Guidance on Safe Working Practice for the Protection of Young People and Staff at Wakefield College

April 2020

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Section 1: Overview and Purpose of Guidance

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1. Overview

This document seeks to ensure that the responsibilities of Senior Leaders towards young people and staff are discharged by raising awareness of illegal, unsafe, unprofessional and unwise behaviours. It should assist staff to monitor their own standards and practice, and reduce the risk of allegations being made against them. It also recognises that not all people who work with young people work as paid or contracted employees. The principles and guidance outlined in this document still apply and should be followed by any person whose work brings them into contact with not only children or young people but all students regardless of age.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that this guidance cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this document. It is expected that in these circumstances staff will always advise their line manager of the justification for any such action already taken or proposed.

All staff have a responsibility to be aware of systems within College which support safeguarding and these should be explained as part of induction and in regular training and updates. This includes Safeguarding Policy and Procedures and Staff Code of Professional Conduct of which this document will become part.

It is recognised that vast majority of adults who work with children and young people act professionally and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for children and young people in their care. Achieving these aims is not always straightforward, as much relies on student and staff interactions where tensions and misunderstandings can occur. This document aims to reduce the risk of these.

It must be recognised that some allegations will be genuine as there are people who seek out, create or exploit opportunities to harm young people. However, allegations may also be false or misplaced and may arise from different perceptions of the same event. When they occur, they are inevitably distressing and difficult for all concerned. Is is therefore essential that all possible steps are taken to safeguard children and young people and ensure adult working with them do so safely.

The guidance aims to:

- keep children safe by clarifying which behaviours constitute safe practice and which behaviours are illegal, unsafe, unprofessional and unwise;
- assist staff to work safely and responsibly and to monitor their own standards and practice;
- set clear expectations of behaviour and/or codes of practice relevant to the services being provided;

- give a clear message that unacceptable behaviour will not be tolerated and that, where appropriate, disciplinary or legal action will be taken;
- support safer recruitment practice;
- · minimise the risk of misplaced or malicious allegations made against staff;
- reduce the incidence of positions of trust being abused or misused.

2. Underpinning Principles

- The welfare of the student is paramount.
- Staff should understand their responsibilities to safeguard and promote the welfare of students.
- Staff are responsible for their own actions and behaviour and should avoid any conduct, which would lead any reasonable person to question their motivation and intentions.
- Staff should work and be seen to work, in an open and transparent way.
- Staff should acknowledge that deliberately invented/malicious allegations are extremely rare and that all concerns should be reported and recorded.
- Staff should discuss and/or take advice promptly from their line manager if they have acted in any way, which may give rise to concern.
- The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual orientation.
- Staff must not consume or be under the influence of alcohol or any substance, including prescribed medication, which may affect their ability to care for young people.
- Staff should be aware that breaches of law or other professional guidelines could result in disciplinary action being taken against them, criminal action and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity, or for acts of serious misconduct, prohibition from teaching by the Teaching Regulation Agency (TRA).
- Staff and Managers should continually monitor and review practice to ensure this guidance is followed
- Staff should be aware of and understand the College Safeguarding Policy & Procedures, arrangements for managing allections against staff, whistle blowing procedures and the procedures of the local Multi-Agency Partnership (Wakefield Safeguarding Children Partnership -WSCP)

3. Definitions

- References made to child or children refer specifically to young people under the age of 18. However the principles of the document apply to professional behaviours towards all students.
- References to Adults and staff refer to all those who work with students in College in a paid or unpaid capacity. This would also include those who work with students those not directly employed by College for example, Local Authority staff and sports coaches.
- The term allegation means where it is alleged that a person who works with children has:
 - o Behaved in a way that has harmed a child, or may have harmed a child

- Possibly committed a criminal offence against or related to a child.
- Behaved towards a child or children in a way that indicated they may pose a risk of harm to children.

References made in this document to legislation and statutory guidance alter over time. However, the behavioural principles contained within this document remain consistent hence, where possible, such references have been removed in order that the document does not appear to quickly become out of date or to apply to certain staff or settings.

4. How to Use the Document

This document is based on an update from the Safer Recruitment Consortium and is an update on the previous document by DFES. It may be used as a reference by managers and Local Authority Designated Officers (DO) when responding to allegations made against staff. This is not statutory guidance.

Each section provides general guidance about a particular aspect of work with, in the right hand column, specific guidance about which behaviours should be avoided and which are recommended.

Staff should follow this guidance in their day to day practice. It should also be referred to when taking on new work, different duties or additional responsibilities.

It should be read alongside the College Code of Professional Conduct.

Section 2: Guidance for Safe Working Practice

1. Introduction

Staff have a crucial role to play in shaping the lives of young people. They have a unique opportunity to interact with young people in ways that are both affirming and inspiring. This guidance has been produced to help staff establish safe learning and working environments which safeguard young people and reduce the risk of staff being falsely accused of improper or unprofessional conduct.

This means that these guidelines:

- apply to all adults working in or for the College whatever their position, role or responsibilities
- may provide guidance where an individual's suitability to work with young people has been called into question

2. Responsibilities

College staff are accountable for the way in which they exercise authority; manage risk; use resources; and safeguard young people.

All staff, whether paid or voluntary, have a responsibility to keep young people safe and to protect them from sexual, physical and emotional abuse, neglect and other This means that staff should:

 understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are safeguarding concerns. Young people have a right to be treated with respect and dignity and staff are expected to take reasonable steps to ensure the safety and well-being of young people. Failure to do so may be regarded as professional misconduct.

The safeguarding culture is, in part, exercised through the development of respectful and caring relationships between staff and learners and behaviour by staff that demonstrates integrity, maturity and good judgement.

