

Safeguarding Young People and Vulnerable Adults Policy & Procedures

TYPE: Policy

PURPOSE: To inform staff, students, parents/ guardians and all other service users of the policy and procedures Solihull College & University Centre and Stratford upon Avon College has in place to ensure that the welfare of young people and vulnerable adults receiving education and training is safeguarded and promoted.

SCOPE: This policy applies to all students, staff and visitors

RESPONSIBILITY: The Vice Principal HR & Student Services is responsible for this policy. The Director Student Services is responsible for the monitoring of the policy.

LEGAL CONTEXT: Keeping Children Safe in Education Statutory Guidance for Schools and Colleges (September 2018); Children Act 2004; The Prevent Duty

PUBLICATION:

Staff Hub/Intranet: (Y)

Website: (Y)

Student Hub: (N)

Reviewed By	Created	Last Reviewed	Next Review Date	Total Pages
Hilary Baird	December 2009	July 2017	July 2018	25
Adam Thomas / Pete Haynes	December 2009	July 2018	July 2019	48

Table of Contents

PART A: POLICY STATEMENT & PRINCIPLES.....	3
1. Policy Statement.....	3
2. Aims.....	4
3. Definitions.....	5
4. Legal Framework.....	5
5. Supporting Young people and vulnerable adults.....	5
6. Safeguarding in Tutorial and in the Curriculum.....	6
7. Looked After Children/ Young People.....	6
8. Safeguarding and Internet Safety.....	7
PART B: SAFEGUARDING ROLES & RESPONSIBILITIES.....	8
1. Governing Body.....	8
2. Staff Roles and Responsibilities.....	9
The role of the Designated Safeguarding Lead.....	9
All staff members, governors, volunteers and external providers.....	10
3. Staff Induction, Training and Development.....	11
PART C: IMPORTANT INFORMATION.....	12
1. Young People Suffering or likely to Suffer Significant Harm.....	12
2. Definitions of Abuse.....	12
3. The Impact of Abuse and Neglect.....	13
4. Recognising Signs of Child Abuse.....	13
5. Early Help.....	14
6. Specific Safeguarding Issues.....	14
Peer on Peer Abuse.....	14
Contextual Safeguarding.....	15
Protection from Extremism and Radicalisation.....	15
Other Safeguarding Issues.....	16
PART D: SAFEGUARDING PROCEDURES.....	17
1. Triage Process.....	17
2. Dealing with Disclosures or Concerns:.....	17
3. Students who go missing from Education.....	18
4. Safeguarding and Forced Marriages.....	18
5. Female Genital Mutilation.....	20
6. Peer on Peer Abuse.....	20
7. Physical Contact with Students/Restraint.....	21
8. Power to search students without consent.....	22
9. Safeguarding and Work Placements.....	23
Long Term Placements.....	23
Short Term Placements.....	23
10. Services or Activities provided by another Body on College Premises.....	24
11. Confidentiality and Information Sharing.....	24
12. Students Consent to the referral.....	24
13. Record Keeping.....	25
14. Supervision of Child Protection Work.....	25
15. Professional Disagreement Procedures (Dispute Resolution).....	25
16. Transfer.....	25
17. Retention.....	26
PART E: Reporting and Dealing with Allegations of Abuse against Members of Staff.....	27

1. Introduction	27
2. Receiving an Allegation from a Young Person or Vulnerable Adult.....	27
3. Initial Assessment by The Principal (or designated person)	27
4. Enquiries and Investigations	28
5. Suspension of Staff.....	28
6. The Disciplinary Investigation.....	30
7. Allegations without Foundation	30
8. Records	31
9. Monitoring Effectiveness	31

PART F: SAFER RECRUITMENT: RECRUITMENT AND SELECTION PROCEDURES.....32

1. Introduction	32
2. General Principles.....	32
3. Roles and Responsibilities	33
4. Reporting and Review.....	33
5. Procedures.....	33
6. Criminal Convictions	34

PART G: IMPORTANT CONTACTS.....36

1. Contact details for a referral for young people residing in:	36
Solihull MBC Contacts	36
Birmingham Contacts.....	36
Coventry Contacts	36
Warwickshire Contacts	36
Worcestershire Contacts.....	36

Annex A: Keeping Children Safe in Education (September 2018) Part 1 - Additional Information on Specific Forms of Abuse & Safeguarding Issues.....37

2. Children and the court system.....	37
3. Children missing from education.....	37
4. Children with family members in prison.....	37
5. Child sexual exploitation	38
6. Child criminal exploitation: county lines.....	39
7. Domestic abuse	39
8. Homelessness	40
9. So-called 'honour-based' violence	41
10. FGM.....	41
FGM mandatory reporting duty for teachers.....	41
11. Forced marriage.....	42
12. Preventing radicalisation	42
The Prevent duty.....	43
Additional support	43
Channel	44
13. Peer on peer abuse.....	44
14. Sexual violence and sexual harassment between children in schools and colleges.....	44
Context	44
What is Sexual violence and sexual harassment?	45
The response to a report of sexual violence or sexual harassment.....	46
15. Additional advice and support	47

PART A: POLICY STATEMENT & PRINCIPLES

1. Policy Statement

Solihull College & University Centre and Stratford upon Avon College (hereafter referred to as the College) recognise their moral and statutory responsibility to safeguard and promote the welfare of all young people and vulnerable adults. Throughout the policy and procedures, reference is made to 'young people'. This term is used to mean those under the age of 18. The Corporation recognises that some adults may also be vulnerable to abuse, and, accordingly, the procedures may be applied to allegations of abuse and protection of vulnerable adults. All young people and vulnerable adults regardless of age, gender, race, ability, sexuality, religion, culture or language have a right to be protected from harm.

The governing body will ensure that the College will safeguard and promote the welfare of students and work together with other agencies to ensure that the College has adequate arrangements to identify, assess and support those young people and vulnerable adults who have been harmed or are at significant risk of being harmed.

- This policy sets out how the governing body of the Corporation is carrying out its statutory responsibility to safeguard and promote the welfare of young people and vulnerable adults in accordance with Section 175 of the Education Act 2002.
- This policy applies to all staff (teaching and non-teaching), governors, volunteers, temporary and supply staff working at the College.
- This policy will be reviewed annually by the governing body and is in line with the requirements of Working Together to Safeguard Children (DfE, August 2018), Keeping Children Safe In Education (DfE, September 2018)
- This policy is made available to parents/guardians on request and published on the College's website (<https://www.solihull.ac.uk/about-us/safeguarding-prevent/>), so that parents/guardians have an understanding of the safeguarding responsibility placed on the College.

The welfare of our students is our paramount concern. Our college is a community and we all (staff, governors, parents, families and students) have an essential role to play in making it safe and secure. This includes maintaining an attitude of "it could happen here" where safeguarding is concerned.

Safeguarding and promoting the welfare of young people and vulnerable adults is everyone's responsibility. Everyone who comes into contact with young people or vulnerable adults and their families has a role to play in safeguarding young people and vulnerable adults.

We make every effort to provide a safe and welcoming environment, underpinned by a culture of openness where both young people, vulnerable adults and adults feel secure, able to talk and believe they are being listened to.

Where there is a safeguarding concern the college will ensure that the young person's wishes and feelings are taken into account when determining what action to take and what services provided.

2. Aims

The Corporation is committed to ensuring that the College:

- i. Provides a safe environment for young people and vulnerable adults;
- ii. Identifies young people and vulnerable adults who are suffering, or likely to suffer, significant harm; and
- iii. Takes appropriate action to see that such young people and vulnerable adults are kept safe, both at home and at the College.

In pursuit of these objectives, the Corporation will review these policy and procedures annually with the aim:

- To set clear expectations of how we expect all staff and volunteers to respond in the event of a concern about a young person or vulnerable adult, including their responsibilities in identifying and reporting possible cases of abuse, in order to safeguard young people and vulnerable adults.
- To identify key roles and responsibilities for all staff in relation to safeguarding, and emphasise the need for good levels of communication between all members of staff in college.
- To recognise our responsibility to refer any significant concerns about a child or young person which may indicate physical abuse, emotional abuse, sexual abuse (including child sexual exploitation) or neglect to the relevant Multi-agency Safeguarding Hub (MASH). Local Safeguarding Boards Thresholds Criteria will be used to support decision making in any referral.
- To provide reports to and attend any statutory child protection conferences, initial and review, core group meetings and child in need conferences that may be called in line with relevant Local Safeguarding Boards.
- To engage in child protection statutory assessment and interventions as required, recognising our duty to work with other agencies in protecting children from harm (e.g: Children's Social Work Services, Police Public Protection Unit, health professionals including mental health professionals).
- To maintain clear management oversight of all safeguarding work; identifying, referring and supporting young people and vulnerable adults known to be at risk of harm, ensuring students at risk of harm are safeguarded and receive timely support and intervention; including early help and prevention work.

3. Definitions

Safeguarding: protecting from maltreatment; preventing impairment of health and development; ensuring that children and young people grow up with the provision of safe and effective care; and work in a way that gives the best life chances and transition to adulthood (as defined in the Children Act 2004). This is applied to every child and young person.

Child Protection: is an aspect of safeguarding, but is focused on how we respond to children or young people who have been significantly harmed or are at risk of significant harm.

Young People: refers to all students who have not yet reached their 18th birthday. It will extend to visiting young people and students from other establishments.

Parent: refers to birth parents and other adults in a parenting role, for example adoptive parents, step parents and foster parents.

Abuse: a form of maltreatment of a young person or vulnerable adult. This could mean neglect, physical, emotional or sexual abuse or any combination of these. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. They may be abused by an adult or adults or another child or children. In the Children's Acts 1989 and 2004, a **child** is anyone who has not yet reached their eighteenth birthday.

4. Legal Framework

The Children Act 1989 and 2004 introduced the concept of significant harm as the threshold which justifies compulsory intervention in family life in the best interests of children Under Section 17 (10) of the Children Act 1989, a child is in "need" if:

- He/she is unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him/her of services by a local authority;
- His/her health or development is likely to be significantly impaired, or further impaired, without the provision for him/her of such services; or
- He/she is disabled.

