



## **SAFEGUARDING POLICY**

**Committee that received Policy: Corporation**

**Date received:2010**

**Review Date: 2012**

**Date Equality Impact Assessed: August 2010**

**Approved by Corporation: Yes/No**

**Date Approved:**

**Intranet link:**



**Safeguarding Policy**  
**Incorporating Vulnerable Adults**

*As approved by the Corporation on: .....*

**Issue Date: 24 September 2010**

**Contents**

- A. General Policy Statement**
- B. The Designated Staff with Responsibility for Child Protection**
- C. Dealing with Disclosure of Abuse and Procedure for Reporting Concerns**
- D. Reporting and Dealing with Allegations of Abuse Against Members of Staff**

## **A. General Policy Statement**

Stratford upon Avon College has a statutory and moral duty to ensure that the College functions with a view to safeguarding and promoting the welfare of children regardless of race, religion and belief, gender, disability, sexual orientation or transgender, age or socio-economic status, receiving education and training at the College.

Throughout this document, reference is made to “children and young people”. This term is used to mean “those under the age of 18”. The Corporation recognise that some adults are vulnerable to abuse; accordingly, the procedures may be applied with appropriate adaptations to allegations of abuse and the protection of vulnerable adults, mindful of individual need.

In support of the Corporation’s commitment to safeguarding children and vulnerable adults, they will appoint a named Governor for Child Protection and Looked After Young People.

The Corporation is committed to ensuring that the College is mindful of individual need and:

- Provides a safe environment for children and young people to learn in
- Identifies children and young people who are suffering, or likely to suffer, significant harm, and
- Takes appropriate action in cooperation with local agencies to see that such children and young people are kept safe, both at home so far as reasonably practicable and at the College.
- If written records are not an appropriate form for a particular individual other formats must be used or made available

In pursuit of these aims, the Corporation will approve and annually review policies and procedures with the aim of:

- Raising awareness of issues relating to the welfare of children and young people and the promotion of a safe environment for the children and young people learning within the College
- Aiding the identification of children and young people at risk of significant harm, and providing procedures for reporting concerns
- Establishing procedures for reporting, in a variety of different formats if necessary, and dealing with allegations of abuse against members of staff
- The recruitment of staff in accordance with legislation and College policy

In developing the policies and procedures, the Corporation will consult with, and take account of, guidance issued by the Department of Children, Schools and Families and other relevant bodies and groups. The procedures have been informed by the relevant principles of the Warwickshire Area Child Protection Committee (WACPC) (and subsequently the Local Safeguarding Children Board)

The College will refer concerns that a child or young person might be at risk of significant harm to Social Services.

The Principal and all staff regardless of race, religion and belief, gender, disability, sexual orientation or transgender, age or socio-economic status, working with children will receive training adequate to familiarise them with child protection issues and responsibilities and the College procedures and policies. There will be a senior member of the College Management Team with special responsibility for child protection issues (the designated senior member of staff with lead responsibility for child protection). He/she shall be assisted by other members of staff with responsibility of child protection.

The Corporation will receive from the designated senior member of staff with lead responsibility for child protection an annual report which reviews how the duties have been discharged.

The Corporation recognise the following as definition of abuse:

### ***Physical Abuse***

*Physical abuse causes harm to a child or young person. It may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning or suffocating. It may be done deliberately or recklessly, or be the result of deliberate failure to prevent injury occurring.*

### ***Neglect***

*Neglect is the persistent or severe failure to meet a child or young person's basic physical and/or psychological needs. It will result in serious impairment of the child's health or development.*

### ***Sexual Abuse***

*Sexual abuse involves a child or young person being forced or coerced into participating in or watching sexual activity. It is not necessary for the child to be aware that the activity is sexual and the apparent consent of the child is in material where the child is under 16 and where the child is over 16, sexual activity is engaged with an adult who is in a position of trust with respect to that child..*

### ***Emotional Abuse***

*Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the child's or young person's behaviour and emotional development, resulting in low self worth. Some level of emotional abuse is present in all forms of abuse.*

## **B. Designated Staff with Responsibility for Child Protection**

### Senior Staff Member with Lead Responsibility

The designated senior member of staff with lead responsibility for child protection issues is ***Charles Anderson, Deputy Principal, Stratford upon Avon College – ext 3237.***

This person is a senior member of the College Management Team. He has a duty to take the lead responsibility for raising awareness amongst staff of issues relating to the welfare of children and young people, and the promotion of a safe environment for the children and young people learning within the College, mindful of individual need.