The public, local authorities, employers and parents/carers have expectations about the nature of professional involvement in the lives of learners. When individuals accept a role that involves working with young people, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Employers have a duty towards their employees, both paid and unpaid, under the Health and Safety legislation which requires them to provide a safe working environment for staff.

Legislation also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings. An employer's Health and Safety duties and the adults' responsibilities towards children should not conflict. Safe practice can be demonstrated through the use and implementation of these guidelines.

3. Making professional judgements

This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight however, behaviour that is illegal, inappropriate or inadvisable. There will be rare occasions and circumstances in which staff have to make decisions or take action in the best interests of the young person which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the young people in their charge. Such judgements should always be recorded and shared with a manager. In undertaking these actions staff will be seen to be acting reasonably.

Staff should always consider whether their actions are warranted, proportionate, safe and applied equitably.

- breached
- always act, and be seen to act, in the young person's best interests
- avoid any conduct which would lead any reasonable person to question their motivation and intentions
- take responsibility for their own actions and behaviour.

This means that the College should:

- ensure that where services are provided by another body, the body concerned has appropriate safeguarding policies and procedures
- promote a culture of openness and support
- ensure that systems are in place for concerns to be raised
- ensure that staff are not placed in situations which render them particularly vulnerable
- ensure staff are aware of expectations, policies and procedures

This means that Managers/Governing Bodies should:

 ensure that appropriate safeguarding and child protection policies and procedures are distributed, adopted, implemented and monitored

This means that where no specific guidance exists staff should:

- discuss the circumstances that informed their action, or their proposed action, with their line manager or where appropriate the designated safeguarding lead. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted
- always discuss any misunderstanding, accidents or threats with their manager
- always record discussions and

- reasons with justifications.
- record any areas of disagreement and, if necessary, refer to another agency/the LA/Ofsted/TRA/other regulatory body

4. Power and positions of trust and authority

As a result of their knowledge, position and/or the authority invested in their role, all those working with young people in education settings are in positions of trust in relation to the young people enrolled to College.

A relationship between a member of staff and a student is one in which the adult has a position of power or influence. It is vital for staff to understand this power and that the relationship cannot be a relationship between equals and the responsibility they must exercise as a consequence. There is potential for exploitation and harm of vulnerable young people and staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Staff should always maintain appropriate professional boundaries and avoid behaviour, which might be misinterpreted by others. They should report and record any incident with this potential.

Where a person aged 18 or over is in a position of trust with a young person under 18, it is an offence for that person to engage in sexual activity with or in the presence of that young person, or to cause or incite that young person to engage in or watch sexual activity.

This means that staff should not:

- use their position to gain access to information for their own advantage and/or a young person's or family's detriment
- use their power to intimidate, bully, humiliate, threaten, coerce or undermine students
- use their status and standing to form or promote relationships with students which are of a sexual nature or which may become so

5. Confidentiality

The storing and processing of personal information is governed by the General Data Protection Regualtion 2017 (GDPR) and the Data Protection Act 2018. Employers should provide advice to staff and staff should familiarise themselves about their responsibilities under this legislation so that when considering sharing confidential information those principles apply.

Staff may have access to special category personal data about students and their families which must be kept confidential at all times and only shared when legally permissible to do so and in the interest of the young person. Records should only be shared with those who have a legitimate professional reason to see them.

Staff should never use confidential or personal information about a student or her/his family for their own, or others'

This means that Managers/Governing bodies should:

Ensure that all staff who need to share "Special category personal Data" are aware that DPA 2018 contains "safeguarding of children and individuals at risk" as a processing condition that allows practitioners to share information without consent, if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent or if to gain consent would place a young person at risk.

This means that staff:

need to know the name of the

advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the student. Confidential information should never be used casually in conversation or shared with any person other than on a need to know basis. In circumstances where the young person's identity does not need to be disclosed the information should be used anonymously.

There are some circumstances in which a member of staff may be expected to share information about a young person, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay, but only to those with designated safeguarding responsibilities or to statutory services.

If a young person or their parent/carer makes a disclosure regarding abuse or neglect, the member of staff should always follow the College safeguarding procedures. The adult should not promise confidentiality to a young person or parent/carer but should give reassurance that the information will be treated sensitively.

If a member of staff is in any doubt about whether to share information or keep it confidential, he or she should seek advice from their manager or designated safeguarding staff. Any media or legal enquiries should be passed to senior management.

- Designated Safeguarding Lead and be familiar with WSCP/ child protection procedures and guidance.
- are expected to treat information they receive about young people in a discreet and confidential manner.
- should seek advice from a senior member of staff(or Designated Safeguarding Lead)if they are in any doubt about sharing information they hold or which has been requested of them
- need to be clear about when information can/must be shared and in what circumstances.
- need to know the procedures for responding to allegations against staff and to whom any concerns or allegations should be reported.
- need to ensure that where personal information is recorded electronically that systems and devices are kept secure

6. Standards of Behaviour

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of young people. They should adopt high standards of personal conduct in order to maintain the confidence and respect of students, the general public and peers.

There may be times when an individual's actions in their personal life come under scrutiny from the community, the media or public authorities, including with regard to their own children, or children or adults in the community. An individual's behaviour, either in or out of the workplace, can compromise their position within the work setting in relation to the protection of children, loss of trust and confidence, or bringing the employer into disrepute. Such behaviour may also result in prohibition from teaching by the Teaching Regulation Agency (TRA) a bar in engaging in regulated activity, or action by another relevant regulatory body.

