

## Safeguarding Children and Vulnerable Adults Policy

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Person Responsible	Assistant Principal, English, Maths and Support (Designated Child Protection Officer)
Approval/ review bodies	SLT / Corporate Board
Frequency of Review*	12 months

*\* Policies will be reviewed more frequently if legal changes or good practice require*

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February 2015	AP EM and S	Annual Review
February 2016	AP EM and S	Annual Review
November 2016	AP EM and S	Annual Review – to take account of new DfE guidance

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**Related policies/documents:** Single Equality Scheme; Student Anti-Bullying Policy; Information Technology Conditions of Use; Student Disciplinary Procedures; Health & Safety Policy; Dealing with Malicious Communications Policy;

## 1. General Policy Statement

North Kent College has a statutory and moral duty to ensure that the welfare of children and vulnerable adults receiving training and education at the College is safeguarded and promoted and expects all staff and volunteers to share this commitment. It is the responsibility of all staff to ensure that they carry out their duties in accordance with the duty to safeguard and that they take prompt appropriate action when they have concerns about a child or young person

### Background

This policy has been developed in accordance with the principles established by the Children Acts 1989 and 2004 and related guidance. This includes:

- 1.1. DfE guidance Keeping Children Safe in Education (September 2016) <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2> ;
- 1.2. Working Together to Safeguard Children (2015) <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>;
- 1.3. Framework for the Assessment of Children in Need and their Families (2000); and
- 1.4. Kent and Medway Online Safeguarding Children Procedures (October 2016). <http://www.proceduresonline.com/kentandmedway/>
- 1.5 Prevent Duty & Guidance for England and Wales March 2016.

The Governing body takes seriously its responsibility under Section 175 of the Education Act 2002 to safeguard and promote the welfare of children/vulnerable adults and to work together with other agencies to ensure adequate arrangements within our college to identify, assess and support those children/vulnerable adults who are suffering harm.

## 2. Objectives

The Corporate Board is committed to ensuring that the College:

- 2.1. protects children/vulnerable adults from maltreatment;
- 2.2. prevents impairment to health/development;
- 2.3. ensures provision of safe and effective care;
- 2.4. takes action to enable all children to have the best outcome;
- 2.5. safeguards and promotes the welfare of all students;
- 2.6. identifies/refers children at risk;
- 2.7. co-operates with investigating agencies;

- 2.8. supports children in need and contributes towards early help offer;
- 2.9. records and reports racist incidents;
- 2.10. promotes safe recruitment practices;
- 2.11. names a Designated Safeguarding Lead within the Senior Leadership Team;
- 2.12. provides Safeguarding training to all staff;
- 2.13. offers a curriculum that promotes safeguarding/safety;
- 2.14. shares information with the police;
- 2.15. supports students with medical conditions;
- 2.16. meets the needs of students with special educational needs and/or disabilities;
- 2.17. recognises that young people are capable of abusing their peers;
- 2.18. takes the wishes and feelings of children into account;
- 2.19. provides staff code of conduct;
- 2.20. responds to instances where children go missing;
- 2.21. evidence compliance to the Local Safeguarding Children's Board;
- 2.22. appoints a designated person to promote the achievement of Looked After Children; and
- 2.23. takes appropriate action, including referrals, to see that such children and vulnerable adults are kept safe, both at home and at College.

### **3. Definitions**

The **Children's Act** defines a "child" as a person under the age of 18. (UN convention of the Rights of the Child)

A Vulnerable adult is defined by the Safeguarding Vulnerable Groups Act as a person over 18 years of age and who are:

- 3.1. living in certain situations;
- 3.2. detained in institutions or because of other laws; and/or
- 3.3. receiving specific services.

Detailed definition taken from the VBS review February 2011

A vulnerable adult is defined by the Safeguarding Vulnerable Groups Act as a person who is 18 years or over and who:

- 3.4. is living in residential accommodation, such as a care home or a residential special school;
- 3.5. is living in sheltered housing;
- 3.6. is receiving domiciliary care in their own home;
- 3.7. is receiving any form of healthcare;
- 3.8. is detained in a prison, remand centre, young offender institution, secure training centre or attendance centre, or under the powers of the Immigration and Asylum Act 1999;
- 3.9. is under the supervision of the probation services;
- 3.10. is receiving a specified welfare service, namely the provision of support, assistance or advice by any person, the purpose of which is to develop any individual's capacity to live independently in accommodation or support their capacity to do so;
- 3.11. is receiving a service or participating in an activity for people who have particular needs because of their age or who have any form of disability;
- 3.12. is an expectant or nursing mother living in residential care;
- 3.13. is receiving direct payments from a local authority or health and social care trust in lieu of social care services, and/or
- 3.14. requires assistance in the conduct of their affairs

The College procedure applies to all children under 18 years old or any vulnerable adult over 18 years old.

The College recognises the definitions of abuse detailed in Appendix 1.

