

CAFRE

Safeguarding Policy and Procedures

Children, Young People, Adults at Risk of Harm and Adults in Need of Protection

Issue	Date of Issue	Date of Next Review	Responsibility of	Date approved by CAFRE Education Management Team
06	May 2011	June 2024	Learner Services Branch	March 2024

	CAFRE Quality Manual Index	CAFRE Website (Tick as appropriate)
Document Available	✓	✓

This document can also be produced in alternative formats upon request.

Version History

Version	Description of Changes	Date
03	<p>The policy update reflects upon feedback from ETI and aligns the policy with other education providers in the FE and HE sector. Key changes to the policy include:</p> <ul style="list-style-type: none"> • Updates in terminology and legislative requirements; • Clearly identifying the CAFRE Safeguarding Team, including role descriptions for Designated Safeguarding Officers and Deputy Designated Safeguarding Officers; • Inclusion of Adult Safeguarding and introduction of an Adult Safeguarding Champion. 	May 2021
04	<p>Key changes to the policy include:</p> <ul style="list-style-type: none"> • Revision of section 6 - Code of Conduct including a sub-section on the supervision of learners and a 'staff must never' sub-section; • Updated Safeguarding Team details; • Inclusion of reference to 'P261 Planning and Staffing Student Visits', (DA1/15/211373) in section 10 - Work Placements, Short Courses, Exchange or Educational Visits; • Reordering of appendices and updates to Appendix 2, 3 and 4. 	May 2022
05	<p>Inclusion of Operation Encompass Revision of Safeguarding Team contact details</p>	February 2023
06	Revision of Safeguarding Team contact details	November 2023

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College of Agriculture, Food and Rural Enterprise (CAFRE) Safeguarding Policy and Procedures

1. Introduction

The College of Agriculture, Food and Rural Enterprise, (CAFRE and hereafter referred to as the College), aims to ensure that all learners, staff and stakeholders of the College experience an inclusive, enjoyable and safe environment, in which they feel respected and valued.

We all share an objective to keep children, young people, adults at risk and adults in need of protection, safe from harm. This College Safeguarding Policy and Procedures is built upon a foundation of '**zero tolerance**' of harm to all children, young people, adults at risk of harm and adults in need of protection and is aligned to the Northern Ireland Adult Safeguarding Partnership (NIASP) statement "**Safeguarding is everyone's business**".

The purpose of this Policy is to:

- **Promote** the welfare of children, young people, adults at risk of harm and adults in need of protection to protect them from harm;
- **Prevent** harm occurring through early identification of risk and appropriate timely intervention;
- **Protect** children and young people from harm when this is required;
- Work in **partnership** together with individuals, professionals and agencies to recognise the potential for, and to prevent, harm.
- Encourage good practice in all aspects of promotion and protection of children, young people, adults at risk of harm and adults in need of protection;
- Raise awareness of the safeguarding issues that may or have the potential to impact upon children, young people and adults at risk of harm and adults in need of protection;
- Prevent and reduce the risk and potential risk of harm to children, young people, adults at risk of harm and adults in need of protection, whilst providing an inclusive non-stigmatised learning environment for all;
- Empower children, young people, adults at risk of harm and adults in need of protection to make informed decisions about their education, life experiences and wellbeing which will allow them to live life free from coercion and have freedom of expression;
- Provide and implement clear, accessible and consistent guidance in relation to the procedures for reporting concerns;
- Advocate for children, young people, adults at risk of harm and adults in need of protection in their right to fair justice as a result of abuse, exploitation or neglect;
- Encourage and promote continuous professional development in the approach to safeguarding practices.

2. Context

The College will carry out its responsibilities under all relevant legislation, regulations and professional guidelines, which include the following:

- Children Northern Ireland Order 1995
- Children's Services Co-operation Act (Northern Ireland) 2015
- Co-operating to Safeguard Children and Young people in Northern Ireland (HSSPS – March 2016)

- Human Rights Act 1998
- Safeguarding Vulnerable Groups (Northern Ireland) Order 2007
- United Nations Convention on the Rights of the Child

A full list of relevant legislation, regulations and professional guidelines are referenced in appendix 8.

This policy document for CAFRE aligns to the DAERA Safeguarding Policy and Procedures document. On an annual basis CAFRE will produce a Safeguarding report which will be approved by the Chair of the DAERA Safeguarding Group and will discuss any safeguarding issues that have arisen during the academic year at CAFRE.

3. Scope

This policy applies to all staff, learners, volunteers and third parties and should be read in conjunction with relevant standard operating procedures and any other relevant organisation procedures.

4. General Principles

The Policy is based on the following principles:

- The College seeks to provide and promote a safe learning environment for all learners;
- The College recognises that anyone can be the subject of abuse and that all allegations of abuse will be taken seriously and treated in accordance with the College's procedures;
- The Policy will be reviewed at least annually to ensure it reflects current legislation and best practice.
- The College will ensure that staff show respect and understanding for learner rights, safety and welfare and conduct themselves in a way that reflects these principles;
- The College will follow carefully the NICS HR procedures for recruitment and selection of staff;
- The College will ensure that all staff recruited will be subject to the appropriate Access NI check prior to employment (see Appendix 7).
- The College reserves the right to refuse to employ any person who has a conviction for the abuse of a child, young person, adult at risk of harm or adult in need of protection;
- The College must follow risk assessment procedures, before enrolling any person who has a conviction for the abuse of a child, young person, an adult at risk of harm or an adult in need of protection;
- The College will collaborate with regional policies and procedures in full partnership with other local agencies including the Health and Social Care Trust Gateway Team and Police Service of Northern Ireland (PSNI);
- Our staff will listen to, record and report all concerns, disclosures and allegations of abuse in accordance with current procedures in an empathetic, prompt and secure manner;
- The College will not investigate instances of abuse as this is the role of other statutory agencies e.g. Social Services, PSNI;
- The College is committed to supporting, resourcing and training, in line with current legislation, those who work with, or come in contact with children, young people, adults at risk of harm and adults in need of protection and to provide appropriate supervision for them.

- The College will provide awareness training and support for staff and specialist training for Designated Safeguarding Officers, Deputy Designated Safeguarding Officers and Adult Safeguarding Champion;
- The College is committed to developing knowledge and understanding of Trauma-Informed Practice and the impact of Adverse Childhood Experiences (ACEs), to help staff better understand those in their care. This commitment aims to enhance and work alongside existing safeguarding protections, policies and measures for children, young people, adults at risk of harm or adults in need of protection.
(ACES: Adverse Childhood Experiences. Ensuring a better deal for children in Wales. Professor Mark A. Bellis.)

5. Key Definitions

The definition of a '**child**' is any person that is under the age of 18, as defined in the Children (NI) Order 1995, the principal statute governing care, upbringing and protection of children in Northern Ireland.

The definition of an '**adult at risk of harm**' is a person aged 18 years and over, whose exposure to harm through abuse, exploitation or neglect may be increased by their personal characteristics and/or life circumstances;

- Personal characteristics may include but are not limited to: age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in, the functioning of the mind or brain;
- Life circumstances may include but are not limited to: isolation, socioeconomic factors and environmental living conditions.

The definition of an '**adult in need of protection**' is a person aged 18 years and over, who may be at a greater risk of exposure to harm through abuse, exploitation or neglect may be increased by their:

- a) personal characteristics and / or;
- b) life circumstances; and
- c) who is unable to protect their own well-being, rights, or other interests; and
- d) where the action or inaction of another person or persons is causing or is likely to cause them to be harmed.

The College's Safeguarding Team understand that in order for our learners, as defined above, who are an 'adult in need of protection' either (a) or (b) must be present, in addition to both elements (c) and (d).

The consideration of mental capacity is crucial at all stages of safeguarding adult's procedures as it provides a framework for decision making to balance independence and protection.

