

**NATIONAL HORSERACING COLLEGE****SAFEGUARDING LEARNERS AND VULNERABLE ADULTS POLICY**

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**1 Purpose**

- 1.1 To demonstrate the National Horseracing College's (NHC) commitment in regard to safeguarding and child protection.
- 1.2 To state the responsibilities of the NHC in relation to safeguarding children and promoting the welfare of learners (including apprentices), in response to current legislation and guidance. In particular Keeping Children Safe in Education 2022, Working Together to Safeguard Children 2018.
- 1.3 To fulfil the requirements of the Children's Act 1989 and Section 175 of the Education Act 2002, which states that all staff in the education service, including those in further education colleges have a statutory duty to promote and safeguard the welfare of children.
- 1.4 To ensure:
  - All learners (including apprentices) have the right to be protected, respected, valued and to be heard by the identification of those at risk of suffering significant harm, exploitation or extremism and reducing the potential risks learners face of being exposed to violence, extremism, exploitation or victimisation.
  - The safety, effective protection and prevention of maltreatment or impairment of health and development of learners (including apprentices), in line with NHC policy, local policies and procedures and government legislation.
  - The NHC responds effectively to the ideological challenge of terrorism and extremism and the risk of radicalisation.
  - Good practice and responsibility for admission, within the context of inclusion, for individuals who present with a criminal conviction.
  - All staff demonstrate an awareness and understanding through effective communication and training.
  - The referral of all disclosures to the appropriate agencies, addressing concerns at the earliest possible stage.

**2 Scope**

- 2.1 The Children Act 1989 defines a child as 'a person under the age of 18'. This could include any learner up to the age of 18, siblings or other family members of any learner and any other person under the age of 18 participating in College activities on College premises.
- 2.2 Under the Care Act 2004 safeguarding duties apply to adults over the age of 18 who have needs for care and support and are experiencing or at risk of abuse or neglect or, as a result of those care and support needs, are unable to protect themselves from either the risk of or the experience of abuse or neglect.
- 2.3 Within this context safeguarding can also include a range of potential issues which may include:
  - Bullying, including cyber bullying by text, on social media etc. or prejudice based on bullying
  - Gender based violence
  - Racist, disability, homophobic or transphobic abuse
  - Radicalisation and extremist behaviour
  - Up-skirting
  - Sexting
  - Homelessness
  - Child sexual exploitation
  - Alcohol/substance misuse
  - Particular issues in relation to domestic abuse, sexual exploitation, female genital mutilation (FGM), so-called 'honour-based' violence and forced marriage
  - Sexual violence and sexual harassment, within the context of peer-on-peer abuse

- Child criminal exploitation with the context of County Lines, gang activity and youth violence
  - Children and young people who are missing from home and/or education
  - Issues specific to horseracing e.g. gambling, inside information, doping
  - Risk management and safety of others in relation to admissions and other learners
- 2.4 This policy extends to all employees, learners (including apprentices), contractors, visitors and volunteers to whom the NHC has a duty of care responsibility.

### **3 Responsibilities**

- 3.1 The NHC is committed to complying with the procedures of the Safeguarding Children Boards / Multi-agency safeguarding arrangements including the British Horseracing Authority (BHA). It recognises that it has a responsibility towards young people or vulnerable adults and learners on programme, on apprenticeships or visiting the NHC to safeguard and promote their welfare and to take appropriate decisions about how this can be achieved.

It is not the NHC's responsibility to investigate child abuse. Nevertheless, the NHC has a duty to act if there is cause for concern and to notify the appropriate agencies so that they can investigate and take any necessary action. It has a duty to act if there is a cause for concern in relation to a potential threat or risk posed by any potential or existing members of staff or learners to young people or vulnerable adults. Overall, the NHC should ensure that:

- Policies and structures are in place to safeguard learners - safer recruitment, designated staff, training and development, whistleblowing, managing allegations against staff.
- Policies are aligned with Local Authority Guidance, agreed inter-agency and BHA procedures.
- Policies are effective, reviewed annually and updated accordingly.
- Up to date knowledge and understanding of the NHC's role in safeguarding is maintained.
- Appropriate resources are available to enable statutory compliance.
- Young people are taught how to keep themselves safe.
- Young people have the access to services, support and guidance to keep themselves safe regardless of protected characteristics.