The Childcare (Disqualification) Regulations 2018 set out grounds for disqualification under the Childcare Act 2006 where the person or a person living in the same household

This means that staff should not:

- behave in a manner which would lead any reasonable person to question their suitability to work with young people or act as a role model
- make (or encourage others to make) sexual remarks to or about students
- use inappropriate language to or in the presence of students
- make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such
- discuss their personal or sexual relationships with or in the presence of students

This means that staff should:

 Be aware that behaviour by themselves, those with whom they or employed in the same household meets certain criteria set out in the Regulations. For example, an individual will be disqualified where they have committed a relevant offence against a child; been subject to a specified order relating to the care of a child; committed certain serious sexual or physical offences against an adult; been included on the DBS children's barred list; been made subject to a disqualification order by the court, previously been refused registration as a childcare provider or manager of a children's home or had such registration cancelled. A disqualified person is prohibited from providing relevant early or later year's childcare as defined in the Childcare Act 2006 or being directly concerned with the management of such childcare.

- have a relationship, or others in their personal lives, may impact on their work with young people
- Inform HR of any cautions, convictions or relevant orders accrued during their employment, and/or if they are charged with a criminal offence.

This means Senior Leaders should:

- Have a clear expectation that staff will discuss with managers any relationship/association (in or out of College that may have implications for the safeguarding of young people in College.
- Create a culture where staff feel able to raise these issues
- Safeguard employee's welfare and contribute to their duty of care towards staff
- Identify whether arrangements are needed to support these staff
- Consider whether there are measures that need to be put into place to safeguard children (e.g. by putting arrangement sin place to stop or restrict a person coming into College where a potential risk to young people has been identified)

College must not:

 Ask intrusive questions of staff regarding those they live with or have relationships/associations with

7. Dress and Appearance

A person's dress and appearance are matters of personal choice and self-expression and some individuals will wish to exercise their own cultural customs. However, staff should consider the manner of dress and appearance appropriate to their professional role which may be different to that adopted in their personal life. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegation.

This means that staff should wear clothing which:

- promotes a positive and professional image
- is appropriate to their role
- is not likely to be viewed as offensive, revealing, or sexually provocative
- does not distract, cause embarrassment or give rise to misunderstanding
- is absent of any political or otherwise contentious slogans
- is not considered to be discriminatory
- is compliant with professional standards

8. Gifts, Rewards and Favouritism

Staff should be aware of College policy including arrangements for the declaration of gifts received and given.

Staff need to take care that they do not accept any gift that might be construed as a bribe by others or lead the giver to expect preferential treatment.

There are occasions when young people or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank-you and this is usually acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

Similarly, it is inadvisable to give such personal gifts to students or their families. This could be interpreted as a gesture either to bribe, groom or single out the young person. It might be perceived that a 'favour' of some kind is expected in return.

Any reward given to a young person should be in accordance with agreed practice within the College, recorded and not based on favouritism.

Care should be exercised when selecting students for activities, jobs or privileges in order to avoid perceptions of favouritism or injustice. Similar care should be exercised when students are excluded form an activity. Methods of selection and exclusion should always be subject to clear, fair and agreed criteria.

This means that staff should:

- be aware of the College Financial Regulations regarding receiving gifts
- ensure that gifts received or given in situations which may be misconstrued are declared and recorded
- generally, only give gifts to an individual young person as part of an agreed reward system
- where giving gifts other than as above, ensure that these are of insignificant value and given to all young people equally
- ensure that selection processes are fair and wherever practicable these are undertaken by more than one member of staff
- ensure they do not behave in a manner which is either favourable or unfavourable to individual students

9. Infatuations and 'crushes'

Staff need to be aware that it is not uncommon for students to be strongly attracted to a member of staff and/or develop a crush or infatuation. They should make every effort to ensure their own behaviour cannot be brought into question, does not appear to encourage this and be aware that such infatuations may carry a risk of their words or actions being misinterpreted.

A member of staff, who becomes aware or notices any sign that a student may be infatuated with themselves or a colleague, should discuss this at the earliest opportunity with their manager so that appropriate action can be taken. In this way, steps can be taken to avoid escalation, hurt and distress for all concerned.

Senior Managers should give careful thought to those circumstances where staff member, student and

This means that staff should:

- report any indications (verbal, written or physical) that suggest a student may be infatuated with a member of staff
- always acknowledge and maintain professional boundaries

This means that Senior managers should:

 put action plans in place where concerns are brought to their attention parent/carers should be spoken to and ensure a plan to manage the situation is put in place. The plan should involve all parties, maintain the dignity of all and monitored and reviewed.

10. Social contact outside the workplace

It is acknowledged that staff may have genuine friendships or social contact with students, or parents of students, independent of the professional relationship. Staff should, however, be aware that professionals who sexually harm young children often seek to establish relationships and contact outside the workplace with both the child and their parents, in order to 'groom' the adult and the child and/or create opportunities for sexual abuse.

It is also important to recognise that social contact may provide opportunities for other types of grooming such as for the purpose of sexual exploitation or radicalisation.

Staff should recognise that some types of social contact with students and their families could be perceived as harmful or exerting inappropriate influence on young people, and may bring the College into disrepute (e.g. attending political protest, circulating propaganda).

If a student or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise his/her professional judgement. This also applies to social contacts made through outside interests or the staff members own family.

Some staff may, as part of their professional role, be required to support a parent or carer. If that person comes to depend upon that staff member or seeks support outside of their professional role this should be discussed with management and where necessary referrals made to an appropriate support agency.

Staff should not, in any circumstances, give their personal details such as home/mobile phone number; home or email address or social media contacts to students unless the need to do so is agreed with senior management.

Internal communication systems should only be used in accordance with college policy.

11. Personal Living Space

Generally, staff should not invite young people into their living accommodation unless the reason to do so has been firmly established and agreed with their manager and the student's parents and careers. The College would not expect that private living space be used for any work with

This means that staff should:

- consider the appropriateness of the social contact according to their role and nature of their work
- always approve any planned social contact with students or parents with their manager, for example when it is part of a reward scheme
- advise their manager of any regular social contact they have with a student which may give rise to concern
- refrain from sending personal communication to students or parents unless agreed by their manager
- inform management of any requests or arrangements where parents wish to use their services outside the workplace e.g tutoring
- inform management of any relationship with a parent where this extends beyond the usual parent/professional relationship
- report and record any situation, which may place a young person at risk or, may compromise the college or their own professional standing

This means that staff should:

be vigilant in maintaining

young people.

