

HR POLICIES & PROCEDURES

Safeguarding Policy

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- We will consider any request for this policy to be made available in an alternative format or language. Please contact: Director of HR
- We review our policies regularly to update them and to ensure that they are accessible and fair to all. We welcome suggestions for improving the accessibility or fairness of this policy.
- All our policies are subject to equality impact assessments*. We are always keen to hear from anyone who wishes to contribute to these impact assessments. Please contact: Director of HR

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POLICY NUMBER 53

Safeguarding Policy

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1. INTRODUCTION

- 1.1 South Tyneside College has a statutory and moral duty to ensure that the College functions with a view to safeguarding and promoting the welfare of those receiving education and training at the College.

Throughout these policies and procedures, reference is made to “children and young people” OR “child protection”. These terms are used to mean “those under the age of 18”. The governing body recognise that some adults are also vulnerable to abuse, accordingly, the procedures may be applied (with appropriate adaptations) to allegations of abuse and the protection of vulnerable adults.

The governing body is committed to ensuring that the College:

- Provides a safe environment for children and young people to learn in
- Identifies children and young people who are suffering, or likely to suffer, significant harm, and
- Takes appropriate action to see that such children and young people are kept safe, both at home and at the College.

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

- Raising awareness of issues relating to the welfare of children and young people and the promotion of a safe environment for the children and young people learning within the College
- Aiding the identification of children and young people at risk of significant harm, and providing procedures for reporting concerns
- Establishing procedures for reporting and dealing with allegations of abuse against members of staff
- Ensuring the safer recruitment of staff

- 1.2 In developing the policies and procedures, the governing body will consult with, and take account of, guidance issued by the Department for Business, Innovation and Skills and other relevant bodies and groups. These procedures have been developed in line with the Local Safeguarding Children’s Board guidelines, Working Together to Safeguard Children 2015 and Keeping Children Safe in Education 2015.

The College will refer concerns that a child or young person might be at risk of significant harm to the appropriate agencies as agreed with the LSCB.

The college works closely with its partner agencies, the Local authority, Police, LSCB, Channel Police Practitioner (CPP) and the BIS Regional

PREVENT Coordinator to ensure information is shared and referral are made as appropriate.

The Chief Executive Officer and all staff working with children will receive training adequate to familiarise them with child protection issues and responsibilities and the College procedures and policies, with refresher training at least every 3 years. There will be a senior member of the College management team with special responsibility for child protection issues. He/she shall be assisted by other members of staff with responsibility of child protection.

The governing body will receive from the designated person with lead responsibility for child protection an annual report which reviews how the duties have been discharged.

2. KEY DEFINITIONS AND CONCEPTS

2.1 **Keeping Children Safe in Education 2015** sets out definitions of the four broad categories of abuse which are used for the purpose of making a child or young person subject to a Child Protection Plan. These broad categories are a useful guide for staff who have responsibility for children and young people.

- a. Physical Abuse – may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
- b. Emotional Abuse – is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children 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 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. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.
- c. Sexual Abuse – involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child 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 child 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.

d. Neglect – is the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’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:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- Protect a child from physical and emotional harm or danger;
- Ensure adequate supervision (including the use of inadequate care-givers);
- Or ensure access to appropriate medical care or treatment;

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

e. Specific Issues and Further Information – There are 16 areas which require specific mention and further guidance should be sought for the following:

Child Sexual Exploitation
Bullying including cyberbullying
Domestic Violence
Drugs
Fabricated or Induced Illness
Faith Abuse
Female Genital Mutilation (FGM)
Forced Marriage
Gangs and youth violence
Gender based violence/violence against women and girls (VAWG)
Mental Health
Private Fostering
Radicalisation
Sexting
Teenage Relationship Abuse
Trafficking

f. Abuse of Trust – under the Sexual Offences Act 2003 it is an offense for a person over 18 to have a sexual relationship with a young person under

18 where that person is in a position of trust in respect of that young person, even if the relationship is consensual. This includes teaching and a range of support staff within educational establishments.

South Tyneside College considers that this applies to all staff. Any concerns regarding Abuse of Trust will be investigated under the Staff Disciplinary Policy and Procedure and if appropriate will be reported to the Police.

3. Designated Staff with Responsibility for Safeguarding

3.1 The college has a clear structure of staff and support for safeguarding across the college. The roles and responsibilities of those staff with designated safeguarding duties are defined in this policy. All staff involved in the safeguarding of students will be provided with the resources and time required to fulfil the requirements of that role.

3.2 Senior Staff Member with Lead Responsibility

The designated senior member of staff with lead responsibility for safeguarding is the Director of HR (designated person).