He has received training in child protection issues and inter-agency working, as required by the Area Child Protection Committee (ACPC), and will receive refresher training. He will keep up to date with developments in child protection issues.

The designated senior member of staff is responsible for:

- Overseeing the referral cases of suspected abuse or allegations to Social Services
- Providing advice and support to other staff on issues relating to child protection
- Maintaining a proper record of any child protection referral, complaint or concern (even where that concern does not lead to a referral)
- Ensuring that parents of children and young people within the College are aware of the College's Safeguarding Policy which could be provided in a variety of formats
- Liaising with the Local Authority (LA) and WACPC and other appropriate agencies
- Liaising with secondary schools which send pupils to College to ensure that appropriate arrangements are made for the pupils
- Ensuring that the College has proper procedures for liaising with employers and training organisations that receive children or young people from the College on long term placements to ensure that appropriate safeguards are put in place reflecting the College's commitment to equality and diversity
- Ensuring that staff receive basic training in child protection issues and are aware of the College's child protection procedures.

The designated senior member of staff will provide an annual report to the Corporation of the College setting out how the College has discharged its duties. He is responsible for reporting deficiencies in procedure or policy identified by the WACPC (or others) to the Corporation at the earliest opportunity.

### Designated Staff Members

Other designated members of staff with responsibility for child protection issues are:

<i>Name</i>	<i>Job Title</i>	<i>Contact No.</i>
<i>Hazel Skwirzynska</i>	<i>Director of Learner Services</i>	<i>3140</i>
<i>Simon Rouch</i>	<i>Curriculum Area Manager</i>	<i>3209</i>
<i>Kay Taylor</i>	<i>Vice Principal – Corporate Development</i>	<i>3164</i>

These designated staff members:

- Are responsible to the senior member of staff with lead responsibility on issues relating to child protection
- Will know how to make an appropriate referral
- Will be available to provide advice and support in a variety of formats where necessary to other staff on issues relating to child protection
- Have particular responsibility to be available to listen to children and young people studying at the College
- Will deal with individual cases, including attending case conferences and review meetings as appropriate
- Have received training in child protection issues, as required by the WACPC, and will receive refresher training
- Will ensure that staff are appropriately vetted and checked

### **C. Dealing with Disclosure of Abuse and Procedure for Reporting Concerns**

It is particularly important that all those whose work brings them into contact with students are alert to the definitions and indicators of child abuse. In circumstances where you have concerns that a student is suffering or is likely to suffer significant harm to his or her health or development, or where a

student gives information detailing abuse, the following principles must be adhered to:

- All concerns and allegations, whatever their origin, must be taken seriously and considered with an open mind which does not pre-judge the situation;
- In circumstances where a student volunteers or discloses information about abuse, listen to the student, being mindful of individual need where necessary
- Do not question him/her, especially do not ask leading questions;
- Never stop a student who is freely recalling significant events. The student should not be asked to repeat their account of such events to a colleague or asked to write it down;
- In circumstance where a student has an injury but no explanation is volunteered, it is acceptable to enquire how the injury was sustained;
- Concern need not be related to a single specific incident. It may also arise from the accumulation of minor concerns;
- Records taken by the person receiving the disclosure must be made as soon as is reasonably possible after an observation has been made, for they may be required as factual evidence in any subsequent court proceedings. Records that are not made at the time would be inadmissible as corroborative evidence. The records should be verbatim or as near as possible in the student's own words along with names of potential witnesses, the time it was recorded, the setting, who was present, as well as what was said. The records should be verified as accurate by the student and the staff member receiving the disclosure and dated;
- Care should be taken not to make assumptions or interpretations about the content of the disclosure, or offering alternative explanations to the behaviours discussed;
- Record all subsequent events up to the time of Social Services/Police intervention;
- Do not promise confidentiality, but assure the student that the matter will only be disclosed to the people who need to know about it;
- **ACT NOW – DO NOT DELAY – contact the Deputy Principal, extension 3237**

