Anti-Bribery Policy

Prepared by:	Principal	
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Anti-bribery Policy Statement

1. Introduction

The College has a zero-tolerance for bribery and corruption. The College's reputation with the community it serves and other stakeholders is underpinned by ethical behaviour, financial probity and honesty. The College aims to limit its exposure to bribery by:

Setting out a clear anti-bribery policy, which is proportionate to the risks that the College is exposed to;

Embedding awareness and understanding of the College's anti-bribery policy amongst all staff, "associated persons" (any person performing services for or on behalf of the College), and external persons/organisations with whom the College has commercial relations;

Training staff as appropriate so that they can recognise and avoid the use of bribery by themselves and others;

Encouraging staff to be vigilant and to report any suspicion of bribery, providing them with suitable channels of communication (Ref - Public Interest Disclosure Policy) and ensuring sensitive information is treated appropriately;

Rigorously investigating instances of alleged bribery in accordance with the College disciplinary procedure; and assisting the Police and other appropriate authorities in any resultant prosecution;

Taking firm and vigorous action against any individual(s) involved in bribery.

2. The Policy

This policy applies to all employees and anyone acting for, or on behalf of, the College ("associated persons"), including governors, other volunteers, temporary workers, consultants and contractors.

All employees and associated persons are responsible for maintaining the highest standards of business conduct and are expected to behave honestly and with integrity.

Any breach of this policy will constitute a serious disciplinary offence, which may lead to dismissal and may become a criminal matter for the individual.

The College prohibits employees and associated persons from offering, giving, soliciting or accepting any bribe. The bribe might include cash, a gift or other inducement, to or from any person or organisation, wherever they are situated, and irrespective of whether or not they are a public official/body or private person or company, by any individual governor, employee, agent or other person or body acting on the College's behalf.

The bribe might be made in order to:

Gain any commercial, contractual or regulatory advantage for the College in a way which is unethical;

Gain any personal advantage, pecuniary, or otherwise, for the individual or anyone connected with the individual.

This policy is not intended to prohibit appropriate corporate entertainment and/or hospitality undertaken in connection with the College's business activities, provided the activity is customary under the circumstances, is proportionate, and is properly recorded/disclosed to the College in accordance with its procedures (Ref Gifts and Hospitality Policy).

Employees and associated persons are requested to remain vigilant in preventing, detecting and reporting bribery. Employees and associated persons are expected to

report any concerns regarding any suspected bribery in accordance with the College's procedures (LINK TO RELEVANT PROCEDURE E.G. WHISTLEBLOWING PROCEDURE).

3. Conclusion

This policy will be reviewed every four years, or at an earlier date should there be a change in legislation or a requirement to do so.

Anti-Fraud Policy

Prepared by:	Principal	
Policy Approved by:	Strategic Management Team	23/09/13 02/11/15 13/03/19 06/06/22
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Anti-Fraud Policy

1. Introduction

1.1 Coleg y Cymoedd requires all staff at all times to act honestly and with integrity and to safeguard the public resources for which they are responsible. Fraud is an ever-present threat to these resources and hence should be of concern to all members of staff. The purpose of this Policy is to set out the responsibilities of all staff with regard to the prevention of fraud.

2. What is fraud?

2.1 No precise legal definition of fraud exists; many of the offences referred to as fraud are covered by the Theft Acts of 1968 and 1978. The term is used to describe acts such as deception, bribery, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts and collusion. For practical purposes, fraud may be defined as the use of deception with the intention of obtaining an advantage, avoiding an obligation or causing loss to another party.

3. Coleg y Cymoedd

Coleg y Cymoedd aims to

3.1 Develop and maintain effective controls to prevent fraud;

3.2 Carry out vigorous and prompt investigations if fraud may have occurred;

3.3 Take appropriate disciplinary and/or legal action against perpetrators of fraud;

3.4 Take disciplinary action against staff or their line managers where their failure has enabled fraud to occur.

4. Managers.

Managers are responsible for:

4.1 Identifying the risks to which systems and procedures are exposed;

4.2 Developing and maintaining effective controls to prevent and detect fraud;

4.3 Ensuring that controls are being complied with by all staff.

5. Individual members of staff.

5.1 Individual members of staff have a responsibility to act with propriety in the use of College resources and in the handling and use of public funds and resources when they are involved with cash, payments' systems, and receipts when dealing with contractors or suppliers, or any other aspect of College business

6. Gifts, hospitality and benefits

6.1 Please refer to gifts and hospitality procedure document for full details.

7. What to do if you believe that fraud may be being attempted, is occurring or has occurred:

7.1. If the belief is in respect of a colleague inform your Manager immediately.

7.2 The Manager will check the basic facts, and if it is possible that a member of staff may be involved in fraud, they will take appropriate action.

7.3 If the belief is in respect of your Manager then report it to your line manager's supervisor.

7.4 This officer will follow the same procedure as in 7.2.

7.4.1 If the belief is in respect of the Principal (Chief Executive) or any other senior post holder it must be referred to the Chair of the Corporation through the Clerk to the Corporation, based currently at the Nantgarw Campus.

7.4.2 The College has a Staff Complaints Procedure (Whistleblowing) within which fraud is one of the component parts.

8. Conclusion.

8.1 The procedures on fraud will form part of the College's Financial Regulations and Procedures.

8.2 A register of incidents of fraud and action will be maintained.

Appendix 1

College procedures for identifying possible fraud.

1. The College employs internal auditors to monitor its control systems. Part of the audit plan each year includes a minimum of one visit to review Core Financial Systems.

2. The College's Financial Regulations and Procedures will be reviewed on a regular basis.

3. The development of all the College's management information systems will produce information that will assist in the identification of anomalies or inconsistencies that could lead to fraud.

4. Routine review of financial information such as banking patterns where inconsistencies in the amount being banked appear.

5. Routine review of learner data that may reveal overstating of activity thus leading to false claims for finance.

6. Control of register of interests of staff and recording and monitoring of gifts and hospitality.

ASBESTOS MANAGEMENT PLAN (AMP)

THIS AMP DOCUMENT MUST BE READ IN CONJUNCTION WITH SITE / BUILDING SPECIFIC ASBESTOS SURVEYS, ASBESTOS RISK REGISTERS, EMERGENCY RESPONSE PROCEDURES

Reviewed – JULY 2025

(This document supersedes all former versions)

Coleg y Cymoedd

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(1) About this document

This Asbestos Management Plan (AMP) outlines Coleg y Cymoedd policies and procedures. It is also designed to manage and minimise asbestos-related health risks to all personnel working, visiting or occupying its premises to as low as can be reasonably practicable. This is in accordance with current legislation and is intended to ensure the compliance with Regulation 4 of the Control of Asbestos Regulations 2012 (CAR 2012).

(2) Background

Asbestos containing materials (ACMs) have been used extensively since 1856, in the construction and maintenance of buildings; with the prolific use of asbestos from the 1930's up to and including the year 2000. It is globally recognised that breathing in air containing asbestos fibres has the potential to cause asbestos related diseases.

Asbestos is classed as a potential high risk to health if the asbestos is not managed correctly in accordance with Regulation 4 'Control of Asbestos Regulations 2012'; a lack of adequate management can lead to fibres being released into the air through disturbance; the ill health effects are a result of the fibres being breathed in. There is normally a long latency period between the first exposure to asbestos and the onset of disease based on existing studies or through the cumulative exposure over a number of years, though this cannot be stipulated due to each individual's susceptibility, with little or no immediate effect following exposures; this uncertainty is why all exposures to asbestos should be documented irrespective to provide an indication of potential first exposure. Strict legislative controls are in place for asbestos encountered within the work environment. The principal items of legislation are the Control of Asbestos Regulations 2012 (CAR 2012) and the Health & Safety at Work Act 1974. Only by preventing or minimising the exposure to asbestos can the likelihood of developing asbestos related ill health effects in employees, contractors and visitors be prevented.

Whilst there has and continues to be asbestos related deaths as a result of previous or cumulative exposure, the Health and Safety Executive (HSE) and leading professionals remain concerned that people working in building maintenance i.e. plumbers, electricians, plasterers, refurbishment and demolition may still be at high risk as a result of poor training or pressure to complete works in a timely manner, where work is carried out on buildings that still or are presumed to contain asbestos based on survey data or the age of the property.

There are three main types of asbestos found in buildings today, which may or may not contain one or more of the more common types. The types of asbestos are commonly called "blue asbestos" (crocidolite), "brown asbestos" (amosite originating from the mineral Grunerite), "white asbestos" (chrysotile). Asbestos can be found in a variety of locations, uses and applications, such as insulating boards, pipe lagging, sprayed coatings, floor tiles, textured coatings, electrical fuse guards, lift brake linings, sealants, window putty, ironing board heat pad, mastics, shuttering/thermal expansion and packing. Asbestos in building materials is classified as either friable (easily releases fibres) or non-friable (well bonded, does not release fibres easily) dependent on the matrix it is bound in. Friable asbestos materials are those that have a high asbestos content and low bonding matrix which have the potential to release high levels of asbestos fibres when they are disturbed, such materials as insulating board and sprayed coatings. Non-friable asbestos materials are those that are heavily bonded within a matrix such as asbestos cement and bitumen. These do not easily release asbestos fibres unless the matrix is broken down through chemical, mechanical means or subjected to heat

such as fire. It should be noted that where asbestos cement is subjected to extreme heat as can occur in fires, the material can be deemed “Friable” as the matrix will disintegrate and release fibres.

In a good, maintained state, undisturbed asbestos poses little or no risk. Risk only occurs when ACMs are disturbed causing a ‘fibre release’. It is essential therefore to assess the likelihood of disturbance in occupied areas through natural disturbance such as brushing past the material or through significant disturbance when undertaking maintenance tasks or refurbishment works. This “potential” for disturbance should be considered and appropriate control measures adopted i.e. applying encapsulation or plywood to Asbestos Insulating Board (AIB) wall panels.

Asbestos Surveys

Coleg y Cymoedd employs a UKAS accredited Asbestos Consultancy to carry out all surveys, clearance testing, air monitoring and bulk analysis. The purpose of asbestos survey is:

- to find ACMs and record what they are, where they are and how much there is.
- to record how accessible the ACMs are, their condition, and any surface treatment.
- to record the asbestos type, by sampling or by presuming.

To ensure that all ACMs are recorded as far as reasonably practicable it is best practice to carry out the sampling aspects of an asbestos survey when the building is least occupied, for example after normal working hours, at weekends or when the property is vacant. There are now 2 different types of asbestos survey: Asbestos Management Surveys and Refurbishment & Demolition Surveys.

A Management Survey aims to ensure that:

- all ACMs which may be encountered during the normal occupation or maintenance of the building are located
- nobody is harmed by the continuing presence of ACM in the premises or equipment.
- that the ACM remain in good condition; and
- that nobody disturbs it accidentally

The Survey must locate ACMs that could be damaged or disturbed by normal activities, by foreseeable maintenance, or by installing new equipment. It involves minor intrusion and minor asbestos disturbance. To assess the risk arising from the presence of the ACMs Material Assessments are undertaken. These assessments provide a measure of the ability of ACM, to release fibres into the air particularly if disturbed.

The Refurbishment and Demolition Surveys are required where the premises, or part of it, is to be upgraded, refurbished or demolished. These surveys do not need a record of the ACM condition as the materials identified will in all probability be removed during the subsequent work.

A Refurbishment / demolition Survey aims to ensure that:

- all ACMs which may be concealed within the building fabric are located and identified
- nobody will be exposed to these materials during the planned refurbishment or demolition works
- such work will be done by the right contractor in the correct way to prevent or minimise any potential exposures to the ACMs identified

These Surveys must locate and identify all ACMs before any structural work commences in the premises. It involves destructive inspections and possible disturbance of ACMs to ensure in turn that

they do not conceal other construction materials which may contain asbestos. For this reason, the areas where R and D surveys are being undertaken must be vacated, and certified 'fit for reoccupation' after the survey has been completed.

“HSG264 Asbestos: The Survey Guide”, has been published by the Health and Safety Executive (HSE) to provide advice to those who commission and undertaken asbestos surveys and to those with specific responsibilities for managing the risks from asbestos in non-domestic premises under regulation 4 of the Control of Asbestos Regulations (CAR) 2012.

Asbestos Training

Current UK Asbestos Training Association (UKATA) recognised categories of Asbestos Training are listed below for clarity.

Category A - Asbestos Awareness -
This training is for those who do not work on asbestos materials but who undertake maintenance or refurbishment work in buildings built or refurbished before the year 2000 in which asbestos could be present. These people need awareness training so they can recognise ACMs and know how to avoid the risks.

Category B - Non-Licensed Asbestos Work -
Persons requiring this type of training would include those whose work will knowingly disturb low risk asbestos containing materials, such as maintenance workers and their supervisors; and those who carry out asbestos sampling and analysis.

Category C - Licensed Asbestos Work -
This type of training is required for those holding a HSE Licence for carrying out work with or removing asbestos containing materials that are relatively high risk such as laggings, sprayed coatings and insulating board. This training is required for Operatives, Supervisors and Managers.

It is the policy of Coleg y Cymoedd not to carry out any work directly with ACM’s using College Estates staff. Any such works would be carried out using approved contractors with appropriate UKATA Category training approval. Coleg y Cymoedd Estates / Health & Safety staff have received UKATA Category A training to date.

(3) Asbestos Management Statement

Coleg y Cymoedd understands and acknowledges the serious risk to health and safety posed by an exposure to asbestos and the need for effective, preventative and controlled management systems to be in place to control the hazard and reducing the likelihood of exposure to asbestos.

The Estates Department is tasked with the responsibility for the management of all building maintenance, alteration and refurbishment works in Coleg y Cymoedd buildings. Regarding asbestos, the aim of this document is to ensure the compliance with the Duty to Manage under Regulation 4 of CAR 2012.

This regulation places a specific legal duty on every person to identify materials containing asbestos in any premises they own, occupy and manage, or for which they have a responsibility to assess the risk of those materials and to ensure that a management system is in place that responds correctly and appropriately to the materials present. The College Governing Board accepts that it is the legal “duty holder” and has prepared a policy to meet its legal commitments

Coleg y Cymoedd has implemented an updated **Asbestos Management Plan (AMP)** which commits management and staff at all levels to meet and or exceed the legislative requirements and establishes a control measure for the provision of competent advice from external professional and accredited bodies to maintain effective management systems and the prevention of exposure to asbestos. The Asbestos Management Plan is designed to manage and minimise asbestos-related health risks to all personnel working, visiting or occupying its premises to as low as can be reasonably practicable. This is in accordance with current legislation and is intended to ensure the compliance with Regulation 4 of the Control of Asbestos Regulations 2012 (CAR 2012).

Site specific asbestos information, which must be read in conjunction with the AMP document, is also held at each campus including site / block specific asbestos surveys, risk registers, emergency procedures. Coleg y Cymoedd will carry out the following.

a) Take adequate steps to locate materials likely to contain asbestos and assess their condition/deterioration.
b) Presume that materials contain asbestos until proven otherwise through bulk analysis.
c) Record the findings of any surveys and asbestos sampling in an updatable format, readily available to all key stakeholders.
d) Regularly assess the risk or potential of exposure to airborne fibres from ACMs to staff, students, visitors or contractors.
e) Implement appropriate control and management actions with respect to presumed, confirmed ACMs or areas of 'No Access' to:
    - Ensure that these materials are maintained in a good state of repair or removed.
    - Ensure that all necessary survey/sample information is given to all potentially at risk of exposure, and to the emergency services.
    - Prevent uncontrolled work on ACMs or presumed ACMs.
f) Coleg y Cymoedd employees shall not work on or with any ACM or presumed ACM without appropriate recognised training such as Cat B training.
g) Coleg y Cymoedd will allocate sufficient budgetary resources with respect to any work in the application of this policy.
h) No work will commence on any Coleg y Cymoedd property until all asbestos implications have been considered by the nominated asbestos team.
i) Coleg y Cymoedd acknowledges ACMs that are in good condition and well managed are unlikely to release fibres when they are not disturbed; the ACMs should be left in situ; unnecessary removal may lead to acute elevated levels of airborne fibres. Removal works will be undertaken where a priority risk assessment deems it necessary.
j) Only Contractors holding a license granted by the Health and Safety Executive (HSE) shall work on "notifiable" materials such as sprayed asbestos coating, asbestos thermal insulation, asbestos insulating board (AIB), or any other ACM where a suitable risk assessment deems the risk of exposure to asbestos, by virtue of its location or condition, too great to control by any lesser standard and therefore the exemptions under Regulation 3(2) of CAR 2012 do not apply;
k) Those Contactors engaged to carry out work on asbestos will need to be Cat A or Cat B trained and the relevant notification adhered to i.e. ASB5 for licensed works and ASBNNLW1 for non-notifiable licensed works.
l) All Contractors engaged by Coleg y Cymoedd shall adhere to the procedures, which are designed to facilitate the effective management of ACMs;
m) Coleg y Cymoedd will only engage persons or organisations that can demonstrate competence, independence and impartiality in the fields of inspection, testing and analysis, and asbestos management and consultancy in accordance with CAR 2012 Regulation 20

holding the relevant ISO17025. Coleg y Cymoedd appreciates that although such tasks may be delegated, their legal responsibility cannot.

n) Coleg y Cymoedd will provide training to all frontline staff and any others who it deems necessary. The association will provide refresher training as and when required due to staff or legislative changes.
o) The implementation and co-ordination of this Policy shall be the responsibility of the designated **Asbestos Responsible Person (ARP)**. The nominated person shall be identified in all policy documents relevant.
p) No property shall be acquired unless suitable asbestos surveys have been conducted and an up-to-date asbestos register is available from the vendor, or arrangements made to undertake one.
q) When disposing of property, all relevant, up to date, information regarding asbestos shall be passed to the buyer such as historical surveys and removal paperwork (waste notes, RAMS and 'Certificates of Reoccupation').
r) Where Coleg y Cymoedd occupies premises under a leasehold agreement, the extent of responsibility for maintenance shall be determined by the terms of the lease. Coleg y Cymoedd shall co-operate with the main Duty Holder for that premises.
s) This Policy shall be reviewed and updated on an annual basis between the ARP and external consultancy or if there are major changes to the current asbestos legislation, HSE Approved Codes of Practice or guidance.

