



**POLICY ON
SAFEGUARDING,
CHILD PROTECTION
AND PREVENT**

Author: KCAU (SS)

Reviewed & Approved: Corporation 31 January 2019

FOR STAFF and STUDENTS

INTRODUCTION

The College is fully committed to safeguarding and promoting the welfare of all learners.

The College has a statutory and moral duty to ensure that the College functions with a view to safeguarding children, young people and vulnerable adults receiving education and training.

1. POLICY STATEMENT AND PROCEDURES

The Governing Body is committed to ensuring that the College:

- provides a safe environment for all learners
- identifies learners who are suffering, or likely to suffer, significant harm, and takes appropriate action to see that such learners are kept safe 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 learners and the promotion of welfare by providing a safe environment for everyone within the College community
- aiding the identification of learners 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 safe recruitment of staff
- working in partnership with all relevant agencies to safeguard the welfare of learners and to act in law for all individuals.

In developing the policies and procedures, the Governing Body will consult with, and take account of, guidance issued by the Department for Education and other relevant bodies and groups.

These procedures have been developed with reference to the Local Safeguarding Children Boards and their Child Protection Procedures. This policy will also be used to cover the procedures for working with employers and for the use of work placements on employer premises. The College will refer concerns that a child, young person or vulnerable adult might be at risk of **significant harm** to Social Care Service/the Police/the appropriate agencies as agreed with the Local Safeguarding Children Board.

Staff, where appropriate, are subject to a DBS Disclosure and are required to work within College policies and guidelines. On appointment, all staff will be made aware of the College's commitment to safeguarding children, young people and vulnerable adults, and will be briefed on their safeguarding duties and this policy. They will also be directed to the relevant documents on the StaffShared Drive.

There will be a member of the College senior management team designated with special responsibility for issues concerning safeguarding. **The Designated Safeguarding Lead (DSL) with lead responsibility for safeguarding children, young people and vulnerable adults is THE HEAD OF STUDENT SERVICES, KATHRYN CAULFIELD.**

2. SAFEGUARDING INFORMATION FOR LEARNERS

The College is committed to ensuring that learners are aware of any behaviour towards them that is not acceptable and how they can keep themselves safe. All learners know that the College has a DSL with responsibility for safeguarding. We inform learners of whom they might talk to in College, their right to be listened to and heard and what steps can be taken to protect them from harm. We make learners aware of these arrangements through appropriate tutorial provision, induction, and information on LearnZone.

3. PARTNERSHIP WITH PARENTS/CARERS/SUPPORTERS/EMPLOYERS

The Henley College is committed to working with parents/carers/supporters/employers to safeguard the welfare of learners and preventing abuse. We will share with parents/carers/supporters/employers/relevant agencies concerns we may have about their child/employee, unless to do so may place a learner at risk of harm or the young person has exercised their right to confidentiality. We communicate our commitment to safeguarding through our website, and communication with employers.

4. DESIGNATED SAFEGUARDING LEAD (DSL)

The DSL has a key duty to take lead responsibility for raising awareness within the staff on issues relating to the welfare of children, young people and vulnerable adults, and the promotion of a safe environment for everyone within the College. They will act as the College representative on the Local Safeguarding Children Board (LSCB) and undergo refresher training in safeguarding as required by the Local Safeguarding Children Board. They will keep up to date with developments in safeguarding issues.

The DSL is responsible for:

- overseeing the referral of cases of suspected abuse or allegations to the relevant investigating agencies as agreed with Local Safeguarding Children Board
- maintaining a proper record of any referral, complaint or concern (even where that concern does not lead to a referral)
- ensuring that parents/carers/guardians of children, young people and vulnerable adults within the College are aware of the College's policy
- liaising with the LEA and the Local Safeguarding Children Board and appropriate agencies
- 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, young people and vulnerable adults from the College on long term placements to ensure that appropriate safeguards are put in place
- ensuring that the Principal and, if necessary, the designated Governor, are kept informed of any relevant issues and/or action.

The DSL will provide reports to the Governing Body of the College setting out how the College has discharged its duties .

The senior member of staff is responsible for reporting deficiencies in procedure or policy identified by the Local Safeguarding Children Board (or others) to the Governing Body at the earliest opportunity.

5. THE DESIGNATED MEMBER OF THE GOVERNING BODY WITH RESPONSIBILITY FOR SAFEGUARDING CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS ISSUES AS NOMINATED ANNUALLY BY THE CORPORATION.

