

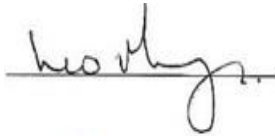
# North West Regional College

## Policy and Procedures

### Safeguarding, Care and Welfare Policy and Procedures

Approved by

Date 20<sup>th</sup> December 2024



Signature of Principal and Chief Executive

Leo Murphy

Name of Principal and Chief Executive

**NORTH WEST REGIONAL COLLEGE**

Name of College

Issue	Document Title	Date Last Reviewed	Next Review Date	Responsibility of
8	Safeguarding, Care and Welfare Policy and Procedures	December 2024	December 2025	Gillian Moss

## APPROVAL DATES

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Governing Body	

## SAFEGUARDING, CARE & WELFARE POLICY REVISION RECORD

Version	Document Title	Date Last Reviewed	Next review date	Responsibility of
4	Safeguarding, Care & Welfare Policy	January 2020	January 2021	Gillian Moss
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## **SAFEGUARDING, CARE & WELFARE POLICY FRAMEWORK**

The Framework from which this Policy is derived has been developed by the Further Education (FE) Colleges Safeguarding Working Group established in April 2019. The framework contains the minimum standard of information for any Safeguarding Policy in a FE College in Northern Ireland.

The FE Colleges Safeguarding Working Group has agreed that the Framework may be added to by a College but content cannot be withdrawn otherwise the organisation may fail to meet its legal and moral duty, put learners / participants at risk and may be vulnerable to potential legal challenge and / or reputational damage.

The FE Colleges Safeguarding Working Group is committed, at the very least, to an annual review of the framework and revision if required at regional and College level dependent on current legislation and organisation structures.

Membership of the FE Colleges Safeguarding Working Group is listed in Appendix 1.2

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## North West Regional College

# Safeguarding Policy

## 1. Purpose

North West Regional College (hereafter referred to as the College) aims to ensure that all students, 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, Care & Welfare Policy 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".

Students are directed to the College Safeguarding Policy at induction, on Moodle, on the College plasma screens and in the student handbook. Parents and guardians can access the Safeguarding Policy from the College website.

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;
- 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, care and welfare 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, care and welfare practices
- Recognise responsibilities in relation to the development of the Northern Ireland Executive Strategy to End Violence Against Women and Girls (EVAWG). The Executive Office is spearheading this comprehensive, government-wide and society-wide initiative. Violence, abuse, and harm against women and girls affect individuals across all generations, communities, and sectors of society.

## 2. Context

The College will carry out its responsibilities under all relevant legislation, regulations and professional guidelines, which include those referenced in appendix 1.7.

## 3. Scope

This Policy applies to all staff, students, Board of Governors, volunteers and any third party 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 users;
- The College is committed to the challenging and reporting of harmful behaviour and, recognising that anyone can be the subject of abuse, will seek to develop a culture of healthy and respectful relationships wherein all allegations of abuse will be taken seriously and treated in accordance with the College's procedures;
- The College will consistently apply a thorough and clearly defined method in its safe recruitment of staff and volunteers by undertaking the appropriate checks, in line with legislation and best practice;
- 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 and adult in need of protection;
- The College will comply 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);
- The College is committed to developing, implementing and updating existing safeguarding protections, policies/procedures and measures for children, young people, adults at risk of harm or adults in need of protection, to reflect involvement in Operation Encompass.
- The College 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 obligated 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 is committed to developing knowledge and understanding of Trauma-Informed Practice and the impact of Adverse Childhood Experiences (ACEs)<sup>1</sup> 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.

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<sup>1</sup> ACES: Adverse Childhood Experiences. Ensuring a better deal for children in Wales. Professor Mark A. Bellis.

- The College will ensure there is an effective procedure in place for assessing and managing risks to learners and staff.
- The College will ensure any identified risks are managed by putting in place risk-reducing measures which are recorded and reviewed.

## 5. Key definitions

- a) 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.
- b) 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, socio economic factors and environmental living conditions.
- c) 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 him / her to be harmed.

The College's safeguarding, care and welfare service understand that in order for our students, 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.

### Types of Child Abuse (NSPCC, 2020)

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
- Harmful Sexual Behaviour
- Domestic Abuse
- Bullying & Cyber Bullying

General signs of abuse -Children experiencing abuse often experience more than one type of abuse over a period of time. Children who experience abuse may be afraid to tell anybody about the abuse. They may struggle with feelings of guilt, shame or confusion – particularly if the abuser is a parent, caregiver or other close family member or friend. Many of the signs that a child is being abused are the same regardless of the type of abuse.

For more information see link

<https://www.nspcc.org.uk/what-is-child-abuse/spotting-signs-child-abuse/>

Physical abuse - when a child is deliberately hurt, causing physical harm. It can involve hitting, kicking, shaking, throwing, poisoning, burning or suffocating. It's also physical abuse if a parent or carer makes up or causes the symptoms of illness in children. For example, they may give them medicine they don't need, making them unwell. This is known as fabricated or induced illness (FII).

Neglect - is not meeting a child's basic physical and/or psychological needs. This can result in serious damage to their health and development. Neglect may involve a parent or carer not:

- providing adequate food, clothing or shelter
- supervising a child or keeping them safe from harm or danger (including leaving them with unsuitable carers)
- making sure the child receives appropriate health and/or dental care
- making sure the child receives a suitable education
- meeting the child's basic emotional needs – this is known as emotional neglect.

Neglect is the most common type of child abuse. It often happens at the same time as other types of abuse.

Sexual abuse- is forcing or enticing a child to take part in sexual activities. It doesn't necessarily involve violence and the child may not be aware that what is happening is abuse. Child sexual abuse can involve contact abuse and non-contact abuse.

Child sexual exploitation (CSE) - is a type of sexual abuse. Young people may be coerced or groomed into exploitative situations and relationships. They may be given things such as gifts, money, drugs, alcohol, status or affection in exchange for taking part in sexual activities.

Harmful sexual behaviour (HSB) - is developmentally inappropriate sexual behaviour which is displayed by children and young people and which may be

harmful or abusive. It may also be referred to as sexually harmful behaviour or sexualised behaviour.

Emotional abuse – this may involve:

- humiliating, putting down or regularly criticising a child
- shouting at or threatening a child or calling them names
- mocking a child or making them perform degrading acts
- constantly blaming or scapegoating a child for things which are not their fault
- trying to control a child's life and not recognizing their individuality
- not allowing a child to have friends or develop socially
- pushing a child too hard or not recognising their limitations
- manipulating a child
- exposing a child to distressing events or interactions
- persistently ignoring a child
- being cold and emotionally unavailable during interactions with a child
- not being positive or encouraging to a child or praising their achievements and successes.

Domestic abuse - is any type of controlling, coercive, threatening behaviour, violence or abuse between people who are, or who have been in a relationship, regardless of gender or sexuality. It can include physical, sexual, psychological, emotional or financial abuse. Exposure to domestic abuse is child abuse.

Bullying and cyberbullying - is when individuals or groups seek to harm, intimidate or coerce someone who is perceived to be vulnerable.

#### Types of Adult abuse (DHSSPS, 2015)

- Physical abuse
- Sexual abuse
- Psychological / emotional abuse.
- Financial abuse
- Institutional abuse
- Neglect
- Exploitation

For more information see link

<https://southerntrust.hscni.net/involving-you/community-development-and-user-involvement/community-sector-training/adult-safeguarding-information-and-resources/adult-safeguarding/signs-and-indicators-of-adult-abuse/>

Physical abuse - This 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 - This 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 - This 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 - This 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 - This 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 - 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 - This 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.

Domestic violence and abuse- This is threatening behaviour, violence or abuse (psychological, physical, verbal, sexual, financial or emotional) inflicted on one person by another where they are or have been intimate partners or family members, irrespective of gender or sexual orientation. Domestic violence and abuse is essentially a pattern of behaviour which is characterised by the exercise of control and the misuse of power by one person over another. It is usually frequent and persistent. It can include violence by a son, daughter, mother, father, husband, wife, life partner or any other person who has a close relationship with the victim. It occurs right across society, regardless of age, gender, race, ethnic or religious group, sexual orientation, wealth, disability or geography.

Human trafficking- This involves the acquisition and movement of people by improper means, such as force, threat or deception, for the purposes of exploiting them. It can take many forms, such as domestic servitude, forced criminality, forced labour, sexual exploitation and organ harvesting. Victims of human trafficking can come from all walks of life; they can be male or female, children or adults, and they may come from migrant or indigenous communities.

Hate crime is any incident which constitutes a criminal offence perceived by the victim or any other person as being motivated by prejudice, discrimination or hate towards a person's actual or perceived race, religious belief, sexual orientation, disability, political opinion or gender identity.

Victims of domestic violence and abuse, sexual violence and abuse, human trafficking and hate crime are regarded as adults in need of protection. There are specific strategies and mechanisms in place designed to meet the particular care and protection needs of these adults and to promote access to justice through the criminal justice system. It is essential that there is an interface between these existing justice led mechanisms and the HSC Trust adult protection arrangements described in this policy.

## 6. Operation Encompass

Operation Encompass is a partnership between the Education Authority, Government Departments, the PSNI, the Safeguarding Board of Northern Ireland (SBNI) and education providers. It is aimed at supporting children and young people who experience domestic violence or abuse in the home. The programme has successfully launched in all schools throughout Northern Ireland in conjunction with the Education Authority and allows the PSNI to share information with schools, colleges and training providers in instances where children and young people have experienced domestic violence or abuse. Through cross departmental working and engagement with the PSNI, the scope of Operation Encompass will now include young people who are on pathways outside of the school system but fall into the remit of the associated legislation. This will include students aged 16–17 years old in Further Education Colleges including the College of Agriculture, Food and Rural Enterprise (CAFRE), and those attending Non-Statutory Training Providers delivering DfE Training Programmes. It will allow the PSNI to pass on relevant information to the education provider so that the right support can be put in place for the young person.

Key Adult Training for Operation Encompass now forms part of the core training provided by the Child Protection Support Service. This training underpins the important role that staff in organisations, including FE colleges and Work-Based Learning providers, play in supporting young people and families where domestic abuse has taken place.

Operation Encompass Training:

- Designated Persons / Deputy Designated Persons's and managers must:
- Watch the online information session;
- Complete the online Operation Encompass Training; and
- Advise parents/carers, staff and the Governing Body / Management committee members of Operation Encompass

Further information is available here: [Operation Encompass | Education Authority Northern Ireland \(eani.org.uk\)](https://www.eani.org.uk/operation-encompass-education)

## 7. Code of Conduct

It is recommended that the Code of Conduct Policy is reviewed to ensure a comprehensive understanding.

- Staff Code of Conduct is available from Staff A-Z Documents on Staff Portal.
- Student Code of Conduct is outline din the Student Charter, available in the Student Handbook - <https://www.nwrc.ac.uk/student-support/supporting-you/student-handbook>

## 8. 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.

The College is committed to providing a safe and supportive learning environment for its students. The College will take measures to prevent online abuse by educating students and staff on digital safety practices, including guidance on appropriate and respectful online behaviour, and safe use of the internet and social media.

The College encourages all students to report instances of online abuse to a designated member of staff within the Safeguarding team . Reports will be treated seriously, and appropriate disciplinary action will be taken against the perpetrator in the event that they are also a student at the college.

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

We will continue to review and improve our policies and procedures to ensure the safety and wellbeing of our students. The relevant policies are available for all users to access on A-Z of policies on the staff portal.

Staff, students, the Governing Body and volunteers are directed to this Safeguarding, Care and Welfare Policy and procedures during induction and via active promotion of "keeping safe" messages through other activities e.g. internet usage and social networking.

It is recommended that the ICT Acceptable Use Policy is reviewed to ensure a comprehensive understanding.

ICT Acceptable Use Policy is available from Staff and Student A-Z and is also available at sign-in on any College PC.

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

- Sexualised language
- Sexting
- Sextortion
- Excessive texting or use of their computer, tablet or iPad 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

All students and staff are required to agree to the College Acceptable Use Policy on every log on session. The full ICT Acceptable Use Policy and Social Media Policy is available for all

students and staff to access on the College staff and student portals. Students are directed to all relevant policies during induction and via the NWRC portal. 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 Officer.

## **Social Networking / Email**

It is recommended that the Social Media Policy is reviewed to ensure a comprehensive understanding.

The Social Media Policy is available from Staff A-Z Documents.

Where employees use social networking sites in a professional capacity they must ensure that they maintain professional etiquette at all times and comply with the Code of Conduct Policy. If Employees use social networking sites in a personal capacity, they should use these sites with care, ensuring their private interests do not conflict with their duty to the College and make no reference to the College.

## **9. Responsibility**

- a) Governance of safeguarding, care and welfare in the College is overseen by the Governing Body and there is a nominated board member who takes responsibility for safeguarding.

The Head of Client Services has strategic safeguarding, care and welfare responsibility within the College.

The Designated Safeguarding Officer reports regularly to the Governing Body.

The Designated Safeguarding Team is comprised of the Designated Safeguarding Officer and Deputy Designated Safeguarding Officer and an Adult Safeguarding Champion oversees and co-ordinates operational College safeguarding matters.

To further support safeguarding, care and welfare, the College also has a number of nominated Safeguarding Officers across College sites who support and advise staff to ensure a link with the Designated Safeguarding Officer and / or the Deputy Designated Officer.

Safeguarding Officer who can then manage the child, young person, adult at risk of harm or adult in need of protection.

Posters are displayed throughout the College to identify those whom staff, students, volunteers and any third party can engage with on safeguarding, care and welfare matters. Visitors and contractors on campus must be referred to the appropriate safeguarding officer or designated point of contact to ensure compliance with safeguarding policies.

