



# OCN NI Safeguarding Policy



## Introduction

The Open College Network Northern Ireland (OCN NI) is committed to practices which ensure all who meet OCN NI Representatives (Employees, Contracted Service Providers and Board Members), do so in a safe environment. OCN NI is committed to working practices which promote the welfare and safeguarding of children, young people, and adults at risk or in need of protection.

## Legislation, Policy and Guidance

OCN NI's Safeguarding Policy is a response to the legal requirements set out in key pieces of legislation, including:

- The Children (NI) Order 1995
- The Human Rights Act 1998
- The Public Interest Disclosure (NI) Order 1998
- The Safeguarding Vulnerable Groups (NI) Order 2007, as amended by the Protection of Freedoms Act 2012

In addition, this Safeguarding Policy takes account of NI Regional Policies and Guidance, including:

- Co-operating to Safeguard Children and Young People in Northern Ireland 2017
- The Adult Safeguarding Prevention and Protection in Partnership 2015
- The Adult Safeguarding Operational Procedures

This policy is also in line with the Joint Council for Qualifications (JCQ) Policy Standards for Child Protection 2017.

## Definitions

**A child** is a person under the age of 18 years (as defined in the United Nations convention on the Rights of a Child).

**An adult at risk or in need of protection** is a person aged 18 years or over (as defined in the Safeguarding Vulnerable Group Act) who may be unable to take care of themselves or protect themselves from harm or from being exploited.

This may include a person who:

- Has a physical or sensory disability
- Has a learning disability
- Has a severe physical illness
- Is a substance misuser
- Is homeless

**Significant harm** can take different forms:

- Physical harm
- Emotional or Psychological harm
- Sexual harm
- Neglect
- Exploitation

**Possible signs of abuse include:**

- Unexplained or suspicious injuries such as bruising cuts or burns.
- An adult at risk or child disclosing abuse or describing what appears to be an abusive act.
- Someone else expressing concern about the welfare of an adult at risk or child.
- Unexplained change in behaviour such as withdrawal or sudden outbursts of temper
- Inappropriate sexual awareness or sexually explicit behaviour
- Distrust of adults
- Difficulty in making friends.
- Eating disorders, depression, self-harm

**Reasons to raise concerns:**

- Need
- Harm happened (past)
- Harm is happening (present)
- Risk of harm may happen (future)
- A combination of the above

## **Scope of this Policy**

There are three key areas in which safeguarding issues may be raised in relation to the work of OCN NI and its Representatives:

- The conduct of Representatives towards learners, other children, young people or adults at risk or in need of protection, with whom they come into contact, whether in person or on-line.
- The appropriateness of assessment materials and activities and practice associated with OCN NI qualifications.
- Learner disclosure of information regarding their personal welfare, or the welfare of one of their peers, to the OCN NI Representative, whether directly or through written responses, or on social media.

## OCN NI Commitment

OCN NI believes that anyone who participates in learning activities is entitled to do so in an environment that is both safe and enjoyable. OCN NI is committed to:

Maintaining policy, procedures, and a code of conduct.

- Providing effective support and management for OCN NI Representatives.
- Recruiting OCN NI Representatives safely by ensuring all necessary checks are made in line with current Government guidance and legislation.
- Updating OCN NI Representatives on relevant policies and procedures and providing access to relevant information.
- Ensuring that all assessments, communications, documentation, records, materials, personnel deployment, processes and procedures in no way undermine the interests of children, young people and adults at risk or in need of protection, but actively seek to protect them.
- Respecting confidentiality whilst sharing information about concerns with agencies which need to know and appropriately involving parents, carers, and relevant individuals.

While primarily intended to safeguard children, young people and adults at risk or in need of protection, this Safeguarding Policy also serves to protect OCN NI Representatives from unsubstantiated allegations of improper conduct.

## **Operational Framework**

### **Designated Officer**

The OCN NI Designated Officer will act as a source of guidance, support and advice on safeguarding matters and will keep up to date with relevant Child Protection legislation, good practice and developments.

The Designated Officer will receive the Safeguarding Report Forms (Appendix 2) and Disclosure Declaration Forms (Appendix 3) and will co-ordinate action within OCN NI and liaise with the appropriate authorities or agencies in relation to suspected or actual cases of child or adult abuse. Also, ensuring all written records on adult at risk and child protection issues are securely and confidentially filed.

### **Deputy Designated Officer**

OCN NI has also appointed a Deputy Designated Officer to ensure that there is continual cover to operate our policy by ensuring that a qualified designated Officer is always in place, should an incident occur.

OCN NI reserves the right to appoint more than one Deputy Designated Officer to ensure year-round cover and continuity.

### **Disclosure Declaration by OCN NI Representatives**

In accordance with AccessNI employer obligations and fair treatment, OCN NI may require OCN NI Representatives who engage in a regulated activity, to undertake a Standard Check. This might be a legal requirement or a condition of employment or contract of service. Such a role will usually involve working closely with children, young people or adults at risk or in need of protection. For further information see OCN NI Access NI Policy Statement and Consent Agreement.