The designated Governor is responsible for liaising with the DSL, Principal and Senior Staff Members with Lead Responsibility over matters regarding safeguarding children, young people and vulnerable adults including:

- ensuring that the College has procedures and policies which are consistent with the Local Safeguarding Children Board's procedures
- ensuring that the Governing Body considers the College Safeguarding Policy 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.

There will be regular meetings between the designated Governor and the designated Safeguarding Lead. The designated Governor is responsible for overseeing the liaison between agencies such as the police, the Social Care Service – as defined by the Local Safeguarding Children Board in connection with allegations against the Principal or the Senior Staff Members with Lead Responsibility. 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 as directed by the Local Safeguarding Children Board. .

6. DEFINITIONS OF ABUSE

The Governing Body recognises the following as definitions of abuse:

Abuse may fall into a number of categories e.g. physical, emotional, neglect and sexual with the additional categories for vulnerable adults of acts of omission, psychological, financial or material, institutional or professional abuse. Someone may abuse or neglect a young person by inflicting harm, by failing to act to prevent harm or by failing to ensure safety and adequate care. Harm may occur intentionally or unintentionally. Young people may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. Examples of abuse are outlined in **APPENDIX 2 and 3**. The examples noted are by no means exhaustive.

7. DUTIES OF ALL STAFF AND STAFF CODE OF CONDUCT

All staff must maintain proper and professional relationships and behave responsibly at all times to safeguard themselves and their learners. All staff are required to adhere to the College's guidelines on setting and maintaining professional boundaries and to work effectively and safely with learners and to successfully complete the mandatory training.

8. INFORMATION SHARING AND CONFIDENTIALITY

Child Protection information is shared only on a 'need-to-know' basis. However, it is important to understand that staff have a duty to share information where that information will help to inform the Social Care Service or Police enquiries. The child, young person or vulnerable adult's needs are paramount and where staff have concerns

about a young person or vulnerable adult they must share their concern through the safeguarding procedures.

9. GOOD PRACTICE GUIDELINES AND STAFF CODE OF CONDUCT

To meet and maintain responsibilities towards students there needs to be agreed standards of good practice that form a code of conduct for all staff. Good practice includes:

- Treating all students with respect.
- Setting a good example by conducting ourselves appropriately.
- Involving students in decisions that affect them.
- Encouraging positive, respectful and safe behaviour among students.
- Being a good listener.
- Being alert to changes in students' behaviour and to signs of abuse and neglect.
- Recognising that challenging behaviour may be an indicator of abuse.
- Reading and understanding the College's Child Protection Policy and guidance documents on wider safeguarding issues, for example bullying, behaviour, physical contact and information-sharing
- Asking the student's permission before initiating physical contact, such as assisting with dressing, physical support during PE or administering first aid.
- Maintaining appropriate standards of conversation and interaction with and between students and avoiding the use of sexualised or derogatory language.
- Being aware that the personal and family circumstances and lifestyles of some students lead to an increased risk of abuse.
- Referring all concerns about a student's safety and welfare to the DSL or Deputy DSL.
- Following the College's rules with regard to communication with students and use of social media and online networking. College staff must not share private information such as private phone or email numbers with students under any circumstances and social media communication should be via official channels only.
- Seeking student's consent for photographs to be taken or published (for example, on our website or in newspapers or publications)
- Seeking a signed parental consent at enrolment

All staff should be aware of their duty to raise concerns about the attitude or actions of colleagues and appropriate advice will be sought from the Designated Officers Team where necessary. We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so. See full details in our College whistleblowing policy.

10. ABUSE OF TRUST

All College staff are aware that inappropriate behaviour towards students is unacceptable and that their conduct towards students must be beyond reproach.

In addition, staff should understand that, under the Sexual Offences Act 2003, it is an offence for a person over the age of 18 to have a sexual relationship with a person under the age of 18, where that person is in a position of trust, even if the relationship is consensual. This means that any sexual activity between a member of the College staff

and a student under 18 may be a criminal offence, even if that student is over the age of consent.

