

2 February 2018

Mrs MacLean

via e-mail at: request-448956-c1bcfd73@whatdotheyknow.com

Dear Mrs MacLean

Freedom of Information - Request for Information

I refer to your request for information which was received on 10th January 2018 as follows:

1. Does your college have a named safeguarding officer?

Yes – Heather Henderson, Student Advice Manager

2. If your college was considering enrolling a student who was listed on the sex offenders register, how would you deal with such a situation?

If the applicant was under specific restrictions, then we would expect a direct referral from the local authority Criminal Justice Services team, normally via a named Social Worker.

Initial contact would be directed to the Student Advice Manager who will then work with the Criminal Justice team to assess the level of risk. The applicant's rights and the College's obligations under the Rehabilitation of Offenders Act are relevant at this point.

Note that FE applicants are not normally required to declare convictions. Specific programmes involving work with children and vulnerable adults requires completion of a Disclosure Scotland form in line with the disclosure policy and confidential disclosure of convictions at the point of application.

<https://www.moray.uhi.ac.uk/about-us/publications/StudentDisclosurePolicyProcedure.pdf>

For UHI Higher Education Programmes, there is a separate application process and UHI specific policies which are discussed in this document:

<https://www.uhi.ac.uk/en/t4-media/one-web/university/about-uhi/governance/policies-and-regulations/policies/terms-and-conditions.pdf>

3. What is your risk assessment procedure in such a situation?

For FE, if a declaration has been made, then the Student Advice Manager will work with the applicant to consider the relevancy of previous convictions and if required, seek advice from Criminal Justice Staff.

If through working with partner agencies it is determined that a College risk assessment would be appropriate, then it would be developed with the support of the relevant agency staff to ensure any mitigation was proportionate and appropriate.

4. What types of mitigation would you consider as a result of any risk assessment procedure?

Under FOI, there are no specific documents covering this, however we are able to provide a general response regarding criminal convictions.

The aim of any risk assessment is to mitigate risk both to the applicant and others in College. Shared risk assessments are likely to be key and would consider:

- Review of the application to ensure that the applicant is able to benefit from the course they have applied for.
- Taking guidance and support from partner agencies whether provision of supervision outside of class is appropriate, whilst ensuring such arrangements are not a barrier to learning, teaching and assessment.
- Feedback in relation to what other mitigation has been effective elsewhere and how it could be adopted for use within a College environment.
- Individualised toilet arrangements may appropriate, but would be based on agency recommendations and feedback.
- Transitional arrangements to support entry to College may be effective to help all agencies manage the move to full time and review risk assessments.
- Participation in regular review meetings with all agencies involved to look at progress and determine adjustment of support arrangements.

There may be other elements and the College would take a multi-agency approach to ensuring the arrangements were appropriate.

5. In what circumstances would you implement a MAPPA plan (or similar)?

The implementation of a MAPPA plan would be led by another agency. Please see here for details:

http://www.moray.gov.uk/moray_standard/page_58405.html

Our responsibility is to contribute fully this multi-agency approach.

To date, the College has not had any involvement in supporting the implementation of a MAPPA plan, but we are fully committed to responding to and working with partner agencies to support MAPPA Plans, typically led by and managed by Criminal Justice staff.

6. Is there any difference in policy and/or procedure for FE students as opposed to HE students?

Yes, as highlighted above, HE students follow a different route under the policies of the University of Highlands and Islands.

Please see this document for links to the relevant policies:

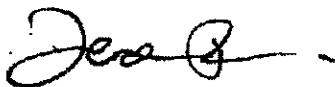
<https://www.uhi.ac.uk/en/t4-media/one-web/university/about-uhi/governance/policies-and-regulations/policies/terms-and-conditions.pdf>

This information is supplied for your use. The College has no objection if you wish to share this information, including making copies for others, provided that the information is not used in an inappropriate context.

Please note that if you are not satisfied with this response you have the right to request a formal review of the decision I have made. If you wish to request a formal review you should do so by writing to this office by 30th March 2018.

Please let me know if I can be of further assistance.

Yours sincerely



Derek Duncan
Freedom of Information Office