Under no circumstances should young people be asked to assist staff with jobs or tasks, with or without reward, in their private accommodation.

This guidance should also apply to all other persons living in or visiting the private accommodation.

- be mirtdfeir opfrithæcyneed to maintain professionnainholdulmofathiesneed to
- refrainafvoirid attainingsytohengspelæstento undertallden eneatstensit viratbisons errands
 - not ask students to undertake jobs or errands for their personal benefit
 - be mindful of the need to maintain appropriate personal and professional boundaries

12. Sexual Conduct

Any sexual behaviour by a member of staff with or towards a student or other young person is unacceptable. It is an offence for a member of staff in a position of trust to engage in sexual activity with a student under the age if 18 and sexual activity with a child could be a matter for criminal and/or disciplinary procedures. Young people are protected by the same laws as adults in relation to nonconsensual sexual behaviour. They are additionally protected by specific legal provisions depending on their age and understanding.

Sexual activity involves physical contact including penetrative and non-penetrative acts, however it also includes non-contact activities, such as causing students to engage in or watch sexual activity or the production of pornographic material.

There are occasions when adults embark on a course of behaviour known as "grooming" where the purpose is to gain the trust of a young person and manipulate that relationship so sexual abuse can take place. Staff should be aware of behaviours which may constitute 'grooming' such as conferring special attention and favour upon a student, and of their responsibility to always report any concerns about the behaviour of a colleague which could indicate that a student is being groomed.

This means that staff should:

- not have any form of sexual contact with students either in or out of college
- avoid any form of touch or comment which is, or may be considered to be, indecent
- avoid any form of communication with a student which could be interpreted as sexually suggestive, provocative or give rise to speculation e.g. verbal comments, letters, notes, by email or on social media, phone calls, texts, physical contact
- not make sexual remarks to, or about, a student
- not discuss sexual matters with or in the presence of students other than within agreed curriculum content or as part of their recognised job role

13. Physical Contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with students, but it is crucial that they only do so in ways appropriate to their professional role and in relation to the student's individual needs and any agreed care plan.

Not all young people feel comfortable about certain types of physical contact; this should be recognised and wherever possible, adults should seek the student's permission before initiating contact and be sensitive to any

- be aware that even well-intentioned physical contact may be misconstrued or perceived differently by the young person, an observer or by anyone to whom this action is described
- never touch a young person in a way which may be considered indecent

signs that they may be uncomfortable or embarrassed. Staff should acknowledge that some students are more comfortable with touch than others and/or may be more comfortable with touch from some adults than others. Staff should listen, observe and take note of the young person's reactions or feelings and, so far as possible use a level of contact and/or forms of communication which is acceptable to the student.

Any physical contact should be in response to the needs of the student at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity, additional support needs and background. Staff should use professional judgement at all times.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action by them or a colleague could be misinterpreted, or if an action is observed which could possibly be abusive, the incident and circumstances should be reported immediately to the manager and, if appropriate, a copy placed on the young person's file. Where appropriate the manager should consult with Senior Lead HR who may refer to the Local Authority Designated Officer (DO).

Extra caution may be required where it is known that a young person has suffered previous abuse or neglect. Staff need to be aware that the young person may associate physical contact with such experiences. They should also recognise that many such young people are extremely needy and may seek out inappropriate physical contact. In such circumstances staff should deter the young person sensitively by helping them to understand the importance of personal boundaries.

The general culture of 'safe touch' should be adopted, where appropriate, to the individual requirements of each young person. Young people with disabilities may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the young person's needs, consistently applied and open to scrutiny.

14. Activities which require physical contact.

In certain curriculum areas, such as sports, dance or drama, staff may need to initiate some physical contact with students in order to support a young person so they can perform a task safely, to demonstrate the use of a particular piece of equipment or assist them with an exercise. This should be done with the student's agreement.

- always be prepared to explain actions and accept that all physical contact be open to scrutiny
- never indulge in horseplay, tickling or fun fights
- encourage young people, where possible, to undertake self-care tasks independently
- ensure any comfort offered to a distressed student is appropriate, and the preferences of the student is established
- record and report any situation which may give rise to concern
- be aware of the College Policy on Physical Restraint
- work within Health and Safety regulations
- be aware of cultural or religious views about touching and always be sensitive to issues of gender

This means that the College should:

- ensure there is a system in place for recording incidents and the means by which information about incidents and outcomes can be easily accessed by senior management.
- provide staff, on a "need to know" basis, with relevant information about vulnerable learners in their care

- treat students with dignity and respect and avoid contact with intimate parts of the body
- always explain to a student the reason why contact is necessary and what form that contact will take

Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in a safe and open environment i.e. easily observed by others. Contact should be undertaken with the learner's understanding and agreement and staff should remain sensitive to any discomfort expressed verbally or non-verbally by the young person.

It is good practice that all parties clearly understand at the outset, what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers informed of these expectations and of the nature of any physical contact that is likely to be necessary may also prevent allegations of misconduct or abuse arising.

Any incidents falling outside these expectations should be reported to the manager and parents/carers as necessary.

- seek consent of parents where a student may be unable to give it e.g. because of a disability
- consider alternatives, where it is anticipated that a learner might misinterpret any such contact
- be familiar with and follow recommended guidance and protocols
- conduct activities where they can be seen by others
- be aware of gender, cultural or religious issues that may need to be considered prior to initiating physical contact

This means that College should:

- Have in place up to date guidance and protocols on appropriate physical contact, that promote safe practice and include velar expectations of behaviour and conduct
- Ensure that staff are made aware of this guidance and that it is continually promoted

15. Intimate/personal care

Staff should refer to the College intimate and personal care guidelines which ensure the health safety and independence of young people is promoted and their dignity and privacy are respected. Arrangements for intimate and personal care should be open and transparent and accompanied by recording systems.