11. STUDENTS WHO MAY BE PARTICULARLY VULNERABLE

Some students may have an increased risk of abuse. Many factors can contribute to an increase in risk, including prejudice and discrimination, isolation, social exclusion, communication issues and reluctance on the part of some adults to accept that abuse can occur. To ensure that all of our students receive equal protection, we will give special consideration to students who are:

- Disabled or have special educational needs (SEN)
- Young carers
- Living in a domestic abuse situation
- Affected by parental substance misuse
- Asylum seekers
- Living away from home
- Vulnerable to being bullied, or engaging in bullying.
- Living in temporary accommodation
- Live transient lifestyles
- Living in chaotic and unsupportive home situations
- Vulnerable to discrimination on the grounds of race, ethnicity, religion, disability or sexuality
- Involved directly or indirectly in sexual exploitation
- At risk of female genital mutilation (FGM) or forced marriage.

At our setting we recognise that children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. This policy reflects the fact that additional barriers can exist when recognising abuse and neglect in this group of children. This can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- children with SEN and disabilities can be disproportionately impacted by things like bullying- without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these barriers.

12. STAFF TRAINING

It is important that all staff have training to enable them to recognise the possible signs of abuse and neglect and to know what to do if they have a concern.

New staff and governors will receive training during their induction which includes the reporting and recording arrangements and details of the DSL and Deputy DSL

All staff, including the Principal and Governors will receive regular updates of College-specific safeguarding issues and will complete yearly on-line training

Supply staff and other visiting staff will be shown the College's Safeguarding Visitors Leaflet.

13. SAFER RECRUITMENT

Our College endeavours to ensure that we do our utmost to employ 'safe' staff by following the guidance in Keeping Children Safe in Education (2018) together with the LSCB and the College's individual procedures.

Safer recruitment means that all applicants will:

- Complete an application form which includes their employment history
- Provide two referees, including at least one who can comment on the applicant's suitability to work with children
- Provide evidence of identity and qualifications
- Be checked in accordance with the Disclosure and Barring Service (DBS) regulations as appropriate to their role
- Provide evidence of their right to work in the UK

At least one member of each recruitment panel will have attended safer recruitment training. All new members of staff will undergo an induction that includes familiarisation with the College's Safeguarding Policy and identification of their child protection training needs. All staff sign to confirm they have received a copy of the Child Protection Policy. The College obtains written confirmation from supply agencies that agency staff have been appropriately checked. The College maintains a single central record of recruitment checks undertaken.

14. VOLUNTEERS AND CONTRACTORS

Volunteers, including governors, will undergo checks commensurate with their work in the College and contact with students.

Supervised volunteers

Volunteers who work only in a supervised capacity and are not in regulated activity will undergo the safe recruitment checks appropriate to their role, in accordance with the College's risk assessment process and statutory guidance.

Contractors

The College checks the identity of all contractors working on site and requests DBS checks where appropriate.

15. SITE SECURITY

Visitors to the College, including contractors, are asked to sign in and are given a badge and lanyard, which confirms they have permission to be on site.

Parents who are simply delivering or collecting their children do not need to sign in. All visitors are expected to observe the College's safeguarding and health and safety regulations to ensure students in College are kept safe. The DSL will exercise professional judgement in determining whether any visitor should be escorted or supervised whilst on site.

16. E-SAFETY

Our students increasingly use electronic equipment on a daily basis to access the internet and share content and images via social networking sites such as Facebook, Twitter, MSN, Tumblr, Snapchat and Instagram. We know that some adults and young people

will use these technologies to harm others. The harm might range from sending hurtful or abusive texts and emails, radicalisation, to enticing young people to engage in sexually harmful conversations, webcam photography or face-to-face meetings. The College's Social Media Policy explains how we aim to keep students safe in College. Cyberbullying and sexting by students, via texts and emails, will be treated as seriously as any other type of bullying and will be managed through our anti-bullying procedures.

17. MISSING CHILDREN

Attendance and absence are closely monitored. A student going missing from education is a potential indicator of abuse and neglect, including sexual abuse and sexual or drug exploitation. The safeguarding team and SLT will monitor unauthorised absence, particularly where students go missing on repeated occasions.

18. PEER ON PEER ABUSE (BULLYING)

We will ensure that any form of abuse or harmful behaviour is dealt with immediately and consistently to reduce the extent of harm to the young person, with full consideration to the impact on that individual young person's emotional and mental health and well-being. While bullying between young people is not a separate category of abuse and neglect, it is a very serious issue that can cause considerable anxiety and distress. All incidences of bullying, including cyber-bullying and prejudice-based bullying should be reported and will be managed. Please refer to the College anti-bullying policy for more details

If the bullying is particularly serious, or the tackling bullying procedures are deemed to be ineffective, the DSL will consider implementing child protection procedures.