The Chair of the NHC has responsibility for managing safeguarding allegation against the Chief Executive Officer and ensuring agreed policies and procedures are followed. All staff have a responsibility for safeguarding children and reporting concerns in line with procedures and policies.

While employers are responsible for safeguarding in the work place, NHC staff visiting yards have a responsibility to be alert to the possibility of safeguarding issues and to take action promptly by reporting their concerns to the College or, if urgent, directly to the police. The College works closely with the BHA Safeguarding Team which has powers stemming from the BHA's role as licensing authority.

#### **3.2 Nominated members of staff**

The overall responsibility for Safeguarding Children and Vulnerable Adults is vested in the board of Trustees, with the senior nominated person and Designated Safeguarding Lead (DSL) being the Operations Director. In the absence of the Operations Director the Support Services Manager will lead on any staff allegations, the Training Manager on any learner concerns at the NHC and the WBL Manager for any learner/apprentice concerns in the workplace.

- The DSL and deputy DSLs are responsible for ensuring that learners (including apprentices) and staff are appropriately supported and guided, for liaising with Safeguarding Children Boards and the BHA to ensure compliance with policies and procedures.
- The DSL and deputy DSLs are responsible for ensuring that the NHC is effectively represented at appropriate Strategic Boards and work in partnership in the context of safeguarding.
- The HR deputy DSL will ensure all staff are vetted with the Disclosure and Barring Service, prior to appointment and every 3 years thereafter.
- The DSL and deputies are responsible for ensuring that all incidents are appropriately recorded and reported.
- The Board of Trustees in conjunction with the DSL must ensure all safeguarding and training is effective and compliant with current law.
- The Designated Trustee (safeguarding) is responsible for consulting with the Chair of Trustees, in the event of allegations being made against the Chief Executive Officer.

## 4 Definitions / Relevant Legislation

- 4.1 The Children Act 1989 defines a child as a person under the age of 18. This policy accordingly applies to children/young people under the age of 18. 'Working Together to Safeguard Children 2018', statutory guidance published by HM Government, sets out the guidance on child protection for all staff. The NHC is aware of the need to alert Social Care/Children's Services, the NSPCC or the Police, where it is believed a child has been abused or is at risk of abuse. This also includes children and young people who are at risk of actual FGM, sexual exploitation, peer-on-peer abuse, child criminal exploitation including county lines, missing in education, running away and bullying.
- 4.2 A Vulnerable Adult – refers to any person over the age of 18 years who amongst other indicators:
- Is or may be in need of community care services by reason of mental health or other disability, age or illness.
  - Is or may be unable to take care of themselves.
  - Is or may be unable to protect themselves against significant harm or serious exploitation.

### 4.3 Categories of Abuse

**Physical:** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child, including by fabricating the symptoms of, or deliberately causing ill health to a child.

**Psychological:** including emotional abuse, threats of harm or abandonment, forced marriage, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or support network.

**Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative e.g. rape or buggery or non-penetrative acts. They may include involving children in looking at, or in the production of, pornographic material, or encouraging children to behave in sexually inappropriate ways.

**Neglect:** is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in a serious impairment of the child's health or development, such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to a child's emotional needs.

**Financial:** including theft, fraud, exploitation, pressure in connection with Wills, property or inheritance for financial transactions or the misuse or misappropriation of property.

**Discrimination:** including racist, homophobic, sexist based on a person's disability and other forms of harassment, slurs or similar threat.