The following legislation and guidance is relevant to this policy and set of procedures:

- The Sexual Offences Act 2003
- The Counter-Terrorism and Security Act (2015), section 26 The Prevent Duty
- Serious Crime Act (2015), Mandatory reporting duty for known cases of female genital mutilation.
- Statutory Guidance: Keeping Children Safe In Education (September 2018)
- Statutory Guidance: Working Together to Safeguard Children (August 2018)
- Statutory Guidance: Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (DfE July 2018).
- What to do if you're worried a child is being abused (March 2015)

5. Supporting Young people and vulnerable adults

We recognise that a young person or vulnerable adult who is abused or witnesses violence may feel helpless and humiliated, may blame themselves, and find it difficult to develop and maintain a sense of self-worth. We recognise that the college may provide the only stability in the lives of young people and vulnerable adults who have been abused or who are at risk of harm. We accept that research shows that the behaviour of a young person or vulnerable adult in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn.

We support all young people and vulnerable adults by:

- Encouraging self-esteem and self-assertiveness, through the curriculum as well as our relationships, whilst not condoning aggression or bullying.
- Ensuring repeated hate incidents, e.g. racist, homophobic or gender or disability based bullying, are considered under safeguarding procedures.
- Promoting a caring, safe and positive environment within the college, with access to appropriate adults to approach if they are in difficulties.
- Liaising and working together with all other support services and those agencies involved in the safeguarding of children, including notifying social care as soon as there is a significant concern.
- Notify the allocated social worker of any new concerns about a young person or vulnerable adult who is subject to a child protection plan or a child in need plan
- Monitoring young people and vulnerable adults who have been identified as having welfare of protection concerns and providing appropriate support. An individual support plan is devised, implemented and reviewed regularly for pupils requiring early help of safeguarding. This is kept with the safeguarding record.
- Where young people and vulnerable adults have exhibited sexually inappropriate/ harmful behaviour and/or exhibited sexually inappropriate/harmful behaviour towards others. Where necessary a co-ordinated multi-agency response is undertaken to ensure the appropriate safeguards and support are in place. We ensure that the needs of young people and vulnerable adults who abuse others will be considered separately from the needs of their victims.
- Providing continuing support to a young person or vulnerable adult about whom there have been concerns who leaves the college by ensuring that appropriate information is copied under confidential cover to the young person's new setting.

6. Safeguarding in Tutorial and in the Curriculum

As a College we will educate and encourage students to keep safe through the provision of curriculum opportunities which include safeguarding. Tutorial for full-time 16 -18 year old students and aspects of the curriculum (for example, personal, social and health and economic education, PSHE) includes an emphasis on relationships (relationships and sex education), building confidence and resilience in students, developing preventative strategies to ensure their own protection and that of others whilst promoting fundamental British Values.

Opportunities are provided for students to develop the knowledge, skills and strategies they need to stay safe from abuse. For example: assessing risk, positive self-esteem, emotional literacy, assertiveness, and understanding of healthy relationships, sex and relationships education (including consent and CSE), online safety, preventing radicalisation, female genital mutilation, and anti-bullying. Clear advice and guidance is built into the curriculum to ensure that students understand who they can turn to for advice and support and that they know where and how to report abuse.

7. Looked After Children/ Young People

The most common reason for children/young people becoming looked after by the local authority is as a result of abuse and/or neglect. We ensure that staff have the skills, knowledge and understanding necessary to keep looked after children safe. We ensure that:

- Appropriate staff have the information they need in relation to a young person's looked after legal status (this includes whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility.
- Appropriate staff have information about the young person's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her.
- The DSL, designated safeguarding lead, and the Caring Services Manager have the details of the child's social worker and the name of the virtual school head in the authority that looks after the young person.

The Caring Services Manager, who is the designated member of staff for looked after children, is responsible for ensuring a Personal Education Plan (PEP) is in place for each looked after young person in the College, and is responsible for liaising with the home local authority virtual school for looked after children to ensure the highest expectations around educational attainment. The Caring Service Manager will work in partnership with the designated safeguarding lead and the social work team of the home local authority around any safeguarding concerns and placement stability issues. The Caring Services Manager receives appropriate training to undertake the role effectively.

8. Safeguarding and Internet Safety

This section must be read in conjunction with the College's Computer Acceptable Use Policy and the E Communication policy. The Computer Acceptable Use Policy, issued to students during induction and accessible online, advises on safe use of the internet including the protection of personal information and guidance on personal safety. It defines, in detail, the College etiquette for computer use. The E Communication Policies provides guidelines for staff and students advising on the appropriate use of social media and acceptable contact. The College blocks access to websites considered inappropriate for students to access, including some social networking sites. The College recognises that these sites are accessed by students outside of College and at times are used inappropriately. The College monitors use of these sites monthly, regardless of known incident, and requests removal of any unacceptable material that references the College. Induction tutorials brief students in being safe online.

PART B: SAFEGUARDING ROLES & RESPONSIBILITIES

1. Governing Body

The Governing body is collectively responsible for ensuring that child protection arrangements are fully embedded within the college's ethos and adhered to in the college's day-to-day practice, specifically:

- Ensuring there is a nominated safeguarding governor who ensures accountability for safeguarding and attends appropriate training in order to guide governors on their strategic responsibilities. **The nominated safeguarding governor** is Geraldine Swanton. She is responsible for safeguarding and championing good practice; to liaise with the DSL and to provide support and challenge in the area of safeguarding.
- Liaising with the Principal/designated staff over all matters regarding safeguarding issues. This is a strategic role rather than operational – governors will not be involved in concerns about individual students. The safeguarding governor should provide appropriate challenge and support for any action to progress areas of weakness or development in the education provision's safeguarding arrangements.
- Ensuring a member of the senior leadership team is appointed as the Designated Safeguarding Lead (DSL) who leads on and has clear oversight of all safeguarding work. The DSL must be appropriately trained to undertake this role. Governors must support the DSL in their role by ensuring the allocation of funding and resource is sufficient to meet the current safeguarding activity.
- Ensuring the DSL produces an annual report to the governing body of safeguarding activity, outlining the number of cases dealt with and other statistics which do not identify individuals.
- Ensuring the education provision fully engages with the local authority in their annual review of safeguarding procedures, providing relevant information in a timely manner. The chair of governors should sign to confirm accuracy of the education provision's arrangements, and ensure any concerns are remedied without delay.
- Ensuring the governing body receives child protection awareness training, including the safeguarding governor, from the trained College designated safeguarding lead.
- Ensuring the college has an effective child protection policy, staff behaviour policy and student behaviour policy.
- Ensuring that all college staff and volunteers (including governors) receive safeguarding awareness training at the required frequency.
- Ensuring the college has a broad and balanced curriculum that teaches young people and vulnerable adults about keeping safe.
- Ensuring national statutory guidance and legislation (specifically Keeping Children Safe in Education, DfE, September 2018 and Working Together to Safeguard Children, DfE, August 2018) and local requirements (specifically Solihull and Warwickshire LSCB procedures and Solihull and Warwickshire local authority policy, advice and guidance) are adhered to.

2. Staff Roles and Responsibilities

The role of the Designated Safeguarding Lead

The **Designated Safeguarding Lead (DSL)** is Adam Thomas and is a member of the Senior Leadership Team. His job description clearly reflects this role. He has undertaken relevant training to the role and receives at least bi-annual updates.

The DSL will assess the information provided, using the relevant multi-agency thresholds criteria and consider if significant harm has happened or there is a risk that it may happen. If the evidence suggests the threshold of significant harm or risk of significant harm has been reached; or they are not clear if the threshold is met, then the DSL will contact children's social care.

The DSL will make a professional judgement about what action needs to be taken, using Guidance Threshold Criteria to help support Children, Young People and their Families, the college child protection procedure and LSCB procedures. The DSL will consider the following:

- the nature of the concern;
- how and why it has arisen;
- what the presenting child's and family's needs appear to be;
- what relevant information is held by the college, (consider any previous referrals, closed case to children's social work, any other concerns; early help work, developmental needs of the young person, parenting capacity, family structure)
- whether the concern indicates a likelihood of **Significant Harm** and if so;
 - whether there is any need for any urgent action to protect the young person or vulnerable adult, any other young people or vulnerable adults in the same household or any young person or vulnerable adult in contact with an alleged perpetrator;
 - whether there are any other young people or vulnerable adults, either in the household or in contact with any alleged perpetrator of abuse, identified as in need or at risk of harm;
 - whether the young person or vulnerable adult has any sibling(s) at other education provisions or early years settings and consider whether information is such that it should be shared with that other setting;
 - whether there are any concerns regarding an abuse of a position of trust;
 - where targeted support services have been offered but there is refusal or reluctance by the parent/carer to engage or engage consistently with the support being offered and therefore the identified cause of concern/need is not being addressed, i.e. no improved outcome for the young person or vulnerable adult;
 - where targeted support services have been in place but the parent or carer appear unable to make the required changes in order to improve outcomes for the young person or vulnerable adult.

Where a DSL makes a referral, they should include:

- the known facts;
- any suspicions or allegations;
- whether or not there has been any contact with the young person or vulnerable adults family;
- any information they have on the young person or vulnerable adults developmental needs, and the capacity of the young person or vulnerable adults parent or carers to meet those needs.

If the DSL feels unsure about whether a referral is necessary, a telephone call to MASH can be made for advice.

If the young person or vulnerable adult is in immediate danger and urgent protective action is required, the police should be called. The DSL should also notify Children's Social Care of the occurrence and what action has been taken. This should be formally recorded by the College.