Students should be encouraged to act as independently as possible and to undertake as much of their own personal care as possible and practicable. When assistance is required, this should normally be undertaken by one member of staff, however, they should try to ensure that another appropriate adult is in the vicinity who is aware of the task to be undertaken and that, wherever possible, they are visible and/or audible. Intimate or personal procedures should not involve more than one member of staff unless the student's care plan specifies the reason for this.

A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room should include times left and returned.

This means that College should:

- Have written care plans in place for any student who could be expected to require intimate care
- Ensure that students are actively consulted about their own care plan

- adhere to College's intimate and personal care guidelines
- make other staff aware of the task being undertaken
- always explain to the student what is happening before the care procedure begins
- consult with colleagues where any variation from the agreed procedure/care plan is necessary
- record the justification for any variations to the agreed

Any vulnerability, including those that may arise from a physical or learning difficulty should be considered when formulating the student's health and education care plan. The views of parents/carers and the student, regardless of their age and understanding, must actively be sought in formulating the plan and in the necessary reviews of these arrangements.

Students are entitled to respect and privacy at all times and especially when in a state of undress, including for example, when changing, toileting and showering. However, there needs to be an appropriate level of supervision in order to safeguard students, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.

16. Showers and Changing

Students are entitled to respect and privacy at all times and especially when in a state of undress, including for example, when changing, toileting and showering. However, there needs to be an appropriate level of supervision in order to safeguard students, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the young people.

Staff therefore need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the learners.

17. Learners in Distress

There may be occasions when a distressed learner needs comfort and reassurance. This may include physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation. Staff should be aware that physical approaches can cause more distress, for example, for a learner who has suffered physical or sexual abuse. Consent for contact should always be sought from a learner.

Where a member of staff has a particular concern about the need to provide this type of care and reassurance s/he

- procedure/care plan and share this with the student and parents/carers
- avoid any visually intrusive behaviour
- where there are changing rooms announce the intention of entering
- always consider the supervision needs of the students and only remain in the room where their needs require this

This means that staff should not:

- change or toilet in the sight of other students
- shower with students
- assist with intimate personal care which the student is able to undertake independently

This means that staff should:

- avoid any physical contact when young people are in a state of undress
- avoid any visually intrusive behaviour and where there are changing rooms:
- announce their intention of entering
- avoid remaining in the room unless student needs require it

This means that staff should not:

- change in the same place as students
- shower with young people

- consider the way in which they offer comfort and reassurance to a distressed student and always try to minimise contact
- use physical contact only when absolutely necessary and avoid using it in one to one situations
- obtain consent from a learner before initiating any physical contact or comfort
- try to ensure that a witness is present
- always tell a colleague when and

should seek further advice from a senior manager.

- how they offered comfort to a distressed young person
- record situations which may give rise to concern

18. Behaviour Management

All learners have a right to be treated with respect and dignity. Corporal punishment is unlawful. Staff should not use any form of degrading treatment to punish a learner. The use of sarcasm, demeaning or insensitive comments towards learners is completely unacceptable.

Where students display difficult or challenging behaviour, staff should use strategies appropriate to the circumstances and situation.

Where a student has specific needs in respect of particularly challenging behaviour, a positive handling plan, including assessment of risk, should be drawn up and agreed by all parties, including, for example a medical officer where appropriate.

Senior manager should ensure that the College's behaviour policy includes clear guidance about the use of isolation and seclusion. The legislation on these strategies is complex and staff should take extreme care to avoid any practice that could be viewed as unlawful, a breach of the student's human rights and/or false imprisonment.

This means that staff should:

- not use force as a form of punishment
- try to defuse situations before they escalate
- keep parents informed of any sanctions or behaviour management techniques used
- be mindful and sensitive to factors inside and outside College which may impact on a student's behaviour
- behave as role models
- avoid shouting at students other than as a warning in an emergency/safety situation
- refer to national and local policy and guidance regarding Restrictive Physical Intervention (RPI)
- be aware of the legislation and potential risks associated with the use of isolation and seclusion
- comply with legislation and guidance in relation to human rights and restriction of liberty

19. Control and Physical Intervention

The use of physical intervention should, wherever possible, be avoided. However there are occasions when the use of physical intervention may be reasonably used in order to control or prevent a potentially dangerous or harmful situation, i.e. an offence being committed, causing damage to property, or causing injury to self or others.

Great care must be exercised in order that adults so not physically intervene in a manner, which could be considered unlawful. The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled and the nature of the harm they may cause. The minimum necessary force should be used and the techniques deployed should be those with which staff are familiar and able to use safely.

Under no circumstances should physical force be used as

This means that staff should:

- adhere to the college's physical intervention policy
- always seek to defuse situations and avoid use of physical intervention wherever possible
- always use minimum force for the shortest period necessary.

This means that the college should:

- regularly acquaint staff with relevant college policy and guidance
- ensure that staff are provided with appropriate training and support

a form of punishment. The use of unwarranted or disproportionate physical force is likely to constitute a criminal offence. Where College judges that a student's behaviour presents a serious risk to themselves or others, they should put a robust risk assessment in place which is reviewed regularly, alongside a physical intervention plan.

In all cases where physical intervention is deemed necessary, the incident and subsequent actions should be documented and reported.