#### **4. Responsibilities**

In pursuit of these aims, the Corporate Board will approve and annually review the Safeguarding Children and Vulnerable Adults Policy with the aim of:

- 4.1. raising awareness of issues relating to the welfare of children and vulnerable adults and the promotion of a safe environment for the children and vulnerable adults learning within the College;
- 4.2. aiding the identification of children and vulnerable adults at risk of significant harm, and providing procedures for reporting concerns;
- 4.3. establishing procedures for reporting and dealing with allegations of abuse against members of staff;
- 4.4. ensuring that all adults who have access to students have been checked through the Disclosure and Barring Service (DBS), as to their suitability and that serious concerns are reported to the DBS; and

- 4.5. providing an environment in which learners feel safe, secure, valued and respected and know that they will be listened to.

In developing the policies and procedures, the Corporate Board will consult with, and take account of, guidance issued by the relevant government departments and other relevant bodies, and groups including the Local Safeguarding Children Board (“LSCB”).

The College will refer concerns that a child or vulnerable adult might be at risk of significant harm to the appropriate agencies as agreed with the LSCB, e.g. Police, Social Services.

The College will notify the appropriate agencies if there is an unexplained absence of a child who is the subject of a Child Protection Plan.

The College will co-operate as required by relevant agencies with their enquiries regarding child protection matters, including attendance at case conferences and core groups.

The Corporation has nominated Pam Jones as Governor with special responsibility for child protection issues for the year 2015-6.

The Principal and all staff working with children will receive adequate training to familiarise themselves with child protection issues and responsibilities and the College procedures and policies, with refresher training at least every three years. There will be a senior leader from the College Senior Leadership Team (SLT) with special responsibility for child protection issues (the designated senior leader with lead responsibility for child protection is Sheila Dance, Assistant Principal English, maths and support). She shall be assisted by other members of staff with responsibility of child protection, specifically: Mark Andrews, Assistant Principal Construction and Engineering; Wendy Davies, Assistant Principal Teaching; Learning Lynne Tomlinson, Nursery Manager Dartford/Gravesend; and Fiona Hassan, Student Experience Manager.

The Corporate Board will receive from the designated senior leader with lead responsibility for child protection, an annual report and self-review audit which reviews how the duties have been discharged.

## **5. Monitoring and Review**

Ofsted is required to inspect the extent to which colleges discharge their duties under **Section 175 of The Education Act 2002**, which came into force in June 2004.

Key areas of Safeguarding to evidence:

- 5.1. Ofsted inspectors will be looking for evidence across these five areas:

- 5.1.1. creation of a positive culture, where ‘safeguarding is an important part of everyday life’, backed up by staff training at every level;

- 5.1.2. the effectiveness of safer recruitment, vetting, and safeguarding policies and procedures;
- 5.1.3. staff awareness of the signs of harm from within the family and the wider community;
- 5.1.4. timelessness of response to safeguarding concerns; and
- 5.1.5. quality of the school contribution to multi-agency plans for the child.

The Corporate Board must ensure that there is liaison with the Principal and Senior Leader with Lead Responsibility over matters regarding Safeguarding Children and Vulnerable Adults, including:

- 5.2. ensuring that the College has procedures and policies which are consistent with the LSCB Committee's procedures;
- 5.3. ensuring that the Corporate Board considers the College policy on Safeguarding Children and Vulnerable Adults annually; and
- 5.4. ensuring that each year the Corporate Board is informed of how the College and its staff have complied with the policy, including but not limited to, a report on the training that staff have undertaken.

The Safeguarding Children and Vulnerable Adults Policy will be reviewed annually by the Corporate Board each academic year.

## **Appendix 1 - Definitions of Physical Contact with Children or Vulnerable Adults**

The Corporation recognises the following as definitions of abuse:

### **1. Physical Abuse**

Physical abuse causes harm to a child's or vulnerable adult's person. It may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning or suffocating or otherwise causing physical harm to a child or vulnerable adult. It may be done deliberately or recklessly, or be the result of a deliberate failure to prevent injury occurring. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

### **2. Neglect**

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

- 2.1. provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- 2.2. protect a child from physical and emotional harm or danger;
- 2.3. ensure adequate supervision (including the use of inadequate care-givers); and/or
- 2.4. ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

### **3. Sexual Abuse**

Sexual abuse involves forcing or enticing a child or vulnerable adult to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child 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 or vulnerable adults in looking at, or in that the production of, activity is sexual images, watching sexual activities, encouraging children or vulnerable adults to behave in sexually inappropriate ways, or grooming and the apparent consent of the child or vulnerable 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 children and vulnerable adults.

#### **4. Emotional Abuse**

Emotional abuse is the persistent emotional maltreatment of a child or vulnerable adult such as to cause severe and persistent adverse effects on the child's or vulnerable adult's emotional development. It may involve conveying to children and 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 child 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 children or vulnerable adults. These may include interactions that are beyond the child's or vulnerable adult's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child or vulnerable adult participating, resulting in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children or vulnerable adults frequently to feel frightened or in danger, or the exploitation or corruption of children or vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment of a child or vulnerable adult, though it may occur alone.