Control actions are applied where a known or presumed asbestos product has the potential to be disturbed during planned/reactive maintenance activities, where there is a foreseeable risk of exposure above the control limit. Control actions will be implemented within appropriate timescales dependent upon the risk identified and agreed with the ARP as follows.

High	-	within 1 week
Medium	-	within 3 months
Low	-	within 6 months

ACMs which pose a risk are dealt with at the earliest opportunity, and in the interim a 'Permit to Work' is adopted. During the 'condition monitoring' phase all known ACMs which are not in the public view are labelled with asbestos 'A' labels. Prior to any works being conducted on Coleg y Cymoedd premises all staff and contractors are required to have read the asbestos register for the property where works are to be undertaken. Key staff in Coleg y Cymoedd have un-restricted access to an asbestos database where 'Management Information' can be obtained to identify access trends to ensure due diligence.
All contractors are provided with **site specific hard copy Asbestos Files** which includes the AMP, asbestos survey reports, and emergency procedures as well as given temporary access to an electronic database for them to ascertain the level of risk. The contractor access will only be provided for a period relative to the works or contract to be undertaken; access will be provided by the Asbestos Responsible Person.

The management process shall follow published guidance as follows.

STEP1 – Review the status with respect to ACMs and their management.
STEP2 - Prevent work that may disturb ACMs until controls have been implemented.
STEP3 - Inspect for damage or disturbance and implement controls.

STEP4 - Develop a strategy for compliance.
STEP5 - Risk assess each ACM and prioritise for management.
STEP6 - Develop a long-term management plan.
STEP7 - Monitor and review the plan.

(4) Compliance

To ensure up to date compliance monitoring, survey reports and other asbestos related reports are maintained on an electronic database. Asbestos information is made available to all appropriate persons that have responsibilities for Coleg y Cymoedd staff, students, visitors and contractors. The asbestos register can be made available to all external contractors when undertaking works on behalf of Coleg y Cymoedd, similarly all sites hold a printed version which is monitored for its accuracy. Each contractor who receives a copy of the asbestos register will be required to sign for the register with their nominated Coleg y Cymoedd Contact so that Coleg y Cymoedd comply with their duties under the 'Health & Safety at Work Act 1974'.

Access to the Asbestos Register and database information is also available to anyone else, but a request for this has to be made to the Coleg y Cymoedd ARP. Prior to any work being carried out on any of Coleg y Cymoedd building premises either owned or leased, the hard copy Asbestos Files will be reviewed by persons intending to carry out works, and the asbestos database must also be consulted by a trained person in accordance with processes described within the AMP.

Before any works are carried out that may/would affect the fabric of a building, machinery or plant, the asbestos "workflow" diagram sections of this document will be followed. Where an emergency occurs, the workflow chart diagram for emergency / disturbed ACMs will be followed by all parties of Coleg y Cymoedd. A UKAS accredited Asbestos Consultancy carry out all surveys, clearance testing, air monitoring and bulk analysis. Their responsibilities are detailed within following sections of this plan. ACMs will be re-inspected at periods not exceeding 12 months or more or more frequently in higher risk areas.

(5) Location of Asbestos Containing Materials (ACMs)

Prior to any work being carried out on of any Coleg y Cymoedd building premises either owned or leased, the location of ACMs must be fully understood by all persons proposing to carry out the work. The Asbestos online database will be consulted by a trained person and the processes described within the workflow sections of this AMP will be strictly adhered to.

Personnel and their responsibilities

Duty holder - Governing Board, Principal

The duty holder:

- Will ensure an Asbestos Management Plan is produced and reviewed annually by the Asbestos Responsible Person (ARP) or after any significant change, whichever is the sooner.
- Will take steps to initiate and maintain compliance, as far as is reasonably practicable, with legislation by all those within Coleg y Cymoedd who employ their own contractors, in accordance with the Policy.
- Will manage the risk imposed by asbestos in a manner that safeguards all persons that could be affected by the operations and maintenance sections' activities, including (but not restricted to) staff and contractors.
- Will ensure the competency of staff under his/her control.

Senior Leadership Team (SLT) Member

The SLT Member is nominated by the Governing Board and Principal to ensure that work is carried out to comply with the duties. Communication of asbestos related issues will be maintained by regular reviews and reports from the CMT, ARP, Consultants and other members of the AMT.

College Management Team (CMT) Member

The CMT Member is nominated by the Governing Board and Principal via the SLT Member to ensure that work is carried out to comply with the duties. The CMT Member will ensure that functional duties and communication of asbestos related issues are regularly updated and maintained by continued management of asbestos, progress reports, meetings, and communication of asbestos related issues across the college estate.

The CMT Member will regularly monitor progress of asbestos issues and deviations from the AMP with the ARP. The ARP will report directly to the CMT Member and will inform the CMT member of any deviations or incidents from the AMP and ensure that condition monitoring is carried out at specified intervals in accordance with CAR 2012.

Asbestos Responsible Person (ARP)

The ARP is nominated by the Governing Board and Principal via the SLT and CMT Member and is responsible for the continued management, identification and abatement of ACMs to meet the requirements of the Asbestos Policy, CAR 2012 and all other relevant legislation.

The duties include but are not restricted to the following:

- To implement and update this Management Plan.
- To ensure compliance with CAR 2012.
- To chair quarterly update meetings on asbestos
- To ensure suitable and adequate advice in respect of Asbestos is available to assist with the implementation of this Asbestos Management plan.
- To ensure the information contained within this Asbestos Management Plan is circulated to relevant person
- To arrange appropriate asbestos surveys of all properties owned or leased by Coleg y Cymoedd.
- To initiate and maintain the Asbestos Register.
- To identify the training needs of employees who may be exposed to asbestos and arrange for that training to be delivered through the external Asbestos provider.
- To carry out regular risk assessments associated with exposure to asbestos for in-house activities and to review such assessments regularly.
- To co-ordinate asbestos activities under the Construction (Design and Management) Regulations 2015.
- To assess, in conjunction with the Asbestos provider, the competence of contractors working on site when asbestos may be disturbed.
- To evaluate, in conjunction with the Asbestos provider, the Risk Assessments and Plan of Work of contractors involved with work on or with asbestos.
- To ensure appropriate monitoring of contractors on site during, or on completion of their work to ensure compliance with CAR 2012.
- To liaise with the Contractor and Asbestos provider with respect to air monitoring and clearance testing.
- To ensure storage, retrieval and traceability of all documentation including clearance certification.
- To manage the emergency arrangements in the event of an uncontrolled release of asbestos fibres.

Deputy Asbestos Responsible Person (DARP)

The DARP is nominated by the Governing Board and Principal via the SLT and CMT Member and is responsible to deputise for the ARP as necessary with continued management, identification and abatement of ACMs to meet the requirements of the Asbestos Policy, CAR 2012 and all other relevant legislation.

- Will deputise for the ARP (refer ARP duties)
- Will ensure all maintenance staff complete Asbestos Awareness training
- Will manage the risk from asbestos in a manner that safeguards all persons that could be affected by Coleg y Cymoedd activities, including but not restricted to staff and contractors.
- Will ensure that all projects undertaken by Coleg y Cymoedd staff or contractors are risk assessed for the hazard of asbestos prior to implementation.
- Will ensure contractors comply with their responsibilities.
- Will maintain, communicate and monitor a safe system of work for the management of asbestos in respect of project work(s).

Asbestos Management Team (AMT) Members

AMT Members will meet on a regular basis to ensure that functional duties and communication of asbestos related issues is regularly updated and maintained by continued management of asbestos, progress reports, meetings, and actions concerning asbestos across the college estate.

- Will oversee and report upon asbestos compliance issues
- Will meet with other AMT members at regular asbestos management meetings

Asbestos Consultants

Externally appointed consultant will carry out the following functions:

- Advise on new or changed legislation promptly.
- Produce specifications for all asbestos removal works.
- Review all risk assessments and methods statements produced by removal contractors
- Assist in the procurement of asbestos removal contractors.
- Assess on the competence of asbestos contractors, both prior to and after any authorised work through on-site auditing.
- Scope all required Management and Refurbishment and Demolition Surveys in conjunction with the Asbestos Responsible Person and /or the Deputy Asbestos Responsible Person
- Undertake all Management and Refurbishment and Demolition Surveys as required, and the analysis of the samples taken all in accordance with quality management systems which comply with ISO/ IEC 17020 and ISO / IEC 17025
- Produce reports of the surveys undertaken and maintain the CYC Asbestos Management Database
- Undertake periodic re-inspections of identified ACMs to ensure that they have not deteriorated in condition or otherwise became damaged such as to release asbestos fibre

External Contractors

To ensure that the necessary requirements for the safe management of ACMs are fully identified and incorporated into any specification, design or works carried out for Coleg y Cymoedd:

- Before commencing any work, the contractor will review the Asbestos Register for all buildings they will be working in. When undertaking their work, they will comply with current legislation and the HSE Approved Codes of Practice (ACOP's) in relation to safe working with and around asbestos containing materials
- If asbestos or suspected asbestos is uncovered during the works, the contractor will stop work immediately and report it to the Coleg y Cymoedd contact
- Will ensure that all employees under their control are provided with adequate equipment, information, training and instruction to enable them to work with, or adjacent to asbestos containing materials without risk to health and safety as detailed in Regulation 10 CAR 20

5.7 Asbestos Management Personnel

Coleg y Cymoedd has identified the following personnel involved in the process for managing asbestos, these persons shall be appointed in writing.

Role:	Position:
Duty Holder	Governing Board, Principal shared responsibility
Asbestos Responsible Person (ARP)	Head of Estates Projects
Deputy Asbestos Responsible Person (DARP)	Estates Manager
Senior Leadership Team (SLT) Members	Vice Principal (Chief Operating Officer) Executive Director Campus Operations
College Management Team Member	Head of Estates projects

The Asbestos Management Team (AMT) shall comprise the above individuals together with:-

Role:	Position:
AMT Member	Estates Manager
AMT Member	Health & Safety Manager
AMT Member	Health & Safety Assistant
AMT Member	Head of IT Services
AMT Member	Estates Senior Officers X 4
AMT Member	Estates Technical Supervisor
AMT Member	Estates and Facilities Co-Ordinator

The precise composition of the Team may vary at the discretion of the Asbestos Responsible Person (ARP) who may also invite other parties to attend the meetings as required e.g. Designer, Architect and Principal Contractor.

Full names and contact details for each role identified above are listed within the Asbestos Management Plan (AMP) which is a live operational document that will be revised and updated on a regular basis.

(7) Procedures for Managing Asbestos

ACMs will be prioritised, based upon a risk assessment. This shall consider the potential for fibre release, which is influenced by several factors;

1) The type of material e.g. asbestos cement, AIB etc.;
2) Its condition, location and use of the specific location/room
3) The likelihood of the material being damaged or disturbed.

ACMs will be re-inspected at periods not exceeding 12 months or more frequently in areas where higher risks have been identified. Before any works are carried out that may/would affect the fabric of a building, machinery or plant, procedures must be followed as stated within the AMP. Where an emergency occurs, site / block specific emergency arrangements must also be followed by all parties as stated within the AMP.

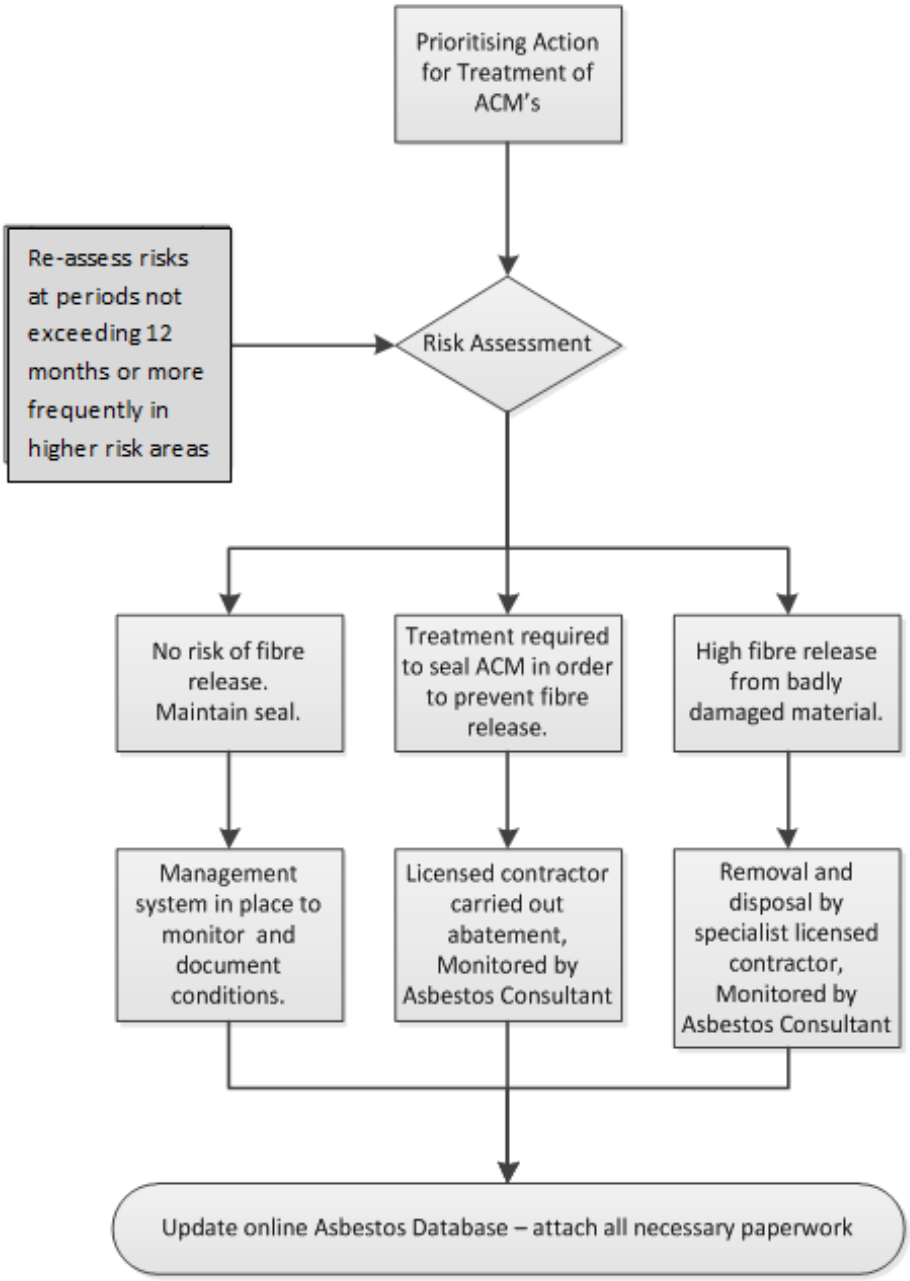
Any person discovering a material, which is suspected to contain asbestos, will at once report this to their nominated Coleg y Cymoedd contact. The Asbestos Team involving specialist consultants will decide on a procedure based on the potential risk dependent upon works to be undertaken. Any person discovering damage to material, which is known or suspected to contain asbestos, will at

once report this to the Asbestos Responsible Person. The Asbestos Team will decide on a procedure based on the potential risk dependent upon works to be undertaken.

The process for possible asbestos fibre release is described as follows. In the case of any incident with the potential for significant asbestos fibre release, the following process will be adopted:

- Seal off the area immediately.
- Seek advice on how far the seal will need to extend.
- Seek advice from the Asbestos Responsible Person.
- Restrict access/evacuate the immediate area.
- Notify Health & Safety Manager.
- Notify the Asbestos Team and Governing Board as appropriate.
- The ARP and the external Asbestos Consultant will assess the area and decide the course of action. If required a sample will be taken and sent for analysis.
- Affected persons will be informed as soon as reliable information is available.
- The person responsible for the project or maintenance activity will submit a full report to the Health & Safety Manager within two days. The Health & Safety Manager will forward the report to the ARP who will update/inform the SLT Governing Board as applicable.
- The Health & Safety Manager will record the names of persons potentially affected using the asbestos exposure record form and send a copy to the ARP.

Flow chart - the principles of managing known ACMs (asbestos containing materials)



(8) Condition Monitoring

Condition Monitoring is a requirement under Regulation 4 (9a) CAR 2012. It is important that ACMs are kept in a maintained condition; this is particularly important where the ACMs may be prone to disturbance during normal operation or during maintenance tasks.

Condition monitoring programme:

ACM Description	6 months (ARP & Maintenance Staff)	Annually (ARP & Maintenance Staff)	Not Required (ARP prior to planned refurbishment works only)	Adhoc (AMT)
Mastic/sealant			X	
Bitumen Adhesive – beneath floor covering			X	
Vinyl Floor Tiles (VFT) – beneath floor covering			X	
Vinyl Floor Tiles (VFT)	X	X		X
Textured Coating (TC)		X		X
Asbestos Cement (AC) – internal areas	X	X		X
Asbestos Cement (AC) – External areas	X	X		X
Asbestos Paper/Rope/Cloth	X	X		X
Asbestos Insulating Board (AIB)	X	X		X
Asbestos Pipe Lagging (including Asbestos Paper)	X	X		X

Other detailed procedures have been implemented including work flows for planned projects, maintenance and reactive works including emergency procedures in the event of any disturbed ACMs, isolation of areas, decontamination procedures, etc.

