007; Scottish Prevent Duty Guidance (for Scotland derived from the Counter-Terrorism and Security Act 2015); and other relevant legislation and guidance.

Scope

The policy applies to all students, staff, volunteers, agency workers and any other contractors/consultants who may be engaged by the College.

Every staff member of Borders College has a role to play in safeguarding. All staff working with children, young people and protected adults will have an understanding of child protection and their duty under Prevent.

Children, as defined by current legislation, are those under the age of 18 years of age.

Protected adults, as defined by current legislation, are those over 16 years of age who are:

- Unable to safeguard their own wellbeing, property, rights or other interests
- At risk of harm
- More vulnerable because they are affected by a disability, mental disorder, illness or physical or mental infirmity (Adult Support and Protection (Scotland) Act 2007)

The presence of a health condition or disability does not automatically mean that a person is a protected adult. A person can have a disability but be able to protect their own wellbeing. Their circumstances as a whole should be considered and all three elements of the definition above must be met in order for them to be considered a protected adult.

The College has a Duty of Care to care experienced young people up to and including the age of 25.

Review

The policy will be reviewed every 2 years to evaluate effectiveness and ensure it is in line with best practice. Reviews may take place earlier if updates are required to ensure it is in line with current legislation.

Key Principles

Borders College recognises its obligation to protect children, young people and protected adults to ensure they are safe and free from abuse, exploitation and harm. We will achieve this by:

1. Operating in line with the Inter-Agency Guidelines on Adult and Child Protection drawn up by:
 - Scottish Borders Council
 - Police Scotland
 - Borders Health Board
2. Ensuring all staff have a clear understanding of their legal and moral obligations to safeguard and protect children, young people and protected adults from harm, abuse and exploitation.
3. Responding and acting on all reported safeguarding incidents and causes for concern.
4. Ensuring robust recruitment practices and effective staff development opportunities in relation to the safeguarding of children, young people and protected adults.
5. Reporting any significant instance involving an employee and a vulnerable adult or child to OSCR (Office of Scottish Charity Regulator) under Notifiable Events, GTCS and Disclosure Scotland.
6. Working effectively with key partners and organisations.
7. Ensuring clear reporting lines for safeguarding concerns are in place.

Roles and Responsibilities

1. **The Regional Board** are responsible for ensuring the College complies with its statutory obligations in relation to the Safeguarding of Children, Young People and Vulnerable Adults; Corporate Parenting and Prevent Duties.
2. **The Director of Student Support Services** has overall responsibility for this policy and is the strategic lead for safeguarding practice across the college. They will manage the Safeguarding Team, oversee operational practice, and will review policies and procedures to ensure implementation of these.

3. **All staff** have a role to play in safeguarding children, young people and protected adults. All staff will be made aware of their obligation to adhere to the policy and engage with mandatory training. It is the responsibility of all staff to contribute to the prevention of bullying and harassment through awareness of the issues involved and by ensuring colleagues' own standards of conduct and the content of teaching materials do not cause offence.
4. **All managers** are responsible for ensuring staff are trained and comply with this policy.
5. **The Safeguarding Team** will take responsibility for implementing appropriate safeguarding procedures.
6. **People Services** will put in place robust staff recruitment practices, mandatory staff development and ensure that all new staff receive copies of the Safeguarding Policy. The Director of People Services is responsible for ensuring that Protection of Vulnerable Groups (PVG) membership is processed.
7. **The Vice Principal, Finance and Corporate Services** has a lead role in PREVENT and counter terrorism activity and will liaise with Police Scotland on this.

The Safeguarding Team

Amy Brydon – Director of Student Support Services

abrydon@borderscollege.ac.uk

Tel: 01896 662541

David Lowe – Assistant Principal, Curriculum

dlowe@borderscollege.ac.uk

Tel: 01896 662635

Jen Mackenzie – Student Support Services Manager

jmack@borderscollege.ac.uk

Tel: 01896 662594

Related Documents

- Disclosure Policy
- Employee Disciplinary Policy and Procedure
- Employee Resourcing Policy
- Professional Conduct Between Staff and Students
- Recruitment of Ex-Offenders Policy
- Policy on the Use of Volunteers
- Staff Guidelines for Safeguarding Children and Adults at Risk of Harm
- Staff Handbook
- Student Admissions Policy
- Student Behaviour and Discipline Policy and Procedure
- Whistleblowing Policy

Status: Approved JCCP
Policy Dated: July 2024
Author: Director of Student Support Services
Review Date: July 2026
Equality Impact Assessed: Yes