#### **Abuse - Signs and Symptoms**

Although these signs do not necessarily indicate that someone has been abused, they may help staff to recognise that something is wrong. The possibility of abuse should be investigated if a student shows a number of these symptoms, or any of them to a marked degree.

Students with learning difficulties may exhibit some of these signs (e.g. reluctance to get undressed for physical activities, constant tiredness). These are not necessarily signs of abuse but symptoms of their condition and may be more pronounced when the student is uncertain e.g. when starting college. However, it must also be remembered that disabled young people are three times more likely to experience abuse or neglect than non-disabled peers.

Indications of abuse could be:

##### **1. Sexual Abuse**

- 1.1. being excessively affectionate or knowledgeable in a sexual or inappropriate way;
- 1.2. medical problems such as chronic itching, pain in the genitals, venereal diseases;
- 1.3. other extreme reactions, such as depression, self-mutilation, suicide attempts, running away, overdoses, anorexia;
- 1.4. personality changes such as becoming insecure or clinging;
- 1.5. regressing to younger behaviour patterns such as thumb sucking or bringing out discarded cuddly toys;
- 1.6. sudden loss of appetite or compulsive eating;



- 1.7. being isolated or withdrawn;
- 1.8. inability to concentrate;
- 1.9. lack of trust or fear of someone they know well, such as not wanting to be alone with a babysitter or child minder;
- 1.10. starting to wet again, day or night/nightmares;
- 1.11. become worried about clothing being removed;
- 1.12. suddenly drawing sexually explicit pictures; and/or
- 1.13. trying to be “ultra-good” or perfect; overreacting to criticism.

## **2. Physical Abuse**

- 2.1. unexplained recurrent injuries or burns;
- 2.2. improbable excuses or refusal to explain injuries;
- 2.3. wearing clothes to cover injuries, even in hot weather;
- 2.4. refusal to undress for activities;
- 2.5. bald patches;
- 2.6. chronic running away;
- 2.7. fear of medical help or examination;
- 2.8. self-destructive tendencies;
- 2.9. aggression towards others;
- 2.10. fear of physical contact - shrinking back if touched;
- 2.11. admitting that they are punished but the punishment is excessive (such as a child being beaten every night to “make him study”); and/or
- 2.12. fear of suspected abuser being contacted.

## **3. Emotional Abuse**

- 3.1. physical, mental and emotional development lags;
- 3.2. sudden speech disorders;
- 3.3. continual self-depreciation (“I’m stupid, ugly, worthless, etc.”);
- 3.4. over-reaction to mistakes;
- 3.5. extreme fear of any new situation;
- 3.6. inappropriate response to pain (“I deserve this”);
- 3.7. neurotic behaviour (rocking, hair twisting, self-mutilation); and/or
- 3.8. extremes of passivity or aggression

#### **4. Neglect**

- 4.1. constant hunger;
- 4.2. poor personal hygiene;
- 4.3. constant tiredness;
- 4.4. poor state of clothing;
- 4.5. Emaciation;
- 4.6. untreated medical problems;
- 4.7. no social relationships;
- 4.8. compulsive scavenging; and
- 4.9. destructive tendencies.

## Appendix 2 – Awareness of the “Prevent” strategy

Section 21 of the Counter-Terrorism and Security Act 2015 (the Act) places a duty on certain bodies, including schools and colleges, listed in Schedule 3 to the Act, to have “due regard to the need to prevent people from being drawn into terrorism”.

The statutory Prevent guidance summarises the requirements on schools in terms of four general themes: risk assessment, working in partnership, staff training and IT policies.

1. Colleges are expected to assess the risk of children or vulnerable young adults being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. This means being able to demonstrate both a general understanding of the risks affecting children and young people in the area and a specific understanding of how to identify individual children who may be at risk of radicalisation and what to do to support them. Schools and colleges should have clear procedures in place for protecting children at risk of radicalisation. These procedures may be set out in existing safeguarding policies. It is not necessary for schools and colleges to have distinct policies on implementing the Prevent duty.
2. The Prevent duty builds on existing local partnership arrangements. For example, governing bodies and proprietors of all schools should ensure that their safeguarding arrangements take into account the policies and procedures of Local Safeguarding Children Boards (LSCBs).
3. The Prevent guidance refers to the importance of Prevent awareness training to equip staff to identify children at risk of being drawn into terrorism and to challenge extremist ideas. All staff have undertaken training on British values which incorporated Prevent awareness.
4. Colleges must ensure that children are safe from terrorist and extremist material when accessing the internet in schools. Schools should ensure that suitable filtering is in place. It is also important that schools teach pupils about online safety more generally.

The Department for Education has also published advice for schools on the Prevent duty which can be accessed through the staff safeguarding page on staffnet.