Where the student is suffering from a serious injury, medical attention must be sought immediately by calling an ambulance or taking the student to the Accident and Emergency Department of the local

hospital. The DSL should notify Children's Social Care. On arrival at the hospital, the duty consultant paediatrician must be informed of the nature of the concerns. The DSL should make a referral and ensure that all events, advice, notifications and actions are recorded, including any decision making. The DSL should seek advice from Children's Social Care about informing parents, remembering that parents should normally be informed that a young person or vulnerable adult requires urgent medical attention.

In accordance with the Local Safeguarding Children's Board Procedures, the agreement of the parents for a referral to MASH should normally be sought where possible. However, if it is felt that seeking any such agreement would increase the level of significant risk to the young person or vulnerable adult, the matter should be discussed with MASH and their advice sought. This must not contribute to a delay in making a referral.

The **Deputy Designated Safeguarding Leads (DSL)** are Pete Haynes, Ellie Lander and Peter Stone. Their job descriptions clearly reflect this role. They have undertaken relevant training to undertake the role and receive(s) at least bi-annual updates.

In the absence of the Designated Safeguarding Lead and the Deputy Designated Safeguarding Lead the most senior member of staff in education provision will assume responsibility for any safeguarding matters that arise.

The **Principal** will ensure that the safeguarding policies and procedures adopted by the governing body are fully implemented and sufficient resources and time are allocated to enable staff members to discharge their safeguarding responsibilities.

All staff members, governors, volunteers and external providers are expected to:

- Act on any concerns about a young person's or vulnerable adult's welfare immediately. Remember that the young person's welfare and interests must be the paramount consideration at all times.
- Be aware of the systems within their college which support safeguarding:
 - Safeguarding young People and Vulnerable Adults policy
 - Student Code of Conduct
 - Staff and Governor Code of Ethics and Conduct
 - Role of the designated safeguarding lead
- Never promise to keep a secret or confidentiality, where a young person or vulnerable adult discloses abuse.
- Know the definitions for abuse and the impact abuse can have on children and young people.
- Be alert to signs and recognise indicators of possible abuse.
- Listen to abuse concerns shared by a young person or vulnerable adult (disclosure) and follow college safeguarding procedures, including notifying the DSL immediately.
- Undertake induction and training on safeguarding as required.
- Notify the DSL of any unexplained absence of a young person on a Child Protection Plan or subject to a Child In Need Plan.
- Report to the DSL any additional concerns, disclosures or observations after the initial referral, not assuming that a referral in itself will protect young people or vulnerable adults.

Any member of staff who has concerns about the safety or potential abuse of a young person must report their concerns to the Designated Safeguarding Lead **without delay**. This includes allegations made against other young people and vulnerable adults.

Staff are not expected to take it upon themselves to investigate concerns or make judgements.

3. Staff Induction, Training and Development

All staff members should receive appropriate safeguarding and child protection training, including induction, which is regularly updated. This should include training on how to recognise signs of abuse **and** how to respond to any concerns. In addition all staff members should receive safeguarding and child protection updates (for example, via email, e-bulletins and staff meetings), as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.

Individuals **must**:

- read part one of Keeping Children Safe In Education (DfE September 2018) entitled “Safeguarding Information for All Staff” and understand its implications;
- read and understand the college’s safeguarding young people and vulnerable adults policy and make sure they are clear on how to act in the event of a concern and maintaining confidentiality;
- read and understand the student code of conduct and ensure they follow it in the course of their day to day work with young people and vulnerable adults;
- read and understand the Staff and Governor Code of Ethics and Conduct, so that they are clear on what to do if there is a breach of the code of conduct
- understand the difference between having a concern about a young person or vulnerable adult, and a young person or vulnerable adult in immediate danger, being clear on the relevant actions to take;
- know the role of the designated safeguarding lead in college;
- understand that early help and support that can be provided by the college, and their role in early help.

The DSL provides at least an annual briefing to the college to provide staff with any updates on changes to child protection legislation, procedures and relevant learning from key serious case reviews.

The college maintains accurate signed records of staff safeguarding induction, training and reading.

The nominated safeguarding governor undergoes child protection training prior to or as soon as appointment to the role and at regular intervals thereafter.

The Designated Safeguarding Lead attends the multi-agency safeguarding LSCB training within 12 weeks of taking up their responsibilities. The education provision will ensure that its Designated Safeguarding Lead (and Deputies if appropriate) attend the Designated Safeguarding Lead annual education conference to keep abreast of child protection learning and developments, at least biannually.

The College will ensure that staff members provided by other agencies and third parties, e.g. supply teachers and contracted staff, such as catering staff, are aware of our safeguarding young people and vulnerable adults policy and procedure, and have received appropriate safeguarding training.

PART C: IMPORTANT INFORMATION

1. Young People Suffering or likely to Suffer Significant Harm

The Children Act 1989 introduced the concept of **significant harm** as the threshold that justifies compulsory intervention in family life in the best interests of a child. It gives local authorities a duty to make enquiries under section 47 of the Children Act 1989 to decide whether they should take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer, significant harm. Such enquiries must be initiated where there are concerns about maltreatment, including all forms of abuse and neglect, female genital mutilation and other so-called honour based violence, and extra-familial threats like radicalisation and sexual exploitation.

Safeguarding and promoting the welfare of children is defined in Working Together to Safeguard Children (2018) as:

- protecting children from maltreatment;
- preventing impairment of a child's health or development;
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes. (DfE, August 2018 p7)

2. Definitions of Abuse

All college staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

Physical Abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a young person or vulnerable adult. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a young person or vulnerable adult..

Emotional Abuse is the persistent emotional maltreatment of a young person or vulnerable adult such as to cause severe and persistent adverse effects on the young person or vulnerable adults emotional development. It may involve conveying to young people or vulnerable adults that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the young person or vulnerable adult opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on young people or vulnerable adults. These may include interactions that are beyond the young persons or vulnerable adults developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the young person or vulnerable adult participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing young people or vulnerable adults frequently to feel frightened or in danger, or the exploitation or corruption of young people or vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment of a young person or vulnerable adult, though it may occur alone.

Sexual Abuse involves forcing or enticing a young person or vulnerable adult to take part in sexual activities, not necessarily involving a high level of violence, whether or not the young person or vulnerable adult is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a young person or vulnerable adult in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other young people or vulnerable adults.

Neglect is the persistent failure to meet a young person or vulnerable adults basic physical and/or psychological needs, likely to result in the serious impairment of the young person or vulnerable adults health and development. Neglect may occur during pregnancy as a result of maternal substance misuse. Once a young person or vulnerable adult is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a young person or vulnerable adult from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-takers);
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a young person or vulnerable adults basic emotional needs.

Additional Vulnerabilities for Pupils with Special Educational Needs and Disabilities (SEND)

Additional barriers can exist when recognising abuse and neglect for young people and vulnerable adults with special educational needs and disabilities, including:

- assumptions that indicators of possible abuse (eg: behaviour, mood, injury) relate to the young person's or vulnerable adults disability without further exploration;
- Young people and vulnerable adults with SEND can be disproportionately impacted by things such as bullying – without outwardly presenting any signs;
- communication barriers and difficulties (eg: not hearing, not listening, not seeing) in overcoming these.

3. The Impact of Abuse and Neglect

The sustained abuse or neglect of young people and vulnerable adults physically, emotionally, or sexually can have long-term effects on the young person's or vulnerable adults health, development and well-being. It can impact significantly on a young person's or vulnerable adults self-esteem, self-image and on their perception of self and of others. The effects can also extend into adult life and lead to difficulties in forming and sustaining positive and close relationships. In some situations it can affect parenting ability.

4. Recognising Signs of Child Abuse

The following signs may indicate something is wrong:

- significant change in behaviour
- extreme anger or sadness
- aggressive and attention seeking behaviour
- suspicious bruises with unsatisfactory explanations
- lack of self esteem
- self-injury or harm
- depression
- age inappropriate sexual behaviour

(For further guidance, "What to do if you are worried a child is being abused?"

<https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>).

If abuse is suspected, presence of signs of abuse is not proof that the abuse has occurred, but:

- must be regarded as indicators of the possibility of significant harm
- justify the need for careful assessment and discussion with the designated member of staff for safeguarding / decision making conversation which is logged
- may require consultation with and / or referral to Children's Social Work Service

The absence of such risk indicators does not mean that abuse or neglect has not occurred.

In an abusive relationship the young person or vulnerable adult may:

- appear frightened of the parents
- act in a way that is inappropriate to her/his age and development (though full account needs to be taken of different patterns of development and different ethnic groups)

The parent or carer may:

- persistently avoid young persons or vulnerable adults health promotion services and treatment of the young persons or vulnerable adults episodes of illness
- have unrealistic expectations of the young person
- frequently complain about/to the young person and may fail to provide attention or praise (high criticism/low warmth environment)
- be absent or misusing substances
- persistently refuse to allow access to professionals on home visits
- be involved in domestic abuse

Staff should be aware of the potential risk to young people and vulnerable adults when individuals, previously known or suspected to have abused young people or vulnerable adults, move into the household.

5. Early Help

Early help means providing support as soon as a problem emerges at any point in a young person's life. If early help is appropriate, the designated safeguarding lead (or deputy) will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner. Any such cases will be kept under constant review and consideration given to a referral to children's social care for assessment for statutory services, if the young person's situation does not appear to be improving or is getting worse.

6. Specific Safeguarding Issues

All staff should have an awareness of specific safeguarding issues that can put young people or vulnerable adults at risk of harm. Behaviours linked to issues such as drug taking, alcohol abuse, deliberately missing education and sexting (also known as youth produced sexual imagery) put young people and vulnerable adults in danger.

Peer on Peer Abuse

The college operates a zero tolerance approach to bullying and peer on peer abuse. This should be read in conjunction with the Student Code of Conduct and Student Disciplinary Procedure.