Similarly, where it can be anticipated that physical intervention is likely to be required, a plan should be put in place which the student and parent/carer have agreed to. Parental consent does not permit unlawful physical intervention or deprivation of liberty.

 have agreed policy/procedures for when and how physical interventions should be recorded and reported

20. One to One Situations

Staff working in one to one situations with young people may be more vulnerable to allegations. Staff should recognise this possibility and plan and conduct their work accordingly. Equally, one to one meetings may also make the learner more vulnerable to those who seek to harm and exploit their position of trust. Every attempt should be made to ensure the safety and security needs of both staff and learners are met.

College needs to consider these issues in drawing up college policies and offer clear training and guidance for the use of any areas of the college which place staff or young people in vulnerable situations e.g. photographic darkrooms, counselling rooms.

Managers should undertake a risk assessment in relation to the specific nature and implications of one to one work for each worker. In addition, each assessment should take into account the individual needs of each learner. Any arrangements should be reviewed on a regular basis.

Pre-arranged meetings with learners away from the college premises should not be permitted unless the necessity for this is clear and approval is obtained from the principal or other senior member of staff, the student and the parent/carers.

21. Overnight Supervision and Examinations

There are occasions during exam periods when timetables clash and supervision arrangements need to be made to preserve the integrity of the examination process. The examination board requires the centre to determine the method of supervision which ensures the candidate's

This means that staff should:

- ensure that when lone working is an integral part of their role, full and appropriate risk assessments have been conducted and agreed.
- avoid meetings with learners in remote, secluded areas of college
- ensure there is visual access and/or an open door in one to one situations wherever possible
- inform other staff of the meeting beforehand, assessing the need to have them present or close by
- avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy
- always report any situation where a young person becomes distressed or anary to their line manager
- consider the needs and circumstances of the young person/people involved.

This means that:

- all arrangements should be made in partnership and agreement with the learner and parents/carers
- arrangements involving one to one

wellbeing. As a result, in some circumstances staff may be asked to volunteer to supervise students overnight. The overriding consideration should be the safeguarding of both students and staff.

- supervision should be avoided wherever possible.
- staff should have regard to any quidance that exists
- as much choice, flexibility and contact with 'the outside world', should be incorporated into any arrangement so far as is consistent with appropriate supervision
- whenever possible, independent oversight of arrangements should be made
- Colleges should ensure that all arrangements reflect a duty of care towards learners and staff
- any situation which gives rise to complaint, disagreement or misunderstanding should be reported

22. Home Visits

All work with students and their parents/carers should usually be undertaken in the College or other workplace setting, however it may occasionally be necessary for some staff to visit learners in their homes. It is essential that appropriate policies and related risk assessments are in place to safeguard both staff and learners who can be more vulnerable in these situations.

A risk assessment should include an evaluation of any known factors regarding the learner, parents/carers and others living in the household. Risk factors such as hostility, child protection concerns, complaints or grievances can all make a member of staff more vulnerable to an allegation. Specific consideration should be given to visits outside of "office hours" or in remote or secluded locations. Following the assessment, appropriate risk management measures should be in place before visits are agreed. Where little or no information is available, visits should not be made alone.

Under no circumstances should staff visit a learner in their home outside agreed work arrangements.

This means that staff should:

- agree the purpose for any home visit with their line manager
- adhere to agreed risk management strategies
- avoid unannounced visits where possible
- always make detailed records including times of arrival and departure and work undertaken
- ensure any behaviour or situation which gives rise to concern is discussed with their manager and appropriate action taken

This means that the College should:

- ensure that they have home visit and lone-working policies of which staff are made aware. These should include arrangements for risk assessment and management
- ensure that all visits are justified and recorded
- ensure that staff are not exposed to unacceptable risk
- make it clear to staff that other than in an emergency, they should not enter a home if the parent/carer is absent
- ensure that staff have access to a mobile telephone and an emergency contact person

23. Transporting young people

In certain situations, staff or volunteers may agree to offer transport young people as part of their work. As for any other activity undertaken at work, the employer as a duty to carry out a risk assessment covering the health and safety of their staff and to manage any known risks.

Staff should not offer to transport students unless the need for this has been agreed by a manager. A designated member of staff should be appointed to plan and provide oversight of all transporting arrangements and respond to any concerns that may arise.

Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles, with at least one adult additional to the driver acting as an escort. It is a legal requirement that all passengers wear seatbelts and the driver should ensure that they do so.

Staff should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They should ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded.

Staff should never offer to transport students outside of their normal working duties, other than in an emergency or where not doing so would mean the child may be at risk. In these circumstances the matter should be recorded and reported to their manager and parents/carers as appropriate.

The College Health and Safety Policy and/or educational visits policy should set out the arrangements under which staff may use private vehicles to transport students.

This means that staff should:

- be aware that the safety and welfare of the young person is their responsibility until this is safely passed over to a parent/carer record details of the journey, the route and expected time of arrival in accordance with agreed procedures plan and agree arrangements with all parties in advance, responding sensitively and flexibly to disagreements
- ensure that they are alone with a young person for the minimum time possible
- ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety. This includes having appropriate licence and business use insurance
- take into account any specific or additional needs that the young person may have.

Address the matter through a thorough risk assement for the trip.

24. Educational Visits

Staff responsible for organising educational visits should be familiar with Health & Safety requirements, policy, and procedures for offsite visits. This should include producing suitable risk assessments assessing any risks to staff, students or others and the measures that should be taken to minimise these risks.

Where out of college activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Learners, staff and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and visits should pay careful attention to ensuing there is a safe ratio of staff to students and a suitable gender mix of staff.