**Institutional:** when the needs of the institution take precedent over the needs of the individual.

**Domestic abuse including 'honour' based violence:** Domestic abuse is a pattern of behaviour which may involve violence or other abuse by one person against another in a domestic setting. So-called 'Honour'-based violence is a violent crime or incident which may have been committed to protect or defend the perceived honour of a family or community.

**Modern Slavery:** human trafficking which may include transportation, recruiting or harbouring people for the purposes of exploitation using violence, threats or coercion.

**Bullying:** Young people and vulnerable adults can be vulnerable to bullying, which is deliberately hurtful and harmful behaviour, often repeated over a period of time and from which it may be difficult to defend themselves. Bullying may take many forms, including: physical attacks, verbal which could include name-calling, threats, racist or homophobic remarks and emotional for example isolating an individual from the activities and social acceptance of other young people. Cyberbullying involves making use of the internet or mobile phones to taunt, intimidate or threaten.

The damage inflicted by bullying must not be under-estimated. It can cause considerable distress, affect the young person's health and development and cause significant harm. Where any staff member suspects bullying, they must report the suspicion to their line manager who must investigate and where appropriate, invoke the NHC's E&D procedure.

**Child Sexual Exploitation (CSE) and Trafficking:** this involves exploitive situations, contexts and relationships where young people receive something for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection as a result of engaging in sexual activities. CSE can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks out exploitation is an imbalance of power in the

relationship. The perpetrator always holds some kind of power over the victim which increases as the exploitative relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming. It is important to recognise that some young people who are being sexually exploited do not exhibit any external signs of abuse.

**Female Genital Mutilation:** is defined by the World Health Organisation as 'all procedures that involve partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons'. If staff have a suspicion that a child is at risk in the context of FMG the NHC has a mandatory legal duty in line with the DfE and Home Office statutory guidance to report, including known cases of FGM in under 18 year olds to the police.

**Forced Marriage:** is an entirely separate issue from an arranged marriage. It is a human rights abuse and falls under the Crown Prosecution Services definition of domestic violence. Young men and women can be at risk in affected ethnic groups. Signals of forced marriage may be lengthy, unexplained absences or changes in behaviours.

- 4.4 Extremism / Radicalisation – the Prevent Duty: The Counter Terrorism and Security Act 2015 places a duty to have due regard to the need to prevent people from being drawn into terrorism. This is part of the government's wider counter terrorism strategy aimed at raising awareness of the challenges raised by terrorism and extremism and providing appropriate support and advice.

The NHC's mission, vision, values and professional standards, for staff and learners provide the platform to ensure children and young people are given the support and guidance to respect themselves and others and understand their role as local and global citizens. NHC values inclusion, tolerance, the freedom of speech and expressions of belief/ideology as fundamental rights underpinning healthy communities. Freedom of speech is subject to treating others with respect, understanding differences, equality, human rights, community safety and cohesion.

- 4.5 Children or young people who go missing from home/education: NHC will work in line with local authority statutory guidance for children and young people who are missing from home and/or education and the Statutory Guidance on 'Children who run away or go missing from home or care 2014'. Where a young person has gone missing from College the local authority and parents where appropriate will be contacted to ensure the health, safety and well being of that young person. Reference, 'Children missing education' DfE statutory guidance 2016.

## 5 The Policy

- 5.1 The NHC believes that safeguarding learners is our paramount concern and therefore safeguarding issues take priority in relation to any other policies and/or procedures. The Board of Trustees is committed to ensuring that this duty of care is the NHC's paramount concern. This policy is intended to safeguard and promote the welfare of young people and vulnerable adults who are learners of the NHC. Its aim is to provide an environment in which all learners and staff feel secure and supported. It will be reviewed annually.

Therefore, within statutory requirements NHC recognises that safeguarding and promoting the welfare of children is **everyone's** responsibility. **Everyone** who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child-centred. This means that they should consider, at all times, what is in the **best interests** of the child.