Factors which can increase the vulnerability of children, young people and adults include situations where there is:

- social/emotional isolation;
- a pattern of violence which exists or has existed in the past;
- drugs/alcohol use;
- stress on relationships;
- an illness that causes unpredictable behaviour;
- a person experiencing communication difficulties; and
- an existence of persistent financial problems.

All staff have a responsibility to be aware of the above factors which may increase the vulnerability of young people and adults and to adhere to the guidance contained in this policy.

5.1 Types of Child Abuse (NSPCC, 2017)

The College recognises that harm from abuse is not always straightforward to identify and a child may all too often experience more than one type of harm or significant harm. Harm can be caused by:

- Emotional Abuse
- Sexual Abuse
- Physical Abuse
- Neglect
- Exploitation

See Appendix 6 for definitions of abuse

5.1 Types of Adult abuse (DHSSPS, 2015)

- Physical Abuse
- Sexual Abuse
- Psychological / Emotional Abuse.
- Financial Abuse
- Institutional Abuse
- Neglect
- Exploitation

See Appendix 6 for definitions of abuse

6. Code of Conduct

All actions concerning young people must uphold the best interests of the young person.

Staff must always be aware of their position of trust, responsibilities under Safeguarding Legislation and that their behaviour towards learners must be beyond reproach.

This Code of Conduct is intended to provide protection for both staff and learners, whilst assisting staff in respect of the complex issues of abuse, by drawing attention to areas of risk. These guidelines must be rigorously applied to learners under the age of 18 years old. They are also recommended as good practice in respect of learners over 18 years in conjunction with CAFRE Policy P420 – Staff / Student Relationships (CN: AE1/21/1010487).

This is not intended to frighten staff from working with our learners, but it is important that staff are aware of professional boundaries and best practices, expected of them whilst working with learners. There will be circumstances which will not be covered by the Code. On these occasions it is important that staff use their professional judgement and act in a manner where their conduct cannot be misconstrued.

Staff should be accessible for a learner to talk to and be friendly and approachable.

Staff have a professional responsibility to protect children, young people, adults at risk of harm and adults in need of protection from harm or abuse, and must share relevant information to a College Designated Safeguarding Officer. Staff should be aware that the College Safeguarding Team has a legal duty to report allegations of abuse to other professionals, i.e. PSNI, Social Services, or other investigating agencies.

If a learner provides confidential information to a member of staff which gives cause for concern about possible abuse and requests that the information be kept secret, it is important that the member of staff tells the learner sensitively, that he/she has a responsibility to refer cases of alleged abuse to the Safeguarding Team for the learner's own sake.

6.1 Private Meetings with Learners

Staff should be aware of the risks which may arise from private meetings with individual learners. It is recognised that there will be occasions when confidential interviews must take place. As far as possible, staff should conduct private meetings in a room with visual access, or with the door open.

It may be necessary to use a sign indicating that the room is in use, but staff must never use signs prohibiting entry to the room.

Where possible another learner or (preferably) another adult should be present or nearby during the interview and the College will take active measures to facilitate this.

Staff should not spend excessive amounts of time alone with a learner or small group of learners away from others.

Staff should be aware of and follow the guidance set out in the 'Safeguarding Protocol of Online Learning Lessons' document.

6.2 Physical Contact with Learners

As a general principle, staff should not to make physical contact with learners.

Physical punishment is illegal, as is any form of physical response to misbehaviour, unless it is by way of necessary restraint or self-defence.

However, in emergencies **only** the following is permitted:

- A distressed learner may need reassurance involving physical comforting, as a caring person would provide. Staff should not feel inhibited from providing this. In such incidents staff should ensure that another staff member is present at the time. Staff should never touch a learner who has clearly indicated that they are, or would be, uncomfortable with such contact, unless it is necessary to protect the learner, others, or property from harm.
- Staff who have to administer first aid to a learner should ensure wherever possible that this is done in the presence of other learners or another adult and should get the consent of the learner. However, no trained member of staff should hesitate to provide first aid in an emergency, simply because another person is not present.

Any physical contact, which would be likely to be misinterpreted by a learner, parent or other casual observer, should be avoided.

Following any incident where a member of staff feels that his/her actions have been, or may be misconstrued, a written report of the incident should be submitted to a member of the Safeguarding Team.

6.3 Residential Settings

Staff should follow the guidance set out in sections 6.1 and 6.2 above, when engaging with learners in a residential setting.

Staff should be particularly careful when supervising learners in the residential setting, whilst on Residential Support Duty, or in clubs and societies, where relationships tend to be more informal and where staff may be in close proximity to learners in circumstances different from the normal.

Staff should still maintain professional boundaries with learners and should not arrange to meet with individual or small groups of learners outside organised club or society activities, unless it is with the knowledge and consent of parents and the Head of Branch.

6.4 Choice and Use of Teaching Materials

Lecturers should avoid teaching materials, which may be misinterpreted and reflect upon the motives for choice.

When using teaching materials of a sensitive nature, a lecturer should consider the potential for criticism or negativity from learners, parents / guardians. If in doubt about the appropriateness of a particular teaching resource, the lecturer should consult with their Course Manager before using it.

6.4 Relationships and Attitudes

Staff should ensure that their relationships with learners are appropriate to the age, maturity and gender of the learner, taking care that their conduct does not give rise to comment or speculation.

Staff must not make suggestive or inappropriate remarks/actions, even in jest.

Staff are encouraged not to let learners use inappropriate language unchallenged.

No member of staff should at any point share their personal details with learners and/or parents/guardians. This includes the exchange of personal mobile numbers and/or befriending on personal social media accounts, for example, WhatsApp, Facebook, SnapChat, TikTok and Instagram.

6.5 Mobile Phones and Social Media Groups

While mobile phones and Social Media technologies are a very efficient way to keep in contact with learners their use can leave College staff exposed to potential safeguarding issues. For this reason, College staff should not share personal contact details with any learner. Likewise, the establishment of groups through apps such as 'WhatsApp' and 'Facebook Messenger' can mean that a learner's personal contact details or personal information are shared across the

group. Should College staff require guidance around this area they should consult with a member of the Safeguarding Team.

6.6 Staff Offering Lifts to Learners

Staff should never approach a learner / learners to offer them a lift. However in circumstances where there is any concern for the health, safety or welfare of the learner/learners and where contact with parents/guardians of students aged under 18, has not been possible a lift can and should be given. The member of staff should inform the relevant Course Manager or Head of Branch what they are doing and explain the circumstances prevailing. Best practice would suggest that the young person should sit in the back of the car.

6.7 Supervision of Learners

Learners will be likely to need closer supervision to protect them from accidental harm. The following guidelines should be followed:

- Risk assessments should be carried out and maintained in accordance with DAERA Health and Safety policy;
- Learners should not be assigned any task unless the risks have been fully assessed and minimised;
- Learners should not be left unattended for unreasonably long periods of time;
- Learners will be safer if supervised and accompanied by two or more adults;
- Staff should be aware, at all times, where learners are during a lecture or practical;
- Any activity requiring the use of potentially hazardous equipment should be supervised closely;
- Unsafe behaviour by a learner must not be allowed;
- Staff should give support and encouragement to learners.

6.8 Staff Must Never:

- Engage in rough physical games, including horseplay, other than structured sports activities;
- Engage in sexually provocative games or behaviour;
- Allow or engage in any inappropriate touching of any form;
- Allow learners to use inappropriate language unchallenged;
- Make sexually suggestive comments about or to a learner;
- Show a learner anything that might be construed as abusive images;
- Trivialise or exaggerate abuse issues;
- Do things of a personal nature for learners that they can do themselves;
- Carry out physical punishment, slap or hit a learner;
- Cause distress by shouting at a learner or calling them derogatory names;
- Holding a learner in a way that causes pain or shaking them;
- In cases where physical abuse is suspected, remove any of the learner's clothing;
- Make judgements about disclosures made to them, or probe for more information than has already been disclosed;
- Where a disclosure has been made, use direct or leading questions, or speculate or accuse anyone;
- Take learners to your home; or
- Drink or purchase alcohol or take drugs with learners while they are in your professional care.