1. Leadership will:
  - 1.1. establish or use existing mechanisms for understanding the risk of radicalisation;
  - 1.2. ensure staff understand the risk and build the capabilities to deal with it;
  - 1.3. communicate and promote the importance of the duty;
  - 1.4. write and regularly update a Prevent Action Plan;
  - 1.5. ensure staff implement the duty effectively;

- 1.6. work in partnership with local Prevent co-ordinators, the police and local authorities;
  - 1.7. ensure all members of the safeguarding team and other key staff have undertaken training on “Prevent for safeguarding”;
  - 1.8. Provide awareness training for all students.
2. Equality:
- 2.1. This duty will complement the institution’s responsibility under the Equality Act 2010 and cover student welfare, including equality and diversity, the safety of students and staff and ensure there is awareness of the risks of being drawn into terrorism through Prevent awareness training.
3. Staff:
- 3.1. We would expect all staff to have an understanding of the factors that make people vulnerable to being drawn into terrorism and to challenge extremist ideas which are used by terrorist groups and can purport to legitimise terrorism. Staff should have sufficient training to be able to recognise this vulnerability and be aware of what action to take in response.

### **Appendix 3 - The Designated Staff with Responsibility for Safeguarding Children and Vulnerable Adults**

The designated senior leader with lead responsibility for Safeguarding Children and Vulnerable Adults issues (the designated person) is Sheila Dance, Assistant Principal, English, maths and support. This person is a member of the College SLT. She has a key duty to take lead responsibility for raising awareness within the staff of issues relating to the welfare of children and vulnerable adults, and the promotion of a safe environment for the children and vulnerable adults learning within the College. She has received training (Level 3) in Safeguarding Children and Vulnerable Adults issues and will receive refresher training at least every two years and will ensure knowledge and skills will be refreshed at least annually. She should keep up-to-date with developments in Safeguarding Children and Vulnerable Adults issues.

The designated senior member of staff is responsible for:

1. overseeing the referral of cases of suspected abuse or allegations to the relevant investigating agencies;
2. providing advice and support to other staff on issues relating to Safeguarding Children and Vulnerable Adults;
3. maintaining a proper record of any Safeguarding Children and Vulnerable Adults referral, complaint or concern (even where that concern does not lead to a referral);
4. regularly reviewing safeguarding concerns logged on helpdesk to identify general areas of concern/trends and implementing targeted support if needed.
5. ensuring that parents of children and vulnerable adults within the College are aware of the College's Safeguarding Children and Vulnerable Adults policy;
6. liaising with the LSCB and other appropriate agencies;
7. liaising with secondary schools and other agencies to ensure a smooth transition for vulnerable learners and those known to have safeguarding concerns;
8. liaising with employers and training organisations that receive children or vulnerable adults from the College on long-term placements to ensure that appropriate safeguards are put in place; and
9. ensuring that staff receive basic training in Safeguarding Children and Vulnerable Adults issues and are aware of the College Safeguarding Children and Vulnerable Adults procedures.
10. ensuring that a designated member of staff for safeguarding is available at all times that the college is open for staff to discuss concerns.
11. ensuring that a designated member of staff for safeguarding is contactable via security in the event of an emergency out of college hours.

12. ensuring that staff understand the mandatory duty to report known case of female genital mutilation.
13. ensuring that appropriate filters and monitoring systems are in place to protect students from harmful online material.

The designated senior member of staff will provide an Annual Report to the Corporate Board of the College setting out how the College has discharged its duties. He/She is responsible for reporting deficiencies in procedure or policy identified by the LSCB (or others) to the Corporate Board at the earliest opportunity.

Other designated members of staff with responsibility for Safeguarding Children and Vulnerable Adults issues are detailed in section 4 of the policy.

These designated members of staff:

1. report to the senior leader with lead responsibility on safeguarding issues;
2. will know how to make an appropriate referral;
3. will be available to provide advice and support to other staff on issues relating to Safeguarding Children and Vulnerable Adults;
4. have particular responsibility to be available to listen to children and vulnerable adults studying at the College;
5. will deal with individual cases, including attending case conferences and review meetings as appropriate; and
6. will have received training in Safeguarding Children and Vulnerable Adults issues and will receive refresher training at least every two years.

## **Appendix 4 - Dealing with Disclosure of Abuse and Procedure for Reporting Concerns**

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

1. inform the person that you must pass the information on, but that only those that need to know about it will be told. Inform them of whom you will report the matter;
2. listen to the person, do not directly question him or her;
3. never stop a person who is freely recalling significant events;
4. make a detailed note of the discussion, taking care to record when and where it happened and who was present, as well as what the person said;
5. the member of the College staff who is the first person to receive a report or see an injury should make detailed notes of what is seen or heard of the disclosure;
6. contact with those having parental responsibility for the child or vulnerable adult involved should not be undertaken by the first person;
7. record the concern on the safeguarding helpdesk and in serious cases contact the designated person;
8. it may be necessary in exceptional circumstances for the child or vulnerable adult to be seen initially by the designated person on the College premises without the prior knowledge of those having parental responsibility for the child or vulnerable adult. If such an interview is necessary, then the designated person should be available to attend, particularly if this is requested by the child or vulnerable adult;
9. all incidents should be recorded on the safeguarding helpdesk. Records should not be available to the child or vulnerable adult or to those with parental responsibility for that child or vulnerable adult. Such information should be treated as confidential and stored securely with the College's designated person;
10. College staff are not expected to question the child or vulnerable adult beyond obtaining initial details of the alleged abuse.