Report of Concerns should be made to the Safeguarding Officer and/or the Adult Safeguarding Champion at [safeguarding@nwrc.ac.uk](mailto:safeguarding@nwrc.ac.uk)

The names of the individuals employed by the College in safeguarding roles are listed in Appendix 1.4. However, it is the responsibility of all staff working in the College to report abuse and incidents of concern in line with this Safeguarding, Care and Welfare Policy and procedures eg Safer Recruitment Policy and the Whistleblowing Policy. This responsibility extends to all staff, not just those specifically working with children, young people, adults at

risk of harm and adults in need of protection.

Report of concern(s) should be made a member of the Safeguarding Team in line with this Safeguarding, Care and Welfare Policy and procedures.



All employees and volunteers of the College are required to abide by the Staff Code of Conduct which articulates the college values and sets clear expectations of behaviour for all staff. The College Estates Department have overall responsibility for the security of the College buildings.

The Role of the Designated Safeguarding Officer and / or Deputy Designated Safeguarding Officer is to:

- Liaise with relevant College management and staff regarding this Safeguarding, Care and Welfare Policy, procedures and any reported incidents of concern and report to College management and Governing Body as required;
- Liaise with the local Gateway Team regarding safeguarding, care and welfare 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 routine record keeping required (which will also identify patterns and enable early intervention) and the security thereof in relation to safeguarding, care and welfare matters;
- Maintain the security of record keeping in relation to safeguarding, care and welfare matters;
- Ensure that the Safeguarding, Care and Welfare 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 students are aware of the Safeguarding, Care and Welfare Policy during induction.
- Ensure that all safeguarding training is undertaken within best practice guidelines.

b) 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 Officer, Deputy Designated Safeguarding Officer and Safeguarding Officers
- Ensure full implementation of the College Safeguarding, Care and Welfare Policy and procedures;
- Oversee the security of record keeping in relation to safeguarding, care and welfare 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, Care and Welfare Policy and related 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 or volunteers 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 ASC 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.

## **Human Resources**

a) The role of the Human Resources Department, overseen by the manager of HR is to:

- Ensure the safe recruitment and induction of all staff and volunteers ensuring all are appropriately vetted in compliance with relevant DfE Circulars, Operational Requirements and Guidelines in accordance with the Safeguarding Vulnerable Groups (NI) Order (2007);
- Ensure implementation of staff disciplinary investigations if any concerns, disclosures or allegations of abuse by a staff member are made;
- Plan, deliver and monitor in partnership with other College departments the appropriate level of training required by all staff, in line with current legislation;
- Annually review and update Human Resources policies and procedures to reflect safeguarding, care and welfare arrangements in the College;
- Arrange and monitor Safeguarding Refresher Training for all staff every 3 years

## **10. Confidentiality**

Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety and welfare of the person 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.

## **11. Work Placements and Educational Visits**

Staff organising any work placements or exchange visits should take the safeguarding, care and welfare of children, young people, adults at risk and adults in need of protection into account when assessing the suitability of the work placement or exchange visit arrangements. Students 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.

All students on work placement 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 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, care and welfare procedures as outlined in this document.

All Institutions participating in any overseas visits should ensure they follow the Safeguarding protocols as outlined in the relevant funders policy guidance documents. Also, the college will follow internal processes for recruiting and selecting staff and participants, as well as carrying out the relevant risk assessments.

It is recommended that the Residential's within the Curriculum Policy is reviewed to ensure a comprehensive understanding. The policy is available from staff A-Z Documents.

Staff organising any Work Placements and Educational Visits should take the safeguarding of children, young people and adults at risk of harm or adults in need of protection into account when assessing the arrangements. All College trips require the completion and approval based on the Application for Approval of Educational Visits Form and a Risk Assessment is conducted if necessary.

The College has a duty to put in place additional safeguards when one or more of the following conditions apply:

The placement is:

- For more than one day per week;
- For longer than one term in any academic year;
- Aimed at students who are vulnerable (e.g. those who have special needs or are aged under 16), regardless of the length of placement;
- Where the workplace supervisor or a colleague will have substantial unsupervised / one-to-one access to the student (e.g. sole trader);
- Has a residential component.
- If any of the above factors apply:
- Staff arranging, processing Access NI checks, monitoring work placements or exchanges should have received training in safeguarding children, young people or adults at risk of harm or adults in need of protection;
- Employers taking students on long-term placements should be asked to commit to safeguarding their welfare by endorsing this Policy;
- Anyone in the workplace who is specifically designated as having responsibility for caring for, training, supervising or being in sole charge of a student should be subject to disclosure procedures via the AccessNI process. They should also be briefed about what to do if they are concerned about a student's welfare this is included as part of the mandatory Safeguarding training.

## **Educational Visits**

Employees should take particular care when supervising students on educational visits and:

- Be familiar and comply with College Policies and Procedures, relating to education visits including educational and residential activities;
- Be particularly careful when supervising students in a residential setting, or on approved activities outside the College;
- In certain situations, eg out of College activities, staff or volunteers may agree to transport students. A designated member of staff should be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties that may arise. Wherever possible and practicable it is advisable that transport is undertaken using College approved transport as opposed to use of private vehicles, with at least one adult additional to the driver acting as an escort;

- Pre-arranged meetings with students away from the College premises should not be permitted unless approval is obtained from their parent/legal guardian and the Head of Department/Line Manager or other senior colleague with delegated authority;
- Staff should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. The Educational Visits organiser should ensure that appropriate staffing is in place when using College transport. The driver should ensure that the vehicle is roadworthy and appropriately insured;
- Be aware that the standards of professional conduct and behaviour expected of employees on educational visits should be no different to that which applies within the College;
- All staff and students must be minded by the Students Charter and Code of Conduct. Staff organising any work placements or exchange visits should take the safeguarding, care and welfare of children, young people, adults at risk and adults in need of protection into account when assessing the suitability of the work placement or exchange visit arrangements. Students 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.

## **12. 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, Care and Welfare 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 student or anyone else giving information about possible abuse.

The person disclosing the information should be advised as soon as possible by the Designated Safeguarding Officer what action 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.

All written records must be passed to the Designated Safeguarding Officer. Records will be uploaded to the secure safeguarding database managed by the Safeguarding Officer and maintained by the Safeguarding Officer, for a period in line with the FE Data Retention and Disposal Schedule (Dec 2020). 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 the Deputy Safeguarding Officer or Safeguarding Champion. In the event that a disclosure is made concerning the activities of a member of staff towards a student, the matter must be referred directly to the Manager of HR.

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 a member of the Safeguarding Team.

### **13. Dealing with complaints**

The Quality manager is responsible for dealing with all complaints and compliments for the College.

### **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. NWRC commits to screening this Safeguarding, Care and Welfare Policy in line with these statutory obligations.

### **15. Monitoring**

This Safeguarding, Care and Welfare Policy will be refreshed as required in line with organisational changes in the College and will be reviewed, at the very least annually, in line with the overarching framework, reflective of current legislation, as agreed by the FE Colleges Safeguarding Working Group.

Date for review: December 2025

## List of Safeguarding related Policies and Procedures

There are a number of documents and policies relevant to Safeguarding. It is recommended that all documentation is reviewed to ensure a comprehensive understanding of Safeguarding and how it applies to the College.

- a. Disclosure of Criminal History Policy
- b. Recruitment and Selection Policy
- c. Criminal Record Policy and Procedures on the recruitment of Ex-Offenders
- d. Code of Conduct Policy
- e. Health and Safety Policy
- f. Risk Assessment
- g. Residential's within the Curriculum
- h. Harassment Policy
- i. Volunteering Policy
- j. Student Grievance Policy
- k. Staff Grievance Policy
- l. Curriculum Policy
- m. Compliments and Complaints Policy
- n. Student Charter
- o. Data Protection Policy
- p. Disciplinary Policy
- q. Whistle Blowing Policy
- r. HR Files and Recruitment Policy
- s. Lone Working Guidance
- t. Residential Policy
- u. Use of Mobile Phones and Audio Recording Policy
- v. Social Media Policy
- w. ICT Acceptable Use Policy

**North West Regional College**  
**Policy and Procedures**

**Safeguarding Procedure**

## North West Regional College

### Safeguarding Procedure

1. Any member of staff who has 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 the Designated Safeguarding Officer 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 student or anyone else giving information about possible abuse.***
2. Staff who receive an allegation or disclosure of abuse should make an immediate written record of the conversation on the **Student Safeguarding Procedures Report Record Form**. A copy of this form can be found on the staff intranet under the A – Z Forms. (Appendix 2)

In completing this form, you should endeavour to include the following information:

- The Students name and Student ID
  - The Students course and campus
  - The Staff name reporting the concern
  - The date and time of the Reported Concern
  - Your observations of the Student and the current situation
  - A record of **exactly** what the Student or referring source has reported to you
3. Questions should be kept to the minimum 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. Once the information has been captured the person disclosing the information should be reassured that the information will only be disclosed to those professionals who need to know.
  4. Once the disclosure has been recorded, the **Student Safeguarding Procedures Report Record Form must be** referred to the Designated Safeguarding Officer or in his/her absence the Deputy Safeguarding Officer at [safeguarding@nwrac.ac.uk](mailto:safeguarding@nwrac.ac.uk) even if the students stated wishes are to the contrary. The Safeguarding Officer will liaise with the Adult Safeguarding Champion/Student Services Manager in complex cases and collectively agree and record what action they believe should be taken and give details of any advice sought, from whom and when.
  5. The Designated Safeguarding Officer and Adult Safeguarding Champion/Student Services Manager and/or HR Manager should then make a determination whether the



matter being referred is a Safeguarding issue. Advice may be sought from the HSCT Trust and to the Police Service of Northern Ireland to help reach this determination if necessary.

If it is assessed that there is '**NO**' Safeguarding matter:

- The Safeguarding Officer shall retain an electronic record of the concerns on the Student Safeguarding Database;
- The Safeguarding Officer shall complete ongoing monitoring and review of the situation to determine if the level of risk changes which could indicate potential for a safeguarding issue.

If it is assessed that '**YES**' it is a Safeguarding matter:

- The Safeguarding Officer and Adult Safeguarding Champion and/Student Services Manager agree on a referral to the local HSC Trust using the **Report Safeguarding Concerns to local HSC Trust & PSNI or the UNOCINI**;
- An investigation by the HSC Trust and/or the PSNI with RQIA input is implemented.

6. The person disclosing the information should be advised as soon as possible by the Designated Safeguarding Officer what action will be taken as a result of the disclosure. They should also be made aware of the counselling service available to the College.
7. In the event that a disclosure is made concerning the activities of a member of staff towards a student, the matter **must be** referred directly to the Student Services Manager. The College Quality Manager is responsible for dealing with all complaints and compliments for the College and should highlight any evolving trends on an annual basis.
8. 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 Designated Safeguarding Officer.
9. All written records must be passed to the Designated Safeguarding Officer. Records will be uploaded to the Secure Safeguarding Database managed by the Student Services Manager and maintained by the Designated Safeguarding Officers and Deputy Safeguarding Officer for a period in line with the FE Data Retention and Disposal Schedule (Dec 2020) . 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 the Student Services Manager.



# **North West Regional College Policy and Procedures**

## **Disclosure of Criminal History**



## North West Regional College

### Policy on Disclosure of Criminal History

#### 1. Purpose

The purpose of this Policy is to have in place a robust disclosure and risk management process in respect of criminal convictions declared by the student population. The management of this information must be in keeping with Access NI Code of Practice and the College's obligations under Data Protection Act 2018.

#### 2. Data Protection Statement

As a public authority, the College has an obligation to protect its information assets and in particular, the information relating to its employees, students and other individuals in whatever form that information is held. The College is responsible for ensuring that Personal Data is properly safeguarded and processed in accordance with Data Protection Legislation.

All records and correspondence concerning an applicant who discloses details of a criminal conviction will be securely stored and disposed of in line with Access NI Code of Practice and the College's Retention and Disposal Schedule.

#### 3. Safeguarding Assessment

The Safeguarding Assessment process is mandatory for all students that have disclosed previous, current and/or pending convictions. The College would like to confirm that engagement in this process does not automatically restrict a student from securing a place within the College. It is important to note however that the ***conditions of a student's offer are subject to the satisfactory checks and Safeguarding Risk Assessment having been completed in line with this Policy.***

If previous, current and/or pending convictions are not disclosed at the point of admission and the College learns or is notified retrospectively this may result in a student being asked to leave the course. Depending on the course, there may be occasions whereby a previous, current and/or pending conviction may preclude a student from engaging on a particular course. When this is apparent, the College shall discuss this with the student in full and alternative options and courses of academic study will be provided via the College Career's Academy.

#### **4. The Rehabilitation of Offenders (Northern Ireland) Order 1978**

The Rehabilitation of Offenders (Northern Ireland) Order 1978 primarily exists to support the rehabilitation into employment of reformed offenders. In recognising this and the importance of education and training to secure future employment the NWRC College is required to meet their responsibilities under this legislation in line with the Data Protection Act 2018 and the Human Rights Act 1998.

#### **5. AccessNI Checks**

As a Registered Body of AccessNI, the College will handle all AccessNI **Enhanced Disclosure Checks (EDC)** securely and will fully comply with the AccessNI Code of Practice. The College will treat the subject of every AccessNI Disclosure Check fairly and will not discriminate solely on the basis of information revealed on such Disclosure Certificates. All records and correspondence concerning an applicant who discloses details of a criminal conviction will be securely stored and disposed of in line with Access NI Code of Practice and the College's Retention and Disposal Schedule.

For any students who have declared a previous, current and/or pending convictions on their application/enrolment form a Safeguarding Risk Assessment will be completed to measure the potential risk whilst the student is studying at the College.

For courses which require students to go onto a work placement involving regulated activity where they will be in contact with children or adults at risk of harm or in need of protection, an Access NI Enhanced Disclosure Check is required.