7. Promoting Digital Safety

Digital Safety is becoming an increasingly significant issue to consider when it comes to safeguarding children, young people, adults at risk and adults in need of protection.

All staff, learners and third parties who wish to use the College's IT systems are required to agree to the College/DAERA Acceptable Use Policy and comply with any other relevant digital policies as directed.

Online safety is becoming an increasingly significant issue to consider when it comes to safeguarding. Listed below are some of the common indicators that are displayed by children and young people:

- Sexualised language;
- Sexting;
- Sextortion;
- Excessive texting or use of an electronic device to access Social Media sites;
- Secretive behaviour;
- Aggressive behaviour and becoming easily agitated when it comes to Internet usage;
- Cyberbullying;
- Access to sites that could potentially lead to extremism or radicalisation.

Any member of staff that has concerns in relation to a young person based on the indicators above should seek advice immediately from the Safeguarding Team.

8. Responsibility

The Safeguarding Team, comprises of Designated Safeguarding Officers, Deputy Designated Safeguarding Officers and an Adult Safeguarding Champion, all of whom oversee and co-ordinate operational College safeguarding matters.

The Student Services and Student Support Team Leader has strategic safeguarding responsibility within the College.

The Designated Safeguarding Officers are:

- Jane Elliott – Head of Equine Education, Enniskillen Campus;
- Valerie Finlay – Head of Learner Services, All Campuses;
- Fintan McCann – Head of Food Education, Loughry Campus;
- Lesley-Anne Beacom – Student Services and Student Support Team Leader, All Campuses.

The Adult Safeguarding Champion is Lesley-Anne Beacom, Student Services and Student Support Team Leader.

The College also has a team of Campus Deputy Designated Safeguarding Officers who are listed in Appendix 1.

Posters are displayed throughout the College to identify those whom staff, learners, volunteers and any third party can engage with on safeguarding matters. Report of Concerns should be made to the Safeguarding Team at CAFRESafeguarding@daera-ni.gov.uk

It is the responsibility of all staff working in the College to report abuse and incidents of concern in line with this Safeguarding Policy and Procedures to a member of the Safeguarding Team. This responsibility extends to all staff including industrial and agency staff, not just those specifically working with children, young people, adults at risk of harm and adults in need of protection.

All reports of concern(s) should be made to a member of the Safeguarding Team in line with this policy and the procedures found in Appendices 3, 4 and 5.

All employees of the College are required to abide by the Code of Conduct outlined in Section 6 of this document, which sets clear expectations of behaviour for all. The College Facilities Team has overall responsibility for the security of the College buildings.

8.1 The Role of the Designated Safeguarding Officer is to:

- Provide information and advice on safeguarding within CAFRE;
- Ensure procedures for safeguarding young people and adults at risk are followed;
- Liaise with relevant College management and staff regarding this Safeguarding Policy and Procedures and any reported incidents of concern and report to College management as required;
- Liaise with the local Gateway Team regarding safeguarding procedures and any reported incidents of concern;
- Liaise with, and understand the roles and responsibilities of all the appropriate investigating agencies;
- Assist with the review of this policy and related procedures annually;
- Maintain the security of record keeping in relation to safeguarding matters;
- Ensure that the Safeguarding Policy and Procedures are implemented at all College events that may involve children, young people, adults at risk of harm or adults in need of protection;
- Support children and young people from care backgrounds and who are on the Child Protection Register by attending case conferences, looked-after children (LAC) reviews and working in partnership with Social Services;
- Support all Safeguarding Officers;
- Ensure all learners, staff and visitors are aware of the Colleges Safeguarding Policy and Procedures.

8.3 The Role of the Adult Safeguarding Champion (ASC) is to:

- Provide strategic and operational leadership and oversight in relation to Adult Safeguarding;
- Manage the Designated Safeguarding Officers;
- Ensure full implementation of the Safeguarding Policy and Procedures;
- Oversee the security of record keeping in relation to safeguarding matters;
- Compile and analyse records of reported concerns to determine whether a number of low-level concerns are accumulating to become significant, and make records available for inspection;
- Review the Safeguarding Policy and Procedures annually;
- Provide information and support for staff on adult safeguarding within the organisation;
- Advise within the organisation regarding adult safeguarding training needs in line with current legislation;

- Provide advice to staff who have concerns about the signs of harm, and ensure a report is made to Health and Social Care (HSC) Trusts where there is a safeguarding concern;
- Support staff to ensure that any actions take account of what the adult wishes to achieve – this should not prevent information about any risk of serious harm being passed to the relevant HSC Trust Adult Protection Gateway Service for assessment and decision making;
- Establish contact with the HSC Trust Designated Adult Protection Officer (DAPO), PSNI and other agencies as appropriate.

The Adult Safeguarding Champion should ensure that, at a minimum, the organisation safeguards adults at risk by:

- recognising that adult harm is wrong and that it should not be tolerated;
- being aware of the signs of harm from abuse, exploitation and neglect;
- reducing opportunities for harm from abuse, exploitation and neglect to occur; and
- Knowing how and when to report safeguarding concerns to HSC Trusts or the PSNI.

8.2 The Role of the Deputy Designated Safeguarding Officer is to:

- Provide information and advice on safeguarding within CAFRE;
- Ensure safeguarding procedures are followed;
- Liaise with relevant College management and staff regarding this Safeguarding Policy and Procedures and any reported incidents of concern and report to a Designated Safeguarding Officer as required;
- Assist with the review of this policy and related procedures annually;
- Maintain the security of record keeping in relation to safeguarding matters;
- Ensure that this Safeguarding Policy and Procedures is implemented at all College events that may involve children, young people, adults at risk of harm or adults in need of protection;
- Support children and young people from care backgrounds and who are on the Child Protection Register by, if required, attending case conferences, looked-After Children (LAC) reviews and working in partnership with Social Services;
- Support all Safeguarding Officers;
- Ensure all learners are aware of the Colleges Safeguarding Policy and Procedures.

8.4 The Role of CAFRE Senior Management Team is to:

- Ensure the safe recruitment and induction of all staff and volunteers ensuring all are appropriately vetted in compliance with relevant NICS HR procedures for recruitment and selection of staff and Guidelines in accordance with the Safeguarding Vulnerable Groups (NI) Order (2007);
- Ensure that all staff recruited will be subject to the appropriate Access NI check prior to employment (see Appendix 7);
- Ensure implementation of staff disciplinary investigations if any concerns, disclosures or allegations of abuse by a staff member are made;
- Arrange and monitor Safeguarding Refresher Training for all staff every 3 years.

9. Confidentiality

College staff should never discuss safeguarding concerns with anyone who is not a member of the Safeguarding Team. Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety and welfare of the learner is the overriding concern. The degree of confidentiality will be governed by the need to protect the individual and therefore complete confidentiality cannot be guaranteed. It is therefore *crucial* that staff understand and implement the guidelines for Data Protection and information sharing.

10. Work Placements, Short Courses and Exchange or Educational Visits

Staff organising any work placements, short courses, exchange or educational visits should take the Safeguarding Policy and Procedures into account when assessing the suitability of the work placement, short course, exchange or educational visit arrangements with a risk assessment conducted if necessary. Learners are more vulnerable to harm or abuse when in long-term placement in the workplace or when outside their normal environment. The College has a duty to put in place additional safeguards as required.

