



# Online Safety Policy

**Responsible for Implementation: Director Of Planning & Technical Operations**

**Latest Review Date: December 2021**

**Next Review Date: December 2022**

**Authorised by: Executive Leadership Team**

## About Us

Access to Music Limited ('The College') has subsidiary companies, trading names and trading partnerships through which it operates. The trading names and partnerships might have their own names or brands, but the legal entity for the purpose of this policy is Access to Music Limited. Trading subsidiaries, trading names and trading partnerships include Access Creative College ('ACC'), National College for Creative Industries ('NCCI') and Coaching Connexions.





# CONTENTS

<b>OUR COMMITMENT</b>	2
<b>SCOPE</b>	4
<b>RESPONSIBILITIES</b>	6
<b>IMPLEMENTATION</b>	7
<b>COMMUNICATION</b>	8
<b>COMPLAINTS</b>	9
<b>RATIFICATION SIGNATURES, POLICY AUTHORS &amp; DATES</b>	
Your Values	10
Additional Information & Definitions	11





# The purpose of this policy statement

These include:

- The provision of learning programmes, including T Levels, for students aged 16+ both in our centres and in work placements.
- The provision of apprenticeships.
- The provision of traineeships.

The purpose of this policy statement is to:

- Ensure the safety and wellbeing of young people and adults is paramount when they are using the internet, social media or mobile devices (see appendix 1).
- Provide staff and volunteers with the overarching principles that guide our approach to online safety.
- Ensure that, as an organisation, we operate in line with our values and within the law in terms of how we and our learning use online devices.

The policy statement applies to all staff, volunteers, young people and anyone involved in the Access Creative College Group's activity.

This policy should be read in conjunction with the college's **Safeguarding, Child Protection and Prevent Policy**, its **Staff Code of Conduct** and the separate **ACC Safeguarding and Prevent procedures** guidance for staff.





# Legal Framework

This policy has been drawn up on the basis of legislation, policy and guidance that seeks to protect young people in England. The legal framework for the role of the ACC Group is based on the range of activities summarised by NSPCC in September 2021 where key legislation for online abuse is identified as follows:

- Stalking;
- Harassment;
- Improper use of a public communications network;
- Sending indecent, offensive, false or threatening communications;
- Sending private sexual photos or videos of another person without their consent.

The last two bullet points refer to types of abuse which have been reported increasingly as safeguarding cases since the onset of the pandemic and this increase may be partly attributed to the rising use in social media platforms by young people over this period. For this reason, there is a section 'Responding to cases linked to sexting, sexual abuse and sexual exploitation' on page 4. In addition to the legal framework defined by the NSPCC and summarised above, the Association of Chief Police Officers (ACPO) provides helpful clarity of their position:

**'ACPO does not support the prosecution or criminalisation of children for taking indecent images of themselves and sharing them. Being prosecuted through the criminal justice system is likely to be upsetting and distressing for children especially if they are convicted and punished. The label of sex offender that would be applied to a child or young person convicted of such offences is regrettable, unjust and clearly detrimental to their future health and wellbeing'.**

However, there are cases in which children and young people have been convicted and sent to prison. The important thing to remember is that whilst, as a college, we will want to consider the implications of reporting an incident to the police, it is not our responsibility to make decisions about the seriousness of the matter. That responsibility lies with the Police and the CPS, hence the requirement for the college to refer. In summary the sharing of nudes and semi nudes is classed as illegal as it constitutes sharing and/or possessing an indecent image of a child.

Links to the key legislation are itemised in **Appendix 1**. Specific guidance from a number of sources, including statutory requirements, informs our policy and how we implement it. A range of sources are shown in **Appendix 2**.





# Policy intent and measures

We believe that....

- Young people should never experience abuse of any kind.
- Young people should be able to use the internet for education and personal development, but safeguards need to be in place to ensure they are kept safe at all times.

We recognise that....

- The online world provides everyone with many opportunities; however it can also present risks and challenges.
- The increased use of social media platforms by young people since the start of the Covid-19 pandemic and periods of limited face to face contact have heightened the vulnerabilities and risks faced by learners.
- We have a duty to ensure that all young people and adults involved in our organisation are protected from potential harm online.
- We have a responsibility to help keep young people safe online, whether or not they are using Access Creative College's network and devices
- All learners, regardless of age, disability, gender reassignment, race, religion or belief, sex or sexual orientation, have the right to equal protection from all types of harm or abuse.
- Working in partnership with young people, their parents, carers and other agencies is essential in promoting young people's welfare and in helping young people to be responsible in their approach to online safety.