Certain courses due to the nature of work placement necessary require the disclosure of both ***spent*** and ***unspent*** convictions, and indeed non-conviction information. This would include Formal Cautions, Informed Warnings and non-conviction Binding Over Orders, and Diversionary Youth Conferences. Or in some circumstances if an applicant/student is facing prosecution.

The following occupational areas are defined as "exempt" under the Rehabilitation of Offenders (Exceptions) Order (NI) 1979 and may also be defined as Regulated Activity under the Safeguarding Vulnerable Groups (NI) Order 2007, as amended :-

**Teaching, Health, Social Work, Veterinary Medicine, Veterinary Science or courses involving work with children or adults who may be at risk of, or experiencing harm. Any criminal convictions, Cautions (including Verbal Cautions), Reprimands, Final Warnings and Binding Over Orders are exempt from the Rehabilitation of Offenders (Northern Ireland) Order 1978.**

In such circumstances, applicants/students will be asked to agree to a Criminal Record Check.

Curriculum Course teams will work in tandem with the College Safeguarding Officer to specify the courses where AccessNI Enhanced Disclosure Checks are required and advise students of the College's Access NI Checking process.

## **6. Convictions After the Commencement of a Course**

If a student is convicted of a criminal offence *or pending investigation* after he/she has applied or started the course he/she must inform the College Safeguarding Officer immediately. All information will be treated confidentially and in line with the Data Protection Act 2018. As set out in Section 3 of this Policy the student will then be subject to the Safeguarding Risk Assessment which will involve an assessment to determine the level of potential risk their criminal behaviour presents to themselves, other students, staff or visitors within the College environment.

## North West Regional College

### Procedure on Disclosure of Criminal History

#### Procedure

The purpose of the Safeguarding Risk Assessment is to identify and assess if an applicant who has disclosed a previous, current and/or pending convictions caution or *pending investigation* could be a potential risk to themselves, other students, staff, visitors within the College environment.

It is imperative that anyone with a criminal conviction (spent or unspent) declares this either

1. Upon the application process. Or
2. If convicted of a criminal offence or pending investigation after enrolment must inform the college immediately

Failure to do so could result in the withdrawal of the student from the course.

#### Confidentiality

The information collected during the Safeguarding Risk Assessment will be made available to staff on a need to know basis only. The following rules are crucial in the operation of the Safeguarding Risk Assessment for the disclosure of criminal history:

- We adhere to the legislative basis for sharing information in accordance with the Data Protection Act 2018 and the Human Rights 1998
- If disclosure of personal and sensitive information is required by law it should be only in the instance of public interest and public safety;

As set out in Section 2 of this Policy all information obtained through the Safeguarding Risk Assessment will be stored securely at all times in line with the Data Protection Act 2018. Generally, the following staff will require access to Safeguarding Risk Assessment in the execution of their duties:

- College Safeguarding Officers
- Student Services Manager

Following a Safeguarding Risk Assessment, relevant information concerning a student and the nature of any conviction will be made available by the College to specific staff and Work Placement Providers on a need to know basis.

**The following steps should be followed by the College when requesting and processing disclosure information:**

## **1 COMPLETE THE STUDENT DISCLOSURE FORM**

Students applying to the College are required to make a written declaration on the **Student Disclosure Form** (Appendix 2.3)

The student will bring completed documents to their appointment with the College Safeguarding Officer, Learner Services Department, Tower Building, Strand Road Campus

Students enrolling on a part time programme must make contact with the Safeguarding Officer before the commencement of a course.

## **2. Safeguarding Risk Assessment Process**

- Designated Safeguarding Officer meets with applicant to discuss information disclosed on Student Disclosure Form
- Access NI disclosure obtained if course includes placement in regulated activity
- Reference may be requested if applicable from Criminal Justice Agency, including PBNI, Youth Justice, Social Worker, PSNI or relevant organisation
- Assessment of risk carried out by safeguarding panel, considering nature of offence, time frames, reoffending and likelihood of reoffending
- Safeguarding Officer notifies the applicant of the outcome by letter

If the Safeguarding Risk Assessment is assessed as **low risk** a decision is agreed between the Student Services Manager and the Safeguarding Officer. The applicant is informed by the Safeguarding Officer of the decision of the Panel and issued a Letter in accordance of the **outcome** and the Admissions team are notified accordingly.

## **3. Safeguarding Risk Outcomes**

Following the Safeguarding Risk Assessment if the Criminal Record history is assessed as **medium or high risk** a Safeguarding Panel Meeting is convened. A decision is then agreed between the Head of Client Services, Student Services Manager and the Safeguarding Officer. The applicant is informed by the Safeguarding Officer of the decision of the Panel and issued a Letter in accordance of the **outcome** and the Admissions team are notified accordingly.

### **OUTCOMES OF SAFEGUARDING RISK ASSESSEMENT:**

#### **1 'ACCEPT & PROGRESS'**

#### **2 'ACCEPT WITH CONDITIONS'**

**The applicant can progress to their chosen course of choice on the condition that they agree to the requirements set out by the Safeguarding panel.**

### **3 'DEFERRED'**

**Applicant is advised they cannot proceed with current application however will be reconsidered at a future stage, period of time defined by panel.**

### **4 'DECLINED'**

**Application is 'DECLINED'. The College panel have reached this decision as they believe they cannot implement effective risk management procedures due to the level of risk presented which is deemed to be at least a '*medium*'.**

#### **Appeals**

Applicants who have been 'declined' a place at College as a result of a Safeguarding Risk Assessment may appeal against this decision in writing within fourteen days from the date on the letter to the Director with responsibility for curriculum. The Director will consider each individual case and confirm their decision to the applicant in writing.

It is important to note that during a course of study an individual's circumstances may change. The College reserves the right to conduct a Safeguarding Risk Assessment on any student at any time if it is found the student has previous or current convictions/cautions they have failed to disclose.



## North West Regional College Access NI Procedure

The College will request an Access NI Disclosure only where this is considered necessary to the particular placement. Where the placement involves regulated activity an Access NI Enhanced Disclosure is deemed necessary, all applicants will be made aware of the need for an Enhanced Disclosure at induction.

The guidelines on how the Criminal Record procedure operates for work placements are indicated below:-

- 1.1 Students on relevant courses (as determined by Head of Department), will be required to register and have their identification checked during the admissions/enrolment process
- 1.2 Following the request for a student to be checked, the person's details will then be submitted online to AccessNI by the nominated Officer or Deputy. If the person has had an address outside of the UK or the Republic of Ireland in the last 5 years, a Certificate of Good Conduct should be sought from the Country they resided in (including UK Citizens).
- 1.3 There are no formal arrangements for checking Police records in countries outside of the UK and the Republic of Ireland. However, citizens of some countries can obtain official statements giving details of convictions or confirming a clean record (Link to Access NI website) Overseas applicants/students should be asked either to provide such a document or to confirm that such a document is not available in their country. Where it is not available, meticulous care must be taken with other checks.
- 1.4 AccessNI will confirm via their online case tracking service if and when the checking process is complete.
- 1.5 If an applicant believes that the Disclosure Certificate is inaccurate, they must follow AccessNI's formal dispute process. An applicant can raise the dispute with AccessNI themselves or give permission for someone to do it on their behalf. If an applicant wishes to dispute the police information on their Enhanced Disclosure Certificate, they should ask the Independent Monitor (IM) to review the information where they believe it is inaccurate, or it is not relevant for the purpose for which the certificate was sought, or it ought not to have been included in the certificate. Detailed guidance on lodging disputes is provided at the following link: [www.nidirect.gov.uk/accessni-advice-complaints-and-disputes](http://www.nidirect.gov.uk/accessni-advice-complaints-and-disputes). Where an applicant is wishing to dispute incorrect personal information e.g. misspelt name, an email should be sent to [ani@accessni.gov.uk](mailto:ani@accessni.gov.uk). Raising a dispute with AccessNI will lead to delays in the student placement processes, therefore if a dispute is not resolved and the College advised of the outcome within 4 weeks of the date the EDC was issued by Access NI, the College may be required to terminate the continuation of a course of study where work placement with groups at risk of harm or in need of protection is essential for the completion of the course, taking into account the

nature of the offence(s) to which the disputed information relates.

- 1.6 Where the AccessNI tracking service indicates that the EDC has been processed and this is deemed to be satisfactory action will be taken by the College to notify the relevant individuals to proceed with placement.
- 1.7 Where the AccessNI tracking service indicates that the EDC is processed and it is deemed necessary to request to the applicant to provide a copy of their Certificate so that the criminal conviction and/or other information disclosed can be considered, the applicant will be required to provide this within 10 working days from date of request. If this information is not provided. Students will be advised that they will be unable to attend work placement.
- 1.8 For student placements, the Head of Department (depending on the nature of the criminal record) may invite the person to a meeting to consider the convictions and/or other information on the Enhanced Disclosure Certificate. This meeting will provide an opportunity to establish circumstances surrounding the information contained on the Enhanced Disclosure Certificate and where necessary elicit reasons from the person why they were not (fully) declared. The selection panel/Head of Department will then decide on the suitability of the person for student placement.

In general terms, where the College is concerned that the information on an Enhanced Disclosure Certificate indicates behaviour that may put children, young people or adults at risk of harm or in need of protection (if applicable) at risk, the person should not be permitted to proceed to student placement.

No one should commence placement in a regulated position before a satisfactory Enhanced Check has been carried out. The only exceptions to this would be if the individual has never lived in the UK or Republic of Ireland e.g. Language School placements. However, these individuals are required to provide a Certificate of Good Conduct from the country they reside in.

All information received as a result of a check with AccessNI must be held in the strictest confidence and in accordance with College Policy.

**HAVING A CRIMINAL RECORD WILL NOT NECESSARILY DEBAR STUDENTS GOING ON PLACEMENT. THIS WILL DEPEND ON THE NATURE OF THE PLACEMENT, TOGETHER WITH THE CIRCUMSTANCES AND BACKGROUND OF OFFENCES OR OTHER INFORMATION CONTAINED ON A DISCLOSURE CERTIFICATE.**

**North West Regional College  
Policy and Procedures**

**Criminal Record Policy & Procedure on the  
Recruitment of Ex-offenders**

## **North West Regional College The Criminal Record Policy**

### **POLICY STATEMENT**

The College is committed to ensuring individuals appointed to posts within the College are appointed on the basis of merit. We undertake to treat all applicants for positions fairly and not to discriminate unfairly or unlawfully against the subject of a Disclosure on the basis of a conviction or other information revealed.

In line with The Rehabilitation of Offenders (Exceptions) (Northern Ireland) Order 1979, as amended in 2014 some old and minor spent convictions will no longer have to be disclosed i.e. they will be considered as 'Protected' and cannot be taken into account in employment decisions.

Applicants are required to disclose certain information concerning their criminal convictions. They must disclose information about 'Spent' and 'Unspent' convictions that are not 'Protected' under the Rehabilitation of Offenders (Exceptions) (Northern Ireland) Order 1979, as amended in 2014. See Appendix 1 which details circumstances where offences are 'Protected'.

The College will consider all convictions and relevant information detailed on the Enhanced Disclosure Certificate.

This Policy is made available to all Disclosure applicants at the outset of the recruitment.

The College is committed to securing equality of opportunity for all employees and applicants to the College. We will ensure that they will be afforded equality of opportunity irrespective of Gender (including gender reassignment), Marital or Civil Partnership status, having or not having Dependants, Religious Belief or Political Opinion, Race (including colour, nationality, ethnic or national origins or being an Irish Traveller), Disability, Sexual Orientation or Age.

We ensure that all those in the College who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of Disclosure Information. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to employment of ex-offenders (e.g. the Rehabilitation of Offenders (Northern Ireland) Order 1978).

The College complies fully with the AccessNI Code of Practice issued by the Department of Justice, in connection with the use of information provided to registered persons, their nominees and other recipients of information by AccessNI under Part V of the Police Act 1997, for the purposes of assessing an applicant's suitability for employment purposes.

We undertake to make every subject of an Access NI Disclosure aware of the

existence of the Code of Practice, and to make a copy available on request.

Convictions will not necessarily debar an applicant from obtaining employment. On occasion it may be necessary to disclose information to a third party in connection with legal proceedings for example an Employment Tribunal.

The College is committed to promoting equality of opportunity and good relations in accordance with Section 75 of the Northern Ireland Act 1998. This policy should be interpreted in a manner consistent with the aforementioned legislation.

The College will provide this policy in alternative formats on request where reasonably practicable, eg, Braille, Large Print, Computer Disk, Audio Formats, etc, and/or alternative language.

## **North West Regional College**

### **Procedure on the Recruitment of Ex-offenders**

#### **CRIMINAL RECORD PROCEDURE**

The College will request an Access NI Disclosure only where this is considered necessary to the particular position. This will be based on a thorough risk assessment of that position and having considered the relevant legislation which determines whether or not an Enhanced Disclosure is available to the position. Where an Access NI Disclosure is deemed necessary, all applicants will be made aware at the initial recruitment stage that the position will be subject to a Disclosure and that the College will request the individual being offered the position to undergo an appropriate Access NI Disclosure check.

The guidelines on how the Criminal Record procedure operates for appointments are indicated below:-

1.1 Successful job applicants will be required to register with AccessNI online for an Enhanced Disclosure Certificate following their recommendation for appointment at interview stage. During the recruitment process the required identification checks will be made in accordance with AccessNI guidelines.

1.2. The recommended appointee's details will then be submitted online to AccessNI by the nominated Officer or Deputy. If the person has had an address outside of the UK or the Republic of Ireland in the last 5 years, a Certificate of Good Conduct should be sought from the Country they resided in (including UK Citizens). (For appointments this can be done concurrently with health assessment and should therefore only cause minimal delay, if any in the appointment procedure).