19. YOUNG PEOPLE WITH SEXUALLY HARMFUL BEHAVIOUR

If a student's behaviour suggests sexually harmful behaviour is complex and the College will work with other relevant agencies to maintain the safety of the whole College community. Young people who display such behaviour may be victims of abuse themselves and the child protection procedures will be followed for both victim and perpetrator. Staff who become concerned about a student's sexual behaviour should speak to the DSP as soon as possible.

20. EXPLOITATION OF YOUNG PEOPLE

Exploitation involves an individual or group taking advantage of the vulnerability of an individual or groups of young people. Victims can be males or females. Young people are often unwittingly drawn into sexual or drug exploitation through the offer of friendship and care, gifts, drugs and alcohol and sometimes accommodation. It is a serious crime and can have a long-lasting adverse impact on a child's physical and emotional health. It may also be linked to child trafficking. All staff are made aware of the indicators of exploitation and all concerns are reported immediately to the Designated Safeguarding Lead or Deputy Safeguarding Lead and recorded on the portal in the confidential comments area at L4/L5.

21. CONFIDENTIALITY AND SHARING INFORMATION

All staff understand that child protection issues warrant a high level of confidentiality. Staff should only discuss concerns with the Designated Safeguarding Lead, Deputy Safeguarding Lead, Safeguarding & Welfare Team, Principal or nominated governor (depending on who is the subject of the concern). That person will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis, verbally and via the portal confidential comments.

Child protection information will be stored and handled in line with the Data Protection Act 2018 which incorporates the new General Data Protection Regulation (GDPR).

Records will be stored electronically and only made available to relevant individuals. Where it is necessary to store confidential papers, these will be stored in a secure location, accessible only by the Safeguarding Lead and Deputy Safeguarding Lead. Every effort will be made to prevent unauthorised access, and sensitive information should not be stored on laptop computers, which, by the nature of their portability, could be lost or stolen. If it is necessary to store child protection information on portable media, such as a CD or flash drive, these items will also be kept in a secure location. Child protection information will be stored separately from the student's College file.

Child protection records are normally exempt from the disclosure provisions of the Data Protection Act, which means that students and parents do not have an automatic right to see them. If any member of staff receives a request from a student or parent to see child protection records, they will refer the request to the Designated Safeguarding Lead.

The Data Protection Act does not prevent College staff from sharing information with relevant agencies, where that information may help to protect a young person. The College's policy on confidentiality and information-sharing is available to parents and students on request.

22. FORCED MARRIAGE

A forced marriage is a marriage in which a female (and sometimes a male) does not consent to the marriage but is coerced into it. Coercion may include physical, psychological, financial, sexual and emotional pressure. It may also involve physical or sexual violence and abuse. A forced marriage is not the same as an arranged marriage. In an arranged marriage, which is common in several cultures, the families of both spouses take a leading role in arranging the marriage but the choice of whether or not to accept the arrangement remains with the prospective spouses.

The Henley College staff are alert to suspicions or concerns raised by a students about being taken abroad and not be allowed to return to England.

Since June 2014 forcing someone to marry has become a criminal offence in England and Wales under the **Anti-Social Behaviour, Crime and Policing Act 2014** .

23. RADICALISATION AND EXTREMISM

The College draws upon the guidance contained in the DfE Guidance 'Keeping Learners Safe in Education, 2018'; and specifically DCSF Resources 'Learning Together to be Safe', 'Prevent: Resources Guide', "Tackling Extremism in the UK", DfE's 'Teaching Approaches that help Build Resilience to Extremism among Young People'

College Ethos and Practice

When operating this policy the College uses the following accepted Governmental definition of extremism which is:

'Vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs; and/or calls for the death of members of our armed forces, whether in this country or overseas'.

There is no place for extremist views of any kind in our College, whether from internal sources – learners, staff or governors, or external sources - College community, external agencies or individuals. Our learners see our College as a safe place where they can explore controversial issues safely and where our teachers encourage and facilitate this – we have a duty to ensure this happens.

As a College we recognise that extremism and exposure to extremist materials and influences can lead to poor outcomes for learners and so should be addressed as a safeguarding concern as set out in this policy. We also recognise that if we fail to challenge extremist views we are failing to protect our learners.

