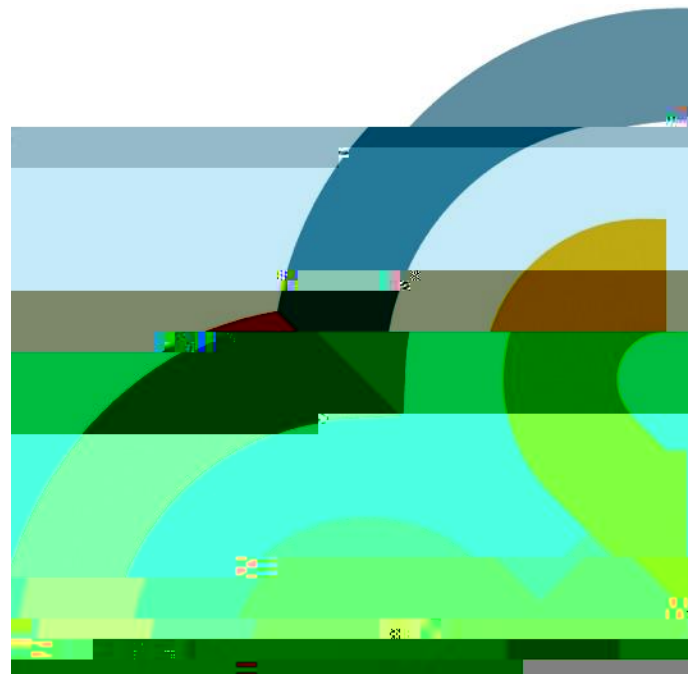


Bolton College

Abuse of Trust Policy 2024-25



BOLTON COLLEGE ABUSE OF TRUST POLICY

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1. Policy Statement Introduction

Bolton College recognises that it is an organisation which has a statutory and moral duty to ensure the safeguarding and promotion of welfare of children and/or adults at risk receiving education and training at the College (The Children Act 1989 and The Education Act 2002 Section 175).

As part of its duty of care, and in accordance with The Sexual Offences Act (2003), the College has adopted a policy, procedure and code of conduct for staff, designed to protect children (those under the age of 18) and adults at risk from abuse of trust in the form of inappropriate sexual relationships.

The purpose of this policy, procedure and code of conduct is to protect:

- a. Young people in the College who are over the age of consent but under 18 years of age; and
- b. Adults at risk.

Those in a position of trust are all staff, including agency staff and volunteers working at the College (including where appropriate subsidiaries of the University of Bolton staff). These staff / workers are in a position of trust and as such carry the responsibility for ensuring that they do not abuse their position where an allegation of abuse of trust, whether justified or unfounded, could be made.

A relationship of trust must not be distorted by fear or favour and those in positions of trust must exercise responsibility as a consequence of the power they have over those they care for. Where a relationship of trust exists, allowing a relationship to develop in a way that might lead to a sexual relationship is wrong. A sexual relationship will be intrinsically unequal within a relationship of trust and therefore unacceptable. It is also inappropriate since the professional relationship of trust would be altered.

2. Scope of Policy

The Sexual Offences Act (2003) establishes a criminal offence of the abuse of trust, affecting teachers and others who are in a relationship of trust with 16 – 18 year olds. It is an offence for a person (over 18) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies when the person works in the same establishment where the child is educated, even if he/she does not teach the child.

The College supports the following definition of relationships of trust. A relationship of trust arises where one party, through their work or activity, paid/unpaid or as a volunteer, has the responsibility for the care of a young person/adult at risk in a way which gives them power or influence over her/him. Such relationships, would clearly cover all staff, including agency workers, regardless of their age or job function.

The College extends its duty of care to protect students from abuse of trust, from 16–18 year olds to also include relationships between adults at risk and the staff who are working with them at College, where any sexual relationship would be unacceptable while the “relationship of trust” continues. Usually, adults over the age of 18 should be seen as fully competent and

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able to make their own decisions whatever age or any disability they may have, except where deemed incapable of consent by reason of mental incapacity or learning disability.

The policy, procedure and code of conduct apply irrespective of sexual orientation; neither homosexual nor heterosexual relationships are acceptable within a relationship of trust. The

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5. Staff Training.