This policy should be read in conjunction with NHC's E,D&I policy, Whistle Blowing Policy, Health & Safety Policy and Social Media Policy.

Members of staff have a legal and moral responsibility to ensure that all children, young people and vulnerable adults are protected from harm. All complaints, allegations or suspicions must be taken seriously. There is also a responsibility not to ignore such issues that may result in harm.

- 5.2 Guiding Principles

The Board of Trustees recognises that it has an important role to play in safeguarding the welfare of children and young people in line with Keeping Children Safe in Education 2021 and preventing their abuse. The NHC has a duty to support all learners (including apprentices) and additional duties regarding the protection and support of learners in the 14-18 age range, vulnerable young people and adults, children in care provision, learners attending external work placements and those individuals who may be concerned about potential or actual coercion into forced marriage.

The police and Social Care/Children's Services have the primary responsibility in the field of safeguarding and child protection. The Children Act 1989 places a duty on local authorities to take steps to protect children in appropriate circumstances and gives certain powers to the



police so that they can take action to protect children. All NHC staff and volunteers have a duty to safeguard and promote the welfare of children and young people.

In the context of Multi-Agency Strategy Meetings, NHC will share information and will be bound by the agreed actions from that meeting. The DSL in accordance with Keeping Children Safe in Education 2021 has the status and authority to action child protection and safeguarding matters relating to College learners and external individuals.

### 5.3 Allegations Concerning Members of Staff

Any suspicion, allegation or actual abuse of a young person or vulnerable adult by a member of staff must be reported to the DSL. The CEO and Support Services Manager will be notified and an investigation under the Disciplinary Procedure will also be conducted where appropriate. In addition, on being notified of any such matter the DSL shall:

- Take such steps as they consider necessary to ensure the safety of the young person in question and any other young person who may be at risk.
- Report the matter to the Children's Services Department in accordance with the procedure and Local Safeguarding Children Board (LSCB) requirement via the Local Authority Designated Officer (LADO).
- Ensure that a report of the matter is completed by the person who reported the original concern.

If the DSL or any of the deputies is the subject of the allegation or the complaint the matter must be reported to the CEO and the designated Trustee. They would then notify the Chair of the Trustees.

NHC acknowledges its duty of care towards employees and will ensure that effective support is provided for anyone facing an allegation. A named contact will be provided if the employee is suspended. An allegation against a member of staff, volunteer or contractor will be dealt with quickly and in a fair and consistent manner which provides effective protection for the child/young person and support to the individual subject to the allegation.

### 5.4 Safer Recruitment

It is vital that the NHC creates a culture of safe recruitment and as part of that adopt recruitment procedures which help deter, reject or identify people who might abuse children and young people. Decisions will be made about the suitability of prospective employees based on checks and evidence including, criminal record and barred list checks (DBS), identity checks through birth certificate, passport or new driving licence, reference and interview information following the principles of Working Together 2018.

As a measure of good practice the NHC requests disclosure of criminal conviction at the point of application for both potential staff and learners.

NHC has a duty of care to all learners, staff and visitors to promote and protect wellbeing. Within the context of risk the NHC will assess disclosed convictions in relation to:

- Applicants who pose an unacceptable risk to the NHC community.
- Applicants unable to meet particular professional or statutory requirements for some posts.

Under the Rehabilitation of Offenders Act 1974 'spent' convictions will be assessed according to factors in line with the offence, age and sentence received.

### 5.5 The Counter Terrorism & Security Act 2015 & The Prevent Duty

Prevent is one of the four elements of CONTEST; the Government's Counter Terrorism Strategy. It aims to stop people becoming terrorists or supporting terrorism. The Prevent Strategy:

- Responds to the ideological challenge faced from terrorism and aspects of extremism and the threat we face from those who promote these views.
- Provides practical help to prevent people from being drawn into terrorism and ensure individuals are given appropriate advice and support.
- Works with a wide range of sectors including education, criminal justice, faith, charities, on-line health where there are risks of radicalisation.