(9) Planned or proposed works

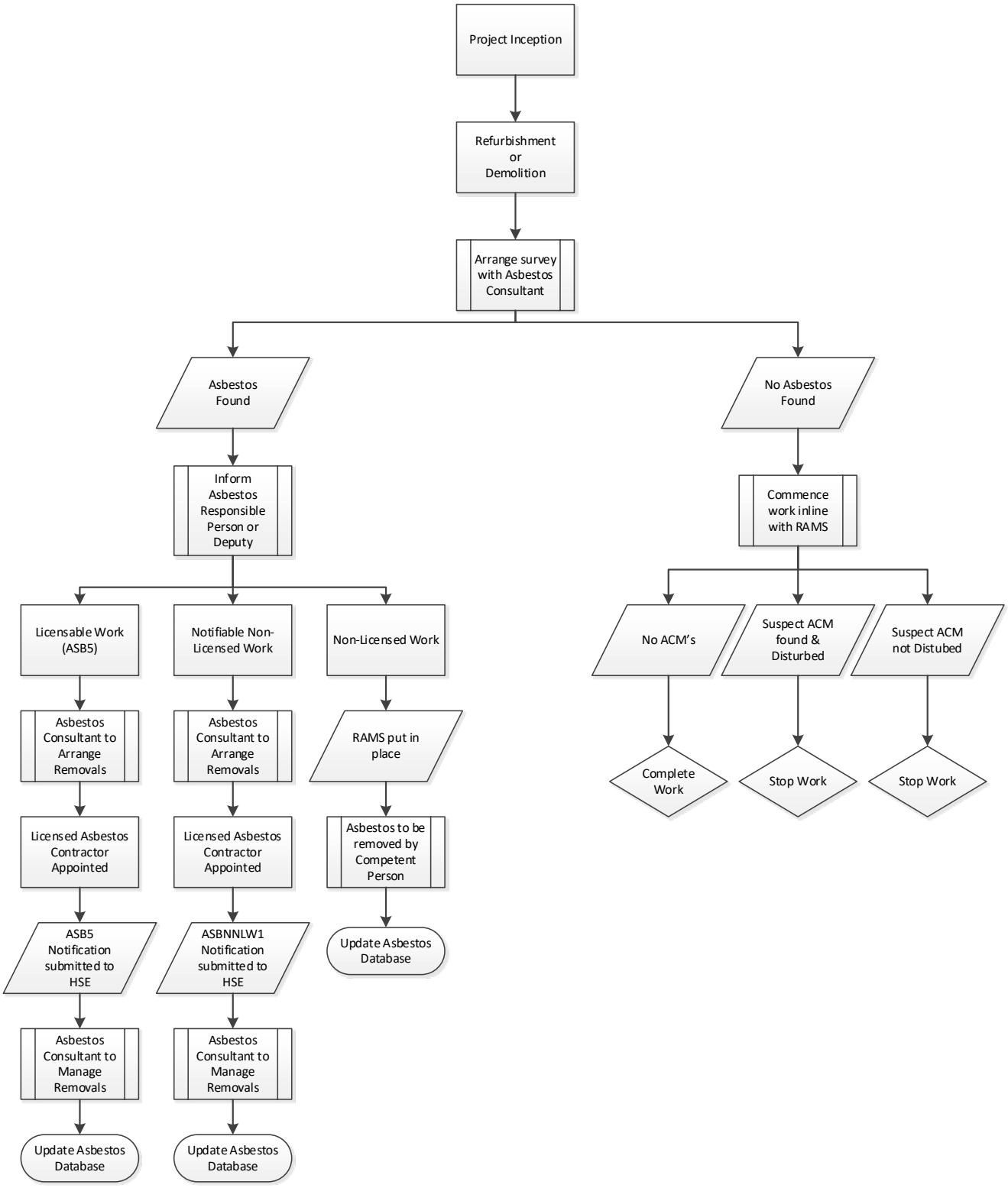
Pre-Work Assessment	YES	NO
Has the online asbestos database been checked?		
Has the area to be worked on been surveyed?		
Are contractors asbestos awareness trained?		
Are contractors Cat B trained where applicable i.e. electrical boxes containing asbestos fuse guards		

If the answer is no to any of the above contact the Asbestos Responsible Person, or in his absence the Deputy Asbestos Responsible Person prior to commencing work, ensuring a reasonable notice period prior to any planned start date; asbestos surveys or removals may be required which could require a 14 or 1 day HSE notification.

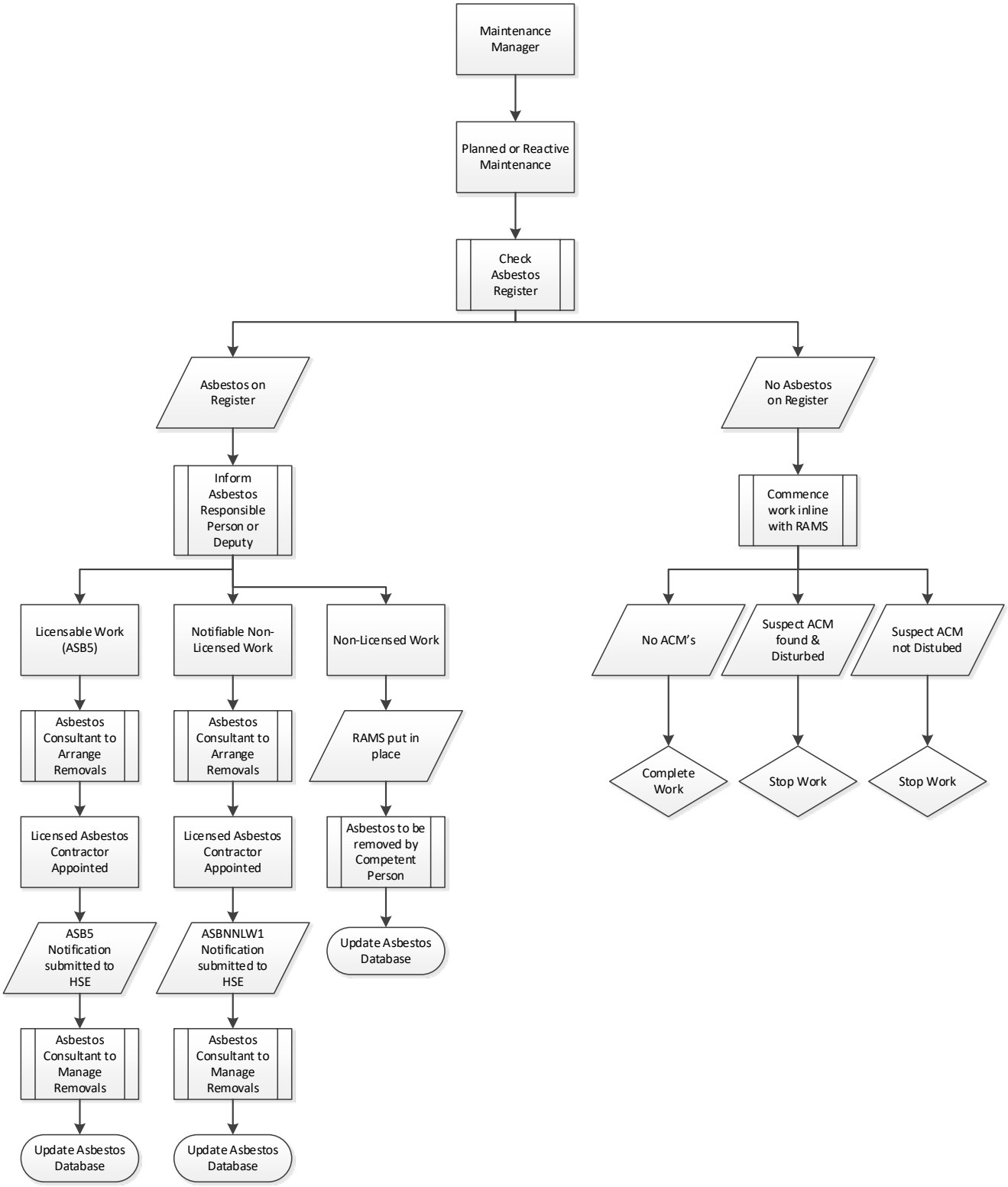
Consideration	YES	NO
Are the works likely to affect the structure of the building or are they part of a Refurbishment program which disturbs internal walls, floors or ceilings?		
Is the type of survey available not adequate for the type of work to be carried out, i.e. if painting is required only a management survey may be required, installation of services passing through walls may need a refurbishment survey		
Are works likely to disturb asbestos materials which are known; if there is no survey or there is a 'No Access' the area will require an appropriate survey?		
Is there asbestos in poor condition or has asbestos debris been identified previously or currently?		

If the answer is yes to any of the above contact the Asbestos Responsible Person, or in his absence the Deputy Asbestos Responsible Person before commencing work, ensuring a reasonable notice period prior to any planned start date.

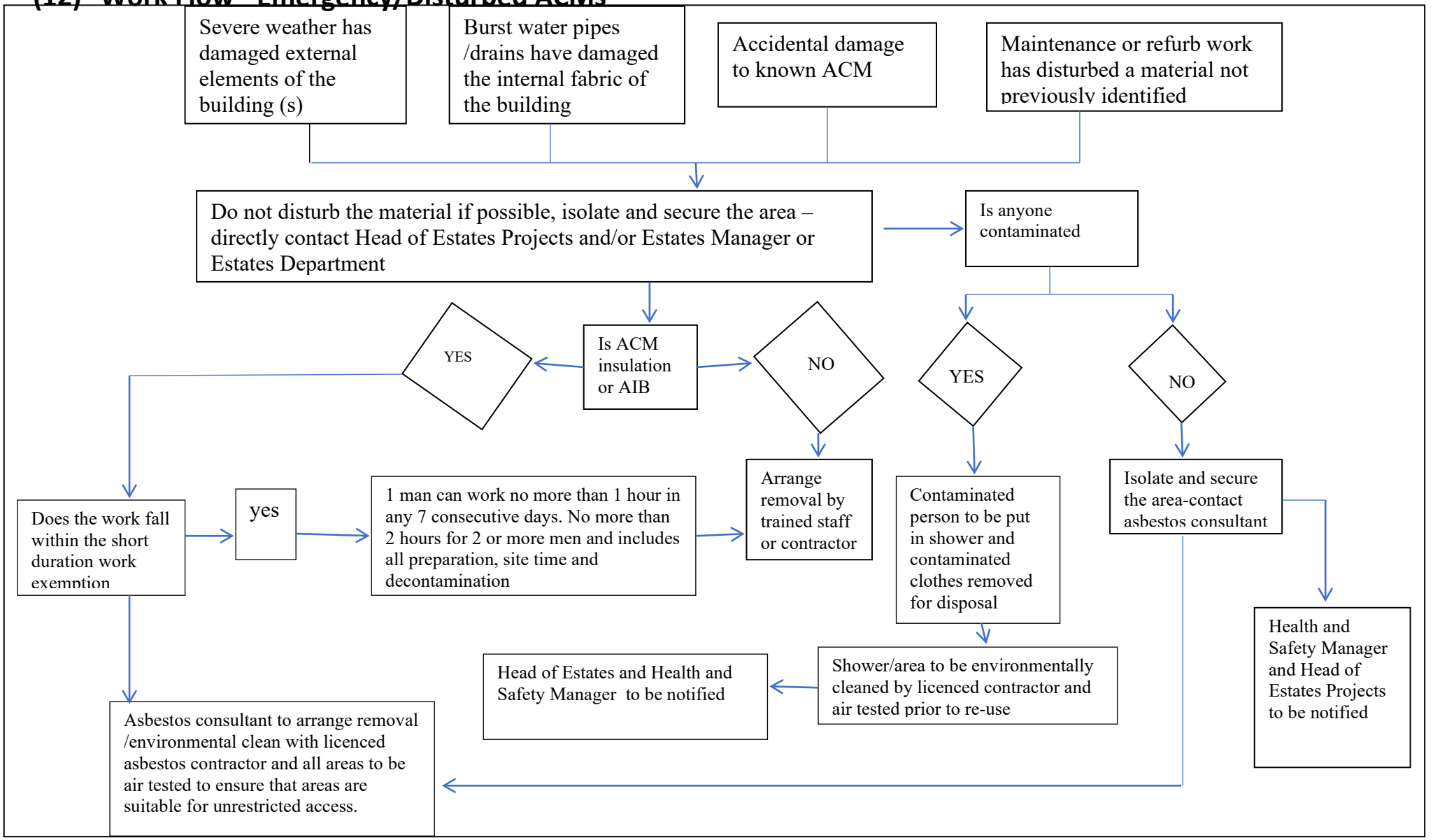
(10) Work Flow – Planned Project



(11) Work Flow - Planned/Reactive Maintenance



(12) Work Flow - Emergency/Disturbed ACMs



Appendix 1

ASBESTOS EXPOSURE RECORD FORM

Name:		Date of birth:	
Campus:		Building/Location:	
Job title:			
Description of events			
Date of incident:		Time of incident:	
Work being undertaken at time of incident:			

PPE used?	Yes	No	RPE used?	Yes	No
Sample taken for analysis	Yes	No	Results:	Pos	Neg
Air test undertaken	Yes	No	Fibre concentration	…….cm³	
Fibre concentration below Control Limit of 0.1f/cm³	Yes	No	Fibre concentration below Clearance Indicator of 0.01f/cm³	Yes	No
Recommendation from External Asbestos Consultant:					

External Consultant Name:		Signature:	
Date:		Time:	
Director of Health & Safety Name:		Signature:	
Date:		Time:	
Facilities Manager (AP) Name:		Signature:	
Date:		Time:	

Appendix 2

ASBESTOS TRAINING PROFORMA

**All delegates who are to undertake training on “Non-Licensable Work” with asbestos MUST have first completed an “Asbestos Awareness” course.

Mandatory Units	
EM1	What to do if you uncover or damage materials that may contain asbestos
EM2	Training
EM3	Building and dismantling a mini enclosure
EM4	Using a class H-type vacuum cleaner for asbestos
EM5	Wetting asbestos materials
EM6	Personal Protective Equipment (PPE)
EM7	Using damp rags to clean surfaces of minor asbestos contamination
EM8	Personal decontamination

Optional Modules					
A9	Drilling holes in asbestos cement and other highly bonded materials	☐	A7	Painting undamaged asbestos insulating board	☐
A10	Cleaning debris from guttering on an asbestos cement roof	☐	A8	Enclosing undamaged asbestos materials to prevent impact damage	☐
A11	Removing asbestos cement debris	☐	A20	Laying cables in areas containing undamaged asbestos materials	☐
A12	Cleaning weathered asbestos cement roofing and cladding	☐	A34	Removing pins and nails from an asbestos insulating board panel	☐
A13	Repairing damaged asbestos cement	☐	A17	Removing asbestos paper linings	☐
A14	Removing asbestos cement sheets, gutters, etc. and dismantling a small asbestos cement structure	☐	A18	Removing asbestos friction linings	☐
A15	Removing asbestos cement or reinforced plastic product e.g. tank, duct, water cistern	☐	A19	Removing an asbestos fire blanket	☐
A16	Painting asbestos cement sheets	☐	A21	Removing asbestos-containing bituminous products	☐
A35	Replacing an asbestos cement flue or duct	☐	A22	Removing metal cladding lined with asbestos-containing bitumen	☐
A36	Removing an asbestos cement panel outside, beside or beneath a window	☐	A23	Removing asbestos-containing floor tiles and mastic	☐
A26	Drilling and boring through textured coatings	☐	A24	Removing flexible asbestos duct connectors (gaiters)	☐
A27	Inserting and removing screws through textured coatings	☐	A25	Removing compressed asbestos fibre gaskets and asbestos rope seals	☐
A28	Removing textured coating from a small area e.g. 1 square metre	☐	A30	Removing an asbestos-containing 'arc shield’ from electrical switchgear	☐
A29	Cleaning up debris following collapse of a ceiling or wall covered with textured coating	☐	A31	Removing a single asbestos-containing gas or electric heater	☐
A1	Drilling holes in asbestos insulating board	☐	A32	Replacing an asbestos-containing part in a 'period’ domestic appliance	☐
A2	Removing a single (screwed-in) asbestos insulating board ceiling tile	☐	A33	Replacing an asbestos-containing fuse box or single fuse assembly	☐
A3	Removing a door with asbestos insulating board fireproofing	☐	A37	Removing asbestos-containing mastic, sealant, beading, filler, putty or fixing	☐
A4	Removing a single asbestos insulating board panel less than 1m2, fixed in with nails or screws	☐	A38	Making safe and collecting fly-tipped asbestos waste	☐
A5	Cleaning light fittings attached to asbestos insulating board	☐	A7	Painting undamaged asbestos insulating board	☐
A6	Repairing minor damage to asbestos insulating board	☐	A8	Enclosing undamaged asbestos materials to prevent impact damage	☐

Appendix 3 – Asbestos Consultant

Envirotec

Welsh Office

5A Turner Street

Newport, NP19 7BL

Quarterly Meeting Agenda

1 Apologies

2) Minutes from previous meetings

3) Incidents and deviations from AMP

4) Implementation and communication of AMP (action plan progress report)

5) Training issues/requirements

6) Performance of asbestos contractors

7) Condition Monitoring information

8) Current and forthcoming projects that may affect asbestos

9) AOB

10) Next meeting

Appendix 5

Restricted Access



No Unauthorised Access

Only contractors authorised by the Estates Office will be allowed to enter

Room/Area:			
Date of restriction:		Time of restriction:	
Authorised Person Restricting Access:		Signature of Authorised Person:	
Authorised Person Contact Number:		Emergency Contact Number:	

Date restriction lifted:		Time restriction lifted:	
Authorised Person Lifting Restriction:		Signature of Authorised Person:	

Asbestos Policy

Prepared by:	Director of Infrastructure	
Policy Approved by:	Strategic Management Team	14.04.15
		12.09.18
		06.09.22
		06.01.26
	Social partnership – policies	25.11.25
	Corporation	29.06.15
		01.10.18
	Resources	15.11.22
		23.02.26
Impact Assessed:	September 2018, July 2022, September 2025	
Reviewed:	June 2018, June 2022, June 2025	
Review Date:	June 2028	

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Page 3 1- Introduction to the policy

Page 3 2 - Scope and Purpose policy

Page 3 3 – Asbestos Regulations

Page 4 4 – Asbestos Management Statement

Page 4 5 – Roles and Responsibilities

Page 6 6 - Procedures for Managing Asbestos

Page 8 7 – Asbestos Training

1. Introduction to the Policy

a. This policy identifies the key areas or responsibility and compliance concerning asbestos in buildings and includes references to other key documents as part of a fully integrated approach to managing asbestos across all campus locations. This policy will be reviewed alongside other key asbestos management documents to ensure compliance to latest safety legislation and asbestos regulations.

