Open College of the Arts
Safeguarding Policy

Version no.	Status	Owner	Approved by	Date approved
1	Approved	Craig Dewis	Board of Trustees	11/06/2018
2	Approved	Craig Dewis	OMG - Chair's Action	24/11/2021
3	Approved	Craig Dewis	OCA Board	7 June 2022

If you or another person are in immediate danger and in the UK, call 999 immediately. If you are outside the UK please call 112.

This policy contains topics which some readers might find distressing.

1.   The purpose of the policy

1.1 As a charity, OCA has a duty of responsibility to members of the OCA community, the Higher Education sector, and our local communities to take all possible steps to safeguard the mental, physical, and emotional wellbeing of children and adults at risk. This duty is in addition to health and safety requirements, and covers potential harm through careless acts, deliberate acts, or acts of omission on the part of OCA, and/or any of its members.

1.2 This policy outlines the steps taken by the Open College of the Arts to safeguard all members in the OCA community. We set out how we will create a safe environment for students to learn and develop in, how we will provide training and raise awareness of safeguarding issues, and how concerns regarding safeguarding can be raised.

1.3 Through this policy and associated guidance, we will ensure that all staff, tutors, and students understand their responsibilities and that these responsibilities are clear and defined.

2.   Who does this policy apply to?

2.1 This policy is applicable to all enquirers, applicants, students, staff, tutors, and visitors at OCA on short courses, foundation courses, undergraduate degrees, and postgraduate degrees.

2.2 In addition this policy covers any OCA-led activity whether through OCA-provided systems and media, in person or otherwise, and may involve and affect members of the public not affiliated in any way with OCA.

2.3 This policy does not cover prisoner learners or those students studying in secure environments. For students in those contexts please refer to OCA's Learning in Secure Environments Policy.

3. Linked and other policies and legislation

3.1 This policy is subject to OCA's Terms and Conditions, and forms part of the OCA Student Regulations.

3.2 This policy should be read in conjunction with OCA's Admissions Policy, Under 18s Admissions Policy, Wellbeing Policy, Anti-Harassment & Bullying Policy, Criminal Convictions Policy, Prevent Policy, and the Student Code of Conduct.

3.3 This policy is informed by and references the Education Act 2011, Data Protection Act 1998, Children Act 1989, Children Act 2004, Equality Act 2010, Counter Terrorism and Security Act 2019, Modern Slavery Act 2015, Sexual Offences Act 2003, Safeguarding Vulnerable Groups Act 2006, and the Care Act 2014.

3.4 This policy references guidance from across the UK in support:

- Working together to safeguard children (England)
- The Care Act 2014
- Cooperating to Safeguard Children and Young People in Northern Ireland
- National Guidance for Child Protection in Scotland 2014
- Protection of Vulnerable Groups Act 2007 (Scotland)
- Social Services and Wellbeing Act (Wales) 2014
- Wales Safeguarding Procedures

4. General Principles

4.1 The Open College of the Arts has a duty of care to all members of the OCA community, applicants, students, tutors, and staff to safeguard physical, emotional, and mental wellbeing. This applies to all members irrespective of race, gender, disability, religion, sexual orientation, age, social background or any other characteristic, protected or otherwise.

4.2 Safeguarding affects all members of the OCA community either directly or indirectly. A safeguarding concern may involve a family member, member of the public, but observed or heard during the course of OCA activities.

4.3 In connection with this duty, OCA has a responsibility to take appropriate actions to ensure the provision in paragraph 4.1, and where appropriate to report concerns to the relevant authorities. It is not OCAs responsibility to make judgements relating to safeguarding concerns but to see that these are processed and reported as appropriate.

4.4 To ensure paragraph 4.1, OCA aims to create a safe learning environment free from harm, exploitation, abuse, neglect, harassment, violence, and sexual misconduct.

4.4 OCA recognises that due to the diverse nature of the OCA student body, there are potentially vulnerable groups at greater risk. As such, certain provisions in this policy may be made with explicit reference to certain vulnerable groups to ensure safeguarding. We also recognise that at any point, any person(s) could be classed as 'vulnerable'.

4.6 All members of the OCA community have a responsibility to support the principles of paragraph 4.1, including to recognise when things are happening, to challenge negative behaviours, and to report concerns.

4.7 Concerns raised about safeguarding issues are treated in strict confidence and only on a need-to-know basis.

4.8 Wherever possible or appropriate, OCA seeks the consent of a safeguarding subject to share personal details with external agencies. In certain circumstances this may not be possible and OCA reserves the right to pass information to external agencies in the interests of safeguarding physical, mental, and/or emotional health of children and vulnerable adults.

4.9 Under this policy the term 'child' refers to anyone under the age of 18, and 'vulnerable' adults as protected or at risk of harm.

4.9 Partner organisations and external parties working with or for OCA are all made aware of OCAs statutory obligations and the safeguarding referral process.

4.10 OCA has a specific duty to safeguard members of the OCA community from extremism. This is a requirement of the UK Government's Counter-Terrorism Strategy CONTEST, and for full details please refer to [OCAs policy on the Prevent Duty](#).