# Scope

**2.1** Access Creative College acknowledges the following basic rights for all members and prospective members of its community:

- To be treated with respect and dignity;
- To be treated fairly with regard to all functions, procedures, assessments and choices;
- To receive encouragement to reach their full potential.

**2.2** The policy applies to all employees, potential employees, learners, clients and visitors as well as any persons associated with the functions of Access Creative College.

**2.3** ACC takes its responsibility to these people seriously and seeks to ensure that they are treated with respect.

**2.4** The policy applies to all areas of employment including recruitment applications, shortlisting, selection, promotion, training, benefits, capability and performance, discipline, grievance, absence, conditions of service and reasons for termination of employment.

**2.5** This policy is supported by a range of additional policies and procedures. Through them we aim to achieve the following objectives:

- To promote dignity, respect and understanding within the College and the wider community as well as promote good relations between different groups.
- To attract, select and retain a diverse range of people to engage in its programs and to create an environment that encourages and supports all staff and learners to actively engage with the College and its partners and realise their full potential.
- To attract, select and retain a diverse range of skilled and competent people to work for Access Creative College. To create an environment that encourages and supports all staff to actively engage with the business and realise their full potential.
- To support our learners to overcome barriers to employment and become economically active members of society through employment and to contribute to the wider social, economic prosperity and wellbeing of the communities in which they live.
- To ensure College buildings and infrastructure reflect the diverse needs of its community and provide an accessible and inclusive learning and working environment.
- To ensure that all ACC policies, practices and procedures are equality proofed.





This policy informs the following policies:

- Bullying and Harassment Policy
- Recruitment and Selection Policy
- Staff and Student Disciplinary Procedures
- Sickness Absence Code of Practice and Guidance Notes for Managers
- Staff Grievance Policy





# Responsibilities

**3.1** An Equality and Diversity Policy cannot succeed without the active support of the entire College community. The responsibility for delivering the policy extends to every member of the organisation including management, those with an explicit remit for diversity, individual members of staff. And our learners. The implementation of this policy is therefore a shared responsibility amongst staff employed by the College.

In addition, key individuals have specific responsibilities as set out below:

Overall responsibility for the Policy will sit with the Chief Executive Officer (CEO) and the relevant Service Directors. This includes responsibility for ensuring that the policy is communicated, implemented, monitored and continuously reviewed according to legislation.

The Board will oversee the College's progress with the policy through regular agenda items at meetings of the Board.

The Director of Education alongside the Director of People Services, will ensure that staff and managers are aware of their responsibilities under this Policy and provide appropriate training and support to enable them to fulfil them.

Directorate Managers, heads of service and Centre Managers are responsible for promoting equality and diversity to learners, clients and staff. Additionally, line managers are responsible for ensuring that staff identified as having specific responsibilities engage with the policy and carry out actions arising from the Equality Scheme Action plan.

All members of staff, students, clients, partners, service providers and suppliers are expected to comply with the policy and action plan to ensure fair, equal and appropriate treatment in all aspects of work and study.

**3.2** In our work to create an effective, efficient and profitable business, we aim to support the needs of all members of our community and achieve the highest possible standards in education and service delivery, employment practices and decision making.







# Implementation

**4.1** The Executive Leadership Team is responsible for the overall implementation and monitoring of the policy and the scheme's action plan and will provide progress reports on a regular basis.

**4.2** All staff, learners and clients should be provided with information about the policy on registration and abide by its principles.

**4.3** New employees must receive information on equal opportunities obligations and provisions from their managers at an early stage in their employment. ACC's Induction programme includes

Equality and Diversity awareness training. All employees should familiarise themselves with this policy and ensure their practices are consistent with its contents and legislation.

A continuing programme of equality and diversity training is provided to all staff, with online equality and diversity in the workplace refresher training to be completed annually.

Individual members of staff should inform their line manager, People Services and/or relevant Director if they think that unlawful discrimination is taking place.





# Communication

**5.1** It is important that employees at all levels are aware of this policy in order to comply with its requirements. A copy is available on Google Drive and copies must be made available to staff who have limited access to a computer.

**5.2** Learners will also have access to this policy which will be included in their induction packs, in centre and via the VLE.

**5.3** The College will consult periodically with relevant stakeholders in order to ensure representation of equality groups and try to improve the options to eradicate discrimination.

**5.4** An annual report drafted by the Executive leadership Team will be submitted to the Board. (it will be made available to members of the public on request). The report will include specific measures adopted to promote equal opportunities, progress on priorities; the outcome of the relevant years monitoring statistics and targets.