2. Scope and purpose

a. This document sets out the policy of Coleg y Cymoedd concerning asbestos containing materials and how such materials are managed within college buildings in accordance with current health and safety legislation and asbestos regulations.

3. Asbestos Regulations

a. Asbestos containing materials (ACMs) have been used extensively since 1856, in the construction and maintenance of buildings; with the prolific use of asbestos from the 1930's up to and including the year 2000. It is globally recognised that breathing in air containing asbestos fibres has the potential to cause asbestos related diseases.

b. Asbestos is classed as a potential high risk to health if the asbestos is not managed correctly in accordance with ***Regulation 4 'Control of Asbestos Regulations (CAR) 2012'***; a lack of adequate management can lead to fibres being released into the air through disturbance; the ill health effects are a result of the fibres being breathed in. There is normally a long latency period between the first exposure to asbestos and the onset of disease based on existing studies or through the cumulative exposure over a number of years, though this cannot be stipulated due to each individual's susceptibility, with little or no immediate effect following exposures; this uncertainty is why all exposures to asbestos should be documented irrespective to provide an indication of potential first exposure.

c. Strict legislative controls are in place for asbestos encountered within the work environment. The principal items of legislation are the ***Control of Asbestos Regulations 2012 (CAR 2012)*** and the ***Health & Safety at Work etc Act 1974***. Only by preventing or minimising the exposure to asbestos can the likelihood of developing asbestos related ill health effects in employees, contractors and visitors be prevented.

4. Asbestos Management Statement

a. Coleg y Cymoedd understands and acknowledges the serious risk to health and safety posed by an exposure to asbestos and the need for effective, preventative and controlled management systems to be in place to control the hazard and reducing the likelihood of exposure to asbestos.

b. The Estates Department is tasked with the responsibility for the management of all building maintenance, alteration and refurbishment works in Coleg y Cymoedd buildings. With regard to asbestos, the aim of this document is to ensure the compliance with the Duty to Manage under Regulation 4 of CAR 2012.

c. This regulation places a specific legal duty on every person to identify materials containing asbestos in any premises they own, occupy and manage, or for which they have a responsibility to assess the risk of those materials and to ensure that a management system is in place that responds correctly and appropriately to the materials present. The College Governing Board accepts that it is the legal "duty holder" and has prepared a policy to meet its legal commitments.

d. Coleg y Cymoedd has implemented an updated **Asbestos Management Plan (AMP)** which commits management and staff at all levels to meet and or exceed the legislative requirements and establishes a control measure for the provision of competent advice from external professional and accredited bodies to maintain effective management systems and the prevention of exposure to asbestos. The Asbestos Management Plan is reviewed and updated regularly as part of compliance monitoring and is designed to manage and minimise asbestos-related health risks to all personnel working, visiting or occupying its premises to as low as can be reasonably practicable. This is in accordance with current legislation and is intended to ensure the compliance with Regulation 4 of the Control of Asbestos Regulations 2012 (CAR 2012).

e. Site specific asbestos information, which must be read in conjunction with the AMP document, is also held at each campus including site / block specific asbestos surveys, risk registers, emergency procedures.

5. Roles and Responsibilities

5.1 The Governing Board and Principal

a. The Governing Board and Principal are the legal Duty Holders to ensure that all ACMs present in all the buildings owned, occupied and maintained by Coleg y Cymoedd are safely managed so as to ensure that no members of staff, students, learners, contractors or others who may have access to the college's buildings are not exposed to any risks to their health, safety and welfare as a consequence of

any exposures to asbestos. Accordingly, the Governing Board and the Principal will ensure that all arrangements are in place and all measures are taken to ensure the safe management of ACMs across the whole of the college's estate all in accordance with the requirements of Regulations 4 of the Control of Asbestos Regulations 2012.

b. The Governing Board and Principal will further ensure that all resources are in place to ensure the safe management of ACMs and that all staff who have asbestos management duties will be provided with the necessary training, support and allocation of time so as to ensure that they can undertake these duties effectively and to the standards required.
c. In addition to compliance with regulation 4, the Governing Board and Principal will ensure that measures are in place to ensure all other regulations detailed within CAR 2012 are complied with as these are applicable to all maintenance, project and demolition works undertaken on the college's premises.
d. In addition, the Governing Board and Principal will ensure that all legislative requirements which relate to the handling and disposal of asbestos wastes are complied with as far as they can reasonably achieve.

5.2 Asbestos Responsible Person (ARP) and Deputy Asbestos Responsible Person

a. The ARP is the functional duty holder as delegated by the Governing Board, and is responsible for the continued management, identification and abatement of ACMs to meet the requirements of the Asbestos Policy, CAR 2012 and all other relevant legislation.

5.3 Asbestos Management Team Members (AMTs) / Other College Management Team Members

a. The Asbestos Management Team and other College Management Team Members will oversee and report upon asbestos compliance issues as well as attend meetings with other AMT members at regular asbestos management meetings.

5.4 Estates Team

a. All members of the Estates Management Team including Technical Staff will ensure that before undertaking any building maintenance or project works that checks are undertaken for the presence of ACMs on campus where the surveys undertaken have identified that such materials are in fact present.
b. No members of the Estates Team will undertake any work with ACMs unless they have received the necessary training to do so e.g. Training for Non-Licensed Work with ACMs.

c. Where Members of the Estates Team may unexpectedly encounter materials or accidentally disturbs materials suspected of containing asbestos they will comply with the College's Emergency Procedure for such occurrences.
d. The Estates Team will ensure that information relating to the presence of ACMs is provided to internal staff and contractors before any maintenance, project or demolition work is undertaken on college premises.
e. All members of the Estates Team will ensure that all necessary measures are taken to comply with the requirements of the Coleg y Cymoedd Asbestos Management Plan.

5.5 Contractors

a. Contractors will not undertake any building maintenance, project or demolition works on Coleg y Cymoedd premises unless before doing so necessary checks have to be undertaken to determine if any ACMs are present at the work locations
b. No contractors will undertake work with ACMs on Coleg y Cymoedd premises unless they have received the necessary training to do so e.g. Training for Non-Licensed Work with ACMs.
c. Where work on ACMs may be required which is likely to result in exposures above the Control Limit or Sporadic and Low Intensity threshold as defined within CAR 2012, the college will ensure that such works are only undertaken by Contractors who hold the License to undertake works as issued by the Health and Safety Executive.
d. Where contractors may unexpectedly encounter or accidentally disturb materials suspected of containing asbestos they will comply with the College's Emergency Procedure for such occurrences.
e. All Contractors will ensure that all necessary measures are taken to comply with the requirements of the Coleg y Cymoedd Asbestos Management Plan.

5.6 Asbestos Consultants

a. External consultants will be appointed as necessary to provide specialist asbestos related services and advice.

5.7 Asbestos Management Personnel

Coleg y Cymoedd has identified the following personnel involved in the process for managing asbestos, these persons shall be appointed in writing.

Role:	Position:
Duty Holder	Governing Board, Principal shared responsibility
Asbestos Responsible Person (ARP)	Head of Estates Projects
Deputy Asbestos Responsible Person (DARP)	Estates Manager
Senior Leadership Team (SLT) Members	Vice Principal (Chief Operating Officer) Executive Director Campus Operations
College Management Team Member	Head of Estates Projects

The Asbestos Management Team (AMT) shall comprise the above individuals together with:-

Role:	Position:
AMT Member	Estates Manager
AMT Member	Health & Safety Manager
AMT Member	Health & Safety Assistant
AMT Member	Head of IT Services
AMT Member	Estates Senior Officers X 4
AMT Member	Estates Technical Supervisor
AMT Member	Estates and Facilities Co-Ordinator

The precise composition of the Team may vary at the discretion of the Asbestos Responsible Person (ARP) who may also invite other parties to attend the meetings as required e.g. Designer, Architect and Principal Contractor.

Full names and contact details for each role identified above are listed within the Asbestos Management Plan (AMP) which is a live operational document that will be revised and updated on a regular basis.

6. Procedures for Managing Asbestos

a. ACMs will be prioritised, based upon a risk assessment. This shall consider the potential for fibre release, which is influenced by several factors;

1) The type of material e.g. Asbestos Cement, Asbestos Insulating Board (AIB), etc.
2) Its condition, location and use of the specific location/room
3) The likelihood of the material being damaged or disturbed.

b. ACMs will be re-inspected at periods not exceeding 12 months or more frequently in areas where higher risks have been identified. Before any works are carried out that may/would affect the fabric of a building, machinery or plant, procedures must be followed as stated within the AMP. Where an emergency occurs, site / block specific emergency arrangements must also be followed by all parties as stated within the AMP.

c. Any person discovering a material, which is suspected to contain asbestos, will at once report this to the Asbestos Responsible Person or the Deputy Asbestos Responsible Person. The ARP involving specialist consultants will decide on a procedure based on the potential risk dependent upon works to be undertaken. Any person discovering damage to material, which is known or suspected to contain asbestos, will at once report this to the ARP. The ARP will decide on a procedure based on the potential risk dependent upon works to be undertaken.

d. Detailed procedures are contained within Asbestos Files held at each campus site including Asbestos Management Plans, project & maintenance workflow procedures, and emergency procedures.

7. Asbestos Training

a. All persons having management responsibilities concerning asbestos and staff who may potentially encounter ACM’s due to the nature of their role and responsibilities must attend appropriate asbestos training to meet latest regulations and must be able to provide evidence of receiving such training by a certified training provider.

Coleg y Cymoedd | Ystadau a Chyfleusterau
Estates & Facilities

Contractor Terms of Engagement with Coleg y Cymoedd

THE SAFE MANAGEMENT OF CONTRACTORS WORKING ON COLLEGE PREMISES

Contractors Terms of Engagement with Coleg Y Cymoedd
CONTENTS

1. Introduction
2. Contractors Terms Of Engagement and Safeguarding
3. Method Statements
4. Equipment
5. Substances (Toxicity and Flammability Aspects)
6. Asbestos
7. Housekeeping
8. Services
9. Compressed Gas Cylinders
10. Working at Heights
11. Scaffolding
12. Accidents
13. Fire Precautions for Contractors

1. Introduction

These guidelines are intended to provide contractors with general information on a variety of safety and safeguarding issues, which may be relevant in connection with their work on college premises.

Building contractors to be employed by the college will be issued with the college's "Contractors Terms of Engagement" Document. The contractor must submit a signed copy of these to the Estates and Facilities Manager or an authorised representative and, where appropriate, obtain a 'Permit to Work' in advance of any work(s) commencing.

In addition to the "Contractors Terms of Engagement" 'document contractors to be employed by the college must submit a signed copy of the 'Contractor Assessment – health and Safety'. A signed copy of this document must be supplied with all the supporting documentation requested before any engagement can take place.

The following advice is relevant to both building contractors and service engineers but is primarily intended for the latter, although, it will be sufficient for minor building works, alterations and any other small works.

They are in addition to any information issued by a contractor and are not intended to supersede any specific guidelines issued by a contractor.

2. Contractors Terms Of Engagement and Safeguarding

On all occasions, the contractor and his/her employees will report to reception, directed to the Estates Office. On arrival/departure and sign the Contractors Visitors book to record attendance and presence on the college premises.

In line with the new smoking in public places legislation the college has adopted a strict no smoking policy for all the college buildings and employ designated smoking areas. The contractor must ensure that all employees strictly observe this policy whilst working on all college premises or grounds. This also includes smoking within the contractor's vehicles on any of the college's sites.

As a further education establishment the college is populated by students of a young age and the contractor must take appropriate measures in checking staff suitability for such an environment. The college will require contractors to undertake DBS checks on their staff to verify their suitability to work within an educational establishment.

The contractor must enforce appropriate levels of behaviour such as restricting any inappropriate social contact with students. 'wolf whistles' or 'cat calls' would be deemed as unacceptable behaviour. An appropriate level of dress is to be expected and enforced and should include a uniform, and appropriate PPE ie: working overalls or some form of company logo/identification. Baring of torsos will be deemed as unacceptable behaviour.

The college will identify/agree designated parking areas for contractors before the commencement of any works. Toilet facilities will also be identified/agreed with the contractor prior to any work and these will be **non–student facilities**.

3. Method Statements

Prior to commencing work at the college you will need to provide risk assessments/method statements for the work(s) to be carried out to the Estates and Facilities Manager or an authorised representative for approval in advance of the work(s) commencing.

Given the repetitive nature of routine maintenance work it is possible that these can be generic in nature provided that this does not lend to the sin of omission arising from the failure to carry out specific risk assessments or to identify additional control measures to complement those on existing generic risk assessments.

The exception to this requirement will be the 'emergency call-out' situation when the contractor will be required to carry out a risk assessment at the time of arrival at the 'point of work(s) in or around the college premises.

4. Equipment

a) All equipment used by a contractor must be of good construction, sound material, adequate strength, free from patent defects, safe to use and only used by properly trained and competent staff.
b) The contractor shall provide all necessary personal protection equipment for his workforce including but not limited to safety helmets, ear defenders, and eye protection etc, required by statute or site rules.
c) All electrical work and work involving the use of electrical equipment shall be carried out in accordance with the appropriate Electrical Regulations and to comply with college rules **all portable electrical equipment** and tools should be rated **at no more than 110 volts.** Battery powered tools are preferable.

d) The machinery and plant brought onto the college sites by the contractor should be fully guarded and comply with the Provision and Use of Work Equipment Regulations (PUWER).
e) Some equipment such as lifting equipment, air compressors, and pressure plant must be examined by a competent person (insurance company surveyor) and the test certificate for such items should be available for inspection.

5. Substances (Toxicity and Flammability Aspects)

- Substances hazardous to health must be identified prior to taking them on college premises and if they cannot be substituted or eliminated, then an assessment (as required by the Control of Substances Hazardous to Health Regulations) must be carried out and recorded in writing. **A copy of this assessment should be readily available for inspection by college representatives.**

- Adequate training must be given to users of hazardous substances and information must be passed on to the college representative in case any member of staff is, or is likely to be, affected by the substances in use.

- Any use of flammable chemicals or gases is to be as the manufacturer's instructions and conditions of use. This may require the use of local exhaust ventilation to control flammable/toxic vapours as it might not be sufficient to rely on natural ventilation from open windows. Flammable materials are to be kept in the correct containers and store securely when not in use. All cylinders containing flammable gases shall either be stored in an area suitably designed to minimise any risk of combustion or removed from the site each day after use.

- From time to time problems have been encountered where contractors have failed to take adequate precautions with regard to work-in-progress on college premises and this has given rise to problems for workers in both offices, workshops and classrooms. Examples include excessive dust emissions from demolition, from building works, from sanding floors; solvent emissions from lacquering floors, which in the case of isocyanate-based systems can be problematic for asthmatics; solvent emissions from painting with solvent-based paints.

In all of these cases inadequate control measures were adopted to prevent emissions to adjacent areas or to control emissions at source. These issues can be resolved e.g. in the case of dust emissions segregating the area by sheeting up and in the case of solvent emissions by the use of local exhaust ventilation (venting to a safe place).

6. Asbestos

• Prior to any work commencing you will need to liaise with the estates contact and identify the location where you are planning to undertake any works and explain the type of work to be carried out in this location. You will then be provided with information about any asbestos containing material being present in the area of work by your estates contact. This will be via access to the full asbestos survey reports and location plans.

• Certain specific locations within the college estate (specific voids, service ducts etc) have strictly no access due to the potential of disturbing asbestos containing materials, these areas are identified within the asbestos surveys and also by location labels. Under no circumstances are these areas to be accessed. Works in such areas/locations can only proceed once appropriated, planned controlled methods have been identified and this will require the use of airborne monitoring and licensed contractors.

• If any asbestos containing material is found during the course of the work or **any material is suspected of containing asbestos** then the contractor should stop work and immediately report this to their estates contact.

Note the college does have an asbestos register and the duty to manage asbestos containing materials means that considerable effort is being put into surveying buildings and then monitoring the condition of asbestos containing products. This information is available via your estates contact.

• Steps will be taken as appropriate to

- Establish whether asbestos is present
- To undertake appropriate controlled cleans in areas where asbestos containing material has been disturbed (this may require the use of a licensed contractor) and
- Remove other asbestos containing material in order to allow the job to progress. (again this may require the use of a licensed contractor)

• The college Estates department is available to give additional advice on safe working at or near asbestos containing materials.

7. Housekeeping

• It is imperative for the safety of the contractor's employees and the college's employees, students and visitors that all contractors store, and use, materials in an orderly fashion.

• Any debris or waste arising from the works-on-site should be cleared away as soon as is reasonably practicable to any designated disposal point. Any waste not

cleared, and causing a hazard, may be cleared by college staff and the cost charged, or debited to the account of, the offending contractor.

- The work area should be clear of all hazards to allow the work to commence. However, should a contractor be concerned about any hazards either at the beginning of the work, or about any hazard that develops or becomes apparent during the work: **then he/she should immediately inform their estates contact.** Contractors should be informed who your estates contact is at the start of the contract.

- In some cases it may be necessary to demarcate the working area e.g. with cones, warning tape or other suitable barriers in order to prevent intrusion into the work area. The need for such demarcation should either be addressed in the contract or discussed with your estates contact. This may extend into "sheeting-up" the area in order to minimise spread of dust and minimise inconvenience to schools.

8. Services

- **No connections may be made to electricity; mains gas, compressed air or steam supplies without the authorisation of estates staff.**

- The procedure for 'breaking into' services should be documented in a contractor's method statement, this following consultation with estates staff.