Young People are vulnerable to abuse by their peers. Such abuse should be taken as seriously as abuse by adults and should be subject to the same child protection procedures. Staff should not dismiss abusive behaviour as normal between young people and should never be tolerated or passed off as 'banter', 'just having a laugh' or 'part of growing up'. Particular difficulties arise in responding to a young person who abuses another young person because:

- There is no clear boundary between incidents which should be regarded as abusive and incidents which are dealt with as bullying, sexual experimentation etc. Many adults who abuse children repeatedly established this pattern of behaviour in childhood or adolescence, but a single incident of abuse does not indicate that a young person is likely to abuse again; and
- Some young people who abuse have themselves been abused, but this cannot be assumed in any particular case

The needs of the victim and the needs of the alleged perpetrator must be considered separately.

- In addition to safeguarding the identified victim, consideration will be taken to whether the alleged perpetrator seems to pose a risk to any other young person or vulnerable adult.
- Young people who abuse others are responsible for their abusive behaviour, and safeguarding action must include addressing their behaviour and its causes.
- The alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to other young people.

If one young person causes harm to another, this should not necessarily be dealt with under these procedures: bullying, fighting and harassment between young people are not generally seen as child protection issues.

However, it may be appropriate to regard a young person's behaviour as abusive if:

- There is a large difference in power (eg age, size, ability, development) between the young people concerned; or
- The perpetrator has repeatedly tried to harm one or more other young people; or
- There are concerns about the intention of the alleged perpetrator.

All staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to:

- bullying (including cyberbullying)
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- sexual violence and sexual harassment
- sexting (also known as youth produced sexual imagery) and
- initiation/hazing type violence and rituals

Staff should refer to the procedures Part D for dealing with disclosures of peer on peer abuse.

Contextual Safeguarding

Safeguarding incidents and/or behaviours can be associated with factors outside the college and/or can occur between young people and vulnerable adults outside the college. All staff, especially the designated safeguarding lead should be considering the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of young people and vulnerable adults should consider whether wider environmental factors are present in a young person's life that are a threat to their safety and/or welfare. See <http://www.solgrid.org.uk/education/safeguarding/child-protection/issues/contextual-safeguarding/>.

Protection from Extremism and Radicalisation

The Vice Principal HR & Student Services has been trained to deliver WRAP3 (Workshop to Raise Awareness of Prevent). The College works closely with Prevent Officers from the West Midlands Counter Terrorism Unit to ensure that:

- College staff are adequately trained to recognise and refer concerns with regard to student radicalisation using normal safeguarding procedures
- Managers are trained in incident management
- Staff and students are trained in Stay Safe
- Learners are able to discuss radicalisation and extremism in a safe environment and know who to refer to if they have concerns

The DSL is a member of the local Prevent Partnership Group.

This should be read in conjunction with the College's Policy to Prevent Radicalisation and Violent Extremism and action plan.

Other Safeguarding Issues

In addition to the four categories of abuse, Keeping Children Safe in Education (2018) identifies the following safeguarding issues:

- Children and the court system
- Children missing from education
- Children with family members in prison
- Child Exploitation
- Child sexual exploitation (CSE)
- County Lines Child (and vulnerable adult) criminal exploitation
- Trafficking and modern slavery
- Domestic abuse
- Homelessness
- So-called 'honour-based' violence
- Female Genital Mutilation
- Forced marriage
- Preventing radicalisation
- Peer on peer abuse
- Violence
- gender-based violence/violence against women and girls (VAWG)
- gangs and youth violence
- Sexual violence and sexual harassment between children in schools and colleges
- bullying including cyber-bullying
- child missing from education, home or care
- drugs
- health and well-being
 - fabricated or induced illness
 - mental health and behaviour
 - medical conditions
- Online safety and sexting
- Private fostering
- Child abduction

National guidance is provided in **Keeping Children safe in Education (DfE 2018), Annex A**. This is included as an annex to these procedures.

PART D: SAFEGUARDING PROCEDURES

1. Triage Process

The College's pastoral teams use a triage process to foster a safe and secure environment within the College and University Centre sites, where students can study, work and develop to their full potential and receive appropriate advice and support when needed.

A referral is made to Student Services and support is provided via Student Support Officers, Learning Coaches, Mental Health Support, the College Counsellor, Student Welfare, Disabilities Officer and the College Nurse. The TRIAGE process is designed to respond to and manage referrals and also to deal with emergency situations that may arise. The Triage process ensures that the pastoral services and the designated safeguarding lead liaise to provide oversight of any other issues the young person is experiencing and ensures that these are included in any decision making.

2. Dealing with Disclosures or Concerns:

The procedure will be determined primarily by the Local Safeguarding Children's Board and Safeguarding Adults Boards, which establish the locally agreed inter-agency procedures. However, all staff should observe the following guidelines.

If a young person or vulnerable adult tells a member of staff about possible abuse:

- Listen carefully and stay calm;
- Do not interview the person, but question normally and without pressure, in order to be sure that you understand what the person is telling you;
- Do not put words into the person's mouth;
- Reassure the person that by telling you, s/he has done the right thing;
- Inform the person that you must pass the information on, but that only those who need to know about it will be told. Inform him/her of to whom you will report the matter;
- Note the main points carefully in the person's own words; and
- Make a detailed note of the date, time, place, what the person said, did and your questions.

If a young person/ vulnerable adult is freely recalling events, the response should be to listen, rather than stop him/her; questioning of the information being given must be limited to confirming factual accuracy required to provide a quality referral, e.g. who are the people involved, what has actually happened and when and where did any incident occur.

If the young person/ vulnerable adult has an injury but no explanation is volunteered, it is acceptable to enquire how the injury was sustained.

However, the young person/vulnerable adult must not be pressed for information, led or cross-examined or given false assurances of absolute confidentiality. Such well-intentioned actions could prejudice Police investigations.

It is important that the young person/ vulnerable adult should not be asked to repeat the information to a colleague or write the information down. Making an accurate and verbatim record of what the young person/ vulnerable adult has said (disclosure), (or evidence that has led to the concerns) recording the young person/ vulnerable adult's own words, is the responsibility of the person to whom s/he has disclosed. **This should be recorded, in writing and sent directly to the DSL.** If a member of staff has a concern about a student and calls in a safeguarding officer then the safeguarding officer is responsible for the initial record as well as any follow on.

Staff should not investigate concerns or allegations themselves but should report them immediately to the DSL (Designated Safeguarding Lead).

In exceptional circumstances, when it is not possible to locate or contact the Designated Safeguarding Lead or any of the safeguarding team, the Principal, any other member of the Executive or Senior Management Teams or the Designated Governor, a member of staff may make a referral direct to the appropriate Social/Children's or Adult services department. This should be reported to the DSL or the Principal at the earliest opportunity.

3. Students who go missing from Education

A student going missing from education is a potential indicator of abuse or neglect, including sexual exploitation, FGM, forced marriage or travelling to conflict zones. The College Student Support Officers / Learning Coaches will be alert to these safeguarding concerns when a student goes missing for an extended period, or on repeat occasions. Such concerns will be reported immediately to the DSL

4. Safeguarding and Forced Marriages

A forced marriage is a marriage in which one or both spouses do not (or, in the case of some adults with learning difficulties or disabilities, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure.

The Forced Marriage (Civil Protection) Act 2007 provides for three types of applicant who may apply for a forced marriage protection order. They are the victim, anyone on their behalf with the permission of the court and a relevant third party. A relevant third party such as a local authority may apply on behalf of a victim and does not require the leave of the court.

Following the Government's consultation, on 8 June 2012, the Prime Minister announced that the Government has decided to make Forced Marriage a criminal offence.

[The Anti-social Behaviour, Crime and Policing Act 2014](#) makes it a criminal offence to force someone to marry. This includes:

- Taking someone overseas to force them to marry (whether or not the forced marriage takes place)
- Marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not)
- Breaching a Forced Marriage Protection Order is also a criminal offence
- The civil remedy of obtaining a Forced Marriage Protection Order through the family courts will continue to exist alongside the new criminal offence, so victims can choose how they wish to be assisted

First Steps in All Cases if a member of staff suspects or is approached by a student who is being forced into marriage

- See her/him immediately in a secure and private place where the conversation cannot be overheard;
- See the student on his/her own – even if they attend with others;
- Listen carefully and stay calm;
- Do not interview the person, but question normally and without pressure, in order to be sure that you understand what the young person is telling you;
- Do not put words into the person's mouth;
- Reassure him/her about confidentiality i.e. family members will not be informed
- Inform the person that you must pass the information on, but that only those who need to know about it will be told. Inform him/her of to whom you will report the matter;

- Note the main points carefully;
- Make a detailed note of the date, time, place, what the person said, did and your questions etc.;
- Agree a discreet way of contacting him/her in the future; and
- Refer immediately to the DSL

Do Not:

- Send him/her away;
- Approach members of their family or the community;
- Share information with anyone other than the designated members of staff with responsibility for Safeguarding; and
- Attempt to be a mediator.

What To Do When a Student Is Going Overseas Imminently

If a student tells you that s/he is travelling overseas within days, a second meeting may not be possible so you should try to get as much of the following information from the student as is possible before referring to the designated member(s) of staff with responsibility for Safeguarding.

The designated person will need to have as much information as possible to pass on to the Forced Marriage Unit to help them to locate the student and assist to repatriate him/her.

- Follow the first steps set out in section M.1; and
- In addition collect as much as possible of the information set out below:
 - A photocopy of their passport for retention;
 - Encourage them to keep details of their passport number and the place and date of issue; and
 - As much information as possible about the family including:

Full name and date of birth of the person under threat, their father's name, any address where they may be staying overseas, potential spouse's name (if known), date of the proposed wedding (if known), the name of the potential spouse's father (if known), addresses of the extended family in the UK and overseas and any known phone numbers.

- Information that only they would be aware of (if the victim is a British national, this may assist any subsequent interview at an Embassy/British High Commission in case another person of the same age and gender is produced pretending to be him/her);
- Details of any travel plans and people likely to accompany him/her;
- A safe means by which to contact him/her e.g. a mobile telephone that will function overseas - record the number;
- Details of the third party in order to maintain contact in case the person contacts him/her whilst overseas or on his/her return;
- An estimated return date. Ask that they contact you without fail on their return; and
- A written statement by the person explaining that they want the police, adult or children's social care, a teacher or a third party to act on their behalf if they do not return by a certain date.