- The written record of the allegations should also be signed and dated by the Deputy Principal as soon as they are accepted from the person who received the allegations;
- The Deputy Principal may contact Social Services or the Warwickshire Police Child Protection Officer for discussion and advice on the most appropriate course of action;
- Whilst professionals should, in general seek to discuss any concerns with the family and where possible seek agreement to make referrals to Social Services, this should only be done where such discussions will not place a student at increased risk of significant harm or cause any significant delay;
- Whilst advice can be sought from the College Nurse on describing/presenting physical abuse, this should not unduly delay the referral process. Any assistance from the Nurse should not serve to offer an interpretation of symptoms.

Staff should not investigate concerns or allegations themselves, but should report them immediately to the Designated Person (Deputy Principal).

### **Action to be taken by the Designated Senior Staff Member with Lead Responsibility**

Referrals should be made to the Social Services Department on 01926 410410/413629 by the Deputy Principal. In the absence of the Deputy Principal referrals will be made by the Director of Learner Services.

All of the County Social Services Offices are contactable through this one telephone number:

Out of hours, the Emergency Duty Team should be contacted on 01926 886922.

State that you are making a Child Protection Referral.

When making a referral regarding child protection concerns, it is important to have the following information wherever possible available for the duty social worker:-

- Name, date of birth, ethnic origin, gender of the student, address and telephone numbers;
- The reasons for your concern;
- Injuries and/or other indicators observed;
- The student's first language;

- Details of any specific needs of the student e.g. Disability etc;
- Details of family members, if known;
- Other agencies, professionals involved;
- Family doctor.

Social Services will make enquiries with other agencies that may have information regarding the student and family.

On the basis of the information gathered, they will then make an initial assessment on what further action is necessary or appropriate.

Whenever Social Services receive information about a possible criminal offence against a student, they will share the information with the Police at the earliest opportunity and a decision will be made jointly on how to proceed with the enquiries.

The Deputy Principal should clarify with Social Services what further action may be taken by any of the agencies with statutory responsibilities to conduct investigations into the suspected or alleged child abuse.

When the Deputy Principal makes a referral to Social Services he should confirm the details of the referral in writing within 24 hours addressed to the Children's Team Manager for that locality.

### **Subsequent Action and Communication**

- A member of staff most be able to contribute information about the student should be made free to attend the child protection case conference, core group meetings and reviews.
- The maintenance of accurate case records and notes must be ensured.
- If a student on the child protection register moves to another College, the new Principal must be informed and the appropriate information and documentation transferred in a variety of formats where necessary.
- The designated senior staff member must ensure that they are updated by Social Services on the progress of the relevant child protection case.

### **D. Report and Dealing with Allegations of Abuse Against Members of Staff**

The procedures apply to all employees of the College, regardless of race, religion and belief, gender, disability, sexual orientation or transgender, age or

socio-economic status, as well as to volunteers. The word 'employees' is used for ease of description.

## **1. Introduction**

1.1. In rare instances, employees of educational institutions have been found responsible for child abuse. Because of their frequent contact with children and young people, employees may have allegations of child abuse made against them. The College recognises that an allegation of child abuse made against an employee may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and that investigations are thorough and not subject to delay.

1.2. The welfare of the child is the paramount concern. It is also recognised that hasty or ill-informed decisions in connection with an employee can irreparably damage an individual's reputation, confidence and career. Therefore, those dealing with such allegations within the College will do so with sensitivity and will act in a careful, measured way and mindful of individual need

## **2. Receiving and Allegation from a Child**

2.1. An employee who receives an allegation about another employee from a child or young person should follow the guidelines in Part C for dealing with disclosure.