9. Compressed Gas Cylinders

- These may be brought onto site and include freon gases used by refrigeration engineers, or liquefied petroleum gas used by roofing contractors etc

- Contractors need to:

(a) Make adequate arrangements for the safe custody of all their cylinders.
(b) Not store cylinders in cabins, or within college buildings
(c) Take note of the precautions issued by manufacturers or published in any relevant guidance notes issued by the HSE.

10. Working at Heights

- All work carried out at height or on roofs requires a safe working procedure. A safety rail or wall must be provided at the lower edge of a sloping roof and, where necessary, safety belts and tool belts must be issued to workers. Crawling or duckboards may be required on some roofs, and precautions must be taken to

prevent tools or loose materials from falling from the roof on to persons below. Precautions must be taken daily to ensure safety by removal of ladders or other means of access when work ceases.

11. Scaffolding

- All independent and tower scaffolds for access and material handling purposes shall be erected in accordance with current regulations and guidance such as examples below:- please note this is not an exhausted list of compliance. Other regulations and standards may apply.

BS EN 12811-1:2003 – Temporary Works Equipment
BS EN 39:2001 – Loose Steel Tubes for Tube and Coupler Scaffolds
BS 1139-6:2022 – Metal Scaffolding
NASC TG30:24 – Compliance for System Scaffolding
Work at Height Regulations 2005 (WAHR)

- Any scaffold shall be mechanically fixed to the building fabric every 6m horizontally and every 3.6m vertically.

- Only authorised, **competent persons** should erect scaffolds.

Contractors may appoint scaffolding companies as sub contractors, but these companies should only be allowed on site if they have been vetted by CHAS *and Constructline. The main contractor may assess the enforcement profile of a sub contractor by searching the HSE's database on enforcement.*

- Any scaffold, which remains erected for more than one week, should be inspected at least once per week and after bad weather, which may have an effect on strength and stability. The inspection should be carried out by a competent person and a **register** of such inspections should be retained on site for inspection.

12. Permits to Work

- Hazardous work situations exist which can only be carried out under a permit to work system such as

(a) Hot work
(b) Work on pressure systems
(c) Work in confined spaces
(d) Work on high and low voltage systems

- Permits to work will be issued by your estates contact. Permits-to-work will specify the appropriate control measures / procedures within which you are to operate.

13. Accidents

General

- All accidents must be notified to your estates contact as soon as practicable after the accident.

- Major injury incidents (or death) should be notified to the HSE and then as soon as practicable to your estates contact. He/she will then notify the college Director of Infrastructure as there may be a need to carry out an investigation. You are required to cooperate fully with any college investigation.

- The duty to notify the HSE of "plus-7-day" accidents rests with the contractor.

Accidents/Incidents to Third Parties

- Any accident or incident arising from the carrying out of the works and involving damage or injury to a third party **must be reported immediately** to your estates contact. Written confirmation including statements should follow.

Dangerous Occurrences

- The contractor should notify the HSE and their estates contact, who in turn will notify the colleges Department of Health and Safety as soon as possible.

14. Fire precautions for Contractors

There is an obligation on the college under various pieces of Statutory Legislation to achieve and maintain an acceptable standard of fire precautions within the premises for which they are responsible. This responsibility extends to ensuring that the contractors are made aware of their responsibilities whilst working on-site.

General Fire Precautions

1. If you discover or suspect a fire, raise the alarm by operating the nearest fire point.
2. If safe to do so, tackle the fire with the appropriate fire-fighting equipment.

3. On hearing the alarm evacuate the building via the shortest possible route and report to the assembly point, which is indicated on the blue fire instruction notices displayed in all buildings.
4. Should your work activity cause a false alarm, either by break point or by the activation of an automatic detector, then contact your estates contact immediately and inform them of the reason.
5. Notwithstanding that it is a false alarm, you must still evacuate the building.

Before Commencing Work

1. Ensure that you are familiar with the route of escape (including alternative routes) from the area you are working in, bearing in mind you may be working in basements/roof voids and similar areas where the route is confined and plant or machinery has to be negotiated.

2. Locate the nearest break glass point and fire fighting equipment. If these cannot be found contact your estates contact who will inform you as to the location of these and give detailed instruction of the method to be used in raising the alarm, should the need arise.

General Rules to be Followed

1. Works carrying a high fire risk must not be commenced without the prior consent of the college Estates Manager. This may be by verbal agreement but for especially high risk operations will involve written consent, namely a hot work permit.

2. If work is to be carried out in areas which necessitate the temporary closure of or restrict the use of, designated exits for however short a time this should be brought to the attention of all persons working or using these areas, and the alternative route clearly marked **before** the work commences.

3. The correct storage securing and stacking of materials plant and machinery used during the contract will be the responsibility of the contractor. The contractor (or any subcontractors) will ensure that:

3.1 The means of escape routes and staircase enclosures should not be obstructed.

3.2 The use of equipment/materials and the carrying out of processes which could:

General Rules to be Followed cont.d

(i) Cause a fire to be started.

(ii) Increase the severity of a fire

Is to be strictly controlled. All equipment, or equipment utilising a naked flame is to be switched off or disconnected after use on every occasion.

4. Any use of flammable chemicals or gases is to be only as per the manufacturer's instructions and conditions of use. Flammable materials are to be kept in the correct containers and stored securely when not in use.

5. All cylinders containing flammable gases shall either be stored in an area suitably designed to minimise risk of combustion or removed from the site each day after use.

6. All works that involve the use of welding gear, blow lamps or other plant using naked flames or plant or equipment which generates sparks **shall cease not less than sixty minutes before leaving the site** and ensure that a thorough check is carried out immediately following the use of such equipment. *This work requires a work permit.*

7. The college has a universal "No Smoking" policy within buildings. Welding or burning shall not be carried out on college premises without a college Hot Work Permit. Your estates contact will issue this and if further advice is required then you may discuss this with the college Estates Manager.

8. Whilst on site and at all times when works are being carried out, the contractor will ensure that suitable fire extinguishers are available close to the area of the works.

9. Where the work carry a significant fire risk, (i.e. work involving the use of naked flames or electrical equipment) the contractor will supply for the use of his staff a 4.5 Kilo Dry Powder General Purpose Fire Extinguisher.

I certify that I have

● Received a copy of the "Contractors Terms of Engagement with Coleg Y Cymoedd"

● I/We acknowledge that I/We have read and are aware of the content of the 'Contractors Terms of Engagement with Coleg Y Cymoedd' document and undertake that I/We and my/our employees and my/our sub-contractors/suppliers and their employees must at all times observe and comply with the provisions contained in the said Contractors Terms Of Engagement and safety guidance.

● I/We acknowledge that the said Contractors Terms Of Engagement and safety guidelines will form part of the contract between Coleg Y Cymoedd and the contractor.

Company----------

Address ----------

Tele No ----------
Position ----------
Name ----------

Signature---------- Date ----------

Safeguarding
Child Protection and Vulnerable Adults Policy

Mae'r ddogfen hon ar gael yn y Gymraeg / This document is available in Welsh

Prepared by:	Assistant Principal Learner Experience	
Policy Approved by:	Shadow Board	01/07/13
	Strategic Management Team	21/05/14
		09/11/16
		20/06/18
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		06/07/21
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		05/09/23
		13/05/24
		24/09/24
	Curriculum & Quality Committee	09/06/14
		06/03/17
		11/11/24
	Corporation	10/07/18
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Impact Assessed:	September 2018, September 2022, July 2023, April 2024	
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1. Introduction

Coleg y Cymoedd is committed to ensuring the safety and welfare of all learners. We recognise that safeguarding and promoting the welfare of our learners is everyone's responsibility and we are committed to always acting in the best interest of learners.

The purpose of this policy is to ensure the effective safeguarding and child protection arrangements are in place across Coleg y Cymoedd. It also makes explicit the college's commitment to the development of good practice and sound procedures, ensuring that child protection and vulnerable adult concerns and referrals are handled sensitively, professionally and in ways that support the needs of learners. The college has a moral and statutory duty to promote and protect the welfare of children and adults at risk and safeguard them from harm or abuse. Learners are able to access safeguarding support through the medium of Welsh, and when referring learners to external agencies, the language choice of the learner will be recognised and taken into account.

This policy, and all associated Safeguarding procedures across the college, apply to all staff, learners; apprentices also follow the Skill Academy Wales safeguarding policy. Whilst staff have various levels of contact with learners, everyone must be aware of the potential indicators of neglect and abuse and be clear about what to do if they have a concern.

The college's Prevent responsibilities under the Counter terrorism and Security Act 2015 are an integral part of this policy. The College has published a Prevent Protocol[1] which details the college's obligations, the statement of policy, roles and responsibilities and the internal and external referral processes.

This policy will be reviewed by the Designated Safeguarding Person (DSP) on a regular basis to ensure it remains current and incorporates all local and national safeguarding advice and guidance. It has been completed in line with government legislation and guidance and procedures set out in the Wales Safeguarding Procedures, Keeping Learners Safe (2022) and local safeguarding boards (Cwm Taf Morgannwg and Gwent).

In this policy the term "Child" applies to all learners under 18 years of age, as defined by the Children Act 1989.

This policy applies to all learners on all learning programmes regardless of mode or location of study.

[1] Protocol can be found on the website and Staff Portal

This policy applies to all staff and to visitors to the college.

2. Policy Statements

The safeguarding leads in the college are responsible for keeping up to date with any changes to existing legislation and guidance and any new legislation or guidance. The safeguarding teams operate the following principles and seek to:

- understand the context and identify the risks;
- take action to prevent and reduce harm;
- develop in learners the skills and resilience to avoid, resist and recover from harm; and
- engage with parents/carers, staff, partner agencies and the wider community to reduce the risk of harm.

The college will:

- adopt Safer Recruitment principles, including DBS checks and EWC registration;
- provide advice and guidance for all visitors and new members of staff to ensure the welfare of our learners is of paramount concern; and
- provide regular training and guidance to all staff and governors.

The college will support all learners by:

- developing the tutorial programme and curriculum content to inform learners and allow opportunities to discuss safeguarding issues, including peer-on-peer abuse and preventing radicalisation;
- maintaining a college ethos that promotes a positive, inclusive environment, where all feel safe and are valued;
- recording and managing all concerns reported;
- conducting risk assessments as needed; and
- collaborating with internal and external colleagues to identify and reduce risks.

Safeguarding

Safeguarding is the action that is taken to promote the welfare of learners and protect them from harm. Safeguarding means:

- Protecting our learners from abuse and maltreatment
- Preventing the impairment of learners' health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all learners to have the best outcomes

The safeguarding leads[2] in the college ensure that the college complies with all statutory legislation, including the Prevent Duty. Detail on designated safeguarding roles can be found in the appendices.

Child Protection

Child protection is part of the safeguarding process. It focuses on protecting individual children identified as suffering or likely to suffer significant harm. This includes child protection procedures that detail how to respond to concerns about a child. For definitions of harm (including abuse and neglect), see the appendices.

Prevent Duty

The college recognises its duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard to the need to prevent people being drawn into terrorism'. All staff will receive training and guidance on the Prevent Duty so that they are able to identify learners who may be vulnerable to radicalisation and understand how to report their concerns. Staff must be alert to changes in a learner's behaviour that could indicate that they may need protection.

It is the responsibility of the DSPs in each organisation to raise awareness of the risks of radicalisation and ensure all stakeholders have adequate training. The DSP at Coleg y Cymoedd will keep up to date with current local and national threats and issues regarding radicalisation, including an awareness of the current, largest threat to their learners. Collaboration with external organisations is essential to achieving this.

The college will seek to build learners' resilience to radicalisation through the promotion of British values, democratic principles and the promotion of respect for other cultures.

Terrorism (Protection of Premises) Bill - Martyn's Law

The college understands its responsibilities in keeping learners, staff and visitors safe on each campus. The safeguarding leads meet regularly with Counter Terrorist Security Advisors and the Head of Infrastructure in the college to assess risk and complete 'preparedness' plans. These plans will ensure the college is compliant with the Terrorism (Protection of Premises) Bill when it becomes an Act. For more information on Martyn's Law, see the Welsh Government's *Terrorism (Protection of Premises) Bill – Explanatory notes (May 2023)*.

[2] See appendix 1

3. Specific Safeguarding Support

Peer-on-Peer Abuse

The college takes bullying and harassment seriously and is committed to ensuring all learners are treated equally and with respect. Sexual misconduct and harassment will not be tolerated. This responsibility refers to individuals when they are both in and out of our organisations and includes use of the internet and electronic communication devices such as email, mobile phones, games consoles, social networking sites etc.

The college recognises that there is the potential for abuse between young people, and staff will remain vigilant to the signs of peer-on-peer abuse. Staff will follow guidance on tutorials and follow the college's safeguarding procedures to report and manage any concerns.

This policy has been reviewed using Welsh Government guidance, 'Guidance for education settings on peer sexual abuse, exploitation and harmful sexual behaviour' and Estyn's report Peer-on-peer sexual harassment among 16 to 18-year-old learners in further education (June 2023). For more information please read the organisations' Bullying and Harassment policies and procedures.

Vulnerable Learners

Some learners are more vulnerable than others due to a specific care or support need and individual or home circumstances. They include learners who:

- are on, or have been on, the Child Protection register;
- are looked after or care-experienced;
- are young carers;
- are asylum seekers;
- have experienced significant trauma (recent or historic);
- have additional learning needs (ALN); and/or
- have a disability.

The College will provide additional support for vulnerable learners as required. The safeguarding teams in each organisation will work with internal and external colleagues to identify and provide this support, signposting learners to external organisations as appropriate.

Female Genital Mutilation (FGM)

Female Genital Mutilation is a form of child abuse and as such is dealt with within this policy. The UK Government has written advice and guidance on FGM that states; "FGM is considered child abuse in the UK and a grave violation of the human rights of girls and women. In all circumstances where FGM is practised on a child it is a violation of the child's right to life, their right to their bodily integrity, as well as their right to health. The UK Government has signed a

number of international human rights laws against FGM, including the Convention on the Rights of the Child."

The College recognises that the practice of FGM in the UK is a criminal offence and all staff will report concerns that FGM has been, or is about to be, carried out on a learner under the age of 18 to the police.

Forced Marriage

Forced Marriage is a form of abuse where one or both parties are married without their freely given consent. It violates a child or young persons or vulnerable adults' human rights and can have significant physical, emotional, psychological and sexual consequences. Forced Marriage is Illegal in many countries including the United Kingdom. The Forced Marriage (Civil Protection) Act 2007 criminalises forcing someone into marriage or aiding forced marriage.

The College is committed to safeguarding all learners and staff from forced marriage and other forms of abuse. The College recognises that forced marriage is illegal in the UK and will adhere to the legislative duties and ensure that we report any such concerns as per the Wales Safeguarding Procedures to the Local Authority and Police.

Gender / Honour Based Violence (GBV/HBV)

Gender-based violence refers to any form of violence perpetrated against an individual based on their gender identity or perceived gender roles. Honour-based violence is a specific form of violence that is rooted in cultural beliefs or traditions that seek to control or regulate behaviour; commonly seen if there are perceived breaches of family or community honour.

Both forms of violence can have significant implications for the individual involved. Individuals at risk of GBV/HBV are likely to experience physical harm, emotional and psychological trauma, social isolation, impacted education or relationships within college, mutilation and even murder.

The UK recognises this form of harm and hosts legislation to support individuals at risk. The Domestic Abuse Act 2021 now includes coercive and psychological abuse as a form of harm. The Criminal Justice Act 2015 criminalises Forced Marriage, FGM and other forms of violence towards women and girls. The Serious Crime Act 2015 has introduced provisions to tackle HBV.

The College remains committed to the protection of learners at risk of GBV and HBV. The Safeguarding and Wellbeing team is equipped with the skills and ability to recognise these forms of abuse and acts in accordance with the Wales Safeguarding Procedures.

Safer Recruitment

The People and Culture (P&C) department at the college complies with safer recruitment procedures including:

- undertaking Disclosure and Barring checks to ensure that all staff are suitable for employment,
- identifying and rejecting applicants who are unsuitable to work with children, young people and vulnerable adults,
- responding to concerns about the suitability of applicants during the recruitment process,
- responding to concerns about the suitability of employees and volunteers once they have begun their role, and
- ensuring all new staff and volunteers participate in an induction that includes safeguarding/child protection.

The department also has clear policies and procedures relating to the Disclosure and Barring Service (DBS checks) and staff conduct relating to safeguarding. It ensures that members of staff who are Education Workforce Council of Wales (EWC) registrants are aware of the Code of Professional Conduct and the expectation within the Code regarding the safety and well-being of learners in their care and related safeguarding content.

The department has policies and procedures for managing allegations about members of staff and will demonstrate the college's duty of care to support all involved during the process. See P&C policies and procedures for more information.

Online Safety

Each organisation will refer to Welsh Government guidance and advice described in the Live-streaming and video-conferencing: safeguarding principles and practice document to ensure that our learner community remains safe whilst learning online. Regular advice and training will be delivered to both staff and learners regarding online safety.

The college recognises that learners are under considerable pressure from social media apps and sites, that can have a negative impact on their safety and wellbeing. The college has a designated Digital Wellbeing Officer who is responsible for supporting learners to stay safe online. For more information, visit the Learner Portal.

The Online Safety Act 2023 places a duty on organisations to regulate online platforms and enhance the protection our learners have against accessing harmful content online. This includes:

- Cyber Bullying
- Grooming
- Extremist or radicalistic material
- Accessing or sharing misinformation
- Pornographic and sexually harmful materials

The college recognises the importance of online safety and endorses the safeguards set out to protect both learners and staff. As part of our continued commitment to safeguarding, the college adheres to the principles set out in the Act, ensuring that our digital platforms and online resources promote a safe, encouraging and respectful learning environment for all.

The AP for Learner Experience and Head of Wellbeing and Safeguarding will continue to work with the Head of IT to ensure that all systems used by staff and learners are compliant with the regulatory requirements.