The designated member of staff with responsibility for safeguarding will report details of the case, with full family history, to the Forced Marriage Unit. Only in exceptional circumstances (absence of designated member(s) of staff for safeguarding and senior staff) should this be done directly. If in exceptional circumstances a direct report is made, the designated member of staff should be informed immediately.

5. Female Genital Mutilation

Female genital mutilation (FGM) is a collective term for all procedures involving the partial or total removal of external female genitalia for cultural or other non-therapeutic reasons. The procedure is typically performed on girls aged between four and 13 years, but in some cases FGM is performed on new born infants or on young women before marriage or pregnancy. The age at which girls undergo FGM varies according to the community. FGM is illegal in the UK. It is also illegal to take a child abroad to undergo FGM. FGM is considered child abuse in the UK and causes physical, psychological and sexual harm.

FGM is much more common than many realise and there are substantial populations from countries where FGM is endemic across the UK, the Birmingham area being one of these.

The College will follow the guidelines published on the DfE website and as with other forms of abuse staff are asked to be vigilant to the risk of it being practised and to report any concerns to a safeguarding officer.

It should be noted that the Female Genital Mutilation Act 2003, as amended by section 74 of the Serious Crime Act 2015, has introduced the legal duty for regulated health and social care professionals and teachers to make a report to the police if:

- they are informed by a girl under the age of 18 that she has undergone an act of FGM

or

- they observe physical signs that an act of FGM may have been carried out on a girl under the age of 18.

Summer holidays, or other extended holiday absence during the college year, are particular periods when colleges are encouraged to be alert to the signs of potential or actual abuse.

6. Peer on Peer Abuse

Young People are vulnerable to abuse by their peers. Such abuse should be taken as seriously as abuse by adults and should be subject to the same child protection procedures. Staff should not dismiss abusive behaviour as normal between young people and should never be tolerated or passed off as 'banter', 'just having a laugh' or 'part of growing up'. Particular difficulties arise in responding to a young person who abuses another young person because:

- There is no clear boundary between incidents which should be regarded as abusive and incidents which are dealt with as bullying, sexual experimentation etc. Many adults who abuse children repeatedly established this pattern of behaviour in childhood or adolescence, but a single incident of abuse does not indicate that a young person is likely to abuse again; and
- Some young people who abuse have themselves been abused, but this cannot be assumed in any particular case

The needs of the victim and the needs of the alleged perpetrator must be considered separately.

- In addition to safeguarding the identified victim, consideration will be taken to whether the alleged perpetrator seems to pose a risk to any other young person or vulnerable adult.
- Young people who abuse others are responsible for their abusive behaviour, and safeguarding action must include addressing their behaviour and its causes.
- The alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to other young people.

If one young person causes harm to another, this should not necessarily be dealt with under these procedures: bullying, fighting and harassment between young people are not generally seen as child protection issues.

However, it may be appropriate to regard a young person's behaviour as abusive if:

- There is a large difference in power (eg age, size, ability, development) between the young people concerned; or
- The perpetrator has repeatedly tried to harm one or more other young people; or
- There are concerns about the intention of the alleged perpetrator.

Pastoral support will be provided to both the victim and perpetrator of peer on peer abuse. When a referral is received the triage process will identify internal and/or external support services which can help support students affected by this type of abuse.

All staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to:

- bullying (including cyberbullying)
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- sexual violence and sexual harassment
- sexting (also known as youth produced sexual imagery) and
- initiation/hazing type violence and rituals

Staff should refer to the procedures Part D for dealing with disclosures of peer on peer abuse.

7. Physical Contact with Students/Restraint

It is not realistic to suggest that staff should never touch students, and they and other staff in College have the right to use reasonable force to control or restrain students in certain circumstances. **Use of reasonable force, Advice for head teachers, staff and governing bodies DfE 2013** outlines what types of incidents may require the use of force and what constitutes reasonable force in the following terms:

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with students.
2. Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools/colleges generally use force to control students and to restrain them. Control means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.
5. Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.
6. College staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student.

Who can use reasonable force?

All members of College staff have a legal power to use reasonable force.

This power applies to any member of staff at the school/ college. It can also apply to people who have temporarily been put in charge of students such as unpaid volunteers or parents accompanying students on a school/ college organised visit.

Using Force

A panel of experts identified that certain restraint techniques presented an unacceptable risk when used on children and young people. The techniques in question are:

- the 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;
- the 'double basket-hold' which involves holding a person's arms across their chest; and
- the 'nose distraction technique' which involves a sharp upward jab under the nose.

Reporting Incidents of Restraint/ Physical Contact with Students

All incidents must be reported on the incident reporting form.

Staff Training

The college will train security staff in the proper use of restraint.

When can reasonable force be used?

Reasonable force can be used to prevent pupils/students from hurting themselves or others, from damaging property, or from causing disorder; and

In a school or college, force is used for two main purposes – to control students or to restrain them.

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used:

Schools/ Colleges can use reasonable force to:

- remove disruptive students from the classroom where they have refused to follow an instruction to do so;
- prevent a student behaving in a way that disrupts a College event or a College trip or visit;
- prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a student from attacking a member of staff or another student, or to stop a fight in the college grounds; and
- restrain a student at risk of harming themselves through physical outbursts.

Schools/colleges cannot:

- use force as a punishment – it is always unlawful to use force as a punishment.

8. Power to search students without consent

In addition to the general power to use reasonable force described above, **authorised** staff can use such force as is reasonable given the circumstances to conduct a search for the following

“prohibited items” **Searching, screening and confiscation, Advice for headteachers, school staff and governing bodies, DfE January 2018:**

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- fireworks
- pornographic images
- any article that the member of staff reasonably suspects has been, or is likely to be, used: to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil).

Staff should note that if this is deemed necessary the DSL should be informed and will, with the Head of Security, be present at the search. If the DSL is not available the search must be attended by a senior member of staff. The Head of Security may delegate search responsibility to search trained security officers only. If the student refuses to volunteer to a search and the situation warrants it the DSL will contact the police.

9. Safeguarding and Work Placements

Safeguarding should be given equal prominence to health and safety and should be considered as part of the initial assessment of the general suitability of any placement.

Long Term Placements

This guidance refers primarily to long term work placements. Long term work placements refer to activity that takes place regularly (eg. a day a week) over several months (i.e. more than two).

The measures that have to be in place for such activities are as follows:

- The placement will be given a copy of the College’s Safeguarding Young People and Vulnerable Adults policy and the **Quick Guide** to Safeguarding Learners which they are expected to endorse. Where a placement has their own designated member of staff (DSL) for safeguarding any safeguarding issues arising at the placement should be dealt with by them in the first instance;
- Where the placement does not have a DSL the placement staff should follow College procedures and contact the College DSL or if the allegation refers to a member of staff the College Principal;
- All staff arranging work placements will have safeguarding briefing / training;
- The person who has prime responsibility for overseeing the student during the placement will be briefed by the placement organiser to ensure they understand the procedures outlined in the Quick Guide to Safeguarding Learners; and
- The person who has prime responsibility for overseeing the student during the placement will ensure that a risk assessment of the placement is carried out.

Short Term Placements

The measures outlined above should relate to short term placements in the following circumstances:

- Where the young person or adult may be vulnerable due to special needs, immaturity, abuse or neglect, substance misuse etc.;
- Where the work placement has a residential component.

10. Services or Activities provided by another Body on College Premises

Where services or activities are provided by another body on College premises the College will seek assurance that the body concerned has appropriate policies and procedures in place in regard to safeguarding young people and there are arrangements to liaise with the College on these matters where appropriate.

Young people should not be allowed in areas where builders are working. However, arrangements should be in place via the contract where possible to make sure that any of the contractor's staff who come into contact with young people undergo appropriate checks

11. Confidentiality and Information Sharing

We recognise that all matters relating to child protection are confidential. We maintain that all matters relating to child protection are to be treated as confidential and only shared in line with Working Together to Safeguard Children guidance. The Principal or Designated Safeguarding Lead will disclose any information about a young person or vulnerable adult to other members of staff on a need to know basis only. Information will only be shared with agencies who we have a statutory duty to share with or individuals within the college who 'need to know'. All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard young people and vulnerable adults. All staff must be aware that they cannot promise a young person or vulnerable adult to keep secrets which might compromise the young person or vulnerable adult's safety or wellbeing. We will always undertake to share our intention to refer a young person or vulnerable adult to Social Care with their parents/carers unless to do so could put the child at greater risk of harm, or impede a criminal investigation. If in doubt, we will consult Children's Social Work for advice.

When there is a concern that a young person or vulnerable adult is at risk of significant harm, all information held by the education provision must be shared with Children's Social Care, police and health professionals. Section 47 of the Children Act 1989 and sections 10 and 11 of the Children Act 2004 empower all agencies to share information in these circumstances. In the event of any doubt, the DSL should liaise with MASH.

12. Students Consent to the referral

"If the young person or vulnerable adult can understand the significance and consequences of making a referral, his or her views regarding a referral to Children Social Work Services should be obtained and taken into consideration by the referring professional.

Whilst the young person or vulnerable adult's views should be sought, it remains the responsibility of the professional to take whatever action is required to ensure the safety of that child and any other children.

It is important to explain to the child in an age appropriate way how the information will be passed to Children's Social Work Services and/or the Police as the agencies with lead responsibility for the welfare and protection of children.

Where the young person or vulnerable adult does not wish his or her parent to know that they or someone else has made a referral about them, those receiving the referral must consider the wishes and best interests of the young person or vulnerable adult. If the young person or vulnerable adult can be considered as "Fraser Competent", then direct work can be undertaken with the young person or vulnerable adult without parental knowledge or consent; however it is always important to encourage a young person or vulnerable adult to be open and to engage parents unless to do so would increase a risk of harm to the child or young person.