For educational visits staff should follow the principles set out in 'P261 Planning and Staffing Student Visits', (DA1/15/211373). Learners should always be accompanied on visits by a minimum of two members of staff, unless the Risk Assessment dictates otherwise. Additional staffing should reflect the gender and age mix of learners.

All learners on work placement, short courses or exchange visits should have a regular point of contact with a member of College staff and be advised that they can discuss with that person any concerns about their work placement, short course or exchange visit. Any concerns raised or any suspicions of abuse must be reported to a member of the Safeguarding Team by staff immediately in line with safeguarding procedures as outlined in this document.

11. Responding to a Disclosure

The College is committed to dealing with any concern(s) that a child, young person, adult at risk of harm or an adult in need of protection in line with Safeguarding Policy and Procedures. Anyone with knowledge of or a suspicion that, a child, young person, adult at risk of harm or an adult in need of protection has been suffering abuse must refer their concern to a member of the Safeguarding Team as soon as possible.

All allegations or suspicions must be taken seriously. The child, young person, adult at risk of harm or adult in need of protection must be advised that this information cannot be kept confidential and will be passed on to the designated member of staff in College in the first instance. **No promise of confidentiality can or should ever be made to a learner or anyone else giving information about possible abuse.**

The person disclosing the information should be advised, as soon as possible by the Safeguarding Team, of the action that will be taken as a result of the disclosure. They should also be made aware of the counselling service available to the College.

The College procedure for reporting and dealing with concerns can be found in Appendix 2. Included in Appendix 3 is the reporting procedure flowchart and Appendix 4 is the reporting procedure flowchart for concerns relating to activities of a member of CAFRE staff.

Staff who receive an allegation or disclosure of abuse should make an immediate written record of the conversation on the **Safeguarding Referral Form**. A copy of this form can be found in Appendix 5.

All written records must be passed to the Designated Safeguarding Officer. Records will be uploaded to the secure safeguarding database managed by the Student Support Officer and maintained by the Safeguarding Team for a period of five years. Records are strictly confidential. They may be accessed by the subject of the record but not by any third party other than the aforementioned or members of the College Safeguarding team or NICSHR or statutory agencies including PSNI or Social Services.

In the event that a disclosure is made concerning the activities of a member of staff towards a learner, the matter must be referred directly to a Designated Safeguarding Officer who will contact the staff member's line manager. Depending on the nature of the disclosure the line manager may contact NICSHR. The CAFRE Director will also be informed.

If any staff member feels unsure about what to do if they have concerns about a child, young person, an adult at risk of harm or an adult in need of protection or if they are unsure about being able to recognise the signs or symptoms of possible abuse, they should speak directly to the Safeguarding Team.

12. Operation Encompass

From 28th February 2023, the College will be participating in Operation Encompass and this will be an extension of the Colleges existing safeguarding responsibilities. This has been introduced to Northern Ireland under the Domestic Abuse Information-sharing with Schools etc. Regulations (NI) 2022. Operation Encompass is a partnership between the Police Service of Northern Ireland, the Education Authority, Schools, Health and Social Care Trusts and local colleges, including CAFRE, and is aimed at supporting children and young people under the age of 18 who are impacted by domestic violence in the home. This will help the College to support and protect vulnerable children and young people. When the Police attend an incident of domestic violence where one of our learners (who are under the age of 18) is present, they will inform the College's Designated Officer for Safeguarding at the start of the next working day. This information is shared in strict confidence and College staff are only told on a need-to-know basis. This is carried out and held in accordance with our responsibilities towards GDPR and DPA 2019.

Following any notification from the police, our staff will provide immediate support to any learner who has been impacted by domestic abuse. We know that when children and young people do witness domestic abuse at home, this is a highly traumatic experience for them. By taking part in Operation Encompass, we can provide tailored and compassionate support to our learners, in line with our ethos. This builds on our existing commitment to safeguarding.

13. Dealing with Complaints

The relevant Head of Branch is responsible for dealing with complaints relating to his / her Branch staff / activities.

14. Equality

Screening is one of the key tools to enable the College to fulfil its statutory obligations and mainstream the Section 75 equality and good relations duties into policy development. Screening will help to identify policies that are likely to have an impact on equality of opportunity and help to draw considerations of equality of opportunity into the policy making process. CAFRE commits to screening this Safeguarding Policy and Procedures in line with these statutory obligations.

15. Monitoring

The framework for this Safeguarding Policy and Procedures will be reviewed, at the very least on an annual basis by the Lead Designated Safeguarding Officer/Adult Safeguarding Champion. Subsequently this Safeguarding Policy and Procedures, will be refreshed as required in line with organisation changes and submitted to Senior Management for approval.

Appendix 1 – Safeguarding Team

Role	Name	Contact Details	Campus
Adult Safeguarding Champion and Designated Safeguarding Officer	Lesley-Anne Beacom <i>Student Support Services</i>	028 9442 6911 079 2018 6806 Lesley-Anne.Beacom@daera-ni.gov.uk	All Campuses
Designated Safeguarding Officer	Valerie Finlay <i>Head of Learner Services</i>	028 8676 8214 Valerie.Finlay@daera-ni.gov.uk	All Campuses
	Fintan McCann <i>Head of Food Education</i>	028 9052 4686 Fintan.McCann@daera-ni.gov.uk	Loughry
	Jane Elliott <i>Head of Equine Education</i>	028 6634 4823 Jane.Elliott@daera-ni.gov.uk	Enniskillen
Deputy Designated Safeguarding Officer	Sylvia McLeister <i>Student Support Officer</i>	028 9442 6601 Sylvia.McLeister@daera-ni.gov.uk	Greenmount
	Fionnuala McCourt <i>Student Services Manager</i>	028 9442 6859 fionnuala.mccourt@daera-ni.gov.uk	Greenmount
	Brian Simpson <i>Facilities Manager</i>	028 9442 6650 Brian.Simpson@daera-ni.gov.uk	Greenmount
	Philip Holdsworth <i>Lecturer</i>	028 9442 6642 Philip.Holdsworth@daera-ni.gov.uk	Greenmount
	Laura Browne <i>Marketing</i>	028 9442 6889 Laura.Browne@daera-ni.gov.uk	Greenmount
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	Anne Bencze <i>Lecturer</i>	028 8676 8271 anne.bencze@daera-ni.gov.uk	Loughry
	Michelle Bradley <i>Student Support Officer</i>	028 6634 4610 Michelle.Bradley@daera-ni.gov.uk	Loughry and Enniskillen
	Michelle McKenna <i>Student Services and Facilities</i>	028 6634 4832 Michelle.McKenna@daera-ni.gov.uk	Enniskillen
	Kerry Gilmurray <i>Student Services</i>	02866344811 Kerry.Gilmurray@daera-ni.gov.uk	Enniskillen
	Shelly Stuart <i>FE Equine Programme Manager</i>	028 6634 4633 Shelley.Stuart@daera-ni.gov.uk	Enniskillen
	Catherine Crowley <i>Lecturer</i>	028 6634 4601 Catherine.Crowley@daera-ni.gov.uk	Enniskillen
	David Downey <i>Lecturer</i>	028 6634 4833 David.Downey@daera-ni.gov.uk	Enniskillen

Safeguarding Email: CAFRESafeguarding@daera-ni.gov.uk

Appendix 2 – Safeguarding Procedures

1. Talking to a Young Person where there is an Allegation of Possible Abuse

Care must be taken in asking and interpreting young people's responses to questions about indications of abuse. The following steps should be taken in the event of a safeguarding disclosure:

- It is the right of the young person to be heard, listened to and taken seriously and to be consulted with, according to age and understanding about the proposed action.
- The primary task at this stage is to listen to the learner and not to interrupt or try to interpret if they are freely recalling events.
- Acknowledge that the learner's experiences are real and take any disclosure seriously.
- Staff should not give the learner promises of confidentiality but should reassure them that the information will only be disclosed by them to the Safeguarding Team.
- It is important to remain calm and supportive throughout the conversation.
- Listen carefully and sensitively, stay calm and take any disclosure seriously.
- Reassure the learner that they have the right to tell their story and also have the right not to be harmed.
- The extent of questioning should, therefore be kept to a minimum and where possible should be quickly delegated to a member of the Safeguarding Team. Questions should only be required for clarity, and leading questions must be avoided. For example, staff should say, "Tell me what has happened", rather than, "Did they abuse you"? The key task at this stage is to listen to the disclosure, not to interrupt and to record it.
- If physical or sexual abuse is suspected, under no circumstances should the young person's clothing be removed.
- Staff should ensure that the learner is taken directly to a member of the Safeguarding Team. The learner should not be asked to tell their story any more times than is necessary, it may seem that the natural thing to do is to inform a course lecturer or programme manager however it is vitally important that this doesn't happen and that the learner is taken directly to a member of the Safeguarding Team.
- **Initial referrals to the Safeguarding Team may be made by telephone but in all cases should be accompanied by a completed Section 1 of the Safeguarding Referral Form (Appendix 5) which should be emailed to the member of Safeguarding Team who the incident was reported to.**
- **As soon as possible record factually the discussion at Section 1 of the Safeguarding Referral Form and pass to the Safeguarding Team.** It is important that staff record information as accurately as possible including dates, times, behaviours, context and exactly what a student has said rather than your interpretation.
- Staff may notify their Line Manager that they were dealing with a Safeguarding Matter and that this has been reported to the Safeguarding Team but no further details should be provided including the learners name or details of the matter.

2. Procedures Following a Safeguarding Referral

Who is the Complaint About?

If a student discloses that a safeguarding concern is about:

- a) A person who is not a member of CAFRE staff or is another learner – see Appendix 3.
- b) A member of staff – see Appendix 4.

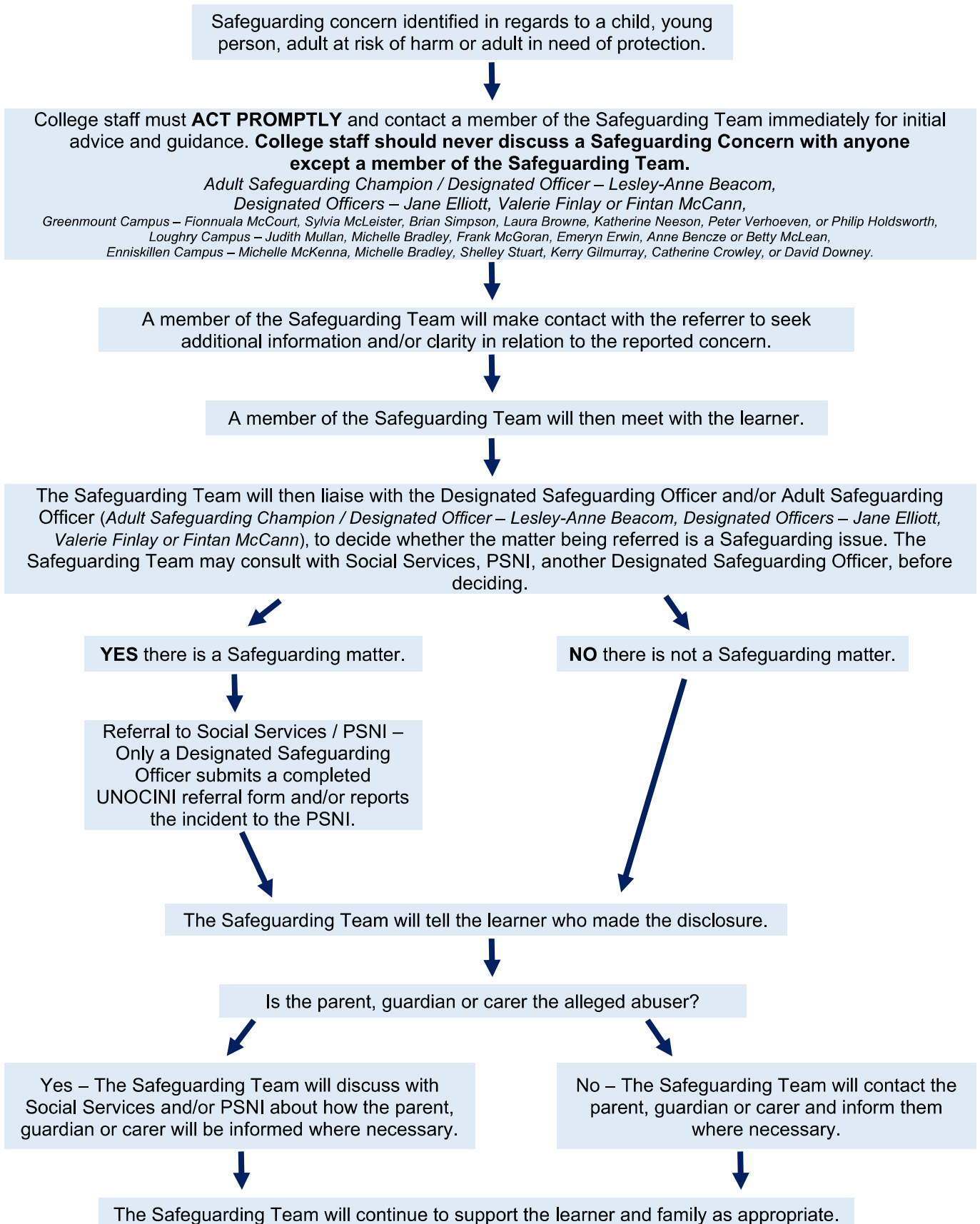
What happens when you make a Safeguarding Referral?

1. **Record the discussion in Section 1 of the Safeguarding Referral Form (Appendix 5), stating clearly why you are concerned, from whom you received the information and when. You should also include specific details and make a note of exactly what the learner told you.**
2. **Contact the Safeguarding Team immediately.** Where a member of CAFRE staff is involved two members of the Safeguarding Team will take the referral forward. The Safeguarding Team must, where at all possible inform NICS HR before the PSNI are contacted. Where the staff member is employed through an agency the Safeguarding Team will inform NICS HR Agency Workers Team before the PSNI are contacted.
3. It is important that these matters are treated as urgent and dealt with accordingly by the Safeguarding Team.
4. The member of the Safeguarding Team who receives the referral will assess the risk of imminent danger to the learner and if a learner is considered to be in any form of imminent danger, the College Director, Social Services and/or PSNI will be contacted immediately by a Designated Safeguarding Officer or Adult Safeguarding Champion. Advice and guidance can be sought from Social Services or the PSNI at any time by the Safeguarding Team.
5. **Confidentiality must be preserved** - The Safeguarding Team will assess what information needs to be shared to individuals within CAFRE. **All staff should be aware that Safeguarding Incidents should never be discussed with anyone except the Safeguarding Officer who the referral was made to.**
6. The Safeguarding Team will keep a clear record of any phone call conversations, meetings, or emails received or sent, which are directly relating to the Safeguarding incident in Section 2 of the Safeguarding Referral Form (Appendix 5). Decisions taken and the rationale for those decisions will also be recorded by the Safeguarding Team in Section 2, i.e. take no further action, make a formal report to Social Services or Police, etc.
7. All Safeguarding Referral Forms and any additional correspondence will be stored in a secure Safeguarding folder in record management system only accessible by the Safeguarding Teams.