This person is a senior member of the College management team. The Designated Person has a key duty to take lead responsibility for raising awareness within the staff of issues relating to the welfare of children and young people, and the promotion of a safe environment for the children and young people learning within the College.

The Designated Person has received training in child protection issues and inter-agency working, as required by the LSCB, and will receive refresher training at least every 2 years.

The designated person is responsible for:

- Advising the Senior Executive Group on Safeguarding Matters
- Providing advice and support to other staff on issues relating to child protection
- Liaising with the LA, LSCB, CPP, BIS Regional Prevent Coordinator and other appropriate agencies
- Ensuring that staff receive basic training in child protection issues and are aware of the College child protection procedures.
- Providing an annual report to the governing body of the College setting out how the College has discharged its duties.
- Addressing any deficiencies in procedure or policy identified by the LSCB will be reported to the governing body at the earliest opportunity by the Designated Person.

3.3 Designated Staff Members

Other designated members of staff with responsibility for child protection issues are: Director of External Funding, Curriculum Leader Schools Partnership Liaison, Head of Student Services, Support and Learner Engagement, Curriculum Leader School of Deck Cadets, and General Soft Services Manager.

The Head of Student Services, Support and Learner Engagement leads in curriculum safeguarding and Prevent liaising with appropriate bodies including LA, LSACB, Police, BIS Regional Prevent coordinator and Channel.

The designated staff members will receive training in child protection issues and inter-agency working, as required by the LSCB, and will receive refresher training at least every 2 years. They will report to the senior member of staff with lead responsibility (for safeguarding issues only) and are responsible for:

- Making appropriate referrals and overseeing the referral of cases of suspected abuse or allegations to the relevant investigating agencies as agreed with LSCB.
- Maintaining a proper record of any child protection referral, complaint or concern (even where that concern does not lead to a referral) ensuring that all details are recorded on the College Safeguarding database.
- Maintaining the College Safeguarding database
- Ensuring that parents of children and young people within the College are aware of the College's child protection policy
- Liaising with secondary schools which send pupils to the College to ensure that appropriate arrangements are made for the pupils
- Liaising with employers and training organisations that receive children or young people from the College on long term placements to ensure that appropriate safeguards are put in place
- Providing advice and support to other staff on issues relating to child protection
- Taking the lead on a particular area of safeguarding e.g. early help, child sexual exploitation etc.
- Having particular responsibility to be available to listen to children and young people studying at the College

- Dealing with individual cases, including attending case conferences and review meetings as appropriate.

3.4 Designated Governor

The designated member of the governing body with responsibility for Safeguarding issues is Hilary Harrison.

The designated governor is responsible for liaising with the CEO and Designated Person over matters regarding child protection, including:

- Ensuring that the College has procedures and policies which are consistent with the LSCB's procedures
- Ensuring that the governing body considers the College policy on safeguarding each year
- Ensuring that each year the governing body 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 designated governor is responsible for overseeing the liaison between agencies such as the police, social services – as defined by the LSCB in connection with allegations against the CEO or the Designated Person. This will not involve undertaking any form of investigation, but will ensure good communication between the parties and provide information to assist enquiries.

To assist in these duties, the designated governor shall receive appropriate training.

Where a member of the Governing body has a safeguarding concern or has been informed of a safeguarding concern they should make initial contact with the Clerk of Governors. The Clerk is a central contact for all Governors and is best placed to then make contact with the appropriate Safeguarding Contact within the College.

3.5 Safeguarding Contacts

The college will train a number of staff including Personal Learning Coaches, Learning Support Assistants to be a first point of contact for students and/or staff who have concerns about safeguarding. The HR department will hold records of all staff who are trained.

These Safeguarding Contacts will receive training in child protection issues and inter-agency working, as required by the LSCB, and will receive refresher training at least every 2 years. They will report to the designated staff members (for safeguarding issues only) and will:

- Be available to provide advice and support to other staff on issues relating to child protection

- Be available to listen to children and young people studying at the College
- Will deal with individual cases, including liaising with parents/carers and where appropriate social workers to support the safeguarding of young people.
- Maintain proper records of any child protection referral, complaint or concern (even where that concern does not lead to a referral) ensuring that all details are passed to a designated member of staff for recording on the College Safeguarding database.
- Support the provision of information to parents of children and young people within the College to promote awareness of the College's child protection policy

3.6 Subcontracted Provision

For all subcontracted provision each provider has a nominated safeguarding lead.

Subcontracted partners are contracted to follow South Tyneside College (STC) Safeguarding Policy in dealing with STC students.

4. A Learner-Centred and Co-ordinated Approach to Safeguarding

4.1 Safeguarding is everyone's responsibility

In line with Working Together to Safeguard Children 2013 the College supports the view that safeguarding is everyone's responsibility.