The People and Culture team also remain committed to safeguarding staff and have policies and procedures in place to support this. The team will complete a referral to the Local Authority and follow the Section 5 Professional Concerns process as set out by the Social Services and Wellbeing (Wales) Act 2014 and Wales Safeguarding Procedures as necessary.

Risk Assessments

In some instances, it will be necessary to complete a risk assessment to assess the risk to learners (including themselves), staff and/or college property an applicant or learner may present. The risk assessment will be created by a member of the safeguarding team as directed by the HoWS or APLE, in collaboration with internal and external colleagues as needed, e.g., tutors, social workers, police, probation officer etc. and will be signed off by the DSP (Designated Safeguarding Person). The HoWS and APLE will use the risk matrix to identify the level of risk.

If it is deemed safe for the learner to attend college (with control mechanisms in place), the HoWS will meet with the learner to discuss the risk assessment and will arrange check-ins with the learner to monitor progress. If it is deemed unsuitable for a learner to attend college, the learner will be contacted by email and post to notify them of the decision to withdraw their place at college.

A learner may appeal the decision if they can evidence that they can mitigate the risks described. The appeal must be sent by email or letter to the Principal within 10 days of receiving the contact regarding withdrawal of a place in college.

4. Reporting Concerns

When to be Concerned

Learners could be at risk in their family, in an institutional or community setting, by those known to them or, more rarely, by a stranger.

Abuse could take the form of:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Neglect
- Financial abuse
- Psychological abuse

For signs and indicators of abuse, see appendix 2.

Duty to Report

All stakeholders (including staff, governors and visitors) have a duty to report safeguarding concerns in line with the Wales Safeguarding Procedures[3]. A report must be made if a person has a concern or suspicion that a learner:

- is experiencing or is at risk of abuse, neglect or other kinds of harm[4];
- has needs for care and support;
- has needs for care and support, and as a result of those needs is unable to protect themselves against abuse, neglect or the risk of it.

If any person has knowledge, concerns or suspicions that a child is suffering, has suffered or is likely to be at risk of harm, it is their responsibility to ensure that the concerns are referred to the organisation's safeguarding team. This ensures that social services or the police can be informed, who have statutory duties and powers to make enquiries and intervene when necessary.

THIS IS NOT A MATTER OF PERSONAL CHOICE.

Trefniadau Diogelu Cymru
Safeguarding Procedures Wales

When to contact the Police

The college understands the importance of safeguarding and protecting the most vulnerable learners and on occasions, the police need to be informed. The National Police Chiefs' Council has released information for colleges and schools that set out comprehensive guidance to organisations on when to contact the police.

The guidance covers a wide range of scenarios, including criminal activity, safeguarding issues, sexual offences, cyber crime, weapons, emergencies and offers clear protocols and consideration for decision making.

The College is committed to working closely with South Wales and Gwent police to ensure the safety and protection of our learners and staff.

[3] See Safeguarding Procedures
[4] See appendix 2

The guidance can be accessed here:

- When to call the Police; Guidance for Schools and Colleges

5. Links to Policies & Procedures

College policies and procedures can be found on the college website.

Linked policies/statements/procedures include:

- Prevent Protocol
- Safeguarding Procedures
- Learner Behaviour and Discipline Policy
- Fitness to Study Policy
- Learner Bullying and Harassment Policy
- Whole College Approach to Behaviour
- Young Carers Policy
- Slavery and Human Trafficking Document
- Data Protection Policy
- Privacy Policy
- Information Sharing Protocols
- Equality, Diversity & Inclusion Policy
- Complaints Policy
- Staff Disciplinary Policy
- Personal Relationships Policy (staff)
- Staff Code of Conduct
- Use of Reasonable Force Policy
- Anti-Bullying and Harassment Policy and Reporting Routes document
- Alcohol and Substance Misuse at Work Policy
- Whistleblowing Policy

6. Legislation and Guidance

Safeguarding procedures across the college, must take the following legislation into consideration:

- Peer-on-peer sexual harassment among 16 to 18-year-old learners in further education | Estyn (gov.wales)
- The Counter-Terrorism and Sentencing Act 2021
- The Protection of Freedom Acts (2012)
- Human Rights Act (1998)

- The Children Act (2004)
- The Equality Act (2010)
- The Education Act (2002)
- The Prevent Strategy (2011)
- In Safe Hands: Implementing Adult Protection Procedures in Wales
- Prevent Duty Guidance for Further Education (2021)
- Wales Safeguarding Procedures (2019)
- Keeping Learners Safe (2021) document no: 283/2022
- Cardiff and Vale Regional Safeguarding Board
- Complaints Procedures for School Governing Bodies in Wales 2012
- Safeguarding Vulnerable Colleges Act 2006
- Respecting Others: Anti-Bullying Guidance 2003
- Handling allegations of abuse against teachers and non-teaching staff
- Social Services and Well-being (Wales) Act 2014 (Part 7 of the Act relates to safeguarding)
- Female Genital Mutilation Act (2003)
- United Nations Convention on the Rights of the Child (UNCRC)
- The Rights of Children and Young Persons (Wales) Measure 2011
- The Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act
- Forced Marriage (Civil Protection) Act 2007
- Domestic Abuse Act 2021
- Online Safety Act 2023

The list is not exhaustive and may be added to by future passing of statute either by UK Government or Welsh Government on matters which are devolved under Government of Wales Act 2006.

Appendix 1

Safeguarding Leads

Link to staff details from portal

The Designated Senior Person (DSP) with responsibility for Child Protection and Vulnerable Adults is the Vice Principal (COO). The DSP is responsible for developing and monitoring this policy and procedure. They will be the lead contact for corporate safeguarding matters. They will ensure the Principal and governing body are made aware of serious cases.

The Senior Designated Safeguarding Officer (SDSO) is the Assistant Principal for Learner Experience. The SDSO will support the DSP in development and monitoring of the policy, offer day to day advice on policy and procedures to college staff and external agencies, and act as their deputy in their absence.

The Head of Wellbeing and Safeguarding (HoWS), Directors of Learner and Campus Services (DLCS) and the Director of People and Culture are Designated Safeguarding Officers (DSOs). The HoWS will take the main day-to-day responsibility for safeguarding across the college and is supported by Safeguarding Co-ordinators, with the DLCS taking responsibility to ensure the safeguarding procedures are followed on each campus. They will be closely supported by both the DSP and the SDSO.

The College's Designated Safeguarding Governor will meet on a termly basis with the DSP in order to be assured **that effective policies, processes and procedures** are in place for safeguarding learners.

The names and contact details of the designated members of staff will be displayed at strategic points on every campus and on the Staff Portal.

Appendix 2

Signs and Indicators of Abuse

All staff should familiarise themselves with Wales Safeguarding Procedures for advice and guidance.

Safeguarding is everyone's responsibility.

Effective safeguarding requires:

- Every member of staff and all stakeholders to play their part and contribute to safeguarding and promoting the wellbeing of learners.
- Information-sharing in accordance with guidance[5].
- Staff to work together with internal and external colleagues to better understand our learners, their circumstances and their needs for care, support and safety.
- Developing co-productive working relationships to support learners at risk.

Safeguarding Children[6]

Everyone has a responsibility for safeguarding children. Every child can be hurt, put at risk of harm or abused, regardless of their age, gender, religion or ethnicity. Safeguarding legislation and government guidance states that safeguarding means:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care

The rights of the child should be paramount to our approach.

Links below provide descriptions of the abuse, neglect and harm that may lead to a child being at risk. It is important to note that these are NOT exhaustive lists. Rather, they are provided to offer practitioners pointers that may alert them to possible abuse or neglect in an adult or child.

Physical abuse

Sexual Abuse

Neglect

Emotional Abuse and Neglect

Adults at Risk

[5] Information sharing to safeguard children: guidance https://gov.wales/sharing-information-safeguard-children
[6] The legal definition of a child is anyone under the age of 18

Adults can be at risk from the same types of abuse as children – physical, sexual and emotional. They can also be at risk of financial abuse or neglect, particularly if they rely on the support of others if they have care or support needs.

Vulnerable adults can include those who:

- have a disability;
- have a significant learning difficulty;
- are unable to protect themselves or report abuse;
- are homeless; and/or
- have a drug or alcohol addiction.

The link below leads to a description of the different forms of abuse and neglect that adults at risk may experience and ways in which the maltreatment may manifest itself. It is important to note that maltreatment may be linked to one specific incident or ongoing and/or repeated abuse and neglect. The maltreatment may result from one issue such as alcohol or drug misuse or an accumulation of circumstances and stressors, such as domestic violence and abuse, social isolation and deprivation.

Staff should be mindful that assessing harm does not mean merely listing the risk factors that are accumulating and assuming the longer the list the more likely the level of harm: just one risk factor may have a significant impact.

Pointers for Practice: Signs and Indicators of Possible Abuse and Neglect in an Adult at Risk

Data Protection Policy

Mae'r ddogfen hon ar gael yn y Gymraeg / This document is available in Welsh

Prepared by:	Vice Principal / Data Protection Officer	
Policy Approved by:	Senior Leadership Team	24/10/18
		21/10/18
		18/10/22
		11/06/24
		06/01/25
	Data Protection group	08/11/18
		08/11/18
	Compliance group	21/10/21
		21/10/22
		09/05/24
		09/01/25
	Audit committee	22/02/16
		26/11/18
		28/11/22
	Corporation	01/07/24
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1. Introduction

1.1 The College needs to collect, process and keep certain data about its employees, learners and other users to allow it to exercise its function effectively. This includes monitoring its performance, organising learning provision, recording learners' achievements, and maintaining financial, health and safety and employment records.

1.2 The College collects data to meet its obligations to funding bodies and ensure government (and for example European) rules are complied with in respect of funding, e.g. to support financial audit requirements (see 1.2 above). Data collected also supports the process of staff recruitment and to facilitate payment of salaries and in some instances the payment of learner grants.

1.3 Under certain conditions of some financial grants, the College needs to share data with other public sector organisations. Staff and learners will be informed of when this could happen, and the steps taken to ensure that no personal data that could identify the individual is transferred and when personal data is required specific consent is received.

1.4 This policy aims to mitigate the risk to the security of data.

1.5 The College also collects data via its CCTV system to enable it to perform its functions in respect to both health and safety responsibilities and the prevention of crime.

1.6 The College will do its utmost to ensure that the data collected is used fairly, stored safely and not disclosed to any other person unlawfully. Data will be deleted safely when the duration that the data is held for it to comply with the law expires.

1.7 The College must comply with the Data Protection Act 2018 (the 2013 Act) which is the UK's implementation of the General Data Protection Regulation. Everyone responsible for using personal data has to follow strict rules called 'data protection principles. They must make sure the information is:

- used fairly, lawfully and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

1.8 Individuals have the following rights in relation to GDPR:

i. The right to be informed
ii. The right of access

iii. The right to rectification
iv. The right to erasure
v. The right to restrict processing
vi. The right to data portability
vii. The right to object
viii. Rights in relation to automated decision making and profiling

More information on each of these rights can be found on the ICO website.

1.9 The College and all staff or others who process or use any personal information must ensure that they follow these principles at all times. To ensure that this happens, the College has developed this Data Protection Policy.

1.10 The Freedom of Information Act 2000 gives a general right of access to all recorded information held by public authorities. However, this Act also sets out exemptions to that right and such exemptions include individual information on staff and learners by virtue of being personal information.

2. Status of the Policy

2.1 This policy does not form part of the formal contract of employment, but it is a condition of employment that employees will abide by the rules and policies made by the College from time to time. Any failures to follow the policy can therefore result in disciplinary proceedings.

2.2 Any member of staff, who considers that the policy has not been followed in respect of personal data about THEM, should raise the matter with the designated data controller initially. If the matter is not resolved, it should be raised as a formal grievance.

3. Notification of Data Held and Processed

3.1 All staff, learners and other users are entitled to know

- what information the College holds and processes about them, why they hold it and who they may share it with,

- how to gain access to it,

- how to keep it up to date and

- what the College is doing to comply with its obligations under the 2018 Act and the GDPR.

3.2 The College will therefore provide all staff and learners and other relevant users with a privacy notice. This will state the types of data the College holds and processes about them, and the reasons for which it is processed. The College will, as part of the Employment Contract Process, seek specific consent from employees to process data relating to them.

4. Responsibilities of Staff

4.1 All staff are responsible for:

4.1.1 Checking that any information that they provide to the College in connection with their employment is accurate and up to date and informing the College of any changes to information, which they have provided e.g., changes of address.

4.1.2 Checking the accuracy of the information the College sends out from time to time, giving details of information kept and processed about staff.

4.1.3 Informing the College of any errors or changes. The College cannot be held responsible for any errors unless the staff member has informed the College of them.

4.1.4 If, and when, the college collects or accesses information about other people. (e.g., learners' personal details, data relating to learners' course work, opinions about ability, references to other academic institutions, or details of personal circumstances), they must comply with data protection laws as outlined within this policy.

4.1.5 Notifying their line manager (who subsequently should inform the Data Protection Officer) of any suspected or actual breaches in data security that may lead to data loss relating to staff, learners or organisations.

5. Data Security

5.1 All staff are responsible for ensuring that any personal data they hold (for example of learners, staff or other organisations) is kept securely and that personal information is not disclosed either orally or in writing, electronically, or accidentally or otherwise to any unauthorised third party.

5.2 Staff should note that unauthorised disclosure will usually be a disciplinary matter and may be considered gross misconduct.

5.3 Personal information should be kept in a locked filing cabinet, or in a locked drawer, or if it is computerised, be password protected. To reduce risk to data users should store computerised data within the provided resources such as Office 365 or mapped network drives. Passwords must not be disclosed or reused, and MFA must be activated.

Portable hard-drives or pen-drives should be used as last resort. If used, these portable devices should be encrypted. Staff should seek technical advice from IT Dept. if they are unfamiliar with such processes.

5.4 Staff should NOT remove personal data relating to other staff, organisations or learners from college premises. This includes data kept on disk drives, electronic transmission to their home or other venues even if the data is to be used for work purposes.

5.5 The College will do its utmost to protect personal data held electronically-digitally on its computers and servers, this includes ensuring that all security software and other technical protection is enacted to diminish the risk of access to data, including remotely (e.g., via the internet). 5.6 The College will comply with ICO and notify them when required of any breach of security and management of held data. In the event that a breach has occurred the College shall implement its Breach Management Plan.

6. Learner Obligations

6.1 Learners must ensure that all personal data provided to the College is accurate and up to date. If learners need to change any personal data, they have to complete a ‘Change of Details’ form and submit this to the Learner & Campus Services. Learners must ensure they use their correct Learner ID number in all requests and may be required to provide additional identification.

7. The Rights of Access

Individuals have the right to access their personal data and the right of access allows individuals to be aware of and verify the lawfulness of the processing of their data. Requests for such information will be known as Subject Access Requests.

All Subject Access Requests (SAR) must be submitted to:

Data Protection Officer

Executive Office, Coleg y Cymoedd, Heol yr Coleg, Parc Nantgarw, Cardiff, CF15 7QY

T: 01443 663152

E: Data-protection@cymoedd.ac.uk

Learners submitting a SAR must include their Learner ID in their request.

The College will provide a copy of the information free of charge. Information will be provided within one month of receipt of the request. The College will ensure that the identity of the person making the request is verified, using reasonable means.

The College will charge a reasonable fee to comply with requests for further copies of the same information. This does not mean that the College will charge for all subsequent access requests.

The fee will be based on the administrative cost of providing the information. Individuals will be given an indicative cost at the time they make their application.

The College reserves the right to extend the period of compliance by a further two months where requests are complex or numerous. If this is the case the College will inform the individual within one month of the receipt of the request and explain why the extension is necessary.

If requests are manifestly unfounded or excessive, in particular because they are repetitive, the College will:

- charge a reasonable fee taking into account the administrative costs of providing the information; or
- refuse to respond.

Where the College refuses to respond to a request it will explain why to the individual, informing them of their right to complain to the ICO within one month.

If the request is made electronically the College will provide the information in a commonly used electronic format.

8. Subject Consent

In order to process personal data, the College must have a legal basis as set out in the GDPR UK. This is to ensure that we can comply with the requirement for any processing we undertake to be fair and lawful. The available lawful processes are:

· Consent: where we ask an individual for permission to process their data in the circumstances set out in our privacy notice.

· Contract: Where the processing in necessary for the College to comply with its obligations under a contract.

· Legal obligation: Where the processing is required for the College to meet its legal obligations. This is different to the Contract basis above - this would include for an example an obligation to inform HMRC about income paid to our employees, or to provide to Data to Welsh Government about student enrolments.

· Vital Interests: This would include where the processing is necessary to protect someone's life

· Public Task: This would be where there is a wider public interest in the processing of the data – such a reporting data for statics, or in the interests of public health

· Legitimate interests: This would include processing where it is in the interests of the individual, or another third party, unless there is a good reason not to do so which would override the intended processing

The lawful basis which the College is relying on to process your personal data will be set out in the relevant privacy notice. In some cases, more than one lawful basis may apply.

If we are relying on Consent, the privacy notice will also set out how you can withdraw that consent should you wish to do so in the future.

The basis on which your information is processed also affects the rights you have as a data subject to object, port or erase data as set out elsewhere in this Policy.

The College has a duty to safeguard its staff and learners. The college will always share the information needed, with an appropriate person or authority, in order to safeguard a child or vulnerable adult. Under the GDPR and Data Protection Act 2018 the College may share information without consent if, in our judgement, there is a lawful basis to do so, such as where safety may be at risk. In addition to GDPR and Data Protection guidance, the College follows guidance from the Information Commissioner's Officer (ICO) regarding safeguarding children.

9. Special Category Data

Where the College needs to process more sensitive information about an individual (such as information relating to health, political or religious beliefs, ethnicity, sexual life or

orientation, or criminal allegations or convictions), then we require an additional basis for processing.