- adhere to the College Visits Policy
- always have another adult present in out of college activities, unless otherwise agreed with a senior manager
- undertake appropriate risk assessments
- have appropriate consents to the activity yin place (e.gg. Medical)
- ensure that their behaviour remains professional at all times
- never share beds or bedrooms with learners

Staff should take particular care when supervising learners in the less formal atmosphere of a residential setting or out of college activity. During college activities that take place off the college site or out of college hours, a more relaxed discipline or informal dress and language code may be acceptable. However, staff remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in an out of college activity. Staff must be aware of and follow guidance. ensure their behaviour remains professional at all times

25. First Aid and Administration of Medication

College must have an adequate number of qualified first aiders. Any member of College staff may be asked to become a qualified first-aider or to provide support to students with medical conditions, including the administering of medicines, but they cannot be required to do so unless this forms part of their contract of employment. Staff should receive sufficient and suitable training and achieve a level of competency before they take on the responsibility of administering medication.

In circumstances where young people need medication during College hours regularly, a health care plan should be drawn up to ensure the safety and protection of learners and staff. With the permission of parents, the young people should be encouraged to administer the medication themselves.

When administering first aid, wherever possible, staff should ensure that another adult is present, or aware of the action being taken.

If a member of staff is concerned or uncertain about the amount or type of medication being given to a learner, this should be discussed with the appropriate senior colleague at the earliest opportunity.

This means that College should:

- ensure there are trained and named individuals to undertake first aid responsibilities
- endure training is regularly monitored and updated

This means that staff should:

- adhere to the college's Health and Safety policy and procedures
- make other staff aware of the task being undertaken
- have regard to students' health and care plans
- ensure appropriate health/risk assessment is undertaken prior to undertaking certain activities
- explain to the young person what is happening
- make a record of all medications administered

26. Curriculum

Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of a political or sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and

- have clear written lesson plans
- take care when encouraging students' self-expression not to overstep personal and professional

sensitivity and care should be taken in those areas of the curriculum where usual rules and boundaries are less rigorously applied e.g. Drama. This can be supported by developing ground rules with students to ensure sensitive topics can be discussed in a safe learning environment.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to learners' questions can require careful judgement and staff may wish to take guidance in these circumstances from a senior member of staff.

27. Communication with Learners using Technology

In order to make the best use of the many educational and social benefits of new and emerging technologies, students need opportunities to use and explore the digital world. Online risks are posed more by behaviours and values than the technology itself.

Staff should ensure they establish safe and responsible online behaviours, working to local and national guidelines, and acceptable use policies which detail how new and emerging technologies should be used.

Communication between staff and learners, by whatever method, should take place within professional boundaries and staff should avoid personal subject matter. This includes the wider use of technology such as computers, tablets, phones, texts. E-mails, instant messaging and social media such as Facebook and Twitter, chatrooms, forums, blogs, websites, gaming sites, digital cameras, videos, web cams and other hand held devices. (Given the ever-changing world of technology, it should be noted that this list gives examples only and is not exhaustive.)

Staff should not request or respond to any personal information from young people other than which may be necessary in their professional role. They should ensure communications are open and transparent and avoid any communication which could be interpreted as 'grooming behaviour'.

Staff should not give their personal contact details to students for example, email address, home or mobile telephone numbers or details of web-based identities. If young people locate these by other means and attempt to

boundaries

 be able to justify all curriculum materials and relate these to clearly identifiable learning outcomes

This means that staff should not:

- enter into or encourage inappropriate discussions which may offend or harm others
- undermine fundamental British Values
- express any prejudicial views
- attempt to influence or impose their personal values, attitudes or beliefs on students

- not seek to communicate/make contact with student or respond to contact from students outside the purposes of their work
- not give their personal contact details to learners, including their mobile telephone number and details of any blogs or personal websites
- Only use equipment and or college provided to communicate with learners
- adhere to the College Email and Internet, and acceptable use Policies
- ensure that if a social networking site is used, details are not shared with learners and privacy settings are set at maximum
- ensure their use of technologies could not bring College into disrepute
- PLEASE REFER TO APPENDIX 1
 MODEL PROTOCOL FOR ONLINE
 1:1 MEETINGS AT THE BACK OF
 THIUS DOCUMENT

contact or correspond with staff members the adult should not respond and must report the matter to their manager. The young person should be firmly informed that this is not acceptable.

Internal email systems should only be used in accordance with College policy and staff should adhere to College procedures and guidance with regard to communication with parents and careers and the information they share when using the internet.

28. Photography, Videos and other Creative Arts

Many college activities involve recording images. These may be undertaken as part of the curriculum, to provide evidence of activity, for displays, publicity, or to celebrate achievement. Under no circumstances should staff be expected or allowed to use their personal equipment to take images of students at or on behalf of the College setting.

Staff need to be aware of the potential for these aspects of teaching to be misused for pornographic or 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. Particular regard needs to be given when they involve young or vulnerable learners who may be unable to question why or how the activities are taking place.

Young people who have been previously abused in this way may feel particularly threatened by the use of photography, filming etc in the teaching environment. Staff should remain sensitive to any young people who appear uncomfortable and should recognise the potential for misinterpretation.

Using images of young people will require the age appropriate consent of the individual concerned and their legal guardians. Images should not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the college have access.

It is recommended that when using a photograph the following guidance should be followed:

- if the image is used, avoid naming the learner (or as a minimum first name only)
- if the learner is named, avoid using their image
- colleges should establish whether the image will be retained for further use, where and for how long
- images should be securely stored and used only by those authorised to do so.