1.1 There are no formal arrangements for checking Police records in countries outside of the UK and the Republic of Ireland. However, citizens of some countries can obtain official statements giving details of convictions or confirming a clean record (see Appendix 2). Overseas applicants should be asked either to provide such a document or to confirm that such a document is not available in their country. Where it is not available, meticulous care must be taken with other checks (such as references for appointees).

1.2 AccessNI will confirm via their online case tracking service if and when a Certificate has been issued to the applicant.

1.3 If an applicant believes that the disclosure certificate is inaccurate, they must follow AccessNI's formal dispute process. An applicant can raise the dispute with AccessNI themselves or give permission for someone to do it on their behalf. If an applicant

wishes to dispute the police information on their Enhanced Disclosure Certificate, they should ask the Independent Monitor (IM) to review the information where they believe it is inaccurate, or it is not relevant for the purpose for which the certificate was sought, or it ought not to have been included in the certificate.

Detailed guidance on lodging disputes is provided at the following link:

[www.nidirect.gov.uk/accessni-advice-complaints-and-disputes](http://www.nidirect.gov.uk/accessni-advice-complaints-and-disputes). Where an applicant is wishing to dispute incorrect personal information e.g. misspelt name, an email should be sent to [ani@accessni.gov.uk](mailto:ani@accessni.gov.uk).

Raising a dispute with AccessNI will lead to delays in the College's recruitment and student placement processes, therefore if a dispute is not resolved and the College advised of the outcome within 4 weeks of the date the EDC was issued by Access NI, the College may be required to withdraw any offer of appointment.

1.4 Where the AccessNI tracking service indicates that the EDC has been processed and this is deemed to be satisfactory action will be taken by the College to notify the relevant individuals to proceed with the appointment (provided all other checks are cleared).

1.5 Where the AccessNI tracking service indicates that the EDC is processed and it is deemed necessary to request to the applicant to provide a copy of their Certificate so that the criminal conviction and/or other information disclosed can be considered, the applicant will be required to provide this within 10 working days from date of request. If this information is not provided, the College may withdraw any offer of appointment or its immediate cancellation if an appointment has been accepted (exceptional circumstances resulting in delays will be considered).

1.6 When the College receives a copy of the EDC from a job applicant (depending on the nature of the criminal record), the selection panel may invite the person to a meeting to consider the convictions and/or other information on the Enhanced Disclosure Certificate. Non-declaration of this information on the job application will also be considered.

This meeting will provide an opportunity to establish circumstances surrounding the information contained on the Enhanced Disclosure Certificate and where necessary elicit reasons from the person why they were not (fully) declared. The selection panel will then decide on the suitability of the person for employment, taking into account the factors set out in Appendix 3.1 attached.

1.7 Where there is any doubt about how to interpret the information given in an Enhanced Disclosure Certificate, or whether to proceed with an appointment, advice should be sought.

1.10 In general terms, where the College is concerned that the information on an Enhanced Disclosure Certificate indicates behaviour that may put children, young people or adults at risk of harm or in need of protection (if applicable) at risk, the person should not be offered employment.

1.11 No one should commence duty in a regulated position before a satisfactory Enhanced Check has been carried out. The only exceptions to this would be:

- if the individual has never lived in the UK or Republic of Ireland e.g. Language

School placements. However these individuals are required to provide a Certificate of Good Conduct from the country they reside in;

- where the College has put in place interim Safeguards (i.e. supervision to the legislative standard which would then exclude, for example, a Lecturer from regulated activity), then the individual can be appointed subject to the satisfactory outcome of an Enhanced Criminal Record Check. However a Risk Assessment will be required prior to commencement of work. This Risk Assessment will include approval from the HR Manager.
- in the case of a lecturing position, if the Head of Department confirms that the class does not include any children or young people, then the individual can be appointed subject to the satisfactory outcome of an Enhanced Criminal Record Check. However a Risk Assessment will be required prior to commencement of work. Approval for this will be required from the Safeguarding panel.

1.12 The College may appoint to a post which is not in regulated activity prior to receiving an Enhanced Disclosure Certificate, however a Risk Assessment will be carried out prior to commencement of work. This Risk Assessment will include approval from the Safeguarding panel.

1.13 All information received as a result of a check with AccessNI must be held in the strictest confidence and in accordance with College Policy.

**HAVING A CRIMINAL RECORD WILL NOT NECESSARILY DEBAR INDIVIDUALS FROM WORKING WITH THE COLLEGE. THIS WILL DEPEND ON THE NATURE OF THE POSITION, TOGETHER WITH THE CIRCUMSTANCES AND BACKGROUND OF OFFENCES OR OTHER INFORMATION CONTAINED ON A DISCLOSURE CERTIFICATE.**



## APPENDIX 1 DEPARTMENT OF EDUCATION CIRCULARS

**Note that DE Circulars apply directly to schools, but provide advice on good practice relevant to all organisations.**

1. FE Circular 11/13 Disclosure and Barring Arrangements: Vetting Requirements for (i) The Recruitment of Staff to Further Education Colleges (ii) Existing Staff and (iii) Students  
<https://www.economy-ni.gov.uk/sites/default/files/publications/del/FE11-13%20Disclosure%20and%20Barring%20Arrangements-Vetting%20requirements%20for%20the%20recruitment%20of%20staff%20to%20FE%20Colleges.pdf>
2. Circular 2007/01 Acceptable Use of the Internet and Digital Technologies in Schools  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/2007.01%20-%20Amended%282%29.pdf>
3. Circular 2019/14 Attendance Guidance and Absence Recording By Schools (2019/14 supersedes 2018/12)  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/DE%20Circular%202019%2014%20-%20Attendance%20Guidance%20and%20Absence%20Recording%20-%20updated%20-%20Feb%202020.pdf>
4. Circular 2006/09 Child Protection: Criminal Background Checking of Staff in Schools – Programme to Extend Coverage  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/Criminal-background-checking-of-staff-in-schools-programme-to-extend-coverage.pdf>
5. Circular 2006/09 Child Protection: Criminal Background Checking of Staff in Schools – Appendix A  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/circular-2006-09-appendix-a.pdf>
6. Circular 2006/07 Child Protection: Employment of Substitute Teachers  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/circular-2006-07.pdf>
7. Circular 2008/03 Child Protection: Pre-employment Checking of Persons To Work in Schools – New Arrangements  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/Circular-2008-03-pre-employment-checks-new-arrangements.pdf>
8. Circular 2020/07 Child Protection: Record Keeping in Schools (2020/07 supersedes 2016/03)  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/Circular%20202007%20Child%20Protection%20Record%20Keeping%20in%20Schools.PDF>
9. Circular 2006/06 Child Protection: Recruitment of People to Work With Children and Young People in Educational Settings  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/Circular-2006-06.pdf>
10. Circular 2006/06 Child Protection: Recruitment of People to Work With Children and Young People in Educational Settings – Appendix A

<https://www.education-ni.gov.uk/sites/default/files/publications/de/circular-2006-06-appendix-a-checks-on-applicants-from-abroad.pdf>

11. Circular 2006/06 Child Protection: Recruitment of People to Work With Children and Young People in Educational Settings – Form DOR O2  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/circular-2006-06-form-dor-02.pdf>
12. Circular 2006/08 Child Protection: Training Requirement for School Governors on Staff Recruitment and Selection Panels  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/circular-2006-08-child-protection-staff-recruitment.pdf>
13. Circular 2006/25 Child Protection: Vetting of School Governors  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/vetting-of-school-governors.pdf>
14. Circular 2022/02 Children Who Display Harmful Sexualised Behaviour  
<https://www.education-ni.gov.uk/publications/circular-202202-children-who-display-harmful-sexual-behaviour>
15. Circular 2016/11 Class Sizes In Post-Primary Schools – Practical Subjects (as well as other subjects that include a practical activity)  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/Class%20Sizes%20in%20Post-Primary%20Schools%20-%20Practical%20Subjects%20-%20Circular%202016....pdf>
16. Circular 2015/13 Dealing With Allegations of Abuse Against A Member of Staff  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/2015-13-dealing-with-allegations-of-abuse-against-a-member-of-staff.pdf>
17. Circular 2012/19 Disclosure and Barring Arrangements: Changes To Pre-employment Vetting Checks For Volunteers Working In Schools From 10/09/12 – Guidance For Schools and Employing Authorities On Changes To Pre-employment Checking and Safer Recruitment Practices  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/Disclosure-and-barring-arrangements-guidance-for-schools-and-employing-authorities-volunteers.pdf>
18. Circular 2013/01 Disclosure and Barring Arrangements: Vetting Requirements for Paid Staff Working In Or Providing A Service For Schools – Guidance For Schools and Employing Authorities On Pre-employment Vetting Checking and Safer Recruitment Practices  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/circular-2013-01-updated-september-2015.pdf>
19. Circular 2015/23 Drugs Guidance  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/circular-2015-23.pdf>
20. Circular 2014/24 Education Otherwise Than At School (EOTAS) Guidance  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/2014-24-eotas-guidance.pdf>
21. Circular 2016/26 Effective Educational Uses of Mobile Digital Devices  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/DE%20circular%202016.26%20Effective%20Educ>

[ational%20Uses%20of%20Mobile%20Digital%20Devices.pdf](#)

22. Circular 2008/10 Employment of Substitute Teachers – NI Substitute Teachers Register (NISTR)  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/circular-number-2008-10-employment-of-substitute-teachers.pdf>
23. Circular 2010/18 Every School A Good School – The Governors’ role  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/circular-2010-18-governors-guide.pdf>
24. Circular 2013/25 e-Safety Guidance  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/2013%2025%20-%20Amended.pdf>
25. Circular 2010/01 Guidance on Relationships and Sexuality Education  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/2010%2001%20-%20Amended.pdf>
26. Circular 2020/05 Guidance for Schools on Supporting Remote Learning to Provide Educational Continuity  
[Circular 2020/05 Guidance for schools on supporting remote learning to provide educational continuity](#)
27. Circular 2011/22 Internet Safety  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/2011%2022%20-%20Amended.pdf>
28. Circular 2014/27 Managing Information On Persons Who Pose A Risk To Pupils  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/Circular%202014-27%20Managing%20information%20on%20persons%20who%20pose%20a%20risk%20to%20pupils%20-%20November%202014.pdf>
29. Circular 2016/27 Online Safety  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/DE%20Circular%202016.27%20Online%20Safety.pdf>
30. Circular 2014/14 Pupil Participation  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/2014-14-pupil-participation.pdf>
31. Circular 2015/22 Relationship and Sexuality Education (RSE) Guidance  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/2015%2022%20-%20Amended.pdf>
32. Circular 2013/16 Relationships and Sexuality Education Policy In Schools  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/2013%2016%20-%20Amended.pdf>
33. Safeguarding and Child Protection – A Guide for Schools – Update September 2024  
<https://www.education-ni.gov.uk/sites/default/files/publications/education/Safeguarding%20%26%20Child%20Protection%20in%20Schools%20%28September%202024%29.pdf>
34. Circular 2018/07 Self-Assessment Audit Tools for Schools

[https://www.education-ni.gov.uk/sites/default/files/publications/education/DE%20Circular%20201807%20Self-Assessment%20Audit%20Tool%20for%20Schools\\_1.PDF](https://www.education-ni.gov.uk/sites/default/files/publications/education/DE%20Circular%20201807%20Self-Assessment%20Audit%20Tool%20for%20Schools_1.PDF)

35. Circular 2010/22 - School development planning - Regulations and guidance

<https://www.education-ni.gov.uk/sites/default/files/publications/de/sdp-circular-2010-22-sdp-regulations-and-guidance-english-version%20%281%29.pdf>

36. DE Guidance - School Development Planning 2020/21 – COVID 19

<https://www.education-ni.gov.uk/sites/default/files/publications/education/Guidance%20on%20School%20Development%20Planning%20for%202021.pdf>

37. Circular 2020/08 Amended draft Attendance Guidance and Absence Recording by schools

<https://www.education-ni.gov.uk/sites/default/files/publications/education/ED1%2020%20331281%20%20AMENDED%20Draft%20Circular%20-%20Attendance%20Guidance%20and%20absence%20recording%20from%20January%202021%2082%29.pdf>

38. Circular 2021/12 Addressing Bullying In Schools Act (NI) 2016 - Statutory Guidance for Schools and Boards of Governors

<https://www.education-ni.gov.uk/sites/default/files/publications/education/Addressing%20Bullying%20in%20Schools%20Act%20%28NI%29%202016.pdf>

39. Circular 2021/13 Interim Guidance on the use of Restraint and Seclusion in Educational Settings

<https://www.education-ni.gov.uk/sites/default/files/publications/education/DE%20Circular%2013%20of%202021%20-%20Restraint%20and%20Seclusion.pdf>

40. DE Circular 2021/04 - Suspensions and Expulsions Arrangements for pupils in grant-aided schools in Northern Ireland

<https://www.education-ni.gov.uk/publications/de-circular-202104-suspensions-and-expulsions-arrangements-pupils-grant-aided-schools-northern>

41. Circular 2003/13 Welfare and Protection of Pupils Education and Libraries NI Order 2003

<https://www.eani.org.uk/publications/safeguarding-and-child-protection/circular-200313-guidance-for-schools-on-the-welfare>

42. Circular 2023/02 – Parental Responsibility: Updated Guidance for Schools

<https://www.education-ni.gov.uk/publications/de-circular-202302-parental-responsibility-updated-guidance-for-schools> | Department of Education (education-ni.gov.uk)

43. Child Protection Policy & Adults at Risk of Harm Policy Guidance (EA)

<https://eanifunding.org.uk/child-protection-policy-guidance/>

44. DE Circular 2023/07 - Engagement of Unqualified Teachers in Grant-aided Schools

<https://www.education-ni.gov.uk/publications/de-circular-202307-engagement-unqualified-teachers-grant-aided-schools>

45. DE Circular 2023/06 - Reconstitution of School Boards of Governors for Controlled and Maintained Schools - Term of Office