These are:

· Explicit consent

· Employment, Social Security and social protection

· Vital interests

· Not-for-profit bodies

· Made public by the data subject

· Legal claims or judicial acts

· Reasons of substantial public interest

· Health or Social Care

· Public Health

· Archiving, Research, or Statistics

10. The Data Controller and the Data Protection Officer and Data Controllers

10.1 The College as a body corporate is the Data Controller under the Act, and the Corporation Board is therefore ultimately responsible for implementation.

10.2 The Data Protection Officer has the following responsibilities:

- Provide continued guidance, support and leadership on current and impending data protection legislation and regulation across the College
- Identify and implement the work required to bring the College up to standards required by the GDPR and put in place processes to ensure continued compliance
- Carry our regular risk assessments of the handling of data and maintain and update the risk register
- Create and maintain data protection policies and procedures
- Maintain evidential records of compliance with current legislation
- Support a programme of staff awareness training, to deliver compliance and foster a culture of data privacy within the organisation
- Review commercial agreements and contracts including data processing agreements with existing and future data processors
- Revise and lead data breach response and notification procedures
- Be the point of contact and co-operate with the ICO
- Act as the focal point for the organisation when data subjects are exercising their rights; supervise and advise on the response to such requests

10.3 The College is the designated data controller and has several members of staff acting on the delegated authority of the data protection officer. They include the Director of People & Culture, Director of Planning and Funding, Director of Infrastructure, Directors of Learner & Campus Services, Director of Finance, Assistant Principal Partnerships, & Recruitment and Progressions Manager (see appendix 1)

10.4 The College also has several authorised staff in academic areas to manage and deal with sensitive data relating to learners.

11. Retention and Deletion of Data

11.1 The college will meet the requirements of GDPR in the retention of data. This is detailed in the College Document Retention Policy.

11.4 The College will safely destroy data, (e.g., using shredders on college premises) when it is no longer required and in line with the periods indicated in the Document Retention Policy For large quantities of documents containing personal and other data, the College shall only use recognised companies for this purpose. The College will employ similar approaches to the destruction of electronic data. When this is held on computer drives the College shall employ registered companies for this purpose specifically in relation to drives in PCs.

11.5 Data captured digitally via CCTV will normally be kept for 31 days and destroyed thereafter. The exception to this is when this data is required to support crime detection and subsequent legal proceedings

12. Artificial Intelligence

The College recognises the increasing importance of Artificial Intelligence (AI) technologies and how they impact both administrative and teaching functions. The College will ensure that it's use of AI Technologies complies with data protection legislation.

Decision making in relation to course applications and enrolments and employment of staff will continue to be made by human review.

The College may use AI technologies for statistical and research purposes, including, but not limited to, learner successful course completion, retention, attendance and performance.

The College will seek opportunities to review, evaluate and employ AI technology in the learning environment.

13.Sharing of Data

The College may sometimes be required to share data that it holds about individuals. This will be in line with the lawful basis for processing included within the College Privacy Notices and appropriate safeguards will be put in place to ensure the data sharing in limited to only that necessary to enable to College to meet its obligations and will be shared securely.

Examples of this include sharing information in an emergency with emergency services, to ensure the safeguarding of an individual, to meet our own contractual obligations (such as exams registrations), statistical reporting, etc.

Where sharing data with other organisations with which we do not have a contractual relationship, the College will wherever possible enter into an information sharing protocol. This will be in accordance with the Wales Accord on the Sharing of Personal Information (WASPI). These agreements are accessible vis the WASPI website HERE (ISP Register Reviewed sept 2024.xlsx)

14. Conclusion

13.1 Compliance with the 2018 Act is the responsibility of the College. Any deliberate breach of this Data Protection Policy may lead to disciplinary action being taken, or access to college facilities being withdrawn, or even criminal prosecution. Any questions or concerns about the interpretation or operation of this policy should be directed to the college data protection officer.

13.2 This policy will be reviewed every 2 years unless further legislation necessitates an earlier review date.

Appendix 1

Data Controllers

The College has several designated data controllers. These are:

Area	**Person Responsible**
People & Culture	Director of People & Culture
Exams & Management Information Services	Director of Planning and Funding
Finance	Director of Finance
Learner & Campus Services	Directors of Learner and Campus Services
Estates and Health & Safety	Director of Infrastructure
Partnerships	Assistant Principal Partnerships
Recruitment and Progressions	Recruitment and Progressions Manager

Freedom of Information Act 2000

Prepared by:	Principal	
Policy Approved by:	Senior Management Team	17/12/2013
		15/02/2017
		18/10/2022
	Corporation	24/03/2014
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Freedom of Information Act 2000- The College Publication Scheme

As a result of the Publication Scheme Development and Maintenance Initiative, the Information Commissioner's Office (ICO) introduced a model publication scheme that all public sector organisations should have adopted from 1st January 2009.

The College's Publication Scheme has been revised to conform to the above and contains three main parts: -

- Part 1: introduction to the Publication Scheme
- Part 2: What is a publication scheme? and the classes of information the College holds
- Part 3: How to obtain the information

1. Part 1 – Introduction to the Publication Scheme

1.1 Legal requirement

1.1.1 Adopting a publication scheme is a requirement under Section 19 of the Freedom of Information Act 2000. This Act promotes greater openness and accountability across the public sector by requiring all 'public authorities' to make information available proactively, through a publication scheme.

1.1.2 Public authorities' are defined in the Act and include universities, further education colleges and sixth form colleges.

1.1.3 Further information about the Freedom of Information and Publication Schemes is available from the Information Commissioner's web site http://www.ico.gov.uk/

1.1.4 The Freedom of Information Act does not change the rights of individuals under the Data Protection Act or any other law or regulation in force.

2. Part 2 – What is a publication scheme?

2.1.1 A publication scheme is a document that describes the information a public authority publishes, or intends to publish. In this context, 'publish' means to make information available, routinely. These descriptions are called 'classes of information'.

2.1.2 A publication scheme must set out the classes, or categories, of information published. It must also make clear how the information described can be accessed and whether or not charges will be made.

2.1.3 It is important to the College that the Publication Scheme meets your needs and it has been designed to help you find all the information you require about the College.

2.2 The 'model' publication scheme for further education

2.2.1 Coleg y Cymoedd has adopted the model publication scheme that reflects very closely the one promoted by the Information Commissioner's Office.

2.2.2 The purpose of this scheme is to assist the public in accessing information.

2.2.3 Eight main groups (and the classes within them) form the Publication Scheme. They are in a logical order and no one single section has a higher status than another. The Scheme has been drawn in such a way as to exclude classes of information that are exempt under the Freedom of Information Act or for which exemptions could be claimed.

2.2.4 It is recognised that individual items of information or documents or parts thereof in a class may be exempt and these can be omitted if they are exempt, provided in all cases the College makes clear what has been omitted and why. Personal data and information, which affect the commercial operations of an institution, are two examples.

2.2.5 The main groups or classes of information that is available in this publication scheme cover the following broad areas of the organisation:

a) Who we are and what we do: Organisational information, locations and contacts, constitutional and legal governance.

b) What we spend and how we spend it.

c) What our priorities are and how we are doing.

d) How we make decisions.

e) Our policies and procedures.

f) Lists and registers.

g) The services we offer.

h) How to obtain the information.

2.3 Information available

2.3.1 Who we are and what we do.

Coleg y Cymoedd is a further education college based in the geographical area of Rhondda Cynon Taff and Caerphilly, primarily, and also serves learners from a far wider area. The College is a public corporation created by statute under the Further and Higher Education Act 1992.

2.3.1.1 **Mission Statement, Vision and Core Values**

The key focus for Coleg y Cymoedd is the impact it has on the valley communities it serves through the excellent education, skills and training it offers.

The Mission Statement of the College is 'Our mission is your future success' and its aim is to emphasise the personal achievement for every learner regardless of gender, age, race, disability, transgender, sexual orientation, marriage or civil partnership, pregnancy or maternity, religion and beliefs, on quality learning programmes that offer value for money in a welcoming, accessible and stimulating environment. The College is committed to working with, and through, other organisations and agencies on a basis of mutual benefit and interest in order to achieve this.

The vision of Coleg y Cymoedd is to be recognised as an excellent college by learners, staff, business and communities.

The set of core values which underpin the mission statement and vision are that:

We focus on learners.

We strive for high performance.

We value and invest in all people.

We seek continuous improvement.

We are aspirational, we listen and collaborate.

We develop strong and effective partnership.

2.3.2 **Curriculum**

The College provides learning opportunities to those aged 16–18 years and adult learners in the following learning/curriculum areas:

Access to HE, Art and Design, Performing Arts, Applied Science, Business, Finance and Management, Catering, Caring and Health, Computing, Construction, Engineering, General Education, Hair and Beauty, Communication Skills, Independent Living Skills, ABE/ESOL, and other General Education

Coleg y Cymoedd also provides a wide curriculum, serving the training needs of industry, commerce, business and individual learners who reside mainly but not exclusively in Rhondda Cynon Taff or Caerphilly.

The curriculum is designed to offer vocational and general education at introductory, intermediate and advanced levels to a diverse range of learners and in a variety of settings, including community and work-based learning. Coleg y Cymoedd also offers higher education opportunities in some curriculum areas and is a partner college of the University of South Wales.

2.4 Organisational information, locations and contacts, constitutional and legal governance

2.4.1Locations and contacts

The College operates from the following main campuses in Rhondda Cynon Taff and Caerphilly: -

Aberdare Campus, Rhondda Campus, Nantgarw Campus and Ystrad Mynach Campus. The college publishes key contact details in its brochures and prospectuses annually. These are available in print or via the website.

2.4.2 Constitutional and legal Governance

This section covers information relating to the way the institution is governed and how decisions are made. It includes information on the legal status of the institution, which individual member of staff or group within the organisation is responsible for specific functions and where they fit in the overall structure of the organisation.

In some instances information from committee minutes will be exempt from disclosure where it contains personal information; information that may damage the commercial interests of the institution or that may threaten the health and safety of specific individuals.

2.4.3 Legal Framework

The College is a public corporation created by statute within the Further and Higher Education Act 1992. This Act is in the public domain and is available on HMSO web site (www.legislation.hmso.gov). Within this Act the Instruments and Articles of Government bind the College and these can be accessed on our web site under College Information.

Organisational Structure

This section falls into two categories. The committee structure of the Corporation itself plus the internal committees or groups that directly or indirectly feed into it and the structure within the College.

Management Structure

This section falls into two categories. The Corporation and its committees and the internal committee or groups that operate within the College. The college's website (http://www.cymoedd.ac.uk), under Corporation, provides details of the governance of the Corporation.

The College has a number of committees/groups to enable it to function. These include Strategic Leadership Team, Academic Board, Joint Negotiation Consultative Committee, Health, Safety and Wellbeing Committee, and Equality and Diversity Group.

2.5 What we spend and how we spend it.

This section covers information on the College's strategy and management of financial resources. The Finance section provides accounting, procurement and contracting services, helping to make best use of resources and fulfilling statutory responsibilities. Commercially sensitive information that may damage the institution's commercial interests will be excluded from publication.

The information that is available includes Annual Accounts and Financial Statements, Financial Regulations and Procedures, Financial Policies, Procurement Policies and Financial Forecasts (see below this policy)

2.6 What our priorities are and how we are doing.

The College produces an annual plan to conform to Welsh Government guidelines. Priorities are set for the College in these guidelines and the document contains information on targets and other performance indicators in response to address these Priorities.

Other information available under this section also concerns itself with the key function of the college: management of teaching and learning within the institution, including mechanisms for reviewing and ensuring the quality of teaching provided. College policies on quality and assessment are available as is the work of the College's Academic Board. The College is externally inspected on the quality of its teaching and learning and independent reports are available from ESTYN at www.estyn.gov.uk

2.7 The services we offer

This section mainly contains information on how the College manages the administration and progression of its learners from admission to course completion, including learner support services. Information available within this section does not include specific learner personal details, by virtue of being personal information. The College produces a Learner Handbook annually containing substantial information on learner support.

The College offers a comprehensive service of advice and guidance to its prospective and actual learners. Promotional materials such as booklets and course information leaflets and a prospectus are produced to inform prospective learners about learning opportunities. Advertising and media releases are placed in the media on a regular basis throughout the year to also support this key service of inform learners and other stakeholders.

The above services are underpinned by policies, provided within a framework of equal opportunities legislation, and statutory guidance and advice received from the Welsh Government. A full list of these policies and printed materials such as the prospectus and course information sheets are to be found on the website and is also available in the written form upon request.

2.8 Our policies and procedures.

The college supports the key services, functions and responsibilities by written protocols, i.e. policies.

A range of policies and procedures can to be found on the college website and are also available in the written form upon request.

2.9 How we make decisions

Policy proposals and decision making is inclusive and undertaken across the numerous levels of the organisation’s structure. In addition to formal groups, consultation is also undertaken informally with stakeholders that include learners and staff.

2.10 List of Registers

The College holds 2 registers on 'Staff Gifts and Hospitality' as well as 'The Corporation Register of Gifts and Hospitality'

These are available for public inspection.

2.11 Other Information- Key Functional Areas and External Relations

2.11.1 **People and Culture**

This section covers information on the College's strategy and management of human resources, rather than information relating to individual members of staff that is exempt from disclosure as personal information. The information available covers HR policies and procedures (including terms and conditions of service including all current versions of the information specified in each class). Job vacancies are also published. Health and Safety policies and procedures are also available.

2.11.2 **Physical Resources**

The College is a substantial land and property owner in its own right. Classes in this section cover information at a strategic level relating to the institution's management of its physical resources. Information that provides specific details of College's future plans to alter its estate (e.g. proposals to purchase additional property) will be exempt from disclosure where such disclosure would damage the College's commercial interests. The information available includes the Estates Strategy and various procedures relating to building maintenance and tendering procedures. Maps of College sites are available on the college's website and in paper format on request.

2.11.3 **Information Services**

This section covers those functions within the institution that provide access to information to the student body and both academic and administrative staff. These include libraries, computing services and information support services. Such functions may be managed separately from each other, or in various combinations. These services routinely explain their facilities (and the conditions of their use) to learners, staff and the general public, and it is information of this nature that is included within this section. Information services inevitably hold large quantities of personal data that are exempt from general disclosure.

2.11.4 **External Relations**

As a large College playing an active part in its locality, Coleg y Cymoedd has business relationships with a very large number of external bodies and with many businesses and industries. The main strategic relationships are recorded here and, where relevant, a link to other web sites that contain information about Coleg y Cymoedd is provided.

The Welsh Government is charged with the responsibility for policies and strategic priorities for the supply of lifelong learning opportunities in Wales. It has its own web site where information on the further education sector, including Coleg y Cymoedd, can be accessed. The web site address is www.wales.gov.uk

The College receives most of its funding from the Welsh Government. Through its relationship with Welsh Government, the College is obliged to supply them with reports, statistical and financial information and other documentation. An external auditor undertake an annual financial audit.

Estyn is charged with the responsibility for carrying out periodic inspections of Coleg y Cymoedd and of other sector colleges. The results of these inspections are available from the Estyn website. The web site address is www.estyn.gov.uk

The College is a member of Colegau Cymru, an organisation representing the interests of Further Education Colleges in Wales. It is an advisory and lobbying body and co-ordinates information about issues within the further education sector that affect colleges. The Colegau Cymru web site contains news information about Coleg y Cymoedd. The web site address is www.ColegauCymru.ac.uk

Coleg y Cymoedd delivers certain higher education programmes on behalf of the University of South Wales and Cardiff Metropolitan University. The Corporation currently holds one place in its membership for a representative of the Universities.

3. Part 3 – The method by which information published under this scheme will be made available

The College will make the information available: -

- on the college's website
- In paper/printed format – through a written request
- In exceptional circumstances some information may be available only by viewing in person.

3.1 Information available via the College's website

The College is continually updating its website and much of the information available under the Act is available through this medium. There will be occasions where information is only available in the printed form or is being revised or is in the process of being introduced and may not be available at a particular moment in time. Every effort has been made to design the website to be as simple and efficient as possible. Material which is published and accessed on a website will be provided free of charge.

3.2 Information available in paper/printed format – through a written request

Alternatively a request for paper copies of available documents can be made. The charge for a document, which is printable, is £25.00 per copy (50 sheets or less) or £40.00 for 51 sheets or more.

A document, which has to be photocopied, will incur a charge of 5p per sheet plus the postage charges applicable at the time.

3.3 In exceptional circumstances some information may be available only by viewing in person.

Where this manner is specified, please contact the above-named person and an appointment to view the information will be arranged within a reasonable timescale.

3.4 Other obligations

The college will provide the information in the language in which it is held or in such other language that is legally required. Where there is a legal obligation to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

3.5 Requests for information available through our publication scheme can be made by contacting:

Mrs Clair Mapp, Executive Secretary, Coleg y Cymoedd, Nantgarw Campus, Heol y Coleg, Parc Nantgarw, Cardiff, CF15 7QY

E-mail address – Clair.Mapp@cymoedd.ac.uk

Telephone: 01443 663152

The College will respond within 20 working days to requests made in writing.

Coleg y Cymoedd

Health and Safety Policy Statement

Mae'r ddogfen hon ar gael yn y Gymraeg
This document is available in Welsh

1. At Coleg y Cymoedd we are committed to giving health and safety the highest priority in all our activities.

2. We expect colleagues, learners, visitors, contractors and other employers who work at Coleg y Cymoedd to share this commitment by complying with our policies and, where appropriate, our procedures and to understand that they too have legal and moral obligations to themselves and to others.