This means that staff should:

- only take images where the student is happy for them to do so
- only publish images where they and their legal guardian has given explicit written consent to do so
- only retain images when there is a clear and agreed purpose for doing so
- store images in an appropriate secure place in the College
- ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose.
- be able to justify images of young people in their possession
- avoid making images in 1:1 situations

- take images of students for their own personal use
- display or distribute images of students unless they have appropriate consent to do so
- take images of students using their own equipment
- take images of young people in a state of undress or semi-undress
- take images of children which could be considered as indecent or sexual
- take images of a child's injuries, bruising or similar (e.g. following a disclosure of abuse
- make audio recordings of a child's disclosure

29. Internet Use and Inappropriate images

Staff should take extreme care to ensure that young people are not exposed, through any medium, to inappropriate or indecent images. There are no circumstances that justify adults making, downloading. possessing or distributing indecent images (or pseudoimages of children. Accessing these images, whether on College or personal equipment, on or off the premises, or making, storing or disseminating such material is illegal. If indecent images of children are discovered on College premises or on College equipment an immediate referral to the Local Authority Designated Officer should be made and the police contacted. There should be no attempt to investigate the matter or evaluate the material. The images/equipment should be secured and isolated from the network and there should be no attempt to view or delete the images or tamper with the equipment in any way, as this could jeopardise necessary criminal action. If the images are of children known to College a referral should also be made to Children's Social Care in line with local arrangements.

Under no circumstances should staff use college equipment access pornography. Personal equipment containing pornography or links to it should never be brought into or used in the workplace. This will raise serious concerns about the suitability of the adult to continue working with young people.

Staff should keep their passwords confidential and not allow unauthorised access to equipment. Equipment should not be left unlocked when unattended.

30. Whistle-blowing

Whistle blowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. The College has a whistle-blowing policy that meets the terms of the Public Interest Disclosure Act 1998. Staff who use the whistleblowing procedure should have their employment rights protected.

Staff should recognise their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies and that not to do so may result in charges of serious neglect on their part where the welfare of children may be at risk.

This means that staff should:

- follow the college policy on the use of the internet, email and acceptable use
- ensure learners are not exposed to indecent or inappropriate material on the internet

This means that staff should:

- report any behaviour by colleagues that raises concern
- report allegations against staff or volunteers to the Senior Lead – HR
- where they have any concerns about the response of the Senior Lead report these directly to the DO
- escalate their concerns if they believe young people are not being protected

This means that College should:

 Have a whistleblowing policy in place which is known to all

- Include in the Whistleblowing Policy how to escalate concerns if they believe that safeguarding arrangements are not effective or that young people are not protected from harm
- Have clear procedures for dealing with allegations against persons working in or on behalf of the College

31. Sharing Concerns and Recording Incidents

All staff should be aware of the College's Safeguarding Procedures, including procedures for dealing with allegations against staff. Staff who are the subject of allegations are advised to contact their professional association.

In the event of an incident occurring, which may result in an action being misinterpreted and/or an allegation being made against a member of staff, the relevant information should be clearly and promptly recorded and reported to Senior Lead – HR or DSL as appropriate.

Members of staff should feel able to discuss with their line manager any difficulties or problems that may affect their relationship with learners so that appropriate support can be provided, or action can be taken.

This means that staff:

- should be familiar with the college system for recording concerns
- should take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the college or workplace.

This means that colleges:

 have an effective, confidential system for recording and managing concerns raised by any individual regarding adults' conduct and any allegations against staff and volunteers

	Guidance for Safe Working Practice for the Protection of Young People and Staff at Wakefield College 2020
Senior Le	should know the name of the College's Designated Safeguarding Lead and eads and know and follow relevant safeguarding policy and procedures. All e a duty to report any safeguarding concerns.
Stail Have	c a duty to report any sareguarding concerns.





APPENDIX 1

Model Protocol for online 1:1 meetings

Do:

- Ensure your safeguarding training is up to date.
- Ensure you have agreed the protocols and timing of all 1:1 on-line activity with under 18s or vulnerable adults with parents / carers prior to the 1:1 taking place, including appropriate location, dress and conduct. The 1:1 must then take place only at the days / times agreed with parents. Parents and carers should be present in the home at the time. If at any time you feel uncomfortable with something done or said during a 1:1 call, you should end the call as soon as possible and report any concerns to your line manager and / or safeguarding officer.
 - Test your audio and video before a scheduled call.
 - Record any live classes so that the video can be reviewed if any issues arise.
 - Be punctual and courteous. Introduce yourself and take note of other attendees' names so you can address them by name. Turn off call tone on your phone. Treat this just like you would a face to face meeting with a student, colleague or other adult.
 - Conduct yourself in a professional manner throughout the call you remain an employee of the college throughout the call.
 - Conduct video calls to learners or colleagues from a desk or other appropriate location.
 - Remind students that all audio/video may be recorded, to safeguard both parties and this wouldn't routinely be shared.
 - Make sure to have current client version loaded before scheduled calls.
 - Look at your screen, pay attention to others and when speaking make sure to look at your camera.
 - Use the 'blur background option' to hide any background if needed.

- Picture in Picture is your best reference, you can see yourself and your surroundings just as others on the call can.
- Make sure you have good light. Adjust lighting or use a portable light source to make sure you have good lighting on you from the front without having to look directly into a harsh light, eg: by pointing a strong desk lamp at the wall you're facing.
- Ensure you are appropriately dressed; 'business casual' at all times.
- Mute your microphone when not needing to talk to avoid background noise.
- Keep sessions to a reasonable length to avoid interfering with family activity.
- Consider posting your comments/questions on completion of the on-line conversation, in the *Team Chat* window.

Don't:

- Conduct a video call if it would be inappropriate to meet face-to-face.
- Multi-task; your audience will be aware.
- Shout; the other participants will tell you if they cannot hear.
- Click your pen, tap on your desk or anything else annoying or distracting. It is important to remember:
- Eat or drink, other than water, tea / coffee,
- Position yourself with other people or pets in view; what's around and behind you can be seen.
- Leave multiple applications open during the call as it may affect the quality.
- Wear stripes or heavy patterns creating pixilation of images.

Useful further guidance:

https://www.tes.com/news/coronavirus-10-safeguarding-rules-teachers-home
https://learning.nspcc.org.uk/news/2020/march/undertaking-remote-teaching-safely/
https://www.nspcc.org.uk/keeping-children-safe/online-safety/internet-connected-devices/

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