Staff should not investigate concerns or allegations themselves, but should report them immediately to the designated person.

Staff should also determine with the designated person whether and when a member of staff, other than a designated member of staff, should make a referral.

If a safeguarding issue is raised during out of college hours, the member of staff in charge will contact either the police or social services, for very serious incidents, or report to the safeguarding team using the normal safeguarding email. Security staff have contact details for members of safeguarding team to contact in an emergency.

## **Appendix 5 - Reporting and Dealing with Allegations of Abuse Against Members of Staff**

This procedure should be drawn up in consultation with staff, unions and the LSCB. The following represents a starting point only.

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**

- 1.1. In rare instances, staff of education institutions have been found responsible for child abuse. Because of their frequent contact with children and vulnerable adults, staff may have allegations of child abuse made against them. The College recognises that an allegation of child 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.
- 1.2. The College recognises that the Children Act 1989 states that the welfare of the child is the paramount concern. It is also recognises 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.

### **2. Receiving an Allegation from a Child or Vulnerable Adult**

- 2.1. A member of staff who receives an allegation about another member of staff from a child or vulnerable adult should follow the guidelines set out hereafter for dealing with disclosure.
- 2.2. The allegation should be reported immediately to the designated person unless the allegation is against the designated person in which case it should be reported to a senior post holder or the designated Governor. The Principal (or designated person if the allegation is against the Principal) should:
  - 2.2.1. 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 designated person; and
  - 2.2.2. 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 Leader with responsibility for child protection issues, the designated Governor and the Local Authority Designated Officer (“LADO”) prior to any investigation.

**3.1. Where the allegation is considered to be either a potential criminal act or indicates that the child has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the LSCB.**

3.2. 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 solely on whether, or not, the allegation warrants further investigation.

3.3. Other potential outcomes are:

3.3.1. 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 child. In such circumstances, the matter should be addressed in accordance with the College disciplinary procedures.

3.3.2. the allegation can be shown to be false because the facts alleged could not possibly be true.

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

4.1. Child protection enquiries by Social Services or the Police are not to be confused with internal, disciplinary enquiries by the College. The College may be able to use the outcome of external agency enquiries as part of its own procedures. The child protection agencies, including the Police, have no power to direct the College to act in a particular way; however, the College should assist the agencies with their enquiries.

4.2. The College shall hold in abeyance its own internal enquiries while the formal Police or Social Services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform to the existing staff disciplinary procedures.

4.3. 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 designated person) is responsible for ensuring that the College gives every assistance with the agency’s enquiries. He/she will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The Principal (or designated person) shall advise the member of staff that he/she should consult with representative, for example, a trade union.

- 4.4. The Principal (or designated person) will consult with the Police or other investigating agency (e.g. Social Services) particularly in relation to timing and content of the information provided and shall:
- 4.4.1. inform the child/children or parent/carer making the allegation that the investigation is taking place and what the likely process will involve;
  - 4.4.2. ensure that the parents/carers of the child making the allegation have been informed that the allegation has been made and what the likely process will involve;
  - 4.4.3. 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; and
  - 4.4.4. inform the Chair of the Corporation (and/or designated Governor) of the allegation and the investigation.
- 4.5. The Principal (or designated person) shall keep a written record of the action taken in connection with the allegation.

## **5. Suspension of Staff**

- 5.1. Suspension should not be automatic. In respect of staff other than the Principal, and designated Senior Leaders, suspension can only be carried out by the Principal. In respect of the Principal and other Senior Leaders, suspension can only be carried out in accordance with the provisions of the Corporation's Special Committee.
- 5.2. Suspension may be considered at any stage of the allegation. 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.
- 5.3. Suspension should only occur for a good reason. For example:
- 5.3.1. where a child is at risk;
  - 5.3.2. where the allegations are, potentially, sufficiently serious to justify dismissal on the grounds of gross misconduct;
  - 5.3.3. where necessary for the good and efficient conduct of the investigation.
- 5.4. If suspension is being considered, the member of staff should be encouraged to seek advice, for example from a trade union.
- 5.5. Prior to making the decision to suspend a member of staff other than a Senior Leader (who is subject to the provisions of the Corporation's Special Committee), the Principal (or Chair, or Vice-Chair of the Corporation) should interview the member of staff. This should occur with the approval of the appropriate agency (identified by the LSCB). In particular, if the Police are

engaged in an investigation the officer in charge of the case should be consulted.