<https://www.education-ni.gov.uk/publications/de-circular-202306-reconstitution-school-boards->

[governors-controlled-and-maintained-schools-term](#)

46. Circular 2023/03 - Revised Personal Education Plan Guidance for Children Looked After (primary schools)

<https://www.education-ni.gov.uk/publications/circular-202303-revised-personal-education-plan-guidance-children-looked-after>

47. Circular 2024/15 - Concussion

<https://www.education-ni.gov.uk/publications/circular-202415-concussion>

48. Circular 2015/19 - Notification of pupil suspension to the Education Authority

<https://www.education-ni.gov.uk/publications/circular-201519-notification-pupil-suspension-education-authority>

49. Circular 2024/13 - Attendance Guidance & Absence Recording By Schools

<https://www.education-ni.gov.uk/publications/circular-202413-attendance-guidance-absence-recording-by-schools>

50. Circular 2024/01 - Guidance on Amendments to the Relationship and Sexuality Education

<https://www.education-ni.gov.uk/publications/circular-202401-guidance-amendments-relationship-and-sexuality-education>

51. DE Circular 2024/10 Pre-Employment/Access NI Check Requirements and Safer Recruitment Practices for Staff and Volunteers Working in or Providing a Service for Schools/Educational Settings

[https://www.education-ni.gov.uk/sites/default/files/publications/education/Circular%202024%2010%20-%20Pre-Employment%20%20AccessNI%20Check%20Requirements%20and%20Safer%20Recruitment%20Practices%20for%20Staff%20and%20Volunteers%20Working%20in%20or%20Providing%20a%20Service%20for%20SchoolsEducation%20Setting\\_1.pdf](https://www.education-ni.gov.uk/sites/default/files/publications/education/Circular%202024%2010%20-%20Pre-Employment%20%20AccessNI%20Check%20Requirements%20and%20Safer%20Recruitment%20Practices%20for%20Staff%20and%20Volunteers%20Working%20in%20or%20Providing%20a%20Service%20for%20SchoolsEducation%20Setting_1.pdf)

52. DE Circular 2024/14 Guidance for Schools on Pupil's Personal use of Mobile Phones and other Similar Devices

<https://www.education-ni.gov.uk/sites/default/files/publications/education/Circular%202024-14%20-%20Use%20of%20Personal%20Mobile%20Phones.pdf>

## APPENDIX 1.2 MEMBERSHIP OF THE FE COLLEGES SAFEGUARDING WORKING GROUP

College / Organisation	Name of Nominee	Change s to nomine e	Changes to nominee	Changes to nominee
BMC	Gertie Burke (Sept 2019)	Dee McDowell (Feb-2020)	Nuala-Boyle (Nov-2020)	Dee McDowell (Nov 2024)
NRC	<del>Laura Monteith</del>	Stephen McCartney (June 2022)		
NWRC	Gillian Moss			
SERC	Paul Walsh			
SRC	Lorraine McKeown			
SWC	Sharon Pritchard	Deborah Brown (temp for SP- Nov 2019)	Sharon Pritchard (Jan 2020)	
DfE rep	<del>Susanne Workman</del>	Carolyn Davison (Dec 2024)		
DfE rep (Policy Lead)	Shauna Mullan	David Broadhurst (Nov 2019)	Chris Toal (Jan 2022)	
Dfe Policy Team rep	Mark McGrath			

## APPENDIX 1.3

### REFERENCES & RESOURCES

*While issued mainly for schools note that the Department of Education (DE) and Education Authority (EA) publications and circulars referenced below contain guidance which is regarded as good practice for other organisations, where appropriate. Please refer to these and apply only as appropriate to the context of an FE College.*

*The Department of Education's publications and guidance on child protection issues for schools are available at: <https://www.education-ni.gov.uk/articles/publications-and-guidance-child-protection-issues-schools>*

*Further detailed information is available at: <http://www.eani.org.uk/schools/safeguarding-and-child-protection/>*

1. Health and Social Care Adult Safeguarding Operational Procedures  
[https://online.hscni.net/wpfd\\_file/adult-safeguarding-operational-procedures/](https://online.hscni.net/wpfd_file/adult-safeguarding-operational-procedures/)
2. Adult Safeguarding: Prevention and Protection in Partnership  
<https://www.health-ni.gov.uk/articles/adult-safeguarding-prevention-and-protection-partnership>
3. Adversity and Trauma-Informed Practice –Young Minds 2019  
<https://youngminds.org.uk/media/3091/adversity-and-trauma-informed-practice-guide-for-professionals.pdf>
4. Adverse Childhood Experiences. Ensuring a better deal for children in Wales. Professor Mark A. Bellis  
[https://healthandcareresearchwales.org/sites/default/files/2021-05/Prof\\_Mark\\_Bellis\\_ACEs\\_Adverse\\_Childhood\\_Experiences%E2%80%93Ensuring\\_better\\_deal\\_for\\_children\\_in\\_Wales.pdf](https://healthandcareresearchwales.org/sites/default/files/2021-05/Prof_Mark_Bellis_ACEs_Adverse_Childhood_Experiences%E2%80%93Ensuring_better_deal_for_children_in_Wales.pdf)
5. Adverse Childhood Experiences Factsheet  
[Adverse Childhood Experiences Factsheet - Volunteer Now](#)
6. Apprentice NI Guidelines  
[Apprenticeship guidelines and operational requirements | Department for the Economy \(economy-ni.gov.uk\)](#)
7. Attendance  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/A%20Strategy%20for%20Improving%20Pupil%20Attendance.pdf>  
<https://www.etini.gov.uk/news/attendance-schools-eti-good-practice-report-and-case-studies>
8. Code of Good Governance  
<https://www.volunteernow.co.uk/publications/code-of-good-governance-healthcheck/>
9. Co-operating to Safeguard Children & Young People in NI (2017) DoH



<https://www.health-ni.gov.uk/publications/co-operating-safeguard-children-and-young-people-northern-ireland>

10. Department of Health, Social Services and Public Safety (DHSSPS) Adult Safeguarding (2015) Prevention and Protection in Partnership <https://www.health-ni.gov.uk/sites/default/files/publications/dhssps/adult-safeguarding-policy.pdf>
11. First-aid and administration of medicines  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/supporting-pupils-with-medical-needs.pdf>
12. Health and Safety  
<https://www.hseni.gov.uk/articles/education>
13. Managing Critical Incidents Guidance  
<https://www.education-ni.gov.uk/sites/default/files/publications/de/guide-to-managing-critical-incidents-in-schools.pdf>
14. Mental Capacity Factsheet  
<https://www.volunteernow.co.uk/?s=mental+capacity+factsheet>
15. National Society for the Prevention of Cruelty to Children (NSPCC) (2017) Child Abuse and Neglect  
<https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/>
16. Publications and guidance on child protection issues for schools  
<https://www.education-ni.gov.uk/articles/publications-and-guidance-child-protection-issues-schools>
17. Safeguarding Children and Adults at Risk, Policy Standards  
<https://www.volunteernow.co.uk/publications/safeguarding-children-adults-at-risk-policy-standards/>
18. Safeguarding and Child Protection - Information and resources for school Governors, Principals, Designated Teachers/Deputy Designated Teachers and for all EA staff  
<https://www.eani.org.uk/school-management/safeguarding-and-child-protection>
19. Safeguarding Board for Northern Ireland (SBNI) Procedures Manual (May 2018)  
<https://www.proceduresonline.com/sbni/>
20. Safeguarding Board NI Strategic Plan 2018-2022  
[Strategic Plan 2018 - 22 \(safeguardingni.org\)](https://www.safeguardingni.org/)
21. The United Nations Convention on the Rights of the Child  
<https://www.unicef.org.uk/what-we-do/un-convention-child-rights/>
22. Skills for Life and Work  
[Skills for Life and Work | nidirect](https://www.skillsforlifeandwork.org/)



23. Sharing nudes and semi-nudes: advice for education settings working with children and young people  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/759007/6\\_2939\\_SP\\_NCA\\_Sexting\\_In\\_Schools\\_FINAL\\_Update\\_Jan17.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/759007/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf)
24. FE Sector Data Retention and Disposal Schedule (Dec 2020 version)  
[https://www.src.ac.uk/assets/general/files/Policies/FE\\_Sector\\_Retention\\_and\\_Disposal\\_Schedule\\_-\\_December\\_2020-1.pdf](https://www.src.ac.uk/assets/general/files/Policies/FE_Sector_Retention_and_Disposal_Schedule_-_December_2020-1.pdf)

## APPENDIX 1.4

### Designated Safeguarding Staff (DSS)

NWRC have Designated Safeguarding Staff with responsibilities for all our College sites. They should be contacted for information, advice and reporting of concerns, disclosures or allegations of abuse.

#### THE INDIVIDUALS WITH RESPONSIBILITY FOR SAFEGUARDING, CARE AND WELFARE AT NWRC ARE:

Role	Name of Individual	Campus if applicable	Contact Details
Governing Body Safeguarding Lead	Peter Thompson	All campuses	<a href="mailto:peter.thompson@nwrc.ac.uk">peter.thompson@nwrc.ac.uk</a>
Strategic Safeguarding Lead	Gillian Moss	All Campuses	02871276520 <a href="mailto:Gillian.moss@nwrc.ac.uk">Gillian.moss@nwrc.ac.uk</a>
Designated Safeguarding Officer	Shannon Doherty	All campuses	02871278709 <a href="mailto:Shannon.doherty@nwrc.ac.uk">Shannon.doherty@nwrc.ac.uk</a>
Deputy Designated Safeguarding Officer	Joseph McCarthy	All campuses	02871276096 <a href="mailto:Joseph.mccarthy@nwrc.ac.uk">Joseph.mccarthy@nwrc.ac.uk</a>
Deputy Safeguarding Officer	Majella Doherty	All Campuses	02871278836 <a href="mailto:Majella.doherty@nwrc.ac.uk">Majella.doherty@nwrc.ac.uk</a>
Deputy Safeguarding Officer	Fiona McCallion	All Campuses	02871278745 <a href="mailto:Fiona.mccallion@nwrc.ac.uk">Fiona.mccallion@nwrc.ac.uk</a>
Deputy Safeguarding Officer	Lorna Quinn	All Campuses	02871278714 Lorna.quinn@nwrc.ac.uk

In addition to the above, staff within Student Services who have been trained may act in the absence of the Designated Safeguarding Officer and Student Services Manager /Adult Safeguarding Champion.

#### Local help available

The local health trusts in Northern Ireland can also help through their gateway teams:

- Belfast HSC Trust - 028 9050 7000
- Northern HSC Trust - 0300 1234 333
- South Eastern HSC Trust - 0300 1000 300
- Southern HSC Trust - 0800 7837 745
- Western HSC Trust - 028 7131 4090

If a young person is in immediate danger, contact the PSNI on 999.

## APPENDIX 1.5

### STUDENT SAFEGUARDING PROCEDURES REPORT RECORD

#### Restricted Information

**PLEASE ENSURE ALL SECTIONS ARE FULLY COMPLETED BEFORE  
REFERRAL TO SAFEGUARDING OFFICER**

**COMPLETED FORMS ARE FORWARDED ELECTRONICALLY TO THE  
SAFEGUARDING OFFICER AT SAFEGUARDING@NWRC.AC.UK**

**FOR GUIDANCE AND SUPPORT WITH COMPLETION OF THIS REPORT  
RECORD PLEASE CONTACT THE SAFEGUARDING OFFICER DIRECT ON  
02871 278709**

Section 1 To be Complete by NWRC Staff
<b>Student's Name &amp; Student ID:</b>
<b>Student Course &amp; Campus:</b>
<b>Name of NWRC Staff Reporting Concern:</b>
<b>Date of and time Reported Concern:</b>
<b>Your Observations of the Student and the Current Situation:</b> <i>Provide details of the incident or concerns you have including, description of any injuries, witness details, what you have observed, heard or have been told. If the information is first hand, fact or opinion, any other relevant details / information, etc. Ensure you act in a timely manner when reporting concerns</i>

Please Record **Exactly** what the Student reported to you and your response:  
**(Remember; Do Not lead the Student - record actual details communicated verbally by the Student)** Continue on a separate sheet if necessary.