OCN NI Representatives are required to make a Safeguarding Disclosure Declaration on application. They must also make an immediate update disclosure in writing to the Designated Officer in the event of changes to the status of their registration with any regulatory body: any convictions which are unspent (for the purposes of the Rehabilitation of Offenders Act 1974), or any child been removed, temporarily or permanently, from their care because of child protection proceedings.

### **Engagement with Centres**

It is acknowledged that through its monitoring activities there are no instances where OCN NI has primary and direct responsibility for children, young people or adults at risk or in need of protection, OCN NI is adopting a risk averse approach to centre engagement. Some OCN NI Representatives are at times required to visit Centres, where they might observe or interact with children, young people, or adults at risk or in need of protection. OCN NI Representatives

are required to ensure that such interactions are observed or monitored by a Centre staff member, who retains primary responsibility for safeguarding, in accordance with the Centre's policy and procedures.

### **Recording and Monitoring Safeguarding Issues**

The Designated Officer will ensure that OCN NI has effective mechanisms in place to record and monitor safeguarding issues and ensure that appropriate action is taken.

- Cases not relating to the conduct of an OCN NI Representative will involve formal reporting to the relevant Centre and/or the relevant protection authority for resolution.
- Cases involving the conduct of an OCN NI Employee will be formally investigated and dealt with in line with OCN NI documented disciplinary procedures, including discussion with the appropriate protection authorities, if appropriate.
- Cases involving the conduct of an OCN NI Contracted Supplier Representative will also be formally investigated, including discussion with the appropriate statutory protection authorities if appropriate, and dealt with in line with the terms and conditions of their contract.
- Cases involving the conduct of an OCN NI Board Member Representative will also be formally investigated, including discussion with the appropriate statutory protection authorities if appropriate, and dealt with in line with the terms and conditions of their position.
- All allegations or suspicions of abuse must be taken seriously. It is vitally important that any disclosure made in confidence is recorded factually as soon as possible (See Appendix 1)

### **Code of Conduct for Representatives**

As an OCN NI Representative, you must:

- Listen to, value and respect everyone as an individual.
- Appropriately involve learners/course participants in decision making
- Encourage and praise achievement.
- Actively contribute to an organisational culture where inappropriate behaviour is not tolerated.
- Provide an example of the good conduct you wish others to follow.
- Ensure that whenever possible there is more than one adult present during activities with children, young people or adults at risk or in need of protection, or if not possible, be within sight or hearing of others.
- Not give out personal information, or share email addresses, mobile phone numbers etc. with any child, young person or adult at risk or in need of protection

- Report all allegations or suspicions of abuse by seeking further support and guidance, including any allegation made against yourself or other OCN NI Representatives
- Ensure that any concerns of inappropriate behaviour by individuals are quickly and appropriately reported on to the Designated Officer within the Centre or OCN NI as appropriate
- Be aware that some children, young people and adults at risk or in need of protection may behave inappropriately, therefore responses must be appropriate to age and understanding.
- Are expected to act with integrity towards their colleagues and others and be accountable and perform their work with honesty, diligence and responsibility; to observe the law and report any wrongdoing, including suspicion of fraud or other illegal activity; not to take part knowingly in any illegal activity, or in any acts that discredit OCN NI
- Are expected to act with objectivity towards their colleagues and others and not to participate in any activity or relationship that may affect or appear to affect their unbiased judgment; and not to accept a reward or a gift that may influence or appear to influence decisions they make.
- Are expected to give equal respect to an individual's traditions and beliefs and not to discriminate on the following grounds sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, disability, age, sexual orientation, marital/familial or other status.
- In respect of confidentiality, all OCN NI Representatives are expected not to disclose confidential information, not to use OCN NI information for any personal gain or in any manner that would be contrary to the law; must follow guidelines for contact with the media.

Representatives who come into contact with children, young people or adults at risk or in need of protection must always avoid:

- Being alone or out of sight of others. Where privacy is required, the door should be left ajar having ensured that others have been informed and are within earshot.
- Transporting learners by car on one's own.
- Having unnecessary physical contact.
- Engaging in or allowing sexually provocative games or activities.
- Making or permitting suggestive or discriminating remarks to/or about children, young people or adults at risk or in need of protection.
- Meeting children, young people or adults at risk or in need of protection outside of organised or formal interaction.
- Entering a room where learners may be changing their clothes or are not fully dressed.
- Participating in, or tolerating any bullying.
- Engaging in sexual relationships with learners (which may in any event constitute a criminal offence).

- Taking any photographs or videos which include any participant unless authorised by the appropriate member of staff and the learner/parental (for children) consent has been given.

## **Implementation**

In order to achieve the successful implementation of this policy, OCN NI will:

- Make available via its website, this Safeguarding Policy, for access by OCN NI Representatives and Centres and ensure that it is available to learners and other interested parties.
- Provide development activities/updates appropriate to the needs of OCN NI Representatives, as required.
- Ensure that issues concerning safety and confidentiality are addressed as an integral part of qualification development, review, and assessment guidance.
- Require that all OCN NI Representatives (as appropriate) have completed and signed a Disclosure Declaration Form covering offences, cautions, reprimands, warnings etc.
- Require that all OCN NI Representatives complete a new Disclosure Declaration Form should their circumstances change.
- Require Centres to ensure that OCN NI Representatives are accompanied during visits to Centres.
- Analyse their own practice against established good practice and assess risk to ensure their practice is likely to protect them from false allegations.
- Recognise their responsibilities and report any concerns about suspected poor practice or possible abuse.