Extremists of all persuasions aim to develop destructive relationships between different communities by promoting division, fear and mistrust of others based on ignorance or prejudice and thereby limiting the life chances of young people. Education is a powerful weapon against this; equipping young people with the knowledge, skills and critical thinking, to challenge and debate in an informed way. Therefore, at the Henley College we will provide a broad and balanced tutorial programme, so that our learners are enriched, understand and become tolerant of difference and diversity and also to ensure that they thrive, feel valued and not marginalized. Furthermore we are aware that young people can be exposed to extremist influences or prejudiced views from an early age which emanate from a variety of sources of media, including via the internet, and at times learners may themselves reflect or display views that may be discriminatory, prejudiced or extremist, including using derogatory language.

Any prejudice, discrimination or extremist views, including derogatory language, displayed by learners or staff will always be challenged and where appropriate dealt with in line with our Disciplinary Policy for learners and the Code of Conduct and/or Disciplinary Policy for staff.

As part of wider safeguarding responsibilities College staff will be alert to:

- Disclosures by learners of their exposure to the extremist actions, views or materials of others outside of College, such as in their homes or community groups, especially where learners have not actively sought these out.
- Graffiti symbols, writing or art work promoting extremist messages or images
- Learners accessing extremist material online, including through social networking sites
- Parental reports of changes in behaviour, friendship or actions and requests for assistance
- Partner schools, local authority services, and police reports of issues affecting learners in other Colleges or settings
- Learners voicing opinions drawn from extremist ideologies and narratives

- Use of extremist or, hate terms to exclude others or incite violence
- Intolerance of difference, whether secular or religious or, in line with our equalities policy, views based on, but not exclusive to, gender, disability, homophobia, race, colour or culture
- Attempts to impose extremist views or practices on others
- Anti-Western or Anti-British views

Our College will closely follow any locally agreed procedure as set out by the Local Authority and/or Safeguarding Children's Board's agreed processes and criteria for safeguarding individuals vulnerable to extremism and radicalisation.

We will all strive to eradicate assumptions that can lead to some young people becoming alienated and disempowered, especially where the narrow approaches learners may experience elsewhere may make it harder for them to challenge or question these radical influences, this guidance and support be delivered in tutorials.

We will ensure that all of our support and approaches will help our learners build resilience to extremism and give them a positive sense of identity through the development of critical thinking skills.

We will develop strategies and staff training to ensure that all of our staff are equipped to recognise extremism and are confident enough to challenge it.

We will be flexible enough to adapt our teaching approaches, as appropriate and address specific issues so as to become even more relevant to the current issues of extremism and radicalisation.

Our goal is to build mutual respect and understanding and to promote the use of dialogue not violence as a form of conflict resolution. We will work with local partners, families and communities in our efforts to ensure our College understands and embraces our local context and values in challenging extremist views and to assist in the broadening of our student's experiences and horizons.

We will help support learners who may be vulnerable to such influences as part of our wider safeguarding responsibilities and where we believe a learner is being directly affected by extremist materials or influences we will ensure that that learner is offered mentoring. Additionally in such instances our College will seek external support from the Local Authority and/or local partnership structures working to prevent extremism.

At the Henley College we will promote the values of democracy, the rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs. We will teach and encourage learners to respect one another and to respect and tolerate difference, especially those of a different faith or no faith. It is indeed our most fundamental responsibility to keep our learners safe and prepare them for life in modern multi-cultural Britain and globally.

Use of External Agencies and Speakers

We encourage the use of external agencies or speakers to enrich the experiences of our learners, however we will positively vet those external agencies, individuals or speakers who we engage to provide such learning opportunities or experiences for our learners.

Such vetting is to ensure that we do not unwittingly use agencies that contradict each other with their messages or that are inconsistent with, or are in complete opposition to, the College's values and ethos. Our College will assess the suitability and effectiveness of input from external agencies or individuals to ensure that:

- Any messages communicated to learners are consistent with the ethos of the College and do not marginalise any communities, groups or individuals
- Any messages do not seek to glorify criminal activity or violent extremism or seek to radicalise learners through extreme or narrow views of faith, religion or culture or other ideologies
- Activities are matched to the needs of learners
- Activities are carefully evaluated by Colleges to ensure that they are effective

We recognise, however, that the ethos of our College is to encourage learners to understand opposing views and ideologies, appropriate to their age, understanding and abilities, and to be able to actively engage with them in informed debate, and we may use external agencies or speakers to facilitate and support this encouraged to make use of our internal systems to Whistle Blow or raise any issue in confidence.

Staff can raise issues with the Corporation Secretary or other designated senior manager under the College's **'Whistleblowing' procedure**. Students can raise issues in confidence to a member of the Safeguarding Team.

Creating awareness of Prevent/Radicalisation and Extremism

The government defines extremism as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.

Some young people are at risk of being radicalised: adopting beliefs and engaging in activities which are harmful, criminal or dangerous. Islamic extremism is the most widely publicised form and the College remains alert to the risk of radicalisation into white supremacy extremism.

In the event of an extreme threat to campus:

Please see the College Lockdown Policy for more information

Attacks in the UK and abroad remind us all of the terrorist threat we face. Police and security agencies are working tirelessly to protect the public but it is also important that communities, like ours, remain vigilant and aware of how to protect themselves if the need arises.

National Counter Terrorism policing is providing advice to the public on the steps they can take to keep themselves safe in the rare event of a firearms or weapons attack.

The police service has released the short public information film called 'Stay Safe: Firearms and Weapons Attack. Run Hide Tell' which sets out the key options for keeping safe should the worst happen. All staff and students at the College have tutorials including this informative film clip every year during tutorial. We also have drill tests through the year, so all persons on campus have an idea of what to do to keep themselves safe should the College come under threat.

Staff will complete the Visiting Speaker/Event form when inviting external individuals or organisations to come on site. The exception will be other educational establishments. The forms will be stored with the Designated Safeguarding Lead and will be signed by a member of the Senior Leadership team.

Prevent Training/Education:

- All new staff receive face to face training to help to identify signs of extremism.
- All staff receive annual updates, with on-line training
- All students receive anti-terrorism & radicalisation tutorials, on line or presentations during induction and during the year
- Opportunities are provided in the curriculum to enable students to discuss issues of religion, ethnicity and culture and the College follows the DfE advice Promoting Fundamental British Values
- The Run Hide Tell Campaign is rolled out to students and staff

The College staff will report concerns to the Designated Safeguarding Lead who will liaise with the safeguarding team, the local police and will consistently seek advice from the Prevent Regional HE/FE Co-ordinator – South East of England if there are any concerns.

24. DEALING WITH DISCLOSURE OF ABUSE AND PROCEDURE FOR REPORTING CONCERNS

All staff, whether contracted, directly employed or voluntary, have a duty to discuss immediately with designated staff any knowledge, suspicion or concerns that a student is being abused. Work placement providers also have a duty of care and it is the responsibility of the work placement organiser to ensure that work placement providers are aware of their responsibilities under the College's safeguarding policy

If a student tells you about possible abuse, you should:

- Listen carefully and stay calm.
- Do not interview them, but be sure that you understand and check what the person is telling you.
- Do not put words into their mouth.
- Reassure them that, by telling you, they have done the right thing.
- Give reassuring nods or words of comfort – 'I'm so sorry this has happened', 'I want to help', 'This isn't your fault', 'You are doing the right thing in talking to me'.
- Do not automatically offer any physical touch as comfort. It may be anything but comforting to a young person who has been abused.
- Inform them that you must pass the information on to a designated staff member. Inform them to whom you will report the matter.
- Make a detailed record of the date, time, place, what the child, young person or vulnerable adult said, did and your questions etc. and pass this directly to the Designated Safeguarding Lead or Deputy Safeguarding Lead. This can be done verbally but **MUST** be recorded on the portal in the confidential comments at L5.
- It is the responsibility of staff to report their concerns. **It is not their responsibility to investigate or decide whether a student has been abused.**

A young person who is being abused or neglected may:

- Have bruises, bleeding, burns, fractures or other injuries.
- Show signs of pain or discomfort.

- Keep arms and legs covered, even in warm weather.
- Look unkempt and uncared for.
- Change their eating habits.
- Have difficulty in making or sustaining friendships.
- Appear fearful.
- Be reckless with regard to their own or other's safety.
- Self-harm.
- Frequently miss College or arrive late.
- Show signs of not wanting to go home.
- Display a change in behaviour – from quiet to aggressive or happy-go-lucky to withdrawn.
- Challenge authority.
- Become disinterested in their course work.
- Be constantly tired or preoccupied.
- Be wary of physical contact.
- Be involved in, or particularly knowledgeable about drugs or alcohol.
- Display sexual knowledge or behaviour beyond that normally expected for their age.

Individual indicators will rarely, in isolation, provide conclusive evidence of abuse. They should be viewed as part of a jigsaw, and each small piece of information will help the DSL or Deputy DLS to decide how to proceed.

It is very important that staff report their concerns – they do not need 'absolute proof' that the student is at risk. Staff are asked to report all concerns either face to face or via the College portal in the confidential comment area at L4/L5.

It is also advised that staff seek support if they are distressed by contacting the Safeguarding Lead or Deputy Safeguarding Lead.

25. IF YOU ARE CONCERNED ABOUT A STUDENT'S WELFARE

There will be occasions when staff may suspect that a student may be at risk, but have no 'real' evidence. The student's behaviour may have changed, their artwork could be bizarre, and they may write stories or poetry that reveal confusion or distress, or physical but inconclusive signs may have been noticed. In these circumstances, staff will try to give the student the opportunity to talk. The signs they have noticed may be due to a variety of factors, for example, a parent has moved out, a pet has died, a grandparent is very ill. It is fine for staff to ask the student if they are OK or if they can help in any way. If the student does begin to reveal that they are being harmed, staff should follow the guidelines in point 20 of the policy. Following an initial conversation with the student, if the member of staff remains concerned, they should discuss their concerns with the Designated Safeguarding Lead or Deputy Safeguarding Lead. All concerns must be recorded on the College portal, in the confidential comment area at L4/L5.

26. NOTIFYING PARENT:

The College will normally seek to discuss any concerns about a student with their parents. This must be handled sensitively and the DSL or member of the safeguarding team will make contact with the parent in the event of a concern, suspicion or disclosure. However, if the College believes that notifying parents could increase the risk to the

student or exacerbate the problem, advice will first be sought from children's social care, using the MASH service or the no-names service.

27. REFERRAL TO CHILDREN'S SOCIAL CARE

The DSL or Deputy DSL will make a referral to children's social care if it is believed that a student is suffering or is at risk of suffering significant harm. The student and the parents will be told that a referral is being made, unless to do so would increase the risk to the young person.

APPENDIX 1

CONTACT DETAILS FOR STAFF WITH SAFEGUARDING RESPONSIBILITIES

The named Designated Safeguarding Person (DSL) with lead responsibility for Safeguarding in the College is **KATHRYN CAULFIELD**, Head of Student Services, Room D506
Email: KCAU@henleycol.ac.uk Telephone: 4324/ 01491 634324

**IN THE EVENT OF URGENT OR IMMEDIATE RISK
CONTACT DEANFIELD RECEPTION ON
TELEPHONE EXTENSION 4242**

The designated Governor with special responsibility for safeguarding issues is:-
CATHARINE DARNTON

Other designated staff with safeguarding responsibility within the College:-

THE DEPUTY SAFEGUARDING LEAD; Zoe Jelfs; office location D506 and telephone extension 4028

- **THE PRINCIPAL**, office location D126 and telephone extension 4309.
- **THE DEPUTY PRINCIPAL**, office location D208 and telephone extension 4022
- **HEALTH, SAFETY & SECURITY MANAGER**, Room D201. Telephone Extension 4187
- **HEADS OF FACULTY**
- **SENIOR TUTORS**

APPENDIX 2

GENERAL CATEGORIES OF ABUSE

Examples of signs of abuse are outlined below. The examples noted are by no means exhaustive.

Physical Abuse

Actual or likely physical injury to a child or young person, or failure to prevent physical injury (or suffering) to a child or young person, including intentional poisoning, suffocation and fabricated or induced illness e.g.:

- Multiple bruising
- A history of unexplained falls and/or minor injuries
- Finger marks
- Burns not consistent with possible explanations
- Global or specific deterioration of health without obvious cause
- Increasing immobility
- Dehydration
- Over or under use of medication
- Fractures not consistent with falls or explanation of the injury
- Unexplained loss of hair, in clumps
- Cuts not likely to be explained by self-injury

Emotional Abuse

Persistent emotional ill-treatment of a child or young person, as to cause severe and persistent adverse effects on the child's emotional development. This may involve conveying to a child or young person that they are worthless or unloved, inadequate, or valued in so far as they meet the needs of another person. It may include persistent scapegoating, name calling (racial, religious and sexual orientation), hostility, ridicule, frightening or threatening behaviour or cruelty. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve 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 ill-treatment of children, though it may occur alone.

Neglect or Omission

The persistent failure to meet a child or young person's basic physical and/or psychological needs, likely to result in the serious impairment of the child or young person's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child or young person from physical harm or danger or failure to ensure access to appropriate medical care or treatment, e.g.

- Persistent hunger
- Loss of weight
- Poor hygiene
- Inappropriate dress
- Consistent lack of supervision for long periods, especially during activities which hold danger for them
- Constant fatigue or listlessness
- Physical problems and medical needs that are not attended to or general abandonment
- Denial of religious or cultural needs

Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetration or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material, watching sexual activities, or encouraging children to behave in sexually inappropriate ways e.g.

- Unexplained bruising around the vaginal or genital areas
- Unexplained difficulties in walking
- Reluctance of the person to be alone with an individual known to them
- Unexplained behaviour change
- Unexplained bleeding from vaginal or genital areas
- Stained or bloody underclothing
- In residential care, fear of staff offering help with undressing, bathing etc.

Psychological Abuse

This can affect young people through humiliation, insults, bullying, threats, enforced isolation, ridicule, depriving a person of due respect, dignity and affection and can demoralise the individual concerned e.g.:

- Strain within the relationship
- Indication that the abuser acts differently with the worker present than at other times with the vulnerable adult
- An air of silence in the home when the alleged abuser is present
- A general lack of consideration for the vulnerable adult's needs
- Refusal to allow the vulnerable adult an opinion of his or her own
- Denial of privacy in relation to their care, feelings or other aspects of their life
- A denial of access to the vulnerable adult, especially where the adult is in need of assistance, which they will consequently not receive
- Denial of freedom or movement e.g. locking a young person in a room
- Alterations in the psychological state, possibly withdrawal or fear.

Financial or Material Abuse

This is likely to involve access to and misappropriation of funds, possessions or benefits of a vulnerable adult. This can include, for example, the use of money or property without the informed consent of the vulnerable adult or making transactions which they do not understand. Other examples include stealing, using pressure to obtain rights to property or a will or preventing the sale of a property which would release capital to fund care packages or a residential home placement, that otherwise will put the vulnerable adult at risk e.g.

- Situations where, despite having a pension/benefits, the vulnerable adult is without money shortly after its receipt, particularly where that person is not able to spend money without assistance
- Unexplained withdrawals from savings accounts (large and small). The victim may have no realistic idea of how much money is in the account or what is happening to their financial affairs
- The unexplained disappearance of financial documents e.g. building society books and bank statements
- An unexplained shortage of money, despite a seemingly adequate income.

Institutional or Professional Abuse

Institutional abuse may be defined as both abuse by a regime itself and/or by an individual(s) of that regime. On occasions, institutions may develop practices which allow the abuse of those in their care as a matter of the daily routine of the organisation. Factors that may undermine the creation of a positive, caring culture might be, for example: weak or oppressive management, poor pay and conditions, the absence of appropriate training and support for staff, a lack of policy and clear procedures and poor channels of communication.

Forced Marriage

The difference between an arranged and a forced marriage

The tradition of arranged marriages has operated very successfully within many communities and many countries for a very long time. A clear distinction must be made between a forced marriage and an arranged marriage. In **arranged marriages**, the families of both spouses take a leading role in arranging the marriage but the choice whether to accept the arrangement remains with the individuals. In **forced marriage**, at least one party does **not consent** to the marriage and some element of duress is involved. Forced marriage is primarily an issue of violence against women. Forced marriage is a criminal offence; the offences can include abduction, physical violence and threatening behaviour. Sexual intercourse without consent is rape. If you suspect that one of your learners is being forced into a marriage against their will or if a female ethnic minority student leaves College unexpectedly and without explanation, contact the Designated Safeguarding Person.

APPENDIX 3

SPECIFIC SAFEGUARDING ISSUES

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.

They 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.

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 or College's unauthorised absence and children missing from education procedures.

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.

CHILD SEXUAL EXPLOITATION (CSE)

The sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people, (or a third person or persons) receive something, (e.g. food, accommodation, drugs, alcohol, cigarettes, affections, gifts, money) as a result of them performing and/or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain. In all cases those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidations are common, involvement in exploitative relationships being characterised in the main by the child's or young person's limited availability of choice, resulting from their social/economic and/or emotional vulnerability. (DCSF 2009).

Key Facts about CSE

- Sexual exploitation often starts around the age of 10 years old. Girls are usually targeted from age 10 and boys from age 8.
- It affects both girls and boys and can happen in all communities.
- Any person can be targeted but there are some particularly vulnerable groups: Looked after Children, Children Leaving Care and Children with Disabilities.
- Victims of CSE may also