Bolton College will make all its staff aware of this policy through safeguarding training / induction. Our agency staff, including contractors, will be made aware of this policy.

6. Sanctions

Concerns about or by members of staff with regard to preventing abuse of trust will be dealt with in accordance with:

- Criminal Investigations by Police

- Safeguarding Children Policy & Procedure

- Safeguarding Adult at Risk Policy and Procedure

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APPENDIX 1: PROCEDURE FOR RAISING CONCERNS RELATING TO ABUSE OF TRUST

Staff member reporting behaviour of other staff member regarding Abuse of Trust

Young Person/
Vulnerable Adult
reporting case of Abuse
of Trust

Staff member reporting that they are attracted to Young Person/
Vulnerable Adult or that student is developing attraction to them or may have misconstrued actions and/or words

↓
NO

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OF TRUST POLICY

REPORT FORM FOR CONCERNS RELATING TO ABUSE OF

as early as possible. It will support those making decisions about any action necessary. Please pass the completed form **immediately** to the Executive Principal or Deputy Principal or your Line Manager, in accordance with the Trust Policy.

	Contact Tel No:
	Date of birth:
	Age:
	Gender:
	Ethnicity:
Additional needs/health issues:	

This concern involves: (Staff Member's name)	Area of work:
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This concern was reported by (please circle):

You

Above Student

Above Staff Member

Another Staff Member

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<u>Nature of Concern</u> Please give a full account of the concern or disclosure overleaf.	
Signed:	Date:
Name:	Form passed to:
<u>Nature of Concern</u> Use your own words or the student's words or the words of the person reporting the concern. Record the date, time and place of any incident(s); if you don't understand what the student says – ask, don't assume, describe observable behaviour and do not destroy your original notes. Write down any outcome requested by the student. Assess any immediate risk to the student and include it in this report.	
Signed:	Date:
Name:	

APPENDIX 3: SAFEGUARDING ADVICE FOR ALL STAFF

The following is a summary of the advice that the College would want to give to you, as a member of College staff, with regards to keeping yourself safe. The advice provided has
ding
officers.

Staff on occasions will be required to meet with learners (i.e. 1:1 tutorials); however staff **should not** spend excessive amounts of time discussing personal issues for example with learners. Meetings, where possible and where appropriate should take place within sight of others. Where possible, the door should remain open and others should be aware of the meeting. Try to use a room with a window in it so others can see into it.

Staff **should not** give learners their personal email address / mobile / contact telephone numbers. Staff are therefore advised to provide learners with College contact numbers / email address.

Staff **should not** accept learners as their 'friends' on social networking sites (face book etc). However, if a member of staff has a learner on their personal networking site, then you should inform your line manager who will record this information & make a note of the relationship. The College recognises that some staff, through their personal networks, have personal / family connections with students and whilst the College understands this, we do also want to ensure that you are keeping yourself and your learners safe.

Staff are **advised not to** make unnecessary physical contact with learners. However, there may be occasions when physical contact is unavoidable, e.g. providing comfort at times of distress. In all such cases contact should only take place with the consent of the learner and again this is best if others are around to see the context in which it's meant.

It is **not good practice** to take learners alone in a car, however short the journey. Where this is unavoidable, it should be with the full knowledge and consent of the parents (or carers) of the learner and your line manager. A risk assessment should also be undertaken and shared with your line manager.

Staff **should not** start an investigation or question anyone after an allegation or concern against a member of staff has been raised. This is the job of the authorities. You should record the facts and report these to a Safeguarding Officer.

Staff should **never** (even in fun):

- Initiate or engage in sexually provocative conversations or activity
- Engage in 'banter' or behaviour which could be interpreted as bullying
- Allow the use of inappropriate language to go unchallenged
- Do things of a personal nature for learners that they can do themselves
- Allow any allegations made by a learner go without being reported and addressed
- Trivialise or exaggerate abuse issues
- Make promises to keep any disclosure confidential from relevant authorities

Staff **should not** show favouritism to any one learner.

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You must:

Staff **must respect** a learner's rights to privacy and encourage learners to feel comfortable enough to report attitudes or behaviour they do not like

Staff **will be expected** to act with discretion with regards to their personal relationships. They should ensure their personal relationships do not affect their role within the organisation. All pre-