## **Review**

This policy will be reviewed every three years, or in response to significant changes in legislative, policy or regulatory requirements.

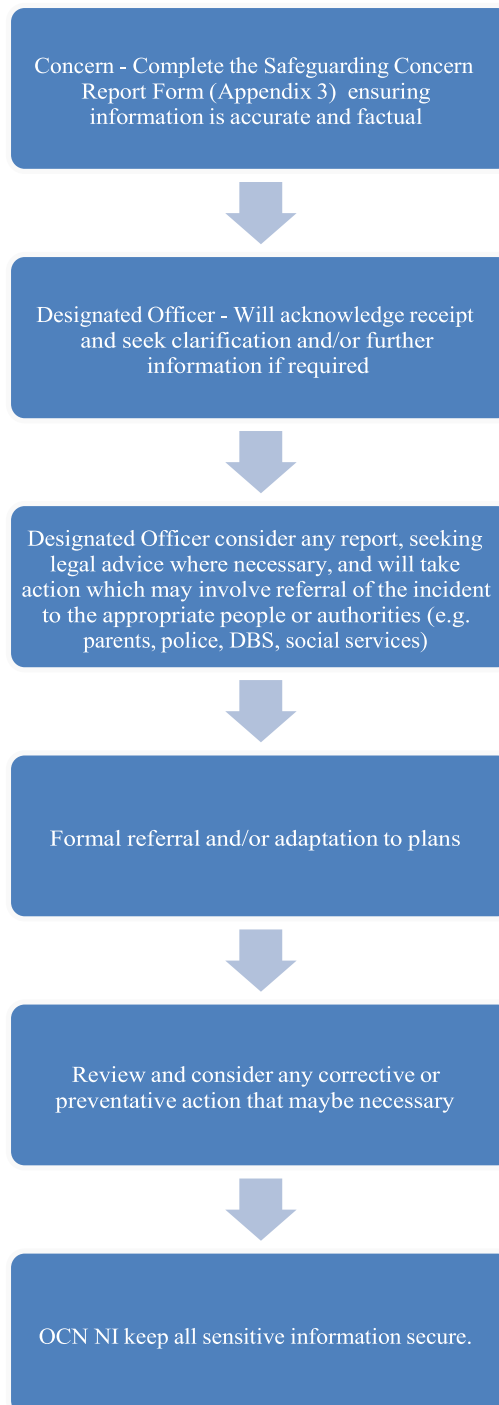
## **Associated policies**

OCN NI Whistleblowing Policy  
OCN NI Conflict of Interest Policy  
OCN NI Complaints Policy  
OCN NI Recruitment Policy  
OCN NI Induction  
OCN NI Employee Handbook  
OCN NI QR handbook  
OCN NI AccessNI Policy Statement and Consent Agreement



### Safeguarding Escalation Process (Appendix 1)

If a safeguarding issue is identified at Centre level, this should be reported to the Centre's Designated Officer and through the Centre's Safeguarding Policy and Procedures. If a safeguarding is identified in relation an OCN NI Representative the following escalation will apply:



## Safeguarding Disclosure Declaration Form

Due to the nature of its services, OCN NI requires disclosure of any criminal convictions, cautions etc. (including the penalty or penalties imposed) which are not spent (for the purposes of the Rehabilitation of Offenders Act).

The information received will be treated with the utmost confidentiality and will be used by the Designated Officer to reach a conclusion as to whether a contract should be offered to the applicant. The information received around disclosures will, unless there are exceptional circumstances, be securely destroyed.

Please note that disclosure of offences will not in itself mean that a contract of services will not be issued. OCN NI shall make a decision after careful consideration of the individual circumstances and with due regard to the safeguarding risks.

I can confirm that I have read and understood the Safeguarding Disclosure Declaration Form and due to the nature of my services am willing to provide details of any criminal convictions.

(Tick as appropriate)

YES                      NO

Have there been any changes to the status of your Registration with any regulatory body?

Have you any convictions which are unspent (for the purposes of the Rehabilitation of Offenders Act)?

Has any child been removed, temporarily or permanently, from your care as a result of child protection proceedings?

If you answer YES to any of the questions above, please give details below:

Name (please print in block capitals)

Signature:

Date:

Address:

Postcode:

## Safeguarding Concern Report Form

Name of Individual about whom there is concern		Age / DOB (if known)	
Name of person reporting concern and contact details			
You are reporting	(tick as appropriate)		
- Your own concern			
- A concern raised with you by someone else			
- A concern arising from review of assessment materials / learner evidence			
Description of what has prompted the concern (please include details of any specific incident, date, time etc.)			
Please include information on any discussion held with the individual about whom there is concern, or with any other relevant person			
To whom reported		Date / time	
Your Name		Role	
Your Signature		Date	