3. We are dedicated to ensuring the health and safety of all persons who may be affected by our activities by:

   a. Providing, managing and maintaining a work and learning environment, as well as sport and leisure facilities, which are, so far as reasonably practicable, safe and in which risks to health are controlled.

   b. Providing adequate and appropriate facilities and arrangements for health, safety and wellbeing at work.

   c. Providing, managing and maintaining our workplaces, grounds and properties so that they are, so far as reasonably practicable, safe and that risks to health are controlled.

   d. Providing, managing and maintaining plant and equipment so that they are, so far as reasonably practicable, safe and that risks to health are controlled.

   e. Ensuring that the use, handling, storage and transport of items and substances are carried out safely and that risks to health are controlled.

   f. Implementing systems of work that are safe and where risks to health are controlled.

   g. Providing the necessary organisation, expertise and resource, including communication and consultation, planning, monitoring, inspection and auditing procedures to ensure that there is effective management of health and safety throughout the College.

   h. Ensuring that our colleagues and any contractors we employ are competent and carry out risk assessments for all the work they control.

   i. Providing the information, instruction, training and supervision at all levels necessary to ensure that our colleagues and learners are aware of the hazards at their workplace, together with the appropriate measures to be taken to protect against these hazards.

j. Giving adequate information on relevant hazards to any persons whose health and safety might be affected by them.

k. Monitoring the safety performance of contractors who work for us.

l. Keeping up to date with best practice in relation to health and safety and complying with all relevant legislation and authoritative guidance.

m. Consulting with and involving our colleagues and learners in matters relating to their own health and safety.

4. Where there are no existing College policies or guidance, we expect our colleagues, learners and contractors to meet the highest relevant standards and to comply with relevant legislation. Where no standards exist, we will work with our colleagues to develop systems which comply with best practice and eliminate or minimise the risks so far as is reasonably practicable.

5. It is our stated intention to educate our learners in health and safety management by incorporating the basic principles into all appropriate courses. Wherever possible, information on the legislation and standards applicable to their course will also be included.

6. We recognise that the College is a large and diverse organisation. Therefore, every department must have arrangements describing how they intend to comply with this Policy Statement, giving details of what, by whom and how health and safety will be managed locally.

7. The College has several campuses and operates on many other sites. Many of the buildings are shared between more than one teaching and learning area, and in some cases, external organisations. In such circumstances we will establish clear lines of responsibility for the effective coordination of health and safety between users.

8. We undertake to continually review and develop our safety management systems, we the overarching aim of conducting our activities in a manner which does not affect the health and safety of any colleagues, learners, contractors, visitors or members of the public, or adversely affect the environment.

I and the managers are committed to this Policy and to the implementation and maintenance of the highest standards of health, safety and welfare across the College. We expect every member of Coleg y Cymoedd to share this commitment and to work together to achieve it.

Principal:

Reviewed: September 2026

Strategic Risk Management Policy

Prepared by:	Principal	
Policy Approved by:	Strategic Management Team	16/07/2013
		22/11/18
		06/12/22
	Corporation	16/12/13
		14/12/15
		17/12/18
		19/12/22
Impact assessed:	October 2018, December 2022	
Reviewed:	September 2015, September 2018, December 2022	
Review Date:	December 2025	

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Policy Statement

> "Coleg y Cymoedd will effectively manage risk, taking all reasonable and practicable steps to ensure the protection of students, staff, assets and the reputation of the College".

1.0 Introduction

Risk Management is fundamental to good management. Effective risk management will help to ensure that the College identifies opportunities, minimises risk and improves the ability to deliver its strategic plans and improve outcomes.

2.0 Scope

The Strategic Risk Management Policy:

(i) forms part of the College's internal control and corporate governance arrangements;
(ii) covers those risks associated with the college's strategic plan
(iii) outlines the College's underlying approach to strategic risk management and details the roles and responsibilities of the Corporation Board, Audit Committee, Strategic Leadership Team (SLT) and Internal Audit.

3.0 Roles and Responsibilities

3.1 The Corporation Board

The Corporation Board has a fundamental role to play in the management of risk. Its role is to:

(i) set the tone and influence the culture of risk management within the College, which includes determining the 'risk appetite' of the College as a whole or on any relevant individual issue, determining what types of risk are acceptable or not, and setting the standards and expectations of staff with regard to conduct and probity;
(ii) know and monitor the College's strategic risks and to satisfy itself that they are being actively managed with the appropriate controls in place and working effectively;
(iii) annually review the College's approach to risk management;
(iv) delegate the overall implementation of the risk management policy to the Strategic Leadership Team.

3.2 Strategic Leadership Team

The key role of the Strategic Leadership Team is to:

(i) develop and implement the College's overall Risk Management Framework and underlying procedures which detail processes for the identification of risk, assessment of likelihood and impact, identification of controls and indicators, mitigation, monitoring and review of all risks (Strategic and Operational);
(ii) identify and evaluate the strategic risks faced by the College for report to the Corporation Board;
(iii) establish, maintain and review the strategic risk register which will include actions to mitigate the strategic risks and undertake an annual review of the effectiveness of internal control for report to the Corporation Board;
(iv) maintain the Corporation Board's confidence that risk is being managed effectively and that solutions to identified risk are in place and working.

4.0 Audit Committee

The Audit Committee's role is to:

(i) ensure that the appropriate audit work is performed on the risk management framework and procedures;
(ii) ensure that strategic risks are drawn to the Corporation Board's attention;
(iii) review new risks and failures of existing controls;
(iv) review and advise the Corporation on the adequacy of the College's risk management arrangements including the identification of risks, controls process and monitoring procedures.

5.0 Internal Audit

The role of Internal Audit is to ensure the effectiveness of internal control systems within the organisation and internal audit plans will be informed by the strategic and operational risks.

Whistleblowing Policy

Mae'r ddogfen hon ar gael yn y Gymraeg / This document is available in Welsh

Prepared by:	Director of Human Resources	
Policy Approved by:	Shadow Board	01/07/13
	Senior Leadership Team	29/09/16
		18/10/22
	Employment Policy Committee	07/11/16
	Resource committee	02/03/20
	Audit committee	28/11/22
Impact Assessed:	September 2019	
Reviewed:	September 2016, September 2019, October 2022	
Review Date:	October 2025	

PURPOSE

The College seeks to conduct its affairs in a responsible and transparent way and as such seeks to promote greater openness and accountability.

It is the view of the college that colleagues have a responsibility to support good governance and to promote and ensure good practice. All colleagues are therefore, encouraged to voice genuine concerns about serious malpractice and be reassured that they will be able to do this without fear of reprisal and feel supported when doing so.

The college is committed to tackling all forms of serious malpractice and abuse. This policy also explains how to raise concerns inside and outside of the college to appropriate external bodies in specific circumstances.

Examples of malpractice (includes, but not limited to, the following):

- Failure to comply with exam regulations as set out by the Joint Council for Qualifications (JCQ) and its awarding bodies
- A security breach of the examination paper
- Conduct of centre staff which undermines the integrity of the examination
- Unfair treatment of candidates by either giving an advantage to a candidate/group of candidates (e.g. by permitting a candidate an access arrangement which is not supported by appropriate evidence), or disadvantaging candidates by not providing access to the appropriate conditions (providing a 'level playing field')
- Possible fraud and corruption (e.g. accessing the exam paper prior to the exam to aid teaching and learning)
- Abuse of authority (e.g. the head of centre/members of the senior leadership team overriding JCQ and awarding body regulations)
- Other conduct which may be interpreted as malpractice/maladministration

This policy is to be read in conjunction with the College's Assessment Malpractice and Maladministration Policy here.

JCQ's Public Interest Disclosure Act (Whistleblowing) document can be accessed here.

It is recognised that from time to time, situations may arise where a colleague or the governing body has genuine concerns and will wish to make a complaint in good faith and with reasonable belief about perceived irregularities in the running of the college or the activities of colleagues. This policy has therefore been formulated with reference to the Public Disclosure Act 1998 to provide clear channels through which such concerns can be raised and dealt with properly, without fear of victimisation or reprisal.

This policy is intended for the use of colleagues, other associated "workers" as defined in Appendix 1, trade unions and governing board members.

It is only to be used where a potentially serious malpractice known as a “Qualifying Disclosure” as defined in Appendix 1 has been exposed or suspected.

Concerns about a possible “Qualifying Disclosure” should firstly be raised internally and only after all internal avenues have been exhausted should it be raised externally. Exception to this is when the belief is that a criminal offence has been committed, is being committed or is likely to be committed.

The chair of the board or the principal/chief executive should be informed of this decision.

In the case of a disclosure against a member of senior leadership team the disclosure will always be made to the Chairperson.

If the issue is relating to the Safeguarding of Children and Vulnerable adults then reference should be made to the Safeguarding - Children and Vulnerable Adults Policy and Procedure.

All issues relating to personal grievances, relationships with colleagues, an individual’s employment situation or contract of employment, or other employment terms will be dealt with under the College’s existing grievance procedure.

1.0 PROTECTION AND SUPPORT

Every effort will be made to protect and support individuals, as it is recognised that it is not easy to challenge malpractice. This policy is designed to offer protection to those workers who disclose such concerns provided the disclosure is made in good faith and in the reasonable belief of the individual making the disclosure that it tends to show malpractice. The College will not consider anonymous allegations (except in exceptional circumstances)

- All “qualifying disclosures” as defined in Appendix 1 will initially be dealt with in confidence. In particular the name of the person raising the concern will be limited to the Nominated and Investigating Officers as defined in Annexe 2.
- Any correspondence will be addressed to the home of the individual.
- In the event that the investigation leads to action, whether under the college’s disciplinary procedure or in any criminal or civil proceedings, then the testimony of individual witnesses is likely to become essential and anonymity is unlikely to be preserved in these circumstances.

- No “worker” who has made a “qualifying disclosure” in accordance with this policy should experience victimisation as a consequence of making the “qualifying disclosure”. Anyone who is found to have victimised an individual as a result of a disclosure may be subject to disciplinary action

- The law seeks to protect “workers” from any reprisal as a result of making a “qualifying disclosure” if this policy and procedure has been followed at every stage and the “qualifying disclosure” has been made in good faith and not for personal gain or out of personal motive.

- In particular this policy must not be used as a basis for generating, circulating or testing unsubstantiated rumours or matters which fall outside the specific scope of a particular “Qualifying Disclosure” as defined in Appendix 1.

- This policy is intended to protect the college and its staff from false allegations, malicious allegations and unsubstantiated rumours. If a “qualifying disclosure” reported under this policy is found to have been made in bad faith or if a “worker” deliberately misuses this policy then the “worker” concerned may be subject to disciplinary actions under the college’s Disciplinary Policy, which could result in dismissal.

- During the course of the investigation of a “qualifying disclosure”, the “worker” is prohibited from contacting the media or any outside agency to discuss their concerns until all the internal avenues have been exhausted. Failure to comply with this requirement could render the “worker” liable to disciplinary action. An ‘outside agency’ does not include a solicitor from whom the “worker” wishes to obtain independent legal advice at any stage of the investigation. Trade union representatives are not regarded as an ‘outside agency’ within this context.

2.0 PROCEDURE

If a colleague has reason to believe that they wish to make a “qualifying disclosure” as defined in Appendix 1, one of the nominated officers listed in Appendix 2 should be contacted as soon as possible. Initially, contact can be made in writing or by telephone.

Colleagues will be given the opportunity to make a “qualifying disclosure” known to the nominated officer in a meeting at which a work colleague or trade union representative may accompany them.

The nominated officer will take full responsibility for investigating the “qualifying disclosure” until a conclusion is reached and the colleague will be advised of the findings of the investigation when it is completed, subject to third party rights, which must be respected.

The nominated officer will consider the allegation and the circumstances surrounding it and may initiate an investigation and select an appropriate Investigating Officer. Within three working days of receiving the complaint, the nominated officer will write to the member of staff to confirm the details of the “qualifying disclosure” and to advise if an investigation will take place and the identity of the investigating officer. All enquiries and investigations will be carried out in confidence where possible.

Normally the investigation will be completed within 28 days or the applicant has the right to raise the issues within external sources. The investigation may take longer if the issue arises before a period of annual leave or if the issue raised is complex in nature. In the event that the investigation has not been concluded within 28 days of meeting with the nominated officer the colleague will be advised of its progress in any event.

Once the investigating officer has completed their investigation, they may present their findings in the form of a written report to the nominated officer who will take such action as they deem necessary in all the circumstances. The nominated officer will inform the individual of the findings of the investigation.

3.0 DISSATISFACTION WITH THE INVESTIGATION

If a colleague is dissatisfied with the way in which the investigation is being handled, the investigating officer must be advised and an opportunity to discuss the reasons for dissatisfaction will be arranged.

If following this meeting the colleague remains dissatisfied then the nominated officer involved in the original disclosure must be advised. A meeting will be arranged to discuss the continued dissatisfaction.

It is anticipated that through this process any dissatisfaction felt will have been resolved through discussion and greater understanding. If, however, this has not been achieved and concerns remain unresolved to the satisfaction of the colleague, they may contact the Chairperson of Governors.

4.0 RAISING MATTERS EXTERNALLY

If after exhausting the internal procedures set out above, a colleague remains dissatisfied with the way in which the "qualifying disclosure" has been dealt with then, provided that they have informed the Chairperson of Governors or the principal/chief executive, they may be entitled to raise the issue externally with an appropriate external regulatory body such as DfES or the charity 'Public Concern at Work'.

Colleagues are advised to take independent legal advice before making disclosures outside the college as legal protection is only provided in limited circumstances.

Other possible contact points are: -

- Senedd member or Member of Parliament
- Local councillor
- Relevant professional bodies or regulatory organisations
- A solicitor
- The police
- Trade union / professional association
- Citizen's Advice Bureau
- Human Rights and Equality Commissions
- Awarding Body

If raised via an awarding body, in order to investigate concerns effectively, the awarding body should be provided with as much information as possible/is relevant, which may include:

- The qualifications and subjects involved
- The centre involved
- The names of staff/candidates involved
- The regulations breached/specific nature of suspected malpractice
- When and where the suspected malpractice occurred
- Whether multiple examination series are affected
- If the issue has been reported to the centre and what the outcome was
- How the issue became apparent

(Note - Members of the public are not protected by the Public Interest Disclosure Act, but the awarding body will make every effort to protect their identity if that is what they wish, unless the awarding body is legally obliged to release it).

5.0 GUIDANCE FOR MANAGERS

5.1 RELATIONSHIPS WITH THE DISCIPLINARY PROCEDURE

At any point during the investigation, should the evidence support the validity of the disclosure and should colleagues be identified as having potentially committed misconduct, then this procedure is suspended and the Disciplinary Procedure invoked. The investigation, if incomplete, continues under the Disciplinary Procedure, until a conclusion is reached. The colleague identified should be advised of the allegations in writing. If it is found that there is a case to answer then a disciplinary hearing will take place in line with the college Disciplinary Procedure.

5.2 RELATIONSHIP WITH CRIMINAL INVESTIGATIONS

If at any point during the investigation there is evidence to suggest that the "qualifying disclosure" could also become the subject of a criminal investigation, advice should be sought by the investigating officer from the nominated officer to ensure that the correct course of action is followed particularly in the case of Safeguarding of Children and Vulnerable Adults

If a criminal investigation commences this does not necessarily preclude the college from continuing with their own internal investigation under this policy and procedure.

6.0 COLLEGE BOARD MEMBERS

Governing board members may use this procedure to raise concerns about perceived irregularities and the investigation process will follow the same format. Members are reminded of their obligations of confidentiality and the need to abide by the principles set out in section 4.0 before making disclosures outside of the college.

7.0 GUIDING PRINCIPLES

To ensure that this policy is adhered to, and to assure staff that the concern will be taken seriously, the college will:

- Not allow the person raising the concern to be victimised for doing so.
- Treat victimisation of whistle blowers as a serious matter that may lead to disciplinary action (which could include dismissal).
- Not attempt to conceal evidence of poor or unacceptable practice.

- Take disciplinary action if a member of staff destroys or conceals evidence of poor or unacceptable practice or misconduct.
- Ensure that confidentiality clauses in employment contracts do not restrict, forbid or penalise whistle blowing.

Annexe 1

DEFINITIONS

"WORKER"

- A person employed under a contract of employment
- A person employed under any other contract under which they perform personally any work or services for another party for the College
- A person may work or have worked for a person in circumstances where:
  - They are or were introduced or supplied to do that work by a third person (ie an agency "Worker")
  - They are or were provided with work experience pursuant to a training course or programme

  or
  - They were training for employment other than:
  - under a contract of employment, e.g. secondment, work placement, apprenticeship.
  - by an educational establishment on a course run by that establishment (i.e. a student)

"QUALIFYING DISCLOSURE"

To qualify for protection under this legislation the "Worker" making a disclosure must:

- be acting in good faith
- have reasonable grounds for believing that the information disclosed indicates existence of any one of the matters itemised below:

- a criminal offence has been committed, is being committed or is likely to be committed
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject
- a miscarriage of justice has occurred, is occurring or is likely to occur
- the health and safety of any individual has been, is being or is likely to be compromised such as could cause injury/damage to them or others. There must represent a greater danger than is associated with the normal use of the process/product or a danger that is not usually associated with the use of it
- the environment has been, is being or is likely to be damaged.
- information tending to show any matter falling within any one of the preceding paragraphs (a) to (e) has been, is being or is likely to be deliberately concealed.

Annexe 2

NOMINATED OFFICERS

The following are approved Nominated individuals with the responsibility to ensure that disclosures are dealt with appropriately:

Principal/Chief Executive –Jonathan.morgan@cymoedd.ac.uk

Vice Principal – karen.workman@cymoedd.ac.uk

Chair of the Resources Committee

All contacts for the Chairs need to be directed to the Governance Officer – jennifer.owen@cymoedd.ac.uk

The "Worker" wishing to make a "Qualifying Disclosure" may choose which of these four Nominated individuals to contact.

Should a "Worker" wishing to make a "Qualifying Disclosure" through the medium of Welsh, they can do so by contacting Human Resources who will make the necessary arrangements.

INVESTIGATING OFFICERS

The Nominated Officer taking responsibility for the "Qualifying Disclosure" will select an appropriate Investigating Officer.

All correspondence will be sent to individuals in their preferred language, as identified on Itrent. If a face-to-face meeting is required, this too will be conducted in their preferred language. The college will make use of a simultaneous translator if required.