13. Record Keeping

The importance of good clear child welfare and child protection record keeping has been highlighted in the learning from serious case reviews.

- Child protection records must be securely held, separate from the main students file, and in a secure place.
- Access to any records and details of a case will be on a 'need to know' basis decided on a case by case basis, to enable those people to take appropriate steps to safeguard the students or to carry out their own duties.
- Any contact with other agencies must be recorded as should the rationale for sharing or not sharing information.

14. Supervision of Child Protection Work

We recognise that staff working in the college who have become involved with a young person or vulnerable adult who has suffered harm, or appears to be likely to suffer harm may find the situation stressful and upsetting.

There are clear and effective arrangements for staff development and training in respect of the protection and care of students. Staff and other adults receive regular supervision and support if they are working directly and regularly with students whose safety and welfare are at risk, in line with our supervision policy.

We further support staff as necessary, by providing an opportunity to talk through their anxieties with the Designated Safeguarding Lead and their line manager, and to seek further support as appropriate. This could include:

- Stress Risk Assessment undertaken by the line manager
- Access to the Employee Assistance Programme - CIC 0800 085 1376, assist@cic-eap.co.uk, well-online.co.uk - username: sbclogin Password: wellbeing
- Referral to Occupational Health for one-to-one counselling

15. Professional Disagreement Procedures (Dispute Resolution)

At no time must professional dissent detract from ensuring that the young person or vulnerable adult is safeguarded. The young person or vulnerable adult's welfare and safety must remain paramount throughout.

In the event that a referring professional does not agree with the proposed response to the referral, the referrer should discuss their concerns directly with the duty Assistant Team Manager or Team Manager in the first instance to seek resolution. Professional disagreements should be dealt with in line with LSCB procedures

16. Transfer

Information about students should follow the young person throughout their education, therefore, for the most part the Child Protection information will go to the young person's next school along with their pupil file (also retained until 25th birthday) and CTF from SIMS. The final school, usually the secondary, retains all the information until the young person's 25th birthday. It is essential that this is adhered to:

It is good practice for the DSL of the previous setting and the DSL of the new setting to make the transfer of child protection information directly, allowing them to also verbally discuss any pertinent issues if relevant.

The transfer of all information between settings should be tracked and a record of the transfer kept. If sending in the post, information should be sent as securely as possible (special delivery or secure courier at least) and the new setting informed that the information has been sent and for them to confirm its arrival. If transferring the information electronically please use secure/encrypted email to do so.

17. Retention

Child Protection information about a young person and held by an Educational setting should be retained for the young person's date of birth plus 25 years then reviewed; this ties in with the Limitation Act. At review, if there is no on-going need to retain (such as open claims/legal case) at that point then the information can be securely deleted or destroyed. *This retention period is recommended on the understanding that the principal copy of the Child Protection record is held with the Solihull Local Authority Social Services team which is kept until the child's 75th birthday.*

Please note there is a temporary hold on the destruction of information relating to pupils/children. This legal hold is in place due to the 'Independent Inquiry into Child Sexual Abuse' (previously called 'Goddard Inquiry'). This hold on destruction is likely to continue until 2021.

The reverse process should be in place when receiving a young person, ensuring the school or college is in receipt of all required information.

PART E: Reporting and Dealing with Allegations of Abuse against Members of Staff

The procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers. The word “staff” is used for ease of description.

1. Introduction

In rare instances, staff in educational institutions have been found responsible for abuse of a young person or vulnerable adult. Because of their frequent contact with young people, staff may have allegations of abuse made against them. The College recognises that an allegation of abuse made against a member of staff 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 those investigations are thorough and not subject to delay.

The College recognises that the Children Act 1989 states that the welfare of the young person is the paramount concern. It is also recognised that hasty or ill-informed decisions in connection with a member of staff 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.

The College also recognises that the Sexual Offences (amendment) Act 2000 established a criminal offence of the abuse of trust affecting teachers and others who are in a relationship of trust with 16-18 year olds; a relationship of trust being one where a member of staff or volunteer is in a position of power or influence over a pupil or student by virtue of the work or nature of the activity being undertaken.

The legislation is intended to protect young people in education who are over the age of consent but under 18 years of age.

The principle of equality embedded in the legislation applies irrespective of sexual orientation: neither homosexual nor heterosexual relationships are acceptable within a position of trust.

2. Receiving an Allegation from a Young Person or Vulnerable Adult

A member of staff who receives an allegation about another member of staff from a young person or vulnerable adult should follow the guidelines in Part D for dealing with disclosure.

The allegation should be reported immediately to the Principal. If the allegations are against the Principal or any other senior post holder, the report should be made to the Senior Staff Member with lead responsibility and the Designated Governor, who will inform the Clerk and the Chair/Vice Chair of Governors. The Principal (or the designated person if the allegation is against the Principal or another senior post holder) should:

- Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the Principal (or designated person).
- Record information about times, dates, locations and names of potential witnesses.

3. Initial Assessment by The Principal (or designated person)

The Principal (or designated person) should make an initial assessment of the allegation, consulting with the Senior Staff Member with lead responsibility, the Designated Governor and the LADO (Local Authority Designated Officer) as appropriate. Where the allegation is considered to be either a potential criminal act or indicates that the young person or vulnerable adult has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the appropriate Social/Children's services department.

It is important that the Principal (or designated person) does not investigate the allegation. The initial assessment should be on the basis of the information received and is a decision whether or not the allegation warrants further investigation.

Other potential outcomes are:

- The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the young person or vulnerable adult. The matter should be addressed in accordance with the College disciplinary procedures.
- The allegation can be shown to be false because the facts alleged could not possibly be true.

4. Enquiries and Investigations

Safeguarding/Child protection enquiries by Social/Children's 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 safeguarding 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.

The College shall hold in abeyance its own internal enquiries while the formal police or Social/Children's services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform to the existing staff disciplinary procedure or the disciplinary procedure for senior post holders.

If there is an investigation by an external agency, for example the police, the Principal (or designated person) should normally be involved in, and contribute to, the inter-agency strategy discussions. The Principal (or DSL) is responsible for ensuring that the College gives every assistance with the agency's enquiries. S/he 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 Principal (or DSL) shall advise the member of staff that s/he should consult with a representative, for example, a trade union officer.

Subject to objections from the police or other investigating agency, the Principal (or DSL) shall:

- inform the young person/vulnerable adult or parent/guardian/carer making the allegation that the investigation is taking place and what the likely process will involve.
- ensure that the parents/guardians/carers of the young person/vulnerable adult making the allegation have been informed that the allegation has been made and what the likely process will involve.
- inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve.
- inform the Chair of the Corporation and the designated governor of the allegation and the investigation.

The Principal (or DSL) shall keep a written record of the action taken in connection with the allegation.

5. Suspension of Staff

Suspension should not be automatic. In respect of staff, other than senior post holders, suspension can only be carried out by the Principal or a designated senior post holder where the Principal has delegated responsibility (as in the disciplinary procedure). In respect of the Principal and other

senior post holders, suspension can only be carried out by the Chair of the Corporation (or in his/her absence, the Vice Chair).

Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary act and shall be on full pay. Consideration should be given to alternatives: e.g. paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties. Any suspension should remain under review in accordance with the College's disciplinary procedure for staff or the disciplinary procedure for senior post holders.

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

- where a young person/vulnerable adult is at risk.
- where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.
- where necessary for the good and efficient conduct of the investigation.

If suspension is being considered, the member of staff should be encouraged to seek advice, for example from a trade union.

Prior to making the decision to suspend, the Principal or the designated senior post holder (or Chair or Vice Chair of the Corporation) should meet with the member of staff. This should occur with the approval of the appropriate agency from the Local Safeguarding Children's Board or Vulnerable Adult Board. In particular, if the police are engaged in an investigation the officer in charge of the case should be consulted.

The member of staff should be advised to seek the advice and/or assistance of his/her trade union and should be informed that s/he has the right to be accompanied by a friend. The member of staff 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. Care should be taken that any such meeting is carried out in accordance with the provisions in the College's disciplinary procedure for staff or senior post holders.

During the meeting, the member of staff should be given, as much information as possible, provided that doing so would not interfere with the investigation into the allegation. In particular the reasons for any proposed suspension should be set out. The meeting is not intended to establish the member of staff's innocence or guilt, but give opportunity for the member of staff to make representations about possible suspension. The member of staff should be given the opportunity to consider any information given to him/her at the meeting and prepare a response, although that adjournment may be brief.

If the Principal (or Chair/Vice Chair of the Corporation) considers that suspension is necessary, the member of staff shall be informed that s/he is suspended from duty. Written confirmation of the suspension, with reasons, shall be despatched as soon as possible and ideally within one working day. In the event that the Principal or other senior post holder has been suspended, the Chair/Vice Chair of the Corporation will report the suspension in writing to the Corporation and to the Local Authority Designated Officer (LADO) within 2 working days.

Where there is a suspension, the Principal (or Chair/ Vice Chair of the Corporation) should address the following issues:

- the Chair of the Corporation and the Designated Governor should be informed of the suspension in writing and kept informed of the progress of any investigation.
- the Designated Governor will advise the Corporation that a member of staff has been suspended pending investigation. The detail given to the Committee should be minimal.
- where the Principal or another senior post holder has been suspended, the Principal and/ or the Chair or Vice Chair of Governors will need to take action to address the management of the College.

- the parents/carers of the young person/vulnerable adult 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 young person/vulnerable adult making the allegation of the suspension.
- senior staff who need to know of the reason for the suspension should be informed.
- depending on the nature of the allegation, the Principal should consider with the Chair/Vice Chair of the Corporation and the designated Governor whether a statement to the students of the College and/or parents/carers should be made, taking due regard of the need to avoid unwelcome publicity.

The Principal and Chair/Vice Chair of Governors shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The Local Safeguarding Children's Board or the Safeguarding Adults Board and external investigating authorities should be consulted.