Safeguarding Email: CAFRESafeguarding@daera-ni.gov.uk

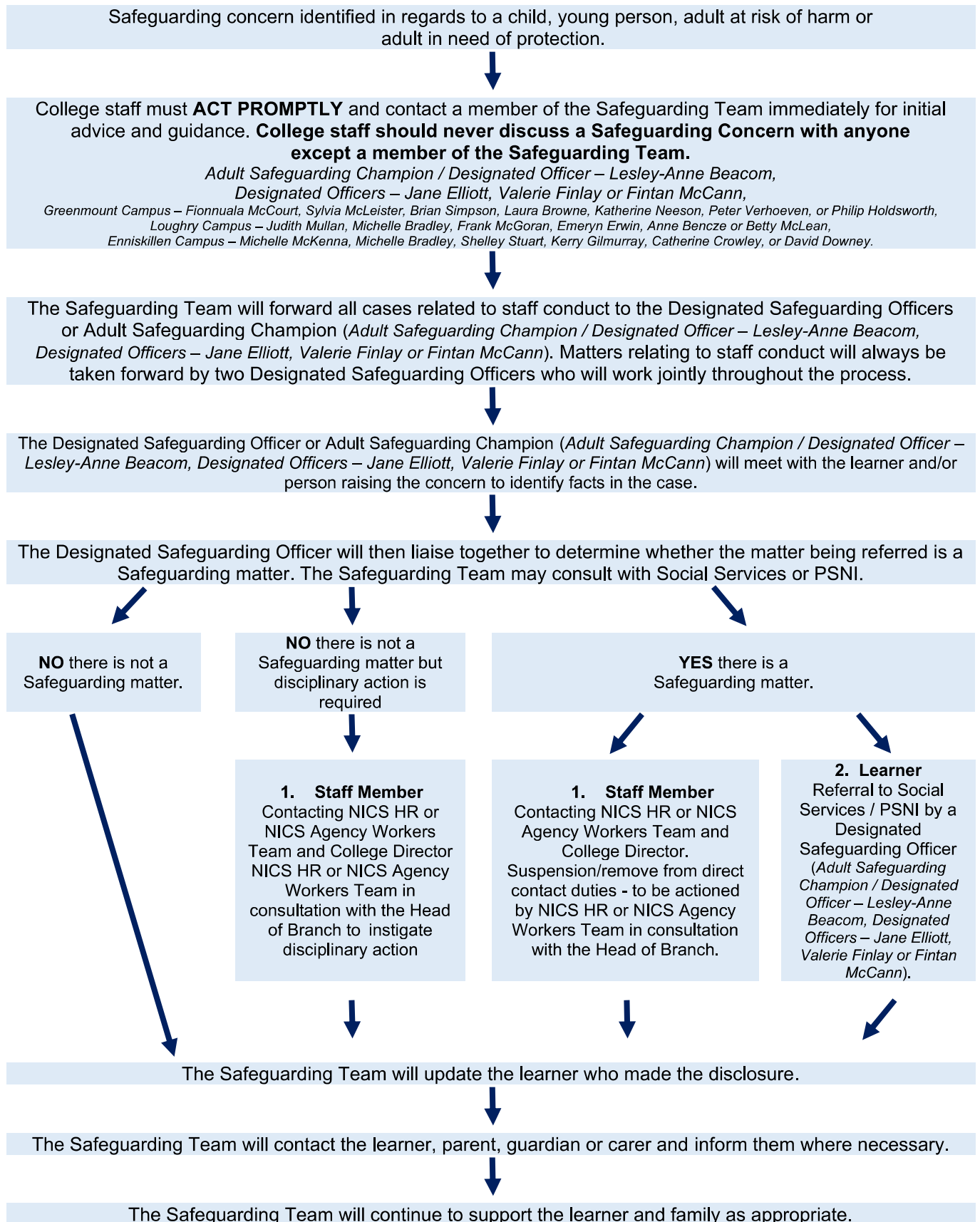
Appendix 3 – Reporting Procedure Flowchart

The reporting procedure, when a **concern is identified in regard to a child, young person, adult at risk of harm or adult in need of protection**, for CAFRE is as follows:



Appendix 4 – Reporting Procedure Flowchart for Concerns Relating to Activities of a Member of Staff

The reporting procedure, when a disclosure is made concerning the activities of a staff member towards a learner, for CAFRE is as follows:



Appendix 5 - Safeguarding Referral Form Record of Concerns / Disclosures of Abuse

Section 1 -

To be completed by the person making the Safeguarding Referral

When was the concern/disclosure first brought to your attention?			
Date:		Time:	

Learners Details			
Name:			
DOB:		Current Age:	
Address: (where is the learner currently living?)			
Contact Number:		Class:	
Parents/Guardian/Carers' Names:			
Parents/Guardian/Carers' Contact Details:			
Details of Siblings under the Age of 18: (if appropriate or known)			

Details of Concerns/Disclosure (Please include dates and times if known – it is important to record exactly what a learner has said and not your interpretation)

Signs/Symptoms of Possible Abuse (if applicable)

Action Taken	
Name of Safeguarding Team Member:	
Date & Time:	
Details of advice received from Safeguarding Team:	
Has the Learner disclosed that they are currently in contact with Social Services, PSNI or any other agency?	

Name of Person Making Referral:	
Position:	
Contact Number:	

Please return to the College Safeguarding Team at CAFRESafeguarding@daera-ni.gov.uk
This information should never be shared with anyone apart from the Safeguarding Team.

Section 2 –

To be completed by the Safeguarding Team

Incident Log <i>(Please record details of meetings, emails, phone conversations and referrals, etc. made in relation to this case, including advice sought from agencies/charities)</i>	
Date / Time	Details

Has the incident been reported to PSNI?			
*PSNI Incident No:		Date Reported:	
Details			

Has the incident been reported to Social Services?				
Has a UNOCINI been completed?		Date Reported		
Details				

Additional Safeguards <i>(Please provide details of any additional safeguards that have been put in place – e.g. removal from course, referral to counselling, etc.)</i>	

Outcomes

Appendix 6 - Definitions

1. Types of Abuse (NSPCC, 2017)

Emotional Abuse – This is the ongoing emotional maltreatment or emotional neglect of an individual. It's sometimes called psychological abuse and can seriously damage a individual's emotional health and development. Emotional abuse can involve deliberately trying to scare or humiliate a an individual or isolating or ignoring them. Individuals who are emotionally abused are usually suffering another type of abuse or neglect at the same time – but this isn't always the case.

Sexual Abuse - An individual is sexually abused when they are forced or persuaded to take part in sexual activities. This does not have to be physical contact and it can happen online. Sometimes the individual will not understand that what is happening to them is abuse. They may not even understand that it's wrong.

Physical Abuse - This is deliberately hurting someone causing injuries such as bruises, broken bones, burns or cuts. It isn't accidental - individuals who are physically abused suffer violence such as being hit, kicked, poisoned, burned, and slapped or having objects thrown at them. Sometimes parents or carers will make up or cause the symptoms of illness in an individual, perhaps giving them medicine they don't need and making the individual unwell.

Neglect - This is the ongoing failure to meet an individual's basic needs and is abuse. The individual may be left hungry or dirty, without adequate clothing, shelter, supervision, medical or health care. The individual may be put in danger or not protected from physical or emotional harm. They may not get the love, care and attention they need from their parents. The individual who is neglected will often suffer from other abuse as well. Neglect is dangerous and can cause serious, long-term damage - even death.

Exploitation - Sexual exploitation a type of sexual abuse. Individuals in exploitative situations and relationships receive something such as gifts, money or affection as a result of performing sexual activities or others performing sexual activities on them. Individuals may be tricked into believing they are in a loving, consensual relationship. They might be invited to parties and given drugs and alcohol. They may also be groomed online. Some children and young people are trafficked into or within the UK for the purpose of sexual exploitation. Sexual exploitation can also happen to individuals in gangs.