**Section 2 To be Complete by NWRC Safeguarding Officer**

*Agreed Action Taken: Record all discussions, communications, referrals & decisions made. Include details of conversations with parents / other agencies & rationale behind key decision making.*

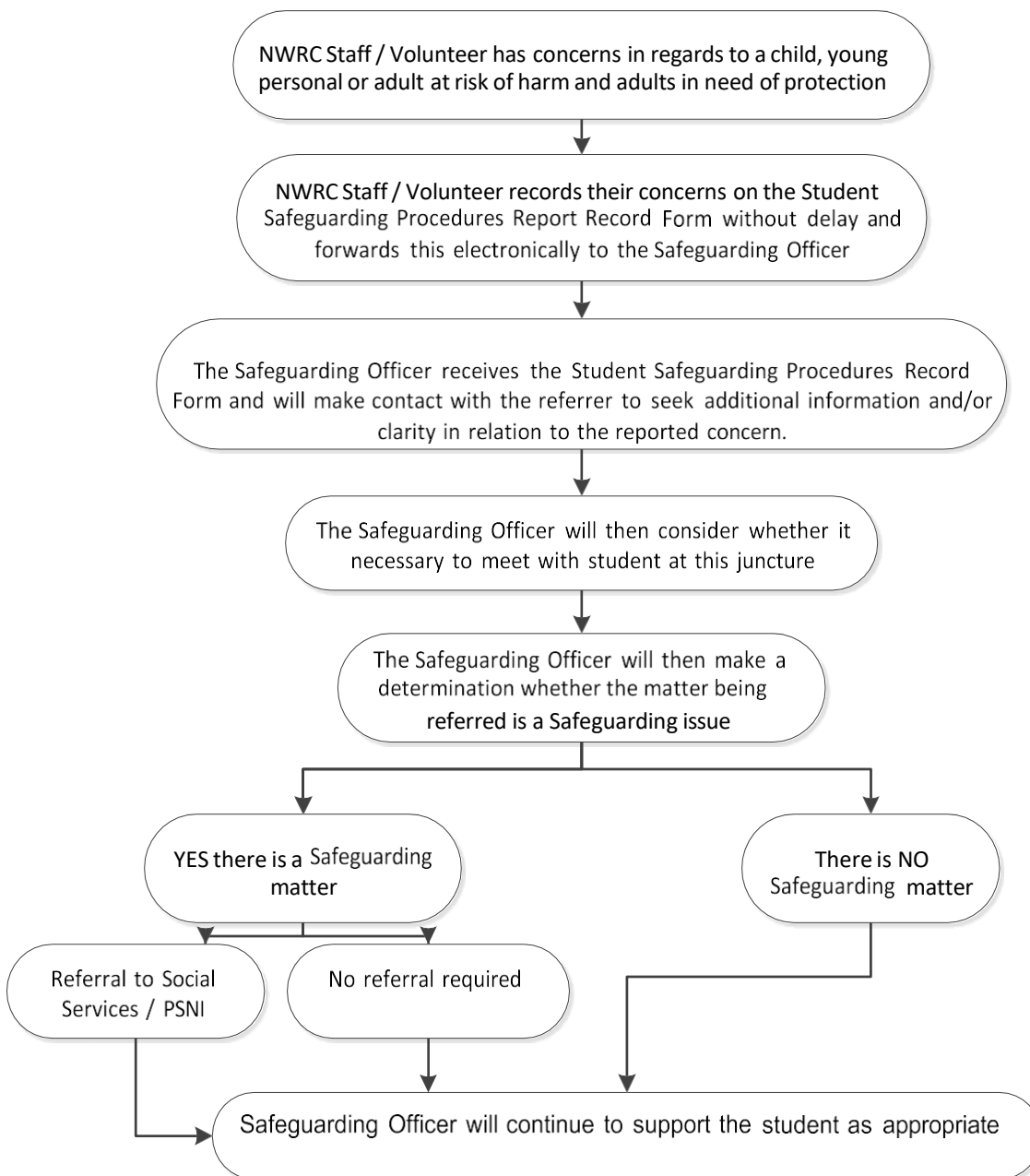
**Please remember to maintain confidentiality to protect the Student. Only discuss this with those that need to know.**

DATE REFERRAL RECEIVED	
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## APPENDIX 1.6

### Safeguarding Procedure for Reporting Concerns

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 North West Regional College is as follows. Please note that in instances where the reporting procedure cannot be followed and where there is a significant and immediate risk of harm, it is imperative to call emergency services without delay. The safety and well-being of our staff and students is our top priority.



## APPENDIX 1.7

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

- Addressing Bullying in Schools Act (Northern Ireland) 2016
- 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
- Criminal Justice and Courts Act 2015 section 33
- Criminal Law Act (NI) 1967
- Education (NI) Order 1998
- Female Genital Mutilation Act 2003
- Forced Marriage (Civil Protection) Act 2007
- Health & Personal Social Services (NI) Order
- Health & Personal Social Services Act (NI) 2001
- Health & Social Care (Reform) Act (NI) 2009
- Human Rights Act 1998
- Prohibition from Teaching and Working with Children Regulations (NI) 2006
- Protection of Children (NI) Order 1978
- Protection of Children (Northern Ireland) Order 1978 article 3
- Safeguarding Board Act (NI) 2011
- Sexual Offences Act 2003
- 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 (1998)
- The Disability Discrimination Act 1995
- The Education and Libraries (NI) Order 2003; Articles 17 and 18
- The Family Homes & Domestic Violence (NI) Order 1998
- Mental Capacity Act (Northern Ireland) 2016
- 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) Ord

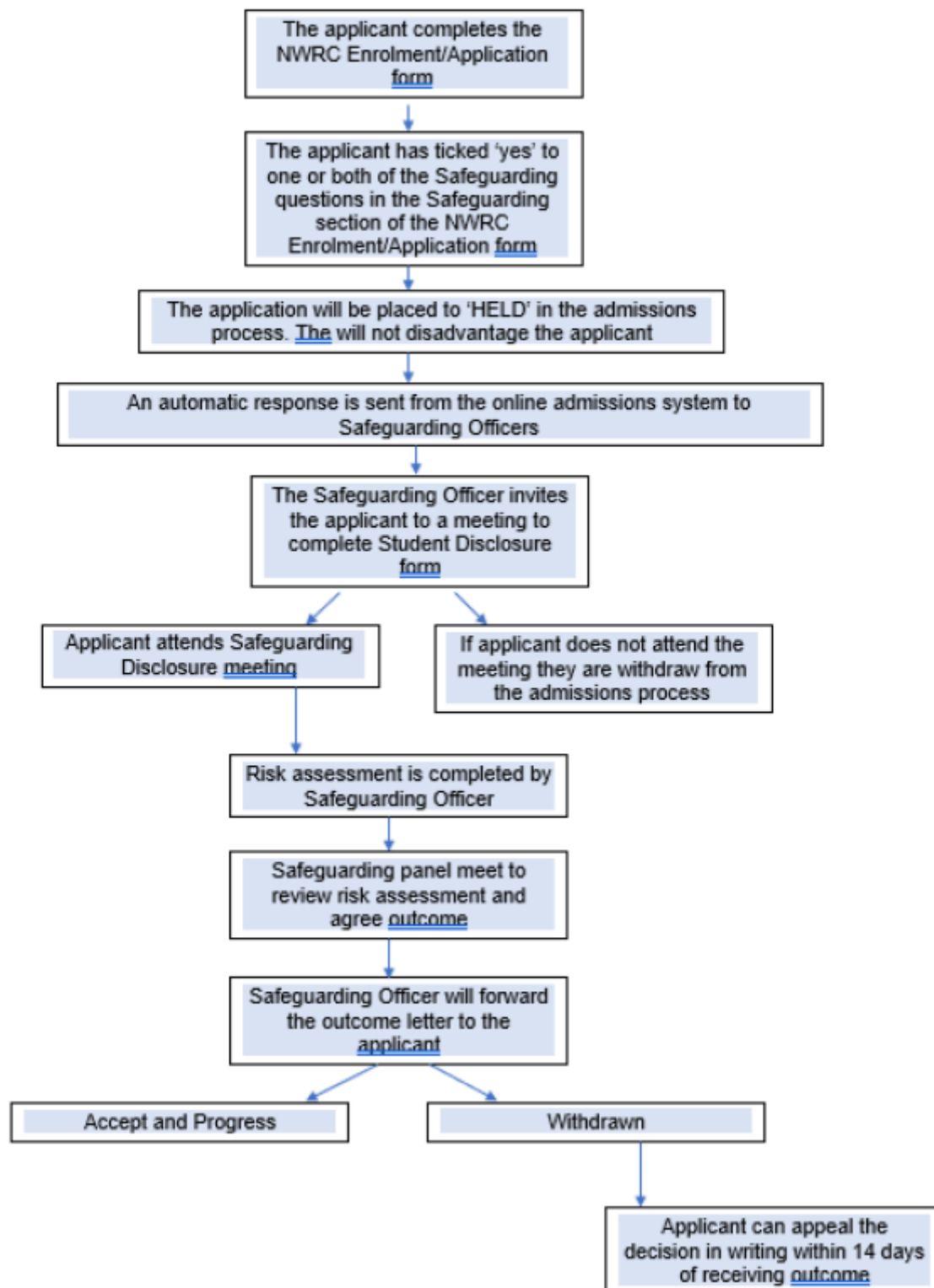
## APPENDIX 1.9

### **Complaints and Compliments Policy**

[College Policies | North West Regional College \(nwrc.ac.uk\)](http://nwrc.ac.uk)

## APPENDIX 2

### Disclosure process





## APPENDIX 2.1

### The Rehabilitation of Offenders (Northern Ireland) Order 1978

Under the Rehabilitation of Offenders (NI) Order 1978 it is not always necessary to declare criminal convictions depending on the offence. Under certain circumstances once a period of time has lapsed from the date of conviction and there have been no further convictions the conviction becomes spent. This means that the individual if asked if they have a criminal record can legally answer 'no'. The Order **only** covers Custodial sentences of up to two and a half years. Offences dealt with by sentences of 30 Months Imprisonment or more are never spent; in practice this means that the more serious offences must always be declared. Otherwise the definition of spent is complex, being affected by such factors as the type of the offence, the age at which the person was found guilty and the sentence received.

The following table shows the nature of the conviction and the spent period attached to it.

Sentence	Aged 18 or over at conviction	Under 18 years at conviction
Absolute Discharge	6 months	
Probation Order, Bind Over, Conditional Discharge, Care/Supervision Order	Date Order ceases OR 1 year – whichever longer	
Attendance Centre Order Juvenile Justice Centre Order Youth Conference Order, Reparation Order, Community Responsibility Order	1 year after Order expires	
Hospital Order	5 years or 2 years after Order expires – whichever longer	
Fine or Community Service Order Combination Orders	5 years	2 ½ years
Prison – (immediate or suspended) OR Young Offenders Centre – sentence of 6 months or less	7 years	3 ½ years
Prison – (immediate or suspended) OR Young Offenders Centre over 6 months up to and including 2 ½ years	10 years	5 years
A period of detention of less than 6 months under Article 45 of the CJ (Children) (NI) Order 1998	N/A	3 years
A period of detention over 6 months but less than 30 months under Article 45 of the CJ (Children) (NI) Order 1998	N/A	5 years
<b>NB: CUSTODIAL SENTENCE OF MORE THAN TWO &amp; A HALF YEARS CAN NEVER BECOME SPENT</b>		

- Consecutive prison sentences count as a single term when calculating the rehabilitation period.
- If more than one sentence was imposed for an offence, the longer rehabilitation period applies.
- If a person receives new conviction during rehabilitation period:

1. For a summary offence (i.e. can only be tried at Magistrates Court) both rehabilitation periods expire separately;
  2. For a more serious offence (i.e. which could be tried at the Crown Court) neither conviction will become spent until longest period expires.
- Cautions, reprimands and final warnings are not considered to be convictions and become spent immediately unless relevant to “excepted” posts.

A spent conviction will remain on your Criminal Record. It is an offence for anyone to give information about spent convictions from official records except in the course of official duties.

## APPENDIX 2.3

### NORTH WEST REGIONAL COLLEGE STUDENT DISCLOSURE FORM

Applicant Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Course Applied For: \_\_\_\_\_

#### IMPORTANT INFORMATION – CRIMINAL HISTORY CHECK

The Rehabilitation of Offenders (Northern Ireland) Order 1978 primarily exists to support the rehabilitation into employment of reformed offenders. In recognising this and the importance of education and training to secure employment in your future the North West Regional College is required to meet their responsibilities under this legislation in line with the General Data Protection Regulations 2018 and the Human Rights Act 1998.

The North West Regional College currently implements a number of arrangements to provide a safe environment for children and adults that are assessed as *adults at risk* or *adults in need of protection*. Among other things, these arrangements include conducting pre-enrolment checks.

As per the College's pre-enrolment process, we are required to gather and examine all information that concerns Safeguarding in regards to all prospective students. Given you have answered '**Yes**' to one and or both of the Safeguarding Questions on your Application/Enrolment Form the College requires additional information in order to help us progress your application.

Any disclosure will be seen in the context of the course of study / occupational area you wish to follow, the nature of the offence.

Below you are asked to disclose any criminal convictions '**except those which are considered "SPENT" under the Rehabilitation of Offenders (NI) Order 1978**'.

I would like to confirm that all information obtained through this process shall be compliant with the North West Regional's obligations under the Data Protection Act 2018 and it shall not be used for any other purpose other than that which has been discussed with you. Furthermore your information shall not be discussed with anyone else without your consent, and you will be informed in due course who needs to know about your conviction(s) if this is required by law.

**Please complete this *Student Disclosure Form - A* as accurately as possible and bring this with you to your appointment with the Safeguarding Officer in the Learner Services Department.**

**FAILURE TO COMPLETE THIS STUDENT DISCLOSURE FORM WILL MEAN YOU CANNOT COMMENCE YOUR COURSE**

**NORTH WEST REGIONAL COLLEGE  
STUDENT DISCLOSURE FORM**

**Do you have any UNSPENT convictions?**

**YES/NO**

**If you have answered YES to the above question please provide details below:**

**If you have answered NO to the question above then please state 'NONE' in the box below.**

**1. DETAILS OF CONVICTION (S)**

*If you do not have the actual date of offence commission, please be as accurate as possible*

**2. OFFENCE(S)**

*For example, Shop Lifting, Driving with no Insurance, Common Assault*

**3. SENTENCE IMPOSED**

*What was the outcome of your conviction(s), for example a Fine, Absolute Discharge, Caution, Probation Order, Prison Sentence*

**Please provide details here: -**

**Please provide any other information that you feel may be of relevance such as:**

- **The circumstances of the offence**
- **A comment on the sentence you received**
- **Any relevant developments in your situation from the imposition of your sentence**
- **Whether or not you feel that the conviction has relevance to your chosen course of study / occupational area you wish to follow**

**Declaration**

**I declare that any answers are complete and correct to the best of my knowledge and I agree for this information to be shared where necessary for the purposes only of my education / training opportunities.**

**SIGNED:**

---

**DATE:**

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PRIVATE & CONFIDENTIAL  
STUDENT SERVICES

Criminal Record Check



north west  
regional college  
Derry-Londonderry • Limavady • Strabane

**Dear Applicant**

**IMPORTANT INFORMATION – CRIMINAL RECORD CHECK**

A requirement of your course is to undertake a work placement that involves working with children and/or adults at risk of harm or adults in need of protection. Therefore, a criminal record check is required and will include a check against the barred lists of people who cannot work with children and/or adults at risk of harm or adults in need of protection. To allow for this you will need to follow the three-step process outlined in this letter.