The suspended member of staff should be given appropriate support during the period of suspension. S/he should also be provided with information on progress and developments in the investigation at regular intervals.

The suspension should remain under review in accordance with the College disciplinary procedures.

6. The Disciplinary Investigation

The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures or the disciplinary procedure for senior post holders.

The member of staff should be informed of:

- the disciplinary charge against him/her.
- his/her entitlement to be accompanied or represented by a trade union representative or friend.
- Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension should be lifted immediately and arrangements made for the member of staff to return to work. It may be appropriate to offer counselling.
- The young person or vulnerable adult making the allegation and/or their parents should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to College of the member of staff (if suspended).
- The Principal and the Chair/Vice Chair of Governors (or designated person) should give consideration to what information should be made available to the general population of the College.

7. Allegations without Foundation

False allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to a referral to the Local Safeguarding Children's Board in order that other agencies may act upon the information.

In consultation with the designated senior member of staff and the designated Governor, the Principal or in the case of a senior post holder, the Chair/Vice Chair of Governors shall:

- inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or safeguarding action will be taken. Consideration should be given to offering counselling/support.
- inform the parents/guardians/carers of the alleged victim that the allegation has been made and of the outcome.

- where the allegation was made by a young person or vulnerable adult other than the alleged victim, consideration to be given to informing the parents/guardians/carers of that person also.
- 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.
- the outcome of any investigation will be reported to the Corporation.

8. Records

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 member of staff's personal and confidential file.

If a member of staff is dismissed, or resigns before the disciplinary process is completed, he/she should be informed about the College's statutory duty to inform the DBS.

Child protection records are to be kept for a minimum of 25 years.

9. Monitoring Effectiveness

Where an allegation has been made against a member of staff, the designated Governor, together with the 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 Local Safeguarding Children's Board and the Safeguarding Adults Board. Consideration should also be given to the training needs of staff. A report will be made to the Corporation setting out any recommendations.

PART F: SAFER RECRUITMENT: RECRUITMENT AND SELECTION PROCEDURES

Policy and Procedure for DBS and the Barred Lists checks and Registration

1. Introduction

The aim of this policy and procedure is to ensure that appropriate DBS and Barred List checks are in place for staff, governors and volunteers across the College.

Under government legislation, the College is obliged to ensure that all staff apply for and receive an enhanced DBS disclosure. The College operates its DBS policy in line with the DBS Code of Practice (available on the College Intranet).

2. General Principles

- 2.1. The College application form contains a section concerning Rehabilitation of Offenders Act 1974 where applicants are requested to disclose pending criminal convictions, criminal charges or summonses whether or not the conviction is regarded as “spent”. The College as an employer is exempt from the provisions of the Rehabilitation of Offenders Act. All successful applicants are informed that the offer of employment is subject to a satisfactory DBS disclosure.
- 2.2. All staff are subject to an enhanced DBS disclosure as the College deems itself to be a “specified place” *.
- 2.3. Disclosure information is treated as confidential and only handled by authorised signatories and the HR team.
- 2.4. Disclosures and information pertaining to these are securely stored in a central file, which is kept locked away except when in use by an authorised signatory.
- 2.5. Copies of disclosure application forms will be destroyed upon receipt of the disclosure. Members of staff only have to show a DBS disclosure, they may refuse to provide the College with a copy. However, disclosure numbers and records of convictions highlighted will be noted, if present and followed up.
- 2.6. Disclosures and records relating to these are not kept for lengthy periods of time, with disclosures being safely destroyed after 6 months of being issued by the DBS. This is in line with DBS requirements.
- 2.7. The College’s computerised HR system will hold the following information:
 - the date the clearance is issued;
 - the disclosure number; and
 - the date of the Barred List check.
- 2.8. The College will fund all disclosures for staff.

*Specified place – “paid workers remain in regulated activity even if supervised” ref: Keeping children safe in education Statutory guidance for schools and colleges

- 2.9. HR will request and verify evidence as outlined in DBS guidance when completing disclosure applications.

- 2.10. The College will ensure it does not contract staff from an external teaching staffing agency unless the agency confirm they undertake DBS clearance checks for their staff, in accordance with DBS and legislative requirements.
- 2.11. Where there has been a breach of Child Protection Policies and action under the disciplinary procedure has been taken, the College may refer names to the relevant external Government authorities e.g. Local Children's Safeguarding Board and ISA.

3. Roles and Responsibilities

- 3.1. The Lead Signatory for the College is the Vice Principal HR and Student Services. For staff and governor checks the HR Manager and one other nominated member of the HR team are Counter Signatories. The Clerk to the Corporation needs to ensure HR are advised when new governors are appointed in order that DBS checks are undertaken.
- 3.2. It is the responsibility of the HR team to operate the process described within the policy.
- 3.3. Line managers are responsible for checking that members of their team have followed the appropriate process.
- 3.4. Staff are responsible for applying for disclosure and for declaring any offences, on the College application form.

4. Reporting and Review

- 4.1. The Vice Principal HR and Student Services and the HR team will review this procedure regularly, taking account of legislative changes and the DBS Code of Practice. The Corporation will review the policy annually.

5. Procedures

5.1. New Starters

All new staff joining the College will be required to complete an enhanced DBS disclosure and all appointments are subject to a satisfactory DBS check.

All new staff are required to have a Barred List check in place before they start work. A completed DBS form and supporting evidence will also need to be provided. HR will advise Line Managers when this is complete and also when full clearance is received. However, the College accepts that due to operational reasons members of staff may be required to start before DBS clearance is received. In these circumstances a risk assessment needs to be in place and actions taken to ensure no one to one contact is required and the individual is appropriately supervised.

HR must make sure that every effort is made to ensure a quick turnaround on the application and receipt of the DBS disclosure certificate.

5.2. Existing Members of Staff

Existing members of staff must declare any criminal offences or cautions that they receive during their employment with the College.

The DBS will be formally notified of individual staff details where disciplinary action has led to dismissal and the College deems that the individual's behaviour is such as to put young and vulnerable people at risk. The DBS will decide whether to take further action.

5.3. **Governors**

Governors will be required to agree to a DBS enhanced disclosure. They will also be issued with a visitors badge when attending the College premises and must wear this at all times whilst on College premises.

In the event of a disclosure being made concerning a member of the Governing body a decision will be made as to the suitability of their appointment by the Chair of Governors, the Governor with responsibility for Safeguarding and the Principal.

5.4. **Volunteers**

It is the responsibility of the area manager to ensure that details of volunteers are passed to HR in order that appropriate checks are in place. A DBS disclosure certificate is required before a volunteer can start at the College.

Such volunteers must be issued with a staff ID card. Authorisation will be given by the HR manager in order that an ID card can be issued.

Volunteers must also complete a volunteer checklist which will be kept in HR as a central register of Volunteers. It is the responsibility of the employing Manager to advise HR when Volunteers leave in order that an accurate record of current volunteers can be maintained.

5.5. **Consultants**

In the case where consultants are likely to work for the College on a regular or for a sustained period, the College should ensure appropriate checks have taken place either through the College or with the supplying agency.

5.6. **Visitors**

It is not necessary or practical for the College to require a DBS disclosure for visitors who may have not or only have incidental contact with children and vulnerable adults and will only be in the College for a short period of time. In all cases such individuals must sign in and out via reception and will be issued with a visitor's card by Reception staff. The relevant member of College staff will be required to meet the visitor in reception.

Responsibility for supervision of these visitors will lie with the employee they are meeting or working for.

6. **Criminal Convictions**

Where an applicant discloses a criminal conviction on their application form this should be discussed with the candidate if selected for interview.

When a DBS disclosure indicates conviction or caution the HR Manager will arrange to meet them to discuss the nature of their conviction. Each case will be dealt with on an individual basis, depending upon the nature of the conviction and the job role of the member of staff. This information will be forwarded for consideration by the Safe Recruitment Panel which comprises:

- Vice Principal HR and Student Services (Deputy DMS);
- Designated member of staff for Safeguarding (Director of Student Services) and / or designated Deputy (Vice Principal HR & Student Services).

In the absence of one of the above, the HR Manager

If it is deemed that the conviction(s) do not pose a safeguarding risk the matter will be taken no further and the member of staff will be advised accordingly.

If the panel feels that the nature of the conviction(s) are such that the offer of employment should not be made or withdrawn the panel will refer the matter to the Principal for a final decision. If it is deemed that the convictions are not acceptable the offer of employment will be withdrawn.

In the case of existing staff, if a caution/conviction is disclosed and following an assessment of risk to Children and Vulnerable Adults the College decides that the employee is unable to continue in their current role, the College will consider options of alternative employment within the College. However, if it is felt that the caution / conviction is sufficiently serious dismissal would take place in accordance with the Instrument and Articles of Government.

PART G: IMPORTANT CONTACTS

1. Contact details for a referral for young people residing in:

Solihull MBC Contacts

- MASH: 0121 788 4300
- Out of hours: 0121 605 6060
- Children's Social Work Child Protection and Review Unit: 0121 788 4310
- Local Authority Duty Officer (LADO) – 0121 788 4310
- SMBC Adult Social Work one stop referral – 0121 704 8007
- Early Help team – 0121 709 7000

Birmingham Contacts

- Birmingham Multi-Agency Safeguarding Hub (MASH) - 0121 303 1888
<http://www.lscbbirmingham.org.uk/index.php/about-us-list/167-mash-hubs>
http://www.lscbbirmingham.org.uk/images/RSRT_practitioners_booklet.pdf

Coventry Contacts

- Coventry Multi-Agency Safeguarding Hub (MASH) - 024 7678 8555
http://www.coventry.gov.uk/info/31/children_and_families/2186/coventrys_multi_agency_safeguarding_hub_mash
http://www.coventry.gov.uk/downloads/file/20363/the_levels_of_help_for_children

Warwickshire Contacts

- Children's Social Care during office hours: 01926 410410
- Emergency Duty Service 01926 886922 outside office hours only
<https://www.warwickshire.gov.uk/wscb>

Worcestershire Contacts

- Access Centre 01905 822666 from Monday to Thursday 8.30am to 5.00pm (until 4:30 pm on Friday)
- Emergency Duty Team (EDT) on 01905 768020 outside office hours
http://www.worcestershire.gov.uk/info/20054/safeguarding_children/364/if_you_are_worried_about_a_child

Where the young person or vulnerable adult does not reside in one of the above areas the referrals must be made to the appropriate cross border local authorities. These must also be confirmed in writing.