- 5.6. The member of staff should be advised to seek the advice and/or assistance of his/her trade union and should be informed that they have the right to be accompanied by a 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 interview is not a formal disciplinary hearing, but solely for raising a serious matter which may lead to suspension and further investigation.
- 5.7. During the meeting, the member of staff should be given as much information as possible, in particular the reasons for any proposed suspension, provided that doing so would not interfere with the investigation into the allegation. The meeting is not intended to establish the member of staff's innocence or guilt, but give the 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.
- 5.8. If the Principal (or Chair, Vice Chair, of the Corporation) considers that suspension is necessary, the member of staff (other than a Senior Postholder) shall be informed that he/she is suspended from duty. Written confirmation of the suspension, with reasons, shall be despatched as soon as possible and ideally within one working day.
- 5.9. Where a member of staff (other than a Senior Postholder) is suspended, the Principal (or Chair, or Vice Chair of the Corporation) should address the following issues:
  - 5.9.1. the Chair of Governors should be informed of the suspension in writing;
  - 5.9.2. the Corporate Board should receive a report that a member of staff has been suspended pending investigation; the detail given to the Corporate Board should be minimal;
  - 5.9.3. the parents/carers of the child making the allegation should be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the child making the allegation of the suspension;
  - 5.9.4. senior staff who need to know of the reason for the suspension should be informed;
  - 5.9.5. depending on the nature of the allegation, the Principal should consider with the nominated 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.

- 5.10. The Principal shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The LSCB and external investigating authorities should be consulted.
- 5.11. The suspended member of staff should be given appropriate support during the period of suspension. He/she should also be provided with information on progress and developments in the case at regular intervals.
- 5.12. The suspension should remain under review, in accordance with the Corporation's disciplinary procedures.

## **6. The Disciplinary Investigation**

- 6.1. The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures.
- 6.2. Where the member of staff has been suspended but 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.
- 6.3. The child or children or vulnerable adult(s) making the allegation and/or their parents/carers should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to College of the member of staff (if suspended).
- 6.4. The Principal (or designated person) should give consideration to what information, if any, should be made available to the general population of the College.

## **7. Allegations without foundation**

- 7.1. Obviously false allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to a referral to the local Social Services or agency as determined by local arrangements in order that other agencies may act upon the information.
- 7.2. In consultation with the designated senior manager and/or designated Governor, the Principal shall:
  - 7.2.1. inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or child protection action will be taken. Consideration should be given to offering counselling/support;
  - 7.2.2. inform the parents/carers of the alleged victim that the allegation has been made and of the outcome;
  - 7.2.3. where the allegation was made by a child or vulnerable adult other than the alleged victim, consideration to be given to informing the parents/carers of that child or vulnerable adult;

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

## **8. Records**

- 8.1. It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the member of staff's personal and confidential file. Where the allegation is found to be without foundation, a record of the allegation, investigation and outcome should be retained for ten years.
- 8.2. 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 Independent Safeguarding Authority (ISA).

## **9. Monitoring Effectiveness**

- 9.1. Where an allegation has been made against a member of staff, the nominated Governors, together with the senior staff manager 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 LSCB. Consideration should also be given to the training needs of staff.

## **Appendix 6 - Recruitment and Selection Procedures**

The College's recruitment and selection procedures should be reviewed in order to ensure that they take account of the following:

1. They should apply to staff and volunteers who may work with children.
2. The post or role should be clearly defined.
3. The key selection criteria for the post or role should be identified.
4. Vacancies should be advertised widely in order to ensure a diversity of applicants.
5. Require documentary evidence of academic/vocational qualifications.
6. Obtain professional and character references.
7. Verify previous employment history.
8. Disclosure and Barring Service (maintain sensitive and confidential use of the applicant's disclosure).
9. Use a variety of selection techniques (eg qualifications, previous experience, interview, reference checks).
10. Storage, access, retention and disposal of disclosure information
11. Agency staff working at the college
12. Recruitment of ex-offenders
13. Reporting of criminal records
14. People banned from working with children

### **College Governors**

All newly appointed members of the Corporation will be informed in their letter of appointment that they will be subject to a Disclosing and Barring Service (DBS) check as a requirement of the College. Each of the current Governors will be subject to a DBS check.

## **Appendix 7 - Accessing the Internet**

The College will make every effort to ensure that access to inappropriate material/websites on the Internet via the College's IT network is discouraged and, where possible, blocked. Access to the College network and the internet is subject to the users' acceptance of the College's Information Technology Conditions of Acceptable Use (Staff) and Information Technology Conditions of Acceptable Use (Student) Policies from the login splash screen. All internet activity is monitored and recorded and in the event of an e-safety concern, Sean McCormick (Executive Director Facilities and Resources) must be contacted to investigate.

The college will ensure appropriate up-to-date filters and monitoring are in place to protect students from harmful online material.

Computer activity is monitored at all times and improper use may result in disciplinary action for both staff and students. All students are required to undertake the online e-safety training at the beginning of the academic year.

## **Appendix 8 - Safeguarding Children Policy (Nurseries)**

The College Nursery, Bright Beginnings, has a duty to be aware that abuse does occur in our society. This statement sets out the procedures that will be taken if we have a reason to believe that a child in our care is subject to either emotional, physical, sexual abuse or neglect.