**5.5** The Policy will be published online and made available in hard copy and alternative formats as requested.





# Complaints

**6.1** The College will take seriously any instances of nonadherence to the Equality and Diversity policy by clients, learners, staff or visitors. The College will ensure that all staff and clients are given opportunities to pursue reasonable means to follow procedures should they feel they are experiencing discrimination. Complaints of discrimination on the grounds of the areas covered by this policy should be brought using the appropriate Grievance Procedures for staff and clients.

**6.2** Any instances of nonadherence will be investigated and where appropriate will be considered under the relevant disciplinary policy for staff or clients. With regard to any breach of the policy by visitors, the Company will take appropriate action in relation to the nature of the incident.

**6.3** Cases involving bullying and harassment in the workplace will be dealt with in accordance with the Company's Bullying and Harassment policy.

**6.4** Applicants for employment concerned about the application of the policy should consult the Human Resources Department.





# Ratification Signatures, Policy Authors & Dates

## People Services

**Drafted:** February 2011

**Amended:** November 2011, April 2012, October 2012, June 2013, January 2015, October 2015 January 2017, June 2018, January 2021, Dec 2021.

**Statement of College Values (Paragraph 1.6)**

## Your Values

# C

### **Creativity**

Someone who has demonstrated innovation and vision in their role, who manages to tack problems with creativity and imagination and loves what they do.

# R

### **Responsibility**

Someone who has lead by example and encouraged hard work, honesty and respect in others. They have gone over and above the call of duty to look after or care for another and always demonstrate integrity in everything they do.

# E

### **Entrepreneurship**

Someone who shows initiative in their role and brings ideas to the table. Someone who sees opportunity and is perseverant in their endeavours.

# A

### **Ambition**

Someone who never makes-do. They challenge the norm, demonstrate enthusiasm and optimism, constantly strive for excellence and never give up.

# T

### **Teamwork**

Someone who listens, valuing other people's opinions. They nurture and support others and work collaboratively, building a sense of belonging.

# E

### **Equity**

Someone who treats others fairly and is inclusive to all. They celebrate other's achievements and share care, empathy and generosity.





## Additional information and definitions

### Equality Legislation effective from 2010

From the 1<sup>st</sup> of October 2010, the first phase of revisions to equality law encompassed in the Equality Act came into force. Within the legislation, the definitions around disability and discrimination were amended.

The main areas were:

**Direct disability discrimination** - applies to workforce (as previously) and following the revised Act with regard to the provision of goods and services. Although discrimination in the provision of goods and services because of age is not covered by the Equality Act 2010, it should be included as a matter of good practice.

**Indirect disability discrimination** – is the same as for gender and race e.g. requiring that employees be six feet tall, as this would disproportionately disadvantage women.

**Discrimination arising from disability** – If a decision, policy, function or course of action results in a negative impact relating to the person's actual disability i.e. if the disability itself was adversely affected, not the individual directly e.g. locating signs in a position that makes it difficult for wheelchair users to read.

**'Reasonable adjustments'** - goes further under the Act. Previously grounds for a duty to make 'reasonable adjustments' were for e.g. access to a building would be impossible without a ramp. From October 2010 the duty will be in effect if disabled people are found to be at a 'substantial disadvantage'.

**People who support a disabled person to make a complaint** - who subsequently allege they are being mistreated as a consequence, now only have to show that they have been treated 'badly' i.e. they do not have to provide as much evidence as they did previously.

Extending **positive action** in recruitment.

Measures to make **gender pay** discrepancies more transparent.

Widening definition of direct discrimination and harassment to cover claims based on **"association"** and **"perception"** for all protected grounds, including sex, pregnancy and maternity, sexual orientation, or gender reassignment but not marriage and civil partnership.

Discrimination by **'association'** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Discrimination by **'perception'** is where an individual is directly discriminated against or harassed based on a perception that he or she has a particular protected characteristic when he or she does not, in fact, have that protected characteristics.





New powers for **Employment Tribunals** decisions will no longer just benefit the individual but will apply to other members of the workforce in similar situations.

**Victimisation** occurs when an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he or she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he or she is suspected of doing so, or being about to do so. The definition is no longer based on less favourable treatment

**Third Party harassment** occurs where an employee is harassed and the harassment is related to a protected characteristic (although this does not cover harassment because of marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers. For an employer to be liable, the harassment must have occurred on at least two previous occasions; it must be aware that the previous harassment has taken place; and it must have failed to take reasonable steps to prevent harassment from happening again.