If your circumstances change during the duration of the course you must inform Student Services of these changes as soon as possible i.e. if you commit an offence of a violent or sexual nature or an offence relating to the distribution and/or sale of illegal drugs.

When your check is processed and you receive your Enhanced Disclosure Certificate from AccessNI if there are any convictions or police information detailed on the Certificate you are required to bring the Certificate to Student Services in the College. A meeting may then take place to determine if you are suitable to work with children and/or vulnerable adults. Only those deemed suitable by the College to progress will be permitted to continue with their studies.

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**INSTRUCTIONS ON HOW TO APPLY:**

As specified above as part of your criminal record check you are required to register with AccessNI and complete an application for an Enhanced Disclosure Certificate. You will need to provide at least three pieces of identification in order to process your application with at least one showing your current address. **(See Access NI ID Guidance attached)**

**Please follow this three-step process to have your criminal record check completed:**

**STEP ONE**

**You need to register online with AccessNI. Follow the guidance below that will show you how to do this.**

1. Go to <https://www.nidirect.gov.uk/services/apply-online-enhanced-check-through-registered-body>.
2. Select 'Apply for an enhanced check through a registered body'.
3. Register your account by creating a user ID and password i.e. 'Create an account' [keep these details safe as you will need them to track the progress of your case].
4. Once you have successfully logged in, you will see the main menu page on screen 'Apply for Disclosure Certificates'.
5. Choose the ENHANCED option.
6. Enter the PIN number below at Step 1.

2	9	9	9	1	2
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7. Complete the remainder of the form and click on **SUBMIT** to finish the on-line process.
8. You will receive a 10 digit AccessNI reference number please make a note of this number and provide on the attached form (below) to be returned to Student Services otherwise your application cannot be processed further.

Application Reference

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This is the 10 digit case reference number provided on the confirmation page and on the email you will receive when you complete your details on

## **STEP TWO**

### **ACCESS NI ID GUIDANCE**

Three documents should be produced in the name of the applicant; **one from Group 1 and two from Group 2a or 2b**. If this is not possible, then **four documents from Group 2a and 2b** should be produced, one of which being a birth certificate issued after the time of birth. **At least one of these documents should show the applicant's current address.**

#### **GROUP 1: Primary identity documents**

- Current valid passport (any nationality)
- Biometric Residence Permit (UK)
- Current driving licence photocard (full or provisional) (UK, Isle of Man, Channel Islands or Ireland)
- Birth certificate issued within 12 months of birth (UK, Isle of Man and Channel Islands - including those issued by UK authorities overseas, for example embassies, High Commissions and HM Forces)
- Long form Irish birth certificate issued at time of registration of birth (Ireland)
- Adoption certificate (UK, Channel Islands or Ireland)

#### **GROUP 2A: Trusted government documents**

- Birth certificate issued after time of birth (UK, Isle of Man, Channel Islands or Ireland)
- Marriage/Civil Partnership Certificate (UK, Channel Islands or Ireland)
- HM Forces ID card (UK)
- Firearms licence (UK, Channel Islands and Isle of Man)
- Electoral ID card (Northern Ireland only)
- Current driving licence photocard (full or provisional) (All countries outside the UK (excluding Isle of Man and Channel Islands))
- Current driving licence (full or provisional) - paper version (if issued before 1998) (UK, Isle of Man, Channel Islands and Ireland)
- Immigration document, visa or work permit (issued by a country outside the UK - Valid only for roles whereby the applicant is living and working outside of the UK. Visa/permit must relate to the country in which the role is based)

#### **GROUP 2B: Financial and Social history documents**

- Mortgage Statement (UK or Ireland)
- Financial statement, for example ISA, pension or endowment (UK or Ireland)
- P45 or P60 statement (UK or Channel Islands)
- Land and Property Services rates demand (Northern Ireland only)
- Council tax statement (UK and Channel Islands)

#### **Above documents must be issued within the last 12 months**

- Credit card statement (UK or Ireland)
- Bank or Building society statement (UK, Channel Islands or Ireland)
- Bank or Building society statement (Outside UK - Branch must be in the country where the applicant lives and works)
- Central or local government, government agency, or local council document giving entitlement, for example from the Department for Work and Pensions, the Employment Service, HMRC (UK and Channel Islands)
- Bank or building society account opening confirmation letter (UK)
- Utility bill (not mobile phone) (UK or Ireland)
- Benefit statement, for example Child Benefit, Pension etc (UK)

#### **Above documents must be issued within the last 3 months**



- EEA National ID card
- 60+ or Senior (65+) SmartPass issued by Translink (Northern Ireland)
- yLink card issued by Translink (Northern Ireland)
- Irish Passport Card (cannot be used with an Irish passport)
- Cards carrying the PASS accreditation logo (UK, Isle of Man and Channel Islands)
- Letter from head teacher or further education college principal (UK for 16 to 19 year olds in full time education – only used in exceptional circumstances if other documents cannot be provided)
- Letter of sponsorship from future employment provider or voluntary organization (Non UK only for applicants residing outside UK and Ireland at time of application)

**Above documents must be valid at the time of checking**

### **IN ADDITION TO THE ABOVE ID**

- If you have lived/worked abroad in the last five years you are required to provide a Certificate of Good Conduct for the country you resided in;
- If you have changed your name for example by marriage, adoption or deed pole, please bring evidence of this change i.e. Marriage Certificate etc.

### **STEP THREE**

After following steps one and two, you should bring this letter (which includes the 10 digit reference number) along with your ID to the Access NI workshop in the library of your campus.

Your lecturer will advise you what date and time your class is booked into.

**Access NI workshops will be available in the library between 10.00am – 12.00pm and 2.00pm – 4.00pm from 11<sup>th</sup> of September 2023.**

### **FAILURE TO COMPLETE A CRIMINAL RECORD CHECK WILL MEAN YOU CANNOT COMMENCE YOUR COURSE.**

The College is fully committed to carrying out the criminal records check in accordance with the AccessNI Code of Practice which is available online at

<https://www.nidirect.gov.uk/sites/default/files/publications/accessni-code-of-practice.pdf>.

The College has policies on the secure handling of information, Recruitment of Ex-Offenders and Disclosure of Criminal History. These are available on request from Student Services.

If you have any queries please contact Student Services by contacting 02871 276096 or [Safeguarding@nwrc.ac.uk](mailto:Safeguarding@nwrc.ac.uk)

The College does not receive a copy of your Enhanced Disclosure Certificate therefore it is important you keep this safe in the event a placement provider asks to see it, otherwise this could affect placement arrangements.

Yours sincerely

**Gillian Moss**  
Head

of

Client

Services

### **Privacy Notice – Access NI**

North West Regional College (Data Controller) is permitted to process personal data where there is a lawful basis to do so. NWRC recognises and respects the importance of your privacy and is committed to treating your information responsibly and in compliance with the data protection legislation. The lawful basis for the processing of personal data included and associated with the Access NI process is; 'that processing is necessary for the compliance with a legal obligation' - The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007; and 'processing is necessary for the performance of a task carried out in the public interest'. A requirement for your course is to undertake a work placement that involves working with children and/or vulnerable adults, therefore a criminal record check is required to ascertain if you are permitted to go on work placement. The outcome of your Access NI check may be shared with your work placement provider. All personal data will be held in line with the Sector Retention & Disposal Schedule. For further information on your individual rights and to access our Data Protection Policy, please visit;

[www.nwrc.ac.uk/policies](http://www.nwrc.ac.uk/policies)

## APPENDIX 3

### CHECKS ON PEOPLE FROM ABROAD

- 1 Other than in exceptional circumstances, the police cannot:
  - Make enquiries about the antecedents of people from other countries; or
  - Establish details of convictions acquired outside the United Kingdom.
- 2 Practice in other countries varies considerably, but certificates of good conduct may be obtainable from overseas applicants. The level of information disclosed varies from country to country in that some give complete extracts from the criminal record while others are partial. Further information about obtaining certificates of good conduct from citizens of EC countries and some other countries is given below.
- 3 While certificates of good conduct are not available in the Republic of Ireland, the police, when carrying out a criminal records check at the request of CCPD, will, where appropriate, make a check with the police in the Republic of Ireland. If the person worked, trained or lived in the UK for some years, checks can be made with the police for the regions of the UK in which they resided.
- 4 Where a person is from a country where criminal record checks cannot be made, extra care must be taken in the taking up of references and conducting other checks on background.

#### **Obtaining criminal record information on citizens from other members of the European Union and a number of other countries**

##### **Austria**

Certificates of good conduct are available from the Austrian local police or council offices. Austrian Citizens residing in the UK can obtain copies from the Austrian Embassy.

Various offences are covered. However, offences attracting a sentence of up to one year are deleted after five years; offences attracting a sentence between one and three years are deleted after ten years.

##### **Belgium**

Individuals can obtain certificates of good conduct (Certificate de bonnes vies et moeurs) from the Communes where they live. Individuals living and working abroad can obtain them from their Embassy.

##### **Denmark**

Individuals can obtain certificates of good conduct from their police

## **APPENDIX 3 continued:**

### **Finland**

Any citizen can apply for a certificate of good conduct from the Ministry of Justice which operates an agency called the Crime Register Office (RIKOSTREKISTRERT).

If a person has been convicted in a court of law, the offence is stated in the certificate. If not, the certificate establishes a person's good reputation and mentions that the person has no criminal record.

### **France**

Individuals may produce certificates containing a print-out of basic information relating to them from the National Criminal Records.

There is no provision for direct disclosure by French authorities to foreign employers.

### **Germany**

Under federal law, individuals may obtain certificates of good conduct or apply for extracts from the penal register.

Agencies should in the first instance request to see a German national's certificate of good conduct. In very exceptional cases and when more information is required, AccessNI may approach the Federal Minister of Justice in Bonn. It is at his discretion whether further information may be disclosed.

### **Greece**

In Greece all prospective employees whether in the public or private sector are expected to submit evidence of a clean criminal record obtainable from the Public Prosecutor.

There are no arrangements for UK authorities/employers to have direct access to criminal record information about Greek nationals.

### **Ireland**

Checks are requested by AccessNI, through the Central Garda Vetting Unit. There are no arrangements for disclosure to prospective UK employers.

### **Italy**

Individuals may obtain a certificate of good conduct from the relevant Ufficio Casellario. This would show offences which resulted in a term of imprisonment.

Individuals living and working abroad may obtain such certificates through their Embassy.

## **APPENDIX 3 continued:**

### **Luxembourg**

Any employer may require potential employees to obtain an “Extrait du Casier Judicaire” from the authorities. This would show sentences which resulted in a term of imprisonment. Non-Luxembourg employers may also require such a document.

### **Netherlands**

Agencies may require individuals to obtain a certificate of good conduct from the Burgemesiter. This would contain details of convictions and process verbal reports. In practice the Burgemesiter would also consult the local Parket (ie, court district) for the area in which the applicant was born.

There is no provision for direct disclosure by Dutch authorities to foreign employers.

### **Portugal**

Individuals may obtain “criminal records” (including clean sheets) to show to prospective employers. There is no provision for direct disclosure by Portuguese authorities to foreign employers.

### **Spain**

Many job applicants volunteer certificates of good standing obtained from the Ministry of Justice.

There is no provision for direct disclosure by Spanish authorities to foreign employers.

### **Sweden**

Individuals may obtain a certificate of good conduct from the Swedish Police. The certificate confirms that an individual has no criminal record.

## **Selected other countries**

### **Australia**

Individuals can obtain from their authorities information concerning their criminal background (if any) under the country’s Freedom of Information Act.

### **Canada**

Certificates of good conduct are not generally available. Individuals can obtain information as to whether a criminal offence is recorded against them on the National Police Information Database.

## **APPENDIX 3 continued:**

### **Japan**

Individuals can obtain a police certificate. If the applicant resides abroad, the certificate is issued by the Japanese National Police Agency. If the applicant resides in Tokyo, the certificate is issued by the Metropolitan Police Department.

### **New Zealand**

Individuals can obtain from their authorities information concerning their criminal background (if any) under the country's Freedom of Information Act.

### **Norway**

Individuals may obtain a certificate of good conduct from local police in Norway. Discretion as to whether or not details for custodial sentences are included lies with the police.

### **Switzerland**

Certificates of good conduct are not available. However, individuals should be able to obtain a document similar to a Casier Judiciaire from the Swiss Police.

### **United States of America**

Individuals can obtain a certificate called a "Criminal Record Check" from their local police but this statement of convictions (if any) covers only the state in which the individual resides. There is no central point where an individual can obtain a certificate which covers the whole of the United States.

#### *Note*

*Information on checks in foreign countries may also be sought from the Criminal Records Bureau, Customer Services, PO Box 110, Liverpool, L69 3EF (Information Line: 0870 9090811).*

## **APPENDIX 3.1**

In deciding the relevance of any Criminal Record to the employment the following points should be considered:-

### **1 THE NATURE OF THE CRIMINAL RECORD**

In general convictions for sexual, violent or drug related activities will be particularly significant when assessing suitability for employment in the education sector when working with Children/Adults at risk of harm or in need of protection. The College should consider very carefully non-conviction information which may indicate behaviour which would render a person liable to put children or young people at risk of harm or influence by an unsuitable role-model.

### **2 THE NATURE OF THE APPOINTMENT**

Often the nature of the appointment will be relevant to the suitability for employment in the College. For example, sexual, violent or drug offences will be of particular concern if the post involves close contact with students.

Offences of a dishonest nature gives rise for concern about the trust worthiness of a potential employee particularly in situations where possible access to money may occur.

### **3 WHEN THE OFFENCE OCCURRED**

Offences which took place many years ago often have less relevance than recent offences. However, convictions for violent/sexual related activities are more likely to give cause for continuing concern than for other offences.

