

HUMAN RESOURCES

Item 11 The Lanarkshire Board – 26 March 18

Safeguarding - Keeping vulnerable beneficiaries, volunteers and staff safe

Following the recent disturbing reports in the media in relation to the abusive actions of some charity staff working for a number of international aid agencies, the Office of the Scottish Charity Regulator (OSCR) has asked that the issues of **Safeguarding** and **Notifiable Events** are agenda items on the next meeting of charities registered through OSCR.

In relation to Safeguarding, OSCR has highlighted a number of steps that charity trustees should take and these are highlighted here:

<https://www.oscr.org.uk/news/safeguarding-and-notifiable-events-two-key-points-for-your-next-meeting>

The main theme of these actions is to ensure that any statutory duties are met, ensure that safeguarding risks are assessed (and addressed), and to ensure that policies and procedures are in place that are suitable to the size and work of the charity and that these are effectively applied in practice and regularly reviewed. To provide reassurance to the Board, a summary of the College's safeguarding arrangements are provided here.

The College has designated two members of the senior management team as Safeguarding Lead (Brian Gilchrist) and Depute Safeguarding Lead (Ann Baxter) and we have a team of 17 Safeguarding Officers across the College to provide support and a point of contact for staff in dealing with safeguarding issues. The contact details for the Safeguarding Team are publicised across all campuses via posters and the list is downloadable from The Clan.

Our Safeguarding Policies and Procedures (copies will be made available at the meeting) were last updated in April 2017 and take account of good practice and the Scottish Government 2014 Safeguarding Guidance, which is the most recent national guidance available. All posts within the College are subject to a vetting check through the Protection of Vulnerable Groups Scheme operated by Disclosure Scotland and we have effective recruitment processes in place for all posts.

The College conducts risk assessments for prospective/existing students who have been convicted of an offence or who are subject to any restrictions that may create a safeguarding issue. However, the most common types of safeguarding concerns addressed by the College are the disclosure of information by a student from their life outside College that indicates that they may be at risk, or where a student discloses information relating to their mental health that indicates that they may be a risk to themselves. Safeguarding concerns relating to the conduct of a member of staff towards a student are rare and there have been no such incidents at New College Lanarkshire since merger.

Notifiable Events are serious incidents and, from OSCR's website, could relate to:

- fraud and theft
- significant financial loss
- incidents of abuse or mistreatment of vulnerable beneficiaries
- a lack of charity trustees required to make a legal decision
- when a charity has been subject to a criminal investigation or an investigation by another regulator or agency; sanctions have been imposed, or concerns raised by another regulator or agency
- when significant sums of money or other property have been donated to the charity from an unknown or unverified source
- suspicions that the charity and/or its assets are being used to fund criminal activity (including terrorism)
- Charity trustees acting improperly or whilst disqualified.

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While there is no legal requirement to report a notifiable event to OSCR, since April 2016 charities have been asked to do so as it allows OSCR to provide relevant advice and for the charity to reassure OSCR that appropriate steps are being taken by trustees to resolve the issue. OSCR reports that in the year to 31 Oct 2017 a total of 94 notifiable events were reported. This included 24 incidents of trustees or staff acting improperly, and was the most common type of incident, and 18 instances of reported fraud, theft or financial loss. To put this in context, during the reporting period, there were 24,000 active Scottish charities.

While any organisation cannot prevent all types of inappropriate behaviour, to minimise the risk and to deter those who may seek to cause harm, management have taken steps on the Board's behalf to ensure that safeguarding policies are in place that follow the most recent guidance, that the College continues to meet its statutory duties in regarding to the PVG scheme and that appropriate training and guidance are available for staff. In terms of notifiable events, the College has a robust approach to the appointment of board members and a range of policies in place in relation to financial governance.

Further information can be provided to the Board on any of these issues on request.

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