No single professional can have a full picture of a child's needs and circumstances therefore everyone who comes into contact with them has a role to play in identifying concerns, sharing information and acting promptly.

4.2 Early Help

1. In line with working together the college supports the view that providing early help is more effective in promoting the welfare of children than reacting later. Early help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the teenage years.
2. Effective early help relies upon local agencies working together to:
 - Identify children and families who would benefit from early help;
 - Undertake an assessment of the need for early help; and
 - Provide targeted early help services to address the assessed needs of a child and their family which focuses on activity to significantly improve the outcomes for the child. Local authorities, under section 10 of the Children Act 2004, have a responsibility to promote inter-agency cooperation to improve the welfare of children.

Section 10

Section 10 of the Children Act 2004 requires each local authority to make arrangements to promote cooperation between the authority, each of the authority's relevant partners and such other persons or bodies working with children in the local authority's area as the authority considers appropriate. The arrangements are to be made with a view to improving the wellbeing of all children in the authority's area, which includes protection from harm and neglect. The College is one of the local authority's partners.

- ##### 4.3 College staff are particularly well placed to be alert to the potential need for early help for a child who:

- Is disabled and has specific additional needs;
- Has special educational needs;
- Is a young carer;
- Is showing signs of engaging in anti social or criminal behaviour;
- Is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health, domestic violence; and/or
- Is showing early signs of abuse and/or neglect.

4.4 College staff have a responsibility to identify the symptoms and triggers of abuse and neglect, to share that information and work together to provide children and young people with the help they need. The college will provide training for all staff in conjunction with the LSCB to develop their knowledge and skills in this area.

4.5 Where staff identify a cause for concern they should discuss this with a member of the safeguarding team. Where appropriate the safeguarding contact will consider whether an Early Help Assessment is required as per the LSCB threshold document.

4.6 For an early help assessment to be effective:

- The assessment should be undertaken with the agreement of the child and their parents or carers. It should involve the child and family as well as all the professionals who are working with them;
- The member of the Safeguarding team or lecturer should be able to discuss concerns they may have about a child and family with a social worker in the local authority.
- If parents and/or the child do not consent to an early help assessment then the Safeguarding contact should make a judgement as to whether without help, the needs of the child will escalate. If so a referral into local authority children's social care may be necessary.

4.7 If at any time it is considered that the child may be a child in need as defined in the Children Act 1989, or that the child has suffered significant harm or is likely to do so, a referral should be made immediately to local authority children's social care. This referral can be made by any professional.

A child in need is defined under section 17 of the Act as those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development or their health or development

will be significantly impaired without the provision of service. A child with a disability is a child in need.

4.8 Procedure for Dealing with Concerns

College staff who have regular contact with students are well placed to observe significant changes in a young person's behaviour, a failure to thrive, outward signs of abuse or behaviour which may indicate a risk of being drawn into terrorism or other concerns. In addition, young people may choose to share their concerns with staff they feel they can trust and with whom they are comfortable. Staff need to know how to respond sensitively to a young person's concerns and who to approach for advice. Whilst college staff are not responsible for investigating abuse it is essential that any suspicions of significant harm, allegations of abuse, or concerns over potential radicalisation are acted on and treated seriously.

The following guidelines should be used:

- Stay calm and reassure the young person that she/he is right to tell someone of his/her concerns.
- Do not promise confidentiality. Be honest. Explain who you need to pass the information on to and why (i.e. the appropriate person in college who will seek further advice and help.) The young person can accompany you if he/she wishes. Only the people who need to know will be told.
- Allow the young person to speak in his/her own way and at his/her own pace, avoid interrupting when the young person is recalling significant events.
- Do not be judgemental, but make a professional judgement on the likelihood of harm occurring.
- Do not interview the young person; do not ask leading questions. Factual questions are permitted in order to gather as much information as possible to create a full picture of what has happened so that this can be reported to the designated person.
- Only clarify what the young person is trying to say and ascertain whether there are any immediate issues of safety for the young person or any other children.
- Note as accurately as possible what was said, use the young person's own words do not interpret. Include the time, context and location of the disclosure. Date and sign the notes. In addition to the young person's name, add the address, date of birth, telephone contact and college course, if known. A College, Safeguarding Young People concern Form (Appendix A) is available to write up "rough notes" taken at the time of disclosure. All notes should be passed on to the Designated Staff.