### **4 FREQUENCY OF OFFENCE**

A pattern of related or similar offences over a period of years, or non- conviction information indicating repeated behaviour, is more likely to give cause for concern than an isolated minor incident.

**EMPLOYMENT IN AN EDUCATIONAL SETTING WHEN WORKING WITH CHILDREN/ ADULTS AT RISK OF HARM OR IN NEED OF PROTECTION MAY NOT BE OFFERED UNDER ANY CIRCUMSTANCES TO ANY PERSON LISTED ON THE BARRED LISTS.**

### **5 OTHER RELEVANT MATTERS**

Whether the person's circumstances have changed since the offending, behaviour and the account and circumstances surrounding the offence and the explanation offered. One significant consideration is whether or not the individual has declared the Criminal record as non-declaration calls into question the trust and confidence of the individual concerned.

PRIVATE & CONFIDENTIAL HR SERVICES

# CRIMINAL RECORD CHECK



north west  
regional college  
Derry-Londonderry • Limavady • Strabane



# NORTH WEST REGIONAL COLLEGE

## HR SERVICES

### CRIMINAL RECORD CHECK – GUIDANCE

#### Introduction

If you have been recommended for appointment or placed on a panel list the offer is subject to satisfactory completion of a criminal record check in order to assess your suitability to work with children and young people.

#### **SECTION A**

Section A provides guidance on the requirement for you to disclose certain information concerning criminal convictions. After you have read the guidance please complete and return the Pre-employment Disclosure Consent Form within 5 working days.

#### **PRE-EMPLOYMENT DISCLOSURE CONSENT FORM**

As a result of the Rehabilitation of Offenders (Exceptions) (Northern Ireland) Order 1979, as amended in 2014, certain old and minor convictions will no longer be subject to disclosure on the Enhanced Disclosure Certificate. These old and minor convictions are considered as 'Protected' under this legislation. A summary of what is considered to be 'Protected' is provided in the table below.

On the Pre-employment Disclosure Consent Form attached you are required to disclose certain information concerning your criminal convictions. You cannot regard any conviction as being 'spent' as employment with the North West Regional College is exempt from the provisions of the Rehabilitation of Offenders (NI) Order 1978. However you are only required to disclose Convictions that are not considered as 'Protected' under the Rehabilitation of Offenders (Exceptions) (Northern Ireland) Order 1979 as amended in 2014.

#### **SUMMARY OF PROTECTED OFFENCES (NO REQUIREMENT FOR APPLICANTS TO DISCLOSE)**

<b>AGED 18 OR OVER AT THE TIME OF THE OFFENCE</b>	<b>AGED UNDER 18 AT THE TIME OF THE OFFENCE</b>
<p>An adult conviction will be a 'Protected' conviction and <b>will not need to be disclosed</b> by an applicant if <b>all</b> of the following apply:</p> <ul style="list-style-type: none"><li>• 11 years have elapsed since the date of conviction, <b>and</b></li><li>• It is the applicant's only offence, <b>and</b></li><li>• It did not result in a custodial sentence.</li></ul> <p><b>If the conviction is not recorded on the list of specified offences (see important note below), the applicant does not need to disclose the conviction.</b></p> <p>If an applicant has more than one conviction, then details of <b>all</b> their convictions will need to be disclosed.</p>	<p>A young person's conviction will be a 'Protected' conviction and <b>will not need to be disclosed</b> by the applicant if <b>all</b> of the following apply:</p> <ul style="list-style-type: none"><li>• 5 ½ years have elapsed since the date of the conviction, <b>and</b></li><li>• It is the person's only offence, <b>and</b></li><li>• It did not result in a custodial sentence.</li></ul> <p><b>If the conviction is not recorded on the list of specified offences (see important note below), the applicant does not need to disclose the conviction.</b></p> <p>If an applicant has more than one conviction, then details of <b>all</b> their convictions will need to be disclosed.</p>

## **IMPORTANT NOTE:**

All convictions for specified offences can be found on the 'Specified Offences' list. This list includes a range of offences which are serious, relating to sexual or violent offending or are relevant in the context of Safeguarding and will remain subject to disclosure. Therefore, for these certain offences, applicants are required to always disclose such details, regardless of when the offence took place. A full list of such offences can be found on the AccessNI website: <https://www.nidirect.gov.uk/sites/default/files/publications/list-of-specified-offences-april-2018.pdf>

Convictions, including those that are conflict related, do not necessarily debar an applicant from obtaining employment.

All appointments will be made based on the merit principle. A copy of the College's Recruitment and Selection Policy and the Criminal Record Procedure and Policy on the Recruitment of Exoffenders is available online at [http://apps.nwrc.ac.uk/web/jobs/docs/CriminalRecordPolicy\\_ver2.pdf](http://apps.nwrc.ac.uk/web/jobs/docs/CriminalRecordPolicy_ver2.pdf).

## **SECTION B - ACCESS NI**

Section B provides you with Guidance on how to register with AccessNI to undergo a criminal record check which is a requirement for this post. Once you have submitted the on-line application you will be given a 10 Digit reference number. Please insert this at the bottom of the Pre-employment Disclosure Consent Form.

It is College policy to ask for a criminal record check to be carried out by Access NI in order to assess suitability to work with children and young people. In addition, if this is a regulated post a check will also be carried out against the Barred List for Children. This is a requirement of your appointment and you will not be offered a contract if you do not comply with this requirement. Any information received will be treated confidentially, and we will talk to you about it before a final decision is reached. After the decision is made the information will be destroyed. The Procedures for Handling, Storage and Disposal of Disclosure Information is available on request from HR Services. Please find attached Guidance on how to register and apply online with AccessNI for an Enhanced Disclosure Check. There is no fee to register.

The College is fully committed to carrying out the criminal records check in accordance with the AccessNI Code of Practice which is available online at <https://www.nidirect.gov.uk/sites/default/files/publications/accessni-code-of-practice.pdf>.

## **INSTRUCTIONS ON HOW TO APPLY:**

As specified above as part of your criminal record check you are required to register with AccessNI and complete an application for an Enhanced Disclosure Certificate. You will need to provide at least three pieces of identification in order to process your application with at least one showing your current address.

**(See Access NI ID Guidance attached)**

Please follow the instructions below and return the completed form to HR Services within five working days. If you require any support, do not hesitate to contact a member of HR Services.

1. Go to <https://www.nidirect.gov.uk/services/apply-online-enhanced-check-through-registered-body>.
2. Select 'Apply for an enhanced check through a registered body'.
3. Register your account by creating a user ID and password i.e. 'Create an account' [keep these details safe as you will need them to track the progress of your case].

4. Once you have successfully logged in, you will see the main menu page on screen 'Apply for Disclosure Certificates'.
5. Choose the ENHANCED option.
6. Enter the PIN number below at Step 1.

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7. Complete the remainder of the form and click on **SUBMIT** to finish the on-line process.
8. You will receive a 10 digit AccessNI reference number please make a note of this number and provide on the attached form (below) to be returned to HR Services otherwise your application cannot be processed further.

## ACCESS NI ID GUIDANCE

Three documents should be produced in the name of the applicant; **one from Group 1 and two from Group 2a or 2b**. If this is not possible, then **four documents from Group 2a and 2b** should be produced, one of which being a birth certificate issued after the time of birth. **At least one of these documents should show the applicant's current address**.

### GROUP 1: Primary identity documents

- Current valid passport (any nationality)
- Birth certificate issued within 12 months of birth (UK, Isle of Man and Channel Islands - including those issued by UK authorities overseas, for example embassies, High Commissions and HM Forces)
- Biometric Residence Permit (UK)
- Long form Irish birth certificate issued at time of registration of birth (Ireland)
- Current driving licence photocard (full or provisional) (UK, Isle of Man, Channel Islands or Ireland)
- Adoption certificate (UK, Channel Islands or Ireland)

### GROUP 2A: Trusted government documents

- Birth certificate issued after time of birth (UK, Isle of Man, Channel Islands or Ireland)
- Electoral ID card (Northern Ireland only)
- Marriage/Civil Partnership Certificate (UK, Channel Islands or Ireland)
- Current driving licence photocard (full or provisional) (All countries outside the UK (excluding Isle of Man and Channel Islands))
- HM Forces ID card (UK)
- Current driving licence (full or provisional) - paper version (if issued before 1998) (UK, Isle of Man, Channel Islands and Ireland)
- Firearms licence (UK, Channel Islands and Isle of Man)
- Immigration document, visa or work permit (issued by a country outside the UK - Valid only for roles whereby the applicant is living and working outside of the UK. Visa/permit must relate to the country in which the role is based)

### GROUP 2B: Financial and Social history documents

- Mortgage Statement (UK or Ireland)
- Land and Property Services rates demand (Northern Ireland only)
- Financial statement, for example ISA, pension or endowment (UK or Ireland)
- Council tax statement (UK and Channel Islands)
- P45 or P60 statement (UK or Channel Islands)

### **Above documents must be issued within the last 12 months**

- Credit card statement (UK or Ireland)
- Bank or building society account opening confirmation letter (UK)
- Bank or Building society statement (UK, Channel Islands or Ireland)
- Utility bill (not mobile phone) (UK or Ireland)
- Bank or Building society statement (Outside UK - Branch must be in the country where the applicant lives and works)
- Benefit statement, for example Child Benefit, Pension etc (UK)
- Central or local government, government agency, or local council document giving

entitlement, for example from the Department for Work and Pensions, the Employment Service, HMRC (UK and Channel Islands)

**Above documents must be issued within the last 3 months**

- EEA National ID card
- 60+ or Senior (65+) SmartPass issued by Translink (Northern Ireland)
- yLink card issued by Translink (Northern Ireland)
- Irish Passport Card (cannot be used with an Irish passport)
- Cards carrying the PASS accreditation logo (UK, Isle of Man and Channel Islands)
- Letter from head teacher or further education college principal (UK for 16 to 19 year olds in full time education – only used in exceptional circumstances if other documents cannot be provided)
- Letter of sponsorship from future employment provider or voluntary organization (Non UK only – valid for applicants residing outside UK at time of application)

**Above documents must be valid at the time of checking**

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**NORTH WEST REGIONAL**

**COLLEGE HR SERVICES**

**PRIVATE & CONFIDENTIAL**

PRE-EMPLOYMENT DISCLOSURE CONSENT FORM

In accordance with the Data Protection Regulations, the College is permitted to process personal data where there is a lawful basis to do so. The College recognises and respects the importance of your privacy and is committed to treating your information responsibly and in compliance with the data protection legislation. The College require the personal information provided on this form as part of the staff recruitment process. We will collect criminal record information and use this to make decisions about employment in line with the Recruitment and Employment of Ex-offenders. All personal data will be held in line with the Sector Retention & Disposal Schedule. For further information on your individual rights and to access our Data Protection Policy, please visit; [www.nwrc.ac.uk/policies](http://www.nwrc.ac.uk/policies)

Please complete this Pre-employment Disclosure Consent Form where you are required to disclose certain information concerning your criminal convictions as detailed in the guidance above. You must disclose information about 'spent' and 'unspent' Convictions that are not 'Protected' under the Rehabilitation of Offenders (Exceptions) (Northern Ireland) Order 1979, as amended in 2014

Forename (s)	
Surname	
Maiden Name (if applicable):	
Previous Surname(s) (if applicable):	

Do you have any convictions, cautions, informed warnings or diversionary youth conferences that are not subject to 'filtering' as defined by the Rehabilitation of Offenders (Exceptions) (Northern Ireland) Order 1979, as amended?

Yes  No

If **Yes**, please list details below of **ALL** convictions giving as much information as you can, including the offence, the approximate date of the court hearing and the court which dealt with the matter:

Do you have any prosecutions pending? **Yes**  **No**

If **Yes**, please give details:

**REGULATED ACTIVITY**

Is there any reason why you cannot work in regulated activity?

**Yes**  **No**

If **Yes**, please give details:

**ACCESSNI REFERENCE NUMBER**

Please **INSERT** your 10 digit AccessNI reference number in the boxes below otherwise your AccessNI application cannot be processed further:-

Application Reference 

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This is the 10 digit case reference number provided on the confirmation page and on the email you will receive when you complete your details on the AccessNI on-line system.

**I have read the above information and I have registered with AccessNI online and provided a reference number for an Enhanced Disclosure Certificate. I am also aware that I will be required to pay an appropriate fee for a criminal record check and that this does not guarantee appointment. I declare that the information I have given is accurate and complete and I understand that any false statements or withholding of any relevant information may provide grounds for the withdrawal of any offer of appointment. The College may ask for a copy of your original Enhanced Disclosure Certificate.**

**SIGNED:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

PLEASE RETURN THIS FORM TO HR SERVICES

\_\_\_\_\_

\_\_\_\_\_



## APPENDIX 4 Record of changes

Version No. under review  (Please see the front page)	Date of review  (Date)	Who was involved in reviewing the document?  (Name/ s)	Were changes made to the document after reviewing?  (Yes / No)	If changes have been made, please provide brief details:	New Version No.	If Yes, did the document need to go through consultation again?  (Yes*/ No)	If Yes, did the document need to be Equality Screened again?  (Yes*/ No)	If Yes, date those affected by document will be alerted of updated document  (Date)
4	November 2021	Gillian Moss, Shannon Doherty	Yes	Slight changes to wording, additional types of abuse, additional appendices	5	Yes	Yes	Yes
5	September 2022	Gillian Moss, Shannon Doherty		Slight changes to wording, additional types of abuse, additional appendices	6	Yes	Yes	Yes

6	December 2023	Gillian Moss, Siobhan Faulkner, Shannon Doherty,	Yes	Additional wording to include Operation Encompass and Digital Safety. Changes to the disclosure of criminal history procedure	7	Yes	Yes	Yes
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