2.2. The allegations should be reported immediately to the Deputy Principal, unless the Deputy Principal is the person against whom the allegation is made, in which case the report should be made to the Principal. The Deputy Principal (or Principal if the allegation is against the Deputy Principal) should:

2.2.1. Obtain records of the allegation from the person who received it, that are signed, verified and dated. Any written details should be countersigned by the designated person (or Principal if the allegation is against the Deputy Principal).

2.2.2. Record information about times, dates, locations and names of potential witnesses.

## **3. Initial Assessment by the designated person**

- 3.1. The designated person will make an initial assessment of the allegation, having taken appropriate advice. Where the allegation is considered to be either a potential criminal act or indicates that the child has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the WACPC and if appropriate Social Services or the Police.
- 3.2. It is important that the designated person does not investigate the allegation. The initial assessment should be on the basis of the information received and is a decision as to whether or not the allegation warrants further investigation.
- 3.3. Other potential outcomes are:
  - 3.3.1. The allegation is judged to represent inappropriate behaviour or poor practice by the employee and is neither potentially a crime nor a cause of significant harm to the child. The matter should be addressed in accordance with College procedures if appropriate.
  - 3.3.2. The allegation is judged to be false because the facts alleged could not possibly be true.

#### **4. Enquiries and Investigations**

- 4.1. Child protection enquiries by social services or the police are not to be confused with internal, disciplinary enquiries by the College. The College may be able to use the outcome of external agency enquiries as part of its own procedures. The child protection agencies, including the police, have no power to direct the College to act in a particular way, however, the College should assist the agencies with their enquiries.
- 4.2. The College shall hold in abeyance its own internal enquiries while the formal police or social services investigations proceed (see Appendix 1) to do otherwise may prejudice any external investigation. Any internal enquiries shall conform with the existing staff disciplinary or incapability procedures.
- 4.3. If there is an investigation by an external agency, for example the police, the Deputy Principal (or Senior Staff Member with lead Responsibility) should normally be involved in, and contribute to, the inter-agency strategy discussions. The Deputy Principal (Senior Staff Member with lead Responsibility) is responsible for ensuring that the College gives every assistance with the agency's enquiries. He/she will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The Deputy Principal (or Senior Staff Member

with lead Responsibility) shall advise the employee that he should consult with a representative, for example, from a trade union.

4.4. Subject to objections from the police or other investigating agency, the Deputy Principal (or Senior Staff Member with lead Responsibility) shall:

4.4.1. Inform the child/children or young person(s) or parents/carers making the allegation that the investigation is taking place and what the likely process will involve.

4.4.2. Ensure that the parents/carers of the child or young person making the allegation have been informed that the allegation has been made and what the likely process will involve, using alternative suitable formats where necessary

4.4.3. Inform the employee against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve.

4.4.4. Inform the Principal who will make a judgement as to whether the Chair of Governors is informed of the allegation and the investigation.

4.5. The Deputy Principal (or Senior Staff Member with lead Responsibility) shall keep a written record of the action taken in connection with the allegation which will be signed and dated.

## **5. Suspension of an Employee**

5.1. Suspension should not be automatic. In respect of an employee other than the Principal, suspension can only be carried out by the Principal or other senior post holder. In respect of the Principal, suspension can only be carried out by the Chair of Governors (or in his/her absence, the Deputy Chair).

5.2. Suspension may be considered at any stage of the investigation. It is a neutral, not disciplinary act, and shall be on full pay. Consideration should be given to alternatives: eg paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.