The strategy covers all forms of terrorism, including far right extremism and some aspects of non-violent terrorism.

The NHC has a legal responsibility to fulfil the prevent duty statement, it will ensure that it is aware of the risks and monitors and deals with them effectively by:

- Understanding the threat from violent extremism and potential risks from external influences.
- Ensuring plans are in place to respond appropriately to a threat or incident.
- Having effective ICT security and Social Media Policy.
- Responding appropriately to a threat or incident locally, nationally or internationally as it will impact the College community.

The NHC response to its role in the context of preventing radicalisation and extremism is to:

- Work in partnership with organisation involved in Prevent strategies

- Ensure staff, learners (including apprentices) and, as far as reasonably possible, employers understand their responsibilities in preventing violent extremism. In particular identifying changes in behaviour.
- To protect and provide support, make appropriate referrals for learners at risk of radicalisation
- Support interfaith and intercultural engagement
- Ensure that the NHC has a zero tolerance to bullying and harassment
- Listens and responds effectively to issues and the local community.

#### 5.6 Role and Responsibilities

The NHC's role in safeguarding the welfare of its young people concerning child protection is:

- To work in accordance with policies of the LSCB/Multi-Agency arrangements.
- To provide appropriate development to members of staff to ensure that they are aware of the issue of child protection and the procedures that follow.
- To ensure all staff and, as far as reasonably possible, employers understand their responsibilities in relation to safeguarding children, young people and vulnerable adults.
- To provide guidance to learners on work experience placements.
- To make appropriate referrals of children and young people under 18 to Social Care, Children Services or other appropriate agencies e.g. MASH, BHA, Police or NSPCC where there are concerns that the child is or may be being abused.
- To allocate a member of staff to 14-16 year old learners to ensure they have a link person with school, home and College.
- To take appropriate action where reports/referrals relate to potential or actual risk of forced marriage.
- To prohibit sexual and intimate relationships between staff and learners.
- To ensure that children and young people have the right access to NHC staff who will respect their confidences and who will not judge, intervene and act, except in extreme circumstances, without the young person's agreement.
- To recognise the NHC duty of care and that child welfare must be paramount. Hence, in extreme circumstances, it may be necessary to breach a person's confidentiality to protect them from harm. Learners must be informed of this position through induction, delivered sessions reinforced by verbal explanations from staff. All employees of the College have a general duty to ensure confidentiality of information relating to both learners and employees.
- To ensure that in situations where child abuse is alleged or suspected NHC will take account of the advice from other agencies, on circumstances warranting breach of confidentiality. These include:
  - A child/young person in a dangerous situation
  - A situation when inaction might place them/someone else in a dangerous situation
  - A child/young person in fear of the abuser
  - When inaction infringes the rights of other children
  - When inaction could lead to someone being harmed
- To ensure confidentiality is maintained, incidents will never be discussed within or outside the College except on a strictly 'need-to-know' basis.
- To recognise the particular challenges and difficulties faced by children/young people with special education needs by ensuring they are appropriately supported.
- To ensure the College takes appropriate action to exclude or refuse admission to any individual who may pose a risk to young people or vulnerable adults.

#### 5.7 Allegations against learners on work placements

Any allegation of child abuse against a learner within a work placement needs the fullest investigation both from the child's point of view but also from the learner's point of view. It would be normal to suspend the work placement whilst investigations are undertaken. Any concerns that result from the investigation may need disciplinary action or review of the appropriateness of continuing the work placement.

#### 5.8 Allegations of peer-on-peer abuse

Allegations of abuse by one learner against another learner need to be taken seriously and in accordance with child protection procedures but may also involve disciplinary procedures. The learner who it is alleged has been abused will be advised regarding reporting to police. Parents may be contacted and immediate suspension considered while an investigation is completed. Support for both parties will be offered.