4.11 OCA has a responsibility to investigate any and all concerns raised in respect of safeguarding.

5. Responsibilities

5.1 All members of the OCA community have a responsibility to ensuring the safeguarding of others; this includes at a minimum an understanding of this policy, and how to raise concerns about others.

5.2 Through the nature of their contact with OCA students and media into the community, OCA tutors are often likely to be the first to identify safeguarding concerns. All tutors must understand the provisions of the policy, how to raise a concern, and undertake regular training on the subject designed to indicate what to look for from a safeguarding perspective.

5.3 OCA staff may also, through their contact with students, observe or experience concerns for children or vulnerable adults. All staff must understand the provisions of the policy, how to raise a concern, and undertake regular training on the subject designed to indicate what to look for from a safeguarding perspective. In addition, staff are responsible for ensuring that

there is a safe learning environment for students to engage with. All members of staff also undertake mandatory Mental Health First Aid training.

5.4 The OCA Board of Trustees has ultimate responsibility for approving this policy, receiving reports on training completed and undertaking training themselves. Accountability is delegated to the OCA Principal to ensure that this policy is implemented, including the provision of sufficient resources to enact this policy, and recommend changes to this policy.

5.5 OCA appoints a Designated Safeguarding Lead whose principal responsibility is to ensure the operation of this policy, maintain and update the policy in line with regulatory changes and ensure regulatory compliance, arrange training for the OCA community on safeguarding, acting as the identified point of contact for safeguarding concerns, and ensuring these concerns are logged and investigated with reports made to the Board of Trustees. OCA's Designated Safeguarding Lead is the Head of Student Services.

5.6 In addition safeguarding support for staff and students is provided by OCAs Learner Support Team.

6. What constitutes a safeguarding concern?

6.1 OCA cannot state exactly what constitutes a safeguarding concern except that it is something which, with reference to paragraph 4.1 and 5.1, causes, or has the potential to cause harm to a person(s) physical, emotional, and/or mental wellbeing. These may include but are not limited to:

- Financial exploitation
- Sexual harassment, abuse, and/or exploitation
- Physical, emotional, and/or psychological abuse
- Recruitment to radicalised organisations or the exhibition of radicalist views
- Enticement to illegal activities
- Domestic violence
- Cyber abuse
- Modern day slavery
- Bullying and/or harassment
- Forced marriage
- Female gential mutilation
- Discrimination against one or more protected characteristic

6.2 Almost anything has the potential to be a safeguarding concern; this is an area that is subjective to the witness. It is important, as outlined in paragraph 4.5, that if someone has concerns about any behaviours that this is recognised, challenged, and reported.

6.3 Identifying abuse can be difficult but there may be specific flags that may become apparent:

- Direct disclosure of abuse, either by as self-disclosure or by a third-party.
- Signs of abuse for which there is no immediate explanation, either physical (bruising etc) or emotional (visible distress etc).

- Behaviour that is unusual or out of character that leads to a suspicion of abuse or exploitation.

6.4 A safeguarding risk is not time limited; it may be something that you observed some time in the past but is only flagged as a risk much later. In all events, once you recognise a concern it is important to take action on that concern as soon as possible.

6.5 The subject of a safeguarding concern may not involve a member of the OCA community; it may be directed at a child, a family member, a friend, or member of the public not involved with OCA. In such circumstances the provisions of this policy still apply.

7. What to do if you are concerned about someone's safety or wellbeing

6.1 Concerns may be raised through something that you see, hear, or observe in the course of delivering a tutorial or speaking to students, or may be raised with you directly by another member of the OCA community.

6.2 In the event that someone makes a disclosure it is important to listen to what that person is saying, to provide reassurance that they have done the right thing, and respect right to privacy but not promise confidentiality as information may need to be passed on.

6.3 Make a note of the event(s) that cause(d) concern including as much information as possible including the nature of the concern, who or what it involves, the time and date it occurred, where it occurred, and through what media.

6.4 If you are concerned that there is an immediate risk to a person(s) contact emergency services on 999 if in the UK or 112 if outside the UK. After this action, send any and all information via email to learnersupport@oca.ac.uk.

6.5 If you do not believe there is an immediate danger, please send your concerns via email to learnersupport@oca.ac.uk to review.

6.6 If you require advice or support outside of normal business hours on a matter of safeguarding concern you can find local support services, including Children's Social Care and Adult Social Services relating to the specific concern through the Hub of Hope. You may also wish to contact the NSPCC if a child is involved.

6.7 If you require advice or support on a matter of safeguarding concern and wish to discuss this outside of OCA you can find local support services, including Children's Social Care and Adult Social Services relating to the specific concern through the Hub of Hope.

6.8 Allegations or concerns regarding the conduct of an OCA member of staff and/or tutor can be raised to the Student Association via email to sa@oca.ac.uk, or to Learner Support via email to learnersupport@oca.ac.uk who will forward this to the relevant parties to investigate.