2. Types of Adult Abuse (DHSSPS, 2015)

Physical Abuse is the use of physical force or mistreatment of one person by another, which may or may not result in actual physical injury. This may include hitting, pushing, rough handling, exposure to heat or cold, force-feeding, improper administration of medication, denial of treatment, misuse or illegal use of restraint and deprivation of liberty.

Sexual Abuse is any behaviour perceived to be of a sexual nature, which is unwanted or takes place without consent or understanding. Sexual violence and abuse can take many forms and may include non-contact sexual activities, such as indecent exposure, stalking, grooming, being made to look at or be involved in the production of sexually abusive material, or being made to watch sexual activities. It may involve physical contact,

including but not limited to non-consensual penetrative sexual activities or non-penetrative sexual activities, such as intentional touching (known as groping).

Psychological / Emotional Abuse is behaviour that is psychologically harmful or inflicts mental distress by threat, humiliation or other verbal/non-verbal conduct. This may include threats, humiliation or ridicule, provoking fear of violence, shouting, yelling and swearing, blaming, controlling, intimidation and coercion.

Financial Abuse is actual or attempted theft, fraud or burglary. It is the misappropriation or misuse of money, property, benefits, material goods or other asset transactions which the person did not or could not consent to, or which were invalidated by intimidation, coercion or deception. This may include exploitation, embezzlement, withholding pension or benefits or pressure exerted around wills, property or inheritance

Institutional Abuse is the mistreatment or neglect of an adult by a regime or individuals in settings, which adults who may be at risk, reside in or use. This can occur in any organisation, within and outside the HSC sector. Institutional abuse may occur when the routines, systems and regimes result in poor standards of care, poor practice and behaviours, inflexible regimes and rigid routines, which violate the dignity and human rights of the adults and place them at risk of harm. Institutional abuse may occur within a culture that denies, restricts or curtails privacy, dignity, choice and independence. It involves the collective failure of a service provider or an organisation to provide safe and appropriate services, and includes a failure to ensure that the necessary preventative and/or protective measures are in place.

Neglect occurs when a person deliberately withholds, or fails to provide, appropriate and adequate care and support which is required by another adult. It may be through a lack of knowledge or awareness, or through a failure to take reasonable action given the information and facts available to them at the time. It may include physical neglect to the extent that health or well-being is impaired, administering too much or too little medication, failure to provide access to appropriate health or social care, withholding the necessities of life, such as adequate nutrition, heating or clothing, or failure to intervene in situations that are dangerous to the person concerned or to others particularly when the person lacks the capacity to assess risk

Exploitation is the deliberate maltreatment, manipulation or abuse of power and control over another person; to take advantage of another person or situation usually, but not always, for personal gain from using them as a commodity. It may manifest itself in many forms including slavery, servitude, forced or compulsory labour, domestic violence and abuse, sexual violence and abuse, or human trafficking.

3. Additional Definitions

Sexting is defined as the 'exchange of sexual messages or images' and 'creating sharing and forwarding sexually suggestive nude or nearly nude images' through mobile phones and/or the internet.

Grooming is when someone builds an emotional connection with an individual to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking. Individuals can be groomed online or face-to-face, by a stranger or by someone they know - for example a family member, friend or professional. Groomers may be male or female. They

could be any age. Many individuals don't understand that they have been groomed or that what has happened is abuse.

Domestic Abuse may be defined as an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence, in the majority of cases by a partner or ex-partner, but also by a family member or carer. It is very common. In the vast majority of cases, but not limited to, it is experienced by women and is perpetrated by men. Domestic abuse may include, coercive control, psychological and/or emotional abuse, physical or sexual abuse, financial abuse, harassment and stalking and online or digital abuse. Anyone can experience domestic abuse regardless of race, ethnic or religious group, sexuality, class, or disability, but some people who experience other forms of oppression and discrimination may face further barriers to disclosing abuse and finding help.

Female Genital Mutilation (FGM) is a procedure where the female genitals are deliberately cut, injured or changed, but where there's no medical reason for this to be done. It's also known as "female circumcision" or "cutting", and by other terms such as sunna, gudniin, halalays, tahur, megrez and khitan, among others. FGM is usually carried out on young girls between infancy and the age of 15, most commonly before puberty starts. It is illegal in the UK and is a form of child abuse. It's very painful and can seriously harm the health of women and girls. It can also cause long-term problems with sex, childbirth and mental health.

Forced Marriage is where one or both people do not (or in cases of people with learning disabilities, cannot) consent to the marriage and pressure or abuse is used. It is an appalling and indefensible practice and is recognised in the UK as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights. The pressure put on people to marry against their will can be physical (including threats, actual physical violence and sexual violence) or emotional and psychological (for example, when someone is made to feel like they're bringing shame on their family).

Abuse within Communities - Children or young people in Northern Ireland face additional vulnerabilities living in a post conflict society which is still experience legacy issues associated with paramilitaries. Children and young people may be threatened with violence or forced expulsion from homes or local areas. Children or young people may also be abused or exploited by adults who hold power within their communities where fear is used to coerce the child or young person into compliance.

4. Common Signs of Abuse (NSPCC, 2021)

- Unexplained changes in behaviour or personality;
- Becoming withdrawn;
- Seeming anxious;
- Becoming uncharacteristically aggressive;
- Lacks social skills and has few friends, if any;
- Poor bond or relationship with a parent;
- Knowledge of adult issues inappropriate for their age;
- Running away or going missing;
- Always choosing to wear clothes which cover their body.

These signs don't necessarily mean that someone is being abused, there could be other things happening in their life which are affecting their behaviour. You may also notice some concerning behaviour from adults who you know have children in their care, which makes you concerned for the child/children's safety and wellbeing.

Appendix 7 – Regulated Activity

1. Clearance of Staff in Regulated Activity – CAFRE Policy

1. All CAFRE Grade, Group, Support Band 2, Accommodation Management, Administration, Industrial, Domestic, Agency posts and any other posts where the post-holder is in regular contact with learners will be deemed by CAFRE to be regulated.
2. All new staff appointed to posts in CAFRE will be appropriately Access NI checked prior to appointment.
3. Staff transferring into CAFRE from other parts of the NICS will be required to have an Access NI check completed prior to appointment.
4. Existing staff who were recruited prior to the implementation of the Safeguarding Vulnerable Groups Order (NI) 2007 checks will have the appropriate Access NI completed.
5. Temporary staff appointed through a recruitment agency at short notice to cover for staff absence will be required to have the appropriate Access NI check completed prior to commencing work in CAFRE.
6. The NICS Handbook requires staff to disclose any criminal charges and convictions. The onus is therefore on staff to report to management anything that would impact on them working with learners.

2. CAFRE Responsibilities under the Protection of Freedoms Act 2012

On the **10th September 2012**, **new safeguarding arrangements** came into effect in Northern Ireland, arising from the new Protection of Freedoms Act. These include a new and more limited definition of regulated activity which will reduce the number and scope of positions which require a criminal record check with Barred List information.

2.1. What is regulated activity?

The following is a summary of regulated activity relevant to those working with children in CAFRE. The **full** definition of regulated activity (i.e. work that a barred person must not do) is defined in the Safeguarding Vulnerable Groups (NI) Order 2007, as amended by the Protection of Freedoms Act 2012.

Working in a paid or voluntary capacity with children is regulated activity if (a) it is one of the activities listed below (b) it is done “regularly”.

(a) The activities include:

- Teaching, training or instruction;
- Care or supervision;
- Advice or guidance provided wholly or mainly for children relating to their physical, emotional or educational well-being;

- Moderating a public electronic interactive communication service likely to be used wholly or mainly by children;
- Driving a vehicle being used only for conveying children and carers or supervisors;

Day-to-day management or supervision on a regular basis of a person carrying out one of the activities listed above is also a regulated activity.

Activities that are excluded from the definition of regulated activity are;

- Activity or participation with children that is merely incidental to what would normally be an adult activity.
- Supervised activity - an individual who is under reasonable day-to-day supervision by another person engaging in regulated activity.
- Activity by a person in a group assisting or acting on behalf of, or under the direction of, another person engaging in regulated activity in relation to children. This is the “peer exemption”.

(b) ‘Regularly’ is defined as: carried out by the same person frequently (once a week or more often), or on 4 or more days in a 30-day period, or overnight*. NOTE: Definition of “overnight”: In relation to teaching, training or instruction; care or supervision; or advice or guidance, it is also regulated activity if carried out (even once) at any time between 2.00 a.m. and 6.00 a.m. and with an opportunity for face-to-face contact with children.

Regulated activity: is redefined and the scope of positions which fall into this category reduced*. Staff and others working in the redefined regulated activity will require a check against the relevant barred list to be completed prior to their appointment. Staff and volunteers outside of regulated activity, but who have significant contact with children/young people, can avail of the appropriate Access NI check without a check against the relevant barred list.

NB - Controlled activity, registration and continuous monitoring is repealed – these aspects of the Vetting and Barring Scheme were never implemented and will now be abolished.

The functions of the Independent Safeguarding Authority (ISA) and the Criminal Records Bureau (CRB) will merge to establish one new agency in England and Wales – the Disclosure and Barring Service (DBS). The DBS will have responsibility for disclosure and barring in England and Wales, and may extend its barring functions to Northern Ireland. However there is currently no change to the Access NI service in Northern Ireland or its functions in providing disclosure certificates

2.2. What is not changed?

- There is no change to the requirement for organisations to make a check against the relevant Barred List before employing/offering a volunteering role in regulated activity.
- There is no change to the requirement to refer to the ISA/DBS, any individual who has harmed, or who poses a risk of harm to vulnerable groups
- There is no currently change to the Access NI service in Northern Ireland or its functions in providing disclosure certificates

2.3. Definition of regulated activity relating to ADULTS

The current definition of regulated activity for adults identifies the activities that, if any adult requires them, lead to that adult being considered vulnerable at that particular time. This means that the focus is on the activities/services required by the adult; and not on the setting in which the activity/service is received, or the personal characteristics or circumstances of the adult receiving the activities.

There are six categories of people who will fall within the new definition of regulated activity (and so will anyone who provides day to day management or supervision of those people). These include: -

- providing health care;
- providing personal care;
- providing social work;
- helping with general household matters;
- helping with the conduct of a person's own affairs;
- conveying.

It is unlikely that any CAFRE staff will ever be involved in these activities

3. Process

Employers and voluntary organisations will retain the responsibility to request an Enhanced Disclosure certificate with a Barred List check for any individual they wish to appoint into regulated activity. It is an offence to knowingly employ a barred person in regulated activity in a paid or unpaid capacity.

Employers and voluntary organisations can request an Enhanced Disclosure certificate without a Barred List check for those individuals they intend to appoint in positions which are no longer defined as regulated activity, but where there is a significant degree of contact with vulnerable groups.

4. Referral to Independent Safeguarding Authority (ISA)

CAFRE needs to be aware of its duty under the Safeguarding Vulnerable Groups (NI) 2007 Order to refer information to the Independent Safeguarding Authority (ISA) in certain circumstances. In all cases there are two conditions, both **must** be met to trigger a referral to the ISA by a regulated activity provider.

A referral must be made to the ISA when a regulated activity provider, such as an employer or volunteer coordinator:

- a. withdraws permission for an individual to engage in *regulated activity*, or would have done so had that individual not resigned, retired, been made redundant or been transferred to a position which is not *regulated activity*; because
- b. they think that the individual has:
 - i. engaged in *relevant misconduct*;
 - ii. satisfied the *Harm Test*; or

iii. received a caution or conviction for a *relevant offence*.

If both conditions have been met, the information must be referred to the ISA.

The referral should be made to the ISA when the regulated activity provider has gathered sufficient evidence as part of their investigations to support their reasons for withdrawing permission to engage in *regulated activity* and in following good practice, consulted with their Health and Social Care Trust and/or PSNI Child Abuse Investigation Unit if appropriate”.

Appendix 8 – Legislative and Policy Context

The College will carry out its responsibilities under all relevant legislation, regulations and professional guidelines.

- Addressing Bullying in Schools Act (Northern Ireland) 2016
- Adult Safeguarding: Prevention and Protection in Partnership Regional Policy, DoHSS&PS & DOJ, July 2015
- Adverse Childhood Experiences - Ensuring a better deal for children in Wales, Professor Mark A. Bellis, January 2017
- Adverse Childhood Experiences Factsheet, Volunteer Now, 2019
- Adversity and Trauma-Informed Practice, Young Minds, 2019
- Area Child Protection Committee's, Regional Policy and Procedures, 2017
- Child Abuse and Neglect, NSPCC, 2017
- Children (Leaving Care) Act (NI) 2002
- Children (Public Performances) Regulations (Northern Ireland) 1996
- Children and Young Persons Act (Northern Ireland) 1968
- Children's Services Co-operation Act (NI) 2015
- Code of Good Governance, Volunteer Now, 2019
- Co-operating to Safeguard Children & Young People, DHSS&PS, 2017
- Criminal Justice and Courts Act 2015 Section 33
- Criminal Law Act (NI) 1967
- Domestic Abuse Information-sharing with Schools etc. Regulations (NI) 2022
- Education (NI) Order 1998
- Female Genital Mutilation Act 2003
- Forced Marriage (Civil Protection) Act 2007
- Guidance for FE Colleges Providing for Young Learners, AoC/LEACAN, 2006
- Health & Personal Social Services (NI) Order 1972
- Health & Personal Social Services Act (NI) 2001
- Health & Social Care (Reform) Act (NI) 2009
- Human Rights Act 1998 – Enacted 2000; Arts 2-8
- Managing Critical Incidents Guidance, Education Authority NI, 2021
- Mental Capacity Act (Northern Ireland) 2016
- No Secrets: Guidance on Developing and Implementing Multi-Agency Policies and Procedures to Protect Vulnerable Adults from Abuse, DoH, 2002
- Prevention and Protection in Partnership, Adult Safeguarding, DHSS&PS, 2015
- Prohibition from Teaching and Working with Children Regulations (NI) 2006
- Protection of Children (Northern Ireland) Order 1978 Article 3
- Protocol For Joint Investigation By Social Workers And Police Officers Of Alleged And Suspected Cases Of Child Abuse – Northern Ireland, March 2018
- Safeguarding Board Act (NI) 2011
- Safeguarding Board for Northern Ireland (SBNI) Procedures Manual (May 2018)
- Safeguarding Children and Adults at Risk, Policy Standards, Volunteer Now, 2021
- Sexting in Schools and Colleges, UK Council for Child Internet Safety, 2016
- Sexual Offences NI Order 2008
- Special Educational Needs and Disability Order (NI) 2005 (SENDO)
- The Children (NI) Order 1995
- The Criminal Evidence (NI) Order 1999
- The Criminal Justice Act 1988 (Reviews of Sentencing) Order (NI) 2019

- The Data Protection Act 2018
- The Disability Discrimination Act 1995
- The Education and Libraries (NI) Order 2003; Articles 17 and 18
- The Family Homes & Domestic Violence (NI) Order 1998
- The Mental Health (NI) Order 1986
- The Northern Ireland Act 1998, Section 75
- The Police & Criminal Evidence (NI) Order 1989
- The Public Interest Disclosure (NI) Order 1998
- The Race Relations (NI) Order 1997
- The Safeguarding Vulnerable Groups (NI) Order 2007 (Amended 2012)
- The Sexual Offences (NI) Order 2008
- United Nations Convention on the Rights of the Child 1989