Our prime responsibility is the welfare and well-being of all the children in our care. As such, we believe we have a duty of care to the children, parents/carers and staff to act quickly and responsibly in any instance that may come to our attention.

Bright Beginnings will allocate a member of staff who is trained in child protection issues and procedures. Lynne Tomlinson, Nursery Manager, will be available to offer support and advice to other members of staff whilst maintaining confidentiality.

To allow us to voice our concerns and seek out any explanations, a meeting would be arranged with the relevant parents/carers before deciding on what action to take, if appropriate. However, a meeting may not be arranged if a child could sustain significant harm.

Bright Beginnings has a duty to make a referral of any suspicions around abuse or needs of the child to the County Duty Office. This will be the responsibility of the Nursery Manager who will contact the County Duty Officer. Any written documents will be kept; however, confidentiality will be respected at all times

The Children Act 1989 (section 47(1)) places a duty on the Local Authority/Local Safeguarding Children Board to investigate such matters.

Bright Beginnings will follow the procedures set out in the Local Safeguarding Children Board Documents and, as such, will seek their advice on all steps taken subsequently. They may also have to inform Ofsted.

The nursery has a duty to comply with all statutory guidance linked to safeguarding including:

1. Disqualification under the Childcare Act 2006 – updated February 2015
2. *Keeping Children safe in Education (KCSIE)*,
3. *Early Years Foundation Stage (EYFS)*
4. *Working Together to Safeguard Children*.

In the event of an allegation against a member of staff, Claire Ray, Area Children's Officer (Early Years) West Kent, Children's Safeguards Unit, is to be contacted as soon as possible. (Please see policy re allegation against staff).

For advise call Claire Ray on 03000412284 or 07920 108828.  
(Email [Claire.Ray@kent.gov.uk](mailto:Claire.Ray@kent.gov.uk))

If you prefer to speak to someone in the College, the College Safeguarding Officer is Sheila Dance on 01322 629414.

### **Appendix 9 - Work Placement**

No student should go out on a placement where they will be working with a lone worker (ie, any person who works by themselves without close or direct supervision, or visual or audible contact with other persons), for example, a sole trader, family placement etc.,

All students, prior to going out on work placement/experience, should be advised of the College policy and procedures with regard to child protection and safeguarding, in particular what to do if they have any concerns regarding their wellbeing and safety whilst on work experience.

The recording of information regarding the placements should be logged on Evolve.



## **Appendix 10 - Procedure for Reporting Concerns to the DBS**

The Safeguarding Vulnerable Groups Act 2006 (SVGA) places a legal duty on employers and personnel suppliers to refer any person who has:

1. harmed or poses a risk of harm to a child or vulnerable adult;
2. satisfied the harm test; or
3. received a caution or conviction for a relevant offence.

A regulated activity provider is an organisation or individual that is responsible for the management or control of regulated activity, paid or unpaid, and makes arrangements for people to work in that activity. This will usually be an employer or a voluntary organisation. Examples of a regulated activity provider would be: an NHS hospital or Health and Social Care Trust that employs people to provide care, supervision and advice to children and vulnerable adults; a Further Education College that provides education to children less than 18 years of age; or a specialist educational establishment that provides education to vulnerable adults.

A regulated activity provider can also be a person who manages volunteers in a regulated activity position, such as a scout leader or as part of a charitable organisation.

A personnel supplier is an employment agency or business that makes arrangements with a person with a view to finding that person employment, or supplying that person to employers. A personnel supplier is also an educational institution who arranges for its students to undertake placements as part of their studies.