5.3. Suspension should only occur for a good reason. For example:

5.3.1. Where a child or young person is judged to be at risk.

- 5.3.2. Where the allegations are potentially sufficiently serious to justify dismissal on ground of gross misconduct or negligence.
- 5.3.3. Where necessary for the good and efficient conduct of the investigation.
- 5.4. If suspension is being considered, the employee should be encouraged to seek advice, for example from a trade union.
- 5.5. Prior to making the decision to suspend, the Principal (or other senior post holder) should meet with the employee being mindful of individual need This should occur with the approval of the appropriate agency from WACPC. In particular, if the police are engaged in an investigation the officer in charge of the case should be consulted.
- 5.6. The employee should be advised to seek the advice and/or assistance of his/her trade union and should be informed that they have the right to be accompanied by a trade union representative or work based colleague of Stratford-upon-Avon College. The employee should be informed that an allegation has been made and that consideration is being given to suspension. It should be made clear that the meeting is not a formal disciplinary hearing, but solely for raising a serious matter which may lead to suspension and further investigation.
- 5.7. During the meeting, the employee should be given as much information as possible, using alternative suitable formats where necessary, in particular the reasons for any proposed suspension, provided that doing so would not interfere with the investigation into the allegation. The interview is not intended to establish the employee's innocence or guilt, but to give the opportunity to consider any information given to him/her at the meeting and prepare a response.
- 5.8. If the Principal (or other senior post holder) considers that suspension is necessary, the employee shall be informed that he/she is suspended from duty. Written confirmation of the suspension, with reasons, shall be despatched as soon as possible, and ideally within one working day.
- 5.9. Where an employee is suspended, the Principal (or other senior post holder) should address the following issues:
  - 5.9.1. The Chair of Governors should be informed of the suspension in writing.
  - 5.9.2. The Corporation should receive a report that a member of staff has been suspended pending investigation, the detail given to the Corporation should be minimal

- 5.9.3. Where the Principal has been suspended, the Chair or Vice Chair of Governors will need to take action to address the management of the College
- 5.9.4. The parents/carers of the child or young person making the allegation should be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the child or young person making the allegation of the suspension
- 5.9.5. Senior staff who need to know of the reason for the suspension should be informed
- 5.10. The Principal shall consider carefully and review the decisions as to who is informed of the suspension or pending investigation. The WACPC and external investigating authorities should be consulted.
- 5.11. The suspended employee should be given appropriate support during the period of suspension. He/she should also be provided with information on progress and developments in the case at regular intervals.
- 5.12. The suspension should remain under review in accordance with the College disciplinary procedures.

## **6. The Disciplinary Investigation**

- 6.1. Pending the outcome of any formal external investigation any subsequent internal disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures.
- 6.2. The employee should be informed of:
  - 6.2.1. The disciplinary charge against him/her
  - 6.2.2. His/her entitlement to be accompanied or represented by a trade union representative or work based colleague employed by Stratford-upon-Avon College
- 6.3. Where the employee has been suspended and no disciplinary action is to be taken, the suspension should be lifted immediately and arrangement made for the member of staff to return to work.
- 6.4. The child or children or young person(s) making the allegation and/or their parents/carers should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to College of the employee (if suspended).

- 6.5. The Principal (or Senior Staff Member with lead Responsibility) should give consideration as to whether and what information if any should be made available across the College.

## **7. Allegations without foundation**

- 7.1. False allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to a referral to the WACPC in order that other agencies may act upon information.

- 7.2. In consultation with the Senior Staff Member with lead Responsibility, the Principal shall:

- 7.2.1. Inform the employee against whom the allegation is made orally and in writing that no further disciplinary or child protection action will be taken in connection with this matter. Consideration should be given to offering counselling/support.

- 7.2.2. Inform the parents/carers of the child or young person that the allegation has been made and of the outcome.

- 7.2.3. Where the allegation was made by a child or young person other than the alleged victim, consideration to be given to informing the parents/carers of that child or young person.

- 7.2.4. Prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.

- 7.2.5. Shall consider whether it is appropriate to take disciplinary action against the student for malicious allegations against the staff member.

## **8. Records**

- 8.1. It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the employee's personal file.

- 8.2. If an employee is dismissed or resigns before the disciplinary process is completed, he/she should be informed about the College's statutory duty to inform the Secretary of State for Education.

## **9. Monitoring Effectiveness**

---

9.1. Where an allegation has been made against an employee, Senior Staff Member with lead Responsibility should, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of the College's procedures and/or policies and/or which should be drawn to the attention of the WACPC. Consideration should also be given to the training needs of employees.