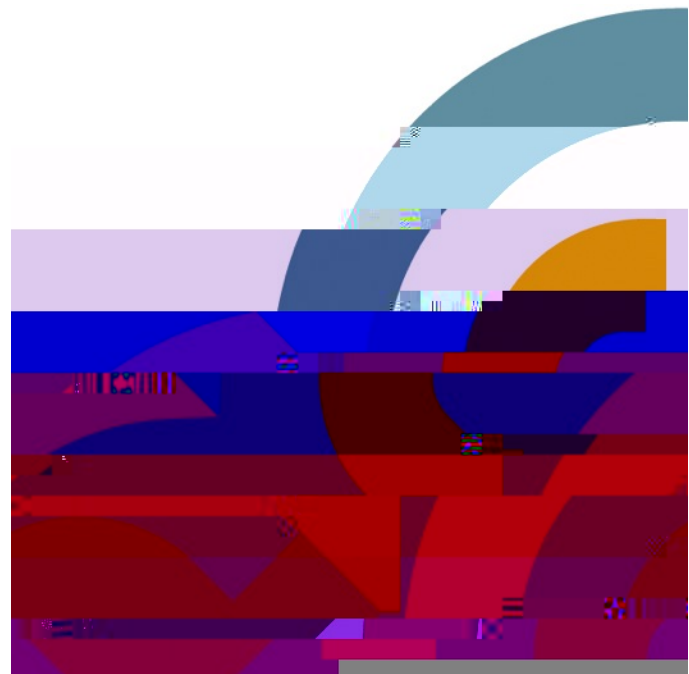


# Bolton College

## Abuse of Trust Policy 2023-24



# BOLTON COLLEGE ABUSE OF TRUST POLICY

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## BOLTON COLLEGE ABUSE OF TRUST POLICY

### 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. 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,

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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 principles also apply equally to all without regard to gender, race, religion, sexual orientation or disability.

### 3. Code of Conduct – Unacceptable Behaviour

Any behaviour, which might allow a sexual relationship to develop between a person in a position of trust and individual(s) in their care, should be avoided. Furthermore, any sexual activity within a relationship of trust is unacceptable for as long as the relationship of trust continues.

Unacceptable activity includes sexual intercourse, masturbation and oral or other sexual activity including sending inappropriate emails, text messages, sexting, inappropriate photographs / video or via social networking. This is not an exhaustive list and an objective test is important in this context, i.e. what a reasonable observer would consider sexual in all the circumstances. Thus, some behaviour such as hugging another person when they are hurt or distressed or spontaneous activity such as celebratory embraces, would not normally be construed as sexual. However, all staff are advised that any activity involving physical contact could be open to misinterpretation and, accordingly, should only be undertaken with due care and attention.

Any member of staff who has concerns relating to this is encouraged to seek advice from their line manager or Human Resources with regards to what behaviour is deemed appropriate.

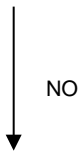


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APPENDIX 1: PROCEDURE FOR RAISING CONCERNS RELATING TO ABUSE OF TRUST

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

Young Person/  
Vulnerable Adult  
reporting case of Abuse  
of Trust





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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>  x Use your own words or the student's words or the words of the person reporting the concern. x 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. x Write down any outcome requested by the student. x Assess any immediate risk to the student and include it in this report.	
Signed:	Date:
Name:	



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### 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 been fully supported and endorsed by the trade unions and the College's safeguarding officers.

- x 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.
  
- x 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.
  
- x Staff should not accept Tc 0.05p\_p06dnrsdide6.6 (h5 T46 (he)10.6Tc 0.05per)-5.9 Twe.6 2dive ic-6.6

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You must:

- x 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
- x 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-existing relationships between staff and learners must be declared to the member of staff's line manager.
- x All staff should be aware of the procedures for reporting concerns or incidents, and should familiarise themselves with the contact details of the Safeguarding Officers.
- x If a member of staff finds himself or herself the subject of inappropriate affection or attention from a learner, they should make others aware of this.
- x If a member of staff has any concerns relating to the welfare of a learner in their care, be it concerns about actions/behaviours of another staff member or concerns based on any conversation with the learner; particularly where he/she makes an allegation, they should report this to a Safeguarding Officer.

If you have any questions with regards safeguarding, including on how best to keep yourself safe, then please discuss these with your line manager, trade union or a member of the College's Safeguarding Team.

Thank you

Safeguarding Team