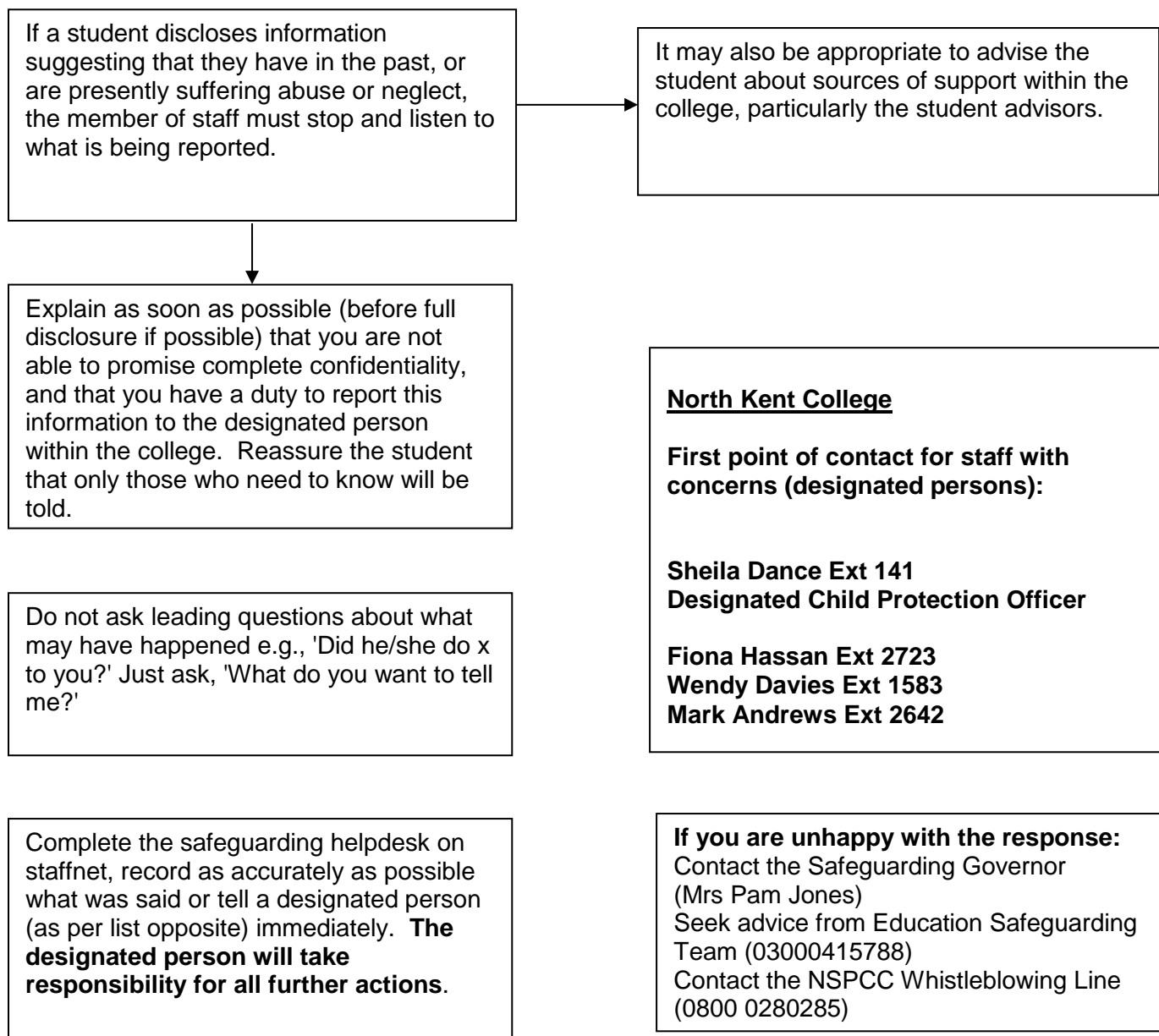
Further guidance can be found by following the link:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/209316/dbs-referral-form-guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/209316/dbs-referral-form-guidance.pdf)

Referrals must be made by the Authority of the Senior Designated Person.

## Appendix 11 Safeguarding Children and Vulnerable Adults Procedure Flow Chart

It is the duty of all staff to report any concerns to a designated person. No promises should be made to maintain confidentiality, but the student should be informed of the action taken.



## TEN KEY POINTS TO FOLLOW IF YOU SUSPECT, OR ARE TOLD, OF ABUSE

Staff should be aware of the risks of abuse and take steps to reduce those risks. Adults (staff or volunteers) in charge of children, young people or vulnerable adults should know what to do if they suspect that someone is being physically or sexually abused, or if someone tells them that this is happening. The following key points give a guide on what to do and not to do:

1. Always stop and listen straight away to someone who wants to tell you about incidents or suspicions of abuse.
2. If you can, write brief notes of what they are telling you while they are speaking (these may help later if you have to remember exactly what was said) – and keep your original notes, however rough. It's what you wrote at the time that may be important later – not a tidier and improved version you wrote up afterwards. If you don't have the means to write at the time, make notes of what was said as soon as possible afterwards.
3. Never make a promise that you will keep what is said confidential or secret. If you are told about abuse you have a responsibility to report it so that action can be taken. Give reassurance that only those who need to know will be informed.
4. Do not ask leading questions that might give your own ideas of what might have happened (e.g. "did they do X to you?") – just ask, "what do you want to tell me?" or "is there anything else you want to say?"
5. Immediately email the dedicated safeguarding email address or tell the designated person – don't tell other adults or young people what you have been told.
6. Discuss with the designated person whether any steps need to be taken to protect the person who has told you about the abuse (this may need to be discussed with the person who told you).
7. Never attempt to carry out an investigation of suspected or alleged abuse by interviewing people etc. – Social Services and Police staff are the people trained to do this – you could cause more damage and spoil possible criminal proceedings.
8. If any allegation is made regarding a member of staff, this must be referred immediately to the Designated Child Protection Officer (Sheila Dance) – **DO NOT DISCUSS WITH ANY OTHER MEMBER OF STAFF OR STUDENT.**
9. As soon as possible (and certainly the same day) the designated person should refer the matter to the local Social Services Department if necessary and appropriate (helped by your notes). Follow their guidance about what to do next. Their statutory responsibility is to initiate any necessary investigations and they can advise you.
10. Never think abuse is impossible in your college or group, or that an accusation against someone you know well and trust is bound to be wrong.
11. Be alert that children and vulnerable adults often tell their peers, rather than staff or other adults, about abuse. You may hear it from a third party.