- Do not investigate any suspicions, allegations or incidents of abuse, but report them within the hour (or as soon as practicable) to a Safeguarding Contact and pass on the written notes.
- Do not contact the young person's parents or carers.
 - The safeguarding Contact will seek advice from a Designated Member of Staff who will then contact The Children's Services section of the Local Authority, CPP and/or the BIS Regional PREVENT coordinator
- Where there is a concern that a young person is experiencing, may already have experienced abuse or neglect, is suffering or is likely to suffer 'significant harm' the Designated Member of Staff will refer immediately to Children's Services at the LA.
- Where there is concern of a real threat to life Emergency Services must be contacted immediately
- In exceptional circumstances if the Designated Members of Staff are not available advice should be sought from the Principal or a member of the Senior Executive Group, who will liaise with the required services as appropriate.

5 Reporting and Dealing with Allegations of Abuse Against Members of Staff

This procedure applies to all staff employed by STC.

5.1 In rare instances, staff of education institutions have been found responsible for child abuse. Because of their frequent contact with children and young people, 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 that investigations are thorough and not subject to delay.

5.2 The College recognises that the Education Act 2002 places a duty on Further Education institutions to exercise their function with a view to safeguarding and providing the welfare of students who are under 18 years of age. In addition FE institutions should have regard to Safeguarding Children, Safe Recruitment in Education and Dealing with Allegations of Abuse against Teachers and other Staff.

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.

6 Receiving an Allegation from a Child

6.1 A member of staff who receives an allegation about another member of staff from a child should follow the guidelines in Part C for dealing with disclosure

6.2 The allegation should be reported immediately to the Principal, unless the Principal is the person against whom the allegation is made, in which case the report should be made to the Designated Person or the Designated Governor. The Principal (or designated person if the allegation is against the Principal) should:

6.2.1 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 Principal (or designated person).

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

7 Initial Assessment by The Principal (or designated person)

7.1 The Principal (or designated person) should make an initial assessment of the allegation, consulting with the Designated Person and Director of HR as well as the Local Authority Designated Officer

(LADO) as appropriate. **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 LADO.**

7.2 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 to determine whether or not the allegation warrants further investigation.

7.3 Other potential outcomes are:

7.3.1 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. The matter should be addressed in accordance with the College disciplinary procedures.

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

8 Enquiries and Investigations

8.1 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.

8.2 The College shall hold in abeyance its internal enquiries while the formal police or social services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform with the existing staff disciplinary procedures.

8.3 If there is an investigation by an external agency, for example the police, the Principal and/or the Director of Human Resources (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 a representative such as a trade union.

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

- 8.4.1 inform the child/children or parent/carer making the allegation that the investigation is taking place and what the likely process will involve.
 - 8.4.2 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.
 - 8.4.3 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.
 - 8.4.4 inform the Chair of Governors and/or the designated governor of the allegation and the investigation.
- 8.5 The Principal (or designated person) shall keep a written record of the action taken in connection with the allegation.

9 Suspension of Staff

The appropriate section of the College Staff Disciplinary Policy and Procedure should be followed.

10 The Disciplinary Investigation

- 10.1 The disciplinary investigation should be conducted in accordance with the Staff Disciplinary Policy and Procedure following advice provided by a senior member of the HR Team.

11 Allegations without foundation

- 11.1 Obviously false allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to a referral to the LADO in order that other agencies may act upon the information.
- 11.2 In consultation with the designated person the Principal shall:
 - 11.2.1 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.
 - 11.2.2 inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.
 - 11.2.3 where the allegation was made by a child other than the alleged victim, consideration to be given to informing the parents/carers of that child.

11.2.4 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.

12 Records

12.1 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.

12.2 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 DBS.

13 Monitoring Effectiveness

13.1 Where an allegation has been made against a member of staff, 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 LSCB. Consideration should also be given to the training needs of staff.

10. Recruitment and Selection

The College has an established recruitment and selection procedure and HR process that seeks to identify individuals who are unsuitable to work with children.

The College will undertake appropriate recruitment and vetting checks on individuals who are being considered for employment working with children, young people and vulnerable adults.

The process ensures compliance with guidance issued by the Department of Education, Ofsted, UK Employment Legislation and appropriate professional bodies e.g. CIPD.

11. Complaints

Any complaints about the handling of any safeguarding issue should be sent to the Senior Staff Member with Lead Responsibility. If the complaint is about the Senior Staff Member with Lead Responsibility then the Clerk to the Governors should be informed. Any complaint will be dealt with in accordance with the College formal complaints procedure.

If the complainant is not satisfied with the college response then the complaint should be referred to the Skills Funding Agency, Moongate House, 5th Ave, Team Valley Trading Estate, Gateshead, Tyne and Wear NE11 0HF.

12. Policy Review

The effectiveness of this policy will be monitored annually and reviewed every three years in light of experience and best practice. This mechanism recognises that changes as a result of experience and/or to employment legislation may prompt a review of the policy before the end of the three year period.

On considering the effectiveness of this policy, consultation will be undertaken with the Trade unions, Employees and Managers to assist in the policy review and monitoring of this policy.