6.9 In the course of processing and reporting a safeguarding concern, OCA support teams may require further information from the person who made the referral in the first instance.

6.10 Following advice OCA support teams may refer if necessary to Children's Social Care, Adult Social Services, or the Emergency Services as required.

8. Prisoner Learners

7.1 OCA welcomes students of all backgrounds, including those in receipt of a criminal conviction. OCA recognises however that due to the nature or potential nature of convictions that there are safeguarding concerns around access to study for this group. For full details of the process and restrictions in place for prisoner learners, please refer to OCAs [Criminal Convictions Policy](#) and [Learning in Secure Environments Policy](#).

9. Learners under the age of 18

9.1 Content and material used and/or referred to within OCA courses may not be appropriate for persons under the age of 18. OCA does not normally accept students under the age of 18, however where an exception is made students under the age of 18 on entry to OCA are limited to be able to study foundation and/or short courses only. Please see OCAs Under 18s Admissions Policy for details.

9.2 As part of the admissions process for under 18s a risk assessment is conducted to review arrangements to safeguard the student. This risk assessment may impose certain restrictions and/or stipulations on available OCA services to ensure the safeguarding of that student.

9.3 Learners under the age of 18 will only be allocated to tutors who hold a valid enhanced check by the Disclosure and Barring Service.

9.4 As part of the tutoring model for under 18s, students will have tutorial sessions with their tutors that are recorded, and receive written feedback.

10. Glossary of Terms
   ● Child and childhood sexual abuse - When a child or young person is sexually abuse, or groomed into sexual activities. Children may not understand what is happening, that it is abuse, and/or why it is wrong. This can be either contact abuse (including touching, kissing, and oral sex) or non-contact abuse where a child is abused without being touched and this may be either in person or online.
   ● Consent - Giving permission for something to happen or agreeing to do something. Consent may be withdrawn at any time and for any reason.
   ● Controlling behaviour - A range of acts designed to subordinate a person(s) and/or making a person(s) dependent. This includes isolation from support, deprived of independence, and/or regulating everyday behaviour.
   ● Coercive behaviour - An act or pattern of acts involving assault, threats, intimidation and/or other abuses used to punish and/or frighten a victim.

- Economic abuse - Includes restricting access to essential resources such as food and transport, and denying the means to improve the situation.
- Emotional, mental, and psychological abuse - Closely linked terms, often used interchangeably. Used to reduce confidence and esteem, resulting in victim becoming dependent on perpetrator.
- Female genital mutilation - defined by the World Health Organisation (WHO) as the range of procedures that partially or fully remove the external female genitalia, or other injury to the female genital organs whether for cultural or non-therapeutic reasons.
- Financial abuse - Using and misusing money, including control of access to the means of spending.
- Gaslighting - Manipulation and psychological where victims are purposefully and systematically fed false information that leads them to question to be true.
- Harassment - Any unwanted contact for the purpose or effect or violating a persons dignity, and/or creating an environment that is intimidating and hostile, relating to their gender, gender identity, or sexual orientation.
- Intimate Image abuse - Also known as 'revenge porn', involves the distribution of a private sexual image without the knowledge or consent of the person(s) involved and intended to cause distress and/or shame.
- Online abuse - This may involve behaviours through social media and discussion forums. This may involve emotional, mental or psychological abuse as described above, online stalking of social media profiles.
- Physical abuse - Involves behaviour such as slapping, burning, beating, kicking, biting, stabbing, and can lead to permanent injuries and/or even death. Strangulation, along with suffocation are also classed as physical abuse.
- Sexual abuse - This includes rape, forced sexual acts, and sexual degradation. These typically involve the use of force to compel a person(s) into doing something they do not wish to do. Consent (see above definition) is heavily involved in these acts.
- Stalking - A pattern or persistent and unwanted attention that makes the victim feel pestered, watched, scared, anxious, and/or harassed.
- Under 18 - A child or young person is classed as under 18 until the eve of their 18th birthday.
- Vulnerable adult - A person over the age of 18 in England, Wales, and Northern Ireland who is, or may be, in need of services by reason of mental or other disability, age or illness, who is or may be unable to take care of themselves, protect themselves from harm, abuse, or exploitation. In Scotland the same applies, except the age definition is 16, and it also expands to include harm from themselves or others.

11. Support for the policy

11.1 If you require any support with this policy you should contact the Learner Support Team at learnersupport@oca.ac.uk or 01226 978618 to discuss at the earliest opportunity.

12. Control of the policy

12.1 This policy was authored by Craig Dewis, Head of Student Services in consultation with OCA Staff and given approval through OCA Oversight Management Group in May 2022.

13. Reviewing the policy

13.1 OCA will work closely with the Student Association to gather student feedback on the outline of the policy, its intentions, the administration of the policy, and a review of all these points in practice. These will then be fed into the next review point for the policy.

13.2 The next review date is June 2023. If you would like to raise any issues around this policy then you should contact either the Learner Support team directly at learnersupport@oca.ac.uk, or if you are a student, you might also wish to raise these with the appropriate OCASA representative.