Annex A: Keeping Children Safe in Education (September 2018) Part 1 - Additional Information on Specific Forms of Abuse & Safeguarding Issues

Annex A contains important additional information about specific forms of abuse and safeguarding issues. School and college leaders and those staff who work directly with children should read this annex.

If staff has any concerns about a young person's welfare, they should act on them immediately. They should follow the procedure set out on Part D of this document.

2. Children and the court system

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate guides to support children [5-11-year olds](#) and [12-17 year olds](#).

The guides explain each step of the process and support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online [child arrangements information tool](#) with clear and concise information on the dispute resolution service. This may be useful for some parents and carers.

3. Children missing from education

All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should be aware of their school's or college's unauthorised absence and children missing from education procedures.

4. Children with family members in prison

Approximately 200,000 children have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. [NICCO](#) provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

5. Child sexual exploitation

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact: it can also occur through the use of technology. Like all forms of child sex abuse, child sexual exploitation:

- can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex;
- can still be abuse even if the sexual activity appears consensual;
- can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity;
- can take place in person or via technology, or a combination of both;
- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence;
- may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media);
- can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse; and
- is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

Some of the following signs may be indicators of child sexual exploitation:

- children who appear with unexplained gifts or new possessions;
- children who associate with other young people involved in exploitation;
- children who have older boyfriends or girlfriends;
- children who suffer from sexually transmitted infections or become pregnant;
- children who suffer from changes in emotional well-being;
- children who misuse drugs and alcohol;
- children who go missing for periods of time or regularly come home late; and
- children who regularly miss School/College or education or do not take part in education.

6. Child criminal exploitation: county lines

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism should be considered. Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
- can affect any vulnerable adult over the age of 18 years;
- can still be exploitation even if the activity appears consensual;
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
- can be perpetrated by individuals or groups, males or females, and young people or adults; and
- is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

7. Domestic abuse

The cross-government definition of domestic violence and abuse is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological;
- physical;
- sexual;
- financial; and
- emotional

Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result. Domestic abuse affecting young people can also occur within their personal relationships, as well as in the context of their home life.

Advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

[NSPCC- UK domestic-abuse Signs Symptoms Effects](#)

[Refuge what is domestic violence/effects of domestic violence on](#)

[children Safelives: young people and domestic abuse](#)

8. Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead (and any deputies) should be aware of contact details and referral routes in to the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and or discussion with the Local Housing Authority should be progressed as appropriate, and in accordance with local procedures, this does not, and should not, replace a referral into children's social care where a child has been harmed or is at risk of harm.

The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The following factsheets usefully summarise the new duties: [Homeless Reduction Act Factsheets](#). The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis.

In most cases school and college staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's services will be the lead agency for these young people and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances. The department and the Ministry of Housing, Communities and Local Government have published joint statutory guidance on the provision of accommodation for 16 and 17 year olds who may be homeless and/ or require accommodation: [here](#).

9. So-called 'honour-based' violence

So-called 'honour-based' violence (HBV) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBV are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

Actions

If staff have a concern regarding a child that might be at risk of HBV or who has suffered from HBV, they should speak to the designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on **teachers** that requires a different approach.

10. FGM

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

FGM mandatory reporting duty for teachers

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon **teachers** along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should **not** be examining pupils or students, but the same definition of what is meant by "to discover that an act of FGM appears to have been carried out" is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at: [Mandatory reporting of female genital mutilation procedural information.](#)

Teachers **must** personally report to the police cases where they discover that an act of FGM appears to have been carried out.¹³ Unless the teacher has good reason not to, they should still consider and discuss any such case with the school's or college's designated safeguarding lead (or deputy) and involve children's social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures. The following is a useful summary of the FGM mandatory reporting duty: [FGM Fact Sheet](#).

11. Forced marriage

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage.

Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

The Forced Marriage Unit has published [statutory guidance](#) and [Multi-agency guidelines](#), with pages 35-36 of which focus on the role of schools and colleges. School and college staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email fmf@fco.gov.uk.

12. Preventing radicalisation

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of a schools' or colleges' safeguarding approach.

[Extremism](#) is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces. [Radicalisation](#) refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media) and settings (such as the internet).

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children's behaviour which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead (or deputy) making a referral to the Channel programme.

The Prevent duty

All schools and colleges are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the Prevent duty.

The Prevent duty should be seen as part of schools' and colleges' wider safeguarding obligations. Designated safeguarding leads and other senior leaders should familiarise themselves with the revised [Prevent duty guidance: for England and Wales](#), especially paragraphs 57-76 which are specifically concerned with schools (and also covers childcare). The guidance is set out in terms of four general themes: Risk assessment, working in partnership, staff training, and IT policies.

Additional support

The department has published advice for schools on the [Prevent duty](#). The advice is intended to complement the Prevent guidance and signposts other sources of advice and support.

There is additional guidance: [Prevent duty guidance: for further education institutions in England and Wales](#) that applies to colleges.

[Educate Against Hate](#), a website launched by the Her Majesty's Government has been developed to support and equip school and college leaders, teachers, and parents with information, tools and resources (including on the promotion of fundamental British values) to help recognise and address extremism and radicalisation in young people. The platform provides information on and access to training resources for teachers, staff and school and college leaders, some of which are free such as Prevent e-learning, via the Prevent Training catalogue.

Channel

Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for schools to make referrals if they are concerned that an individual might be vulnerable to radicalisation. An individual's engagement with the programme is entirely voluntary at all stages. Guidance on Channel is available at: [Channel guidance](#), and a Channel awareness e-learning programme is available for staff at: [Channel General Awareness](#).

The school's or college's designated safeguarding lead (and any deputies) should be aware of local procedures for making a Channel referral. As a Channel partner, the school or college may be asked to attend a Channel panel to discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required.

13. Peer on peer abuse

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

14. Sexual violence and sexual harassment between children in schools and colleges

Context

Sexual violence and sexual harassment can occur between two children of **any** age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that **all** victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk.

Staff should be aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

What is Sexual violence and sexual harassment?

Sexual violence

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

¹⁸ [Legislation.gov.uk](http://legislation.gov.uk)

What is consent? Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

Sexual harassment

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual "jokes" or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
 - non-consensual sharing of sexual images and videos;
 - sexualised online bullying;
 - unwanted sexual comments and messages, including, on social media; and
 - sexual exploitation; coercion and threats

The response to a report of sexual violence or sexual harassment

The initial response to a report from a child is important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by

reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

If staff have a concern about a child or a child makes a report to them, they should follow the referral process as set out from paragraph 22 in Part 1 of this guidance. As is always the case, if staff are in any doubt as to what to do they should speak to the designated safeguarding lead (or a deputy).

15. Additional advice and support

Abuse or Safeguarding issue	Link to Guidance/Advice	Source
Abuse	What to do if you're worried a child is being abused	DfE advice
	Domestic abuse: Various Information/Guidance	Home Office
	Faith based abuse: National Action Plan	DfE advice
	Relationship abuse: disrespect nobody	Home Office website
Bullying	Preventing bullying including cyberbullying	DfE advice
Children and the courts	Advice for 5-11-year olds witnesses in criminal courts	MoJ advice
	Advice for 12-17 year old witnesses in criminal courts	MoJ advice
Children missing from education, home or care	Children missing education	DfE statutory guidance
	Child missing from home or care	DfE statutory guidance
	Children and adults missing strategy	Home Office strategy
Children with family members in prison	National Information Centre on Children of Offenders	Barnardo's in partnership with Her Majesty's Prison and Probation Service (HMPPS) advice
Child Exploitation	County Lines: criminal exploitation of children and vulnerable adults	Home Office guidance
	Child sexual exploitation: guide for practitioners	DfE
	Trafficking: safeguarding children	DfE and HO guidance
Drugs	Drugs: advice for schools	DfE and ACPO advice
	Drug strategy 2017	Home Office strategy
	Information and advice on drugs	Talk to Frank website

Abuse or Safeguarding issue	Link to Guidance/Advice	Source
	ADEPIS platform sharing information and resources for schools: covering drug (& alcohol) prevention	Website developed by Mentor UK
“Honour Based Violence” (so called)	Female genital mutilation: information and resources	Home Office
	Female genital mutilation: multi agency statutory guidance	DfE, DH, and HO statutory guidance
	Forced marriage: information and practice guidelines	Foreign Commonwealth Office and Home Office
Health and Well-being	Fabricated or induced illness: safeguarding children	DfE, Department for Health and Home Office
	Rise Above: Free PSHE resources on health, wellbeing and resilience	Public Health England resources
	Medical-conditions: supporting pupils at school	DfE statutory guidance
	Mental health and behaviour	DfE advice
Homelessness	Homelessness: How local authorities should exercise their functions	HCLG
Online	Sexting: responding to incidents and safeguarding children	UK Council for Child Internet Safety
Private fostering	Private fostering: local authorities	DfE - statutory guidance
Radicalisation	Prevent duty guidance	Home Office guidance
	Prevent duty advice for schools	DfE advice
	Educate Against Hate Website	DfE and Home Office
Violence	Gangs and youth violence: for schools and colleges	Home Office advice
	Ending violence against women and girls 2016-2020 strategy	Home Office strategy
	Violence against women and girls: national statement of expectations for victims	Home Office guidance
	Sexual violence and sexual harassment between children in schools and colleges	DfE advice
	Serious violence strategy	Home Office Strategy