#### 5.9 Protection concerns about siblings and family members of learners

Any concerns about the safety and protection of a learner may also reflect concerns about others within the household. Younger siblings for example may be at risk of harm and the

matter will need reporting and investigating as if the younger sibling was our responsibility as well.

5.10 Staff contact with learners

All staff when communicating with learners must use their NHC provided facilities for example; email, mobile phones and social media. Use of personal communication channels must be limited to occasion where communication is urgent and other options are not available or effective. Any use of personal communication channels must be notified as soon as practically possible to a manager.

5.11 Training

Mandatory training will be provided, as appropriate, to all members of staff to ensure that they are aware of these procedures and specialist training will be provided for the nominated members of staff with safeguarding responsibilities.

5.12 Work placements

We ensure all placement providers hold a current licence with the BHA this means they comply with their Health and Safety requirements. If they do not hold a current license with the BHA a pre-vet is conducted. An onsite assessment of the appropriateness of the environment is also made by our Roving Instructors and employers must display a clear commitment to safeguarding in order to be become a placement provider. Should an incident in the workplace occur an 'NHC Learner Placement Suitability Assessment' is conducted.

**6 Relevant Policies and Procedures**

6.1 The following documents support the Safeguarding Policy:

- o Whistleblowing Policy
- o Health & Safety Policy
- o Equality, Diversity & Inclusion Policy
- o Recruitment & Selection Policy
- o Harassment & Bullying Policy
- o Violence & Aggression at work Policy
- o Social Media Policy
- o Drug & Alcohol Policy - Learners
- o Employee and Learner Code of Conducts
- o Safeguarding Procedures
- o Doncaster Safeguarding Children's Board Policies and Procedures
- o Sexual Violence & Sexual Harassment Policy

**7 Communication**

- 7.1 This Policy will be available externally on the NHC website. It will be promoted to staff during induction and ongoing training opportunities. It is accessible via the internal Quality Manual.
- o The safeguarding incident log will be presented at quarterly Trustee meetings.

| <b>Police &amp; Partner Referral Pathways</b>                             |               |
|---|---------------|
| In an emergency   | 999           |
| Non-emergency   | 101           |
| NSPCC – help@nspcc.org.uk   | 0808 800 5000 |
| Anti-terrorist hotline  | 0800 789 321  |
| Child/adult Local Authority – LADO Jim Foy                                | 01302 737748  |
| On-line referral agencies - CEOP  |               |
| British Horseracing Authority<br>Matt Mancini – Lead Safeguarding Manager | 07826 552393  |
| Ashlee Byrne – Safeguarding Officer                                       | 07503 565134  |
| Racing Welfare<br>Stella Cornell – Safeguarding Lead                      | 07966 425188  |

- o All safeguarding incidents will be recorded on 'Locker' software and where appropriate the BHA will be notified. The BHA Lead Safeguarding Manager will be notified of any serious safeguarding incidents immediately.
- o Where appropriate we will also engage with Racing Welfare.

- The ESFA is to be notified of any serious safeguarding incidents where the institution itself, or one of its subcontractors, is subject to investigation, those that result in police investigations and Prevent referrals.

## **8 Contacts**

|     |                |                   |              |  |
|-----|----------------|-------------------|--------------|--|
| 8.1 | DSL            | Joanne Ellis      | 01302 861020 | <a href="mailto:j.ellis@thenhc.co.uk">j.ellis@thenhc.co.uk</a>       |
|     | DSL Deputy HR  | Michelle Bardsley | 01302 861002 | <a href="mailto:m.bardsley@thenhc.co.uk">m.bardsley@thenhc.co.uk</a> |
|     | DSL Deputy FC  | Matthew Clark     | 01302 861019 | <a href="mailto:m.clark@thenhc.co.uk">m.clark@thenhc.co.uk</a>       |
|     | DSL Deputy WBL | Emma Cassidy      | 07852 982245 | <a href="mailto:e.cassidy@thenhc.co.uk">e.cassidy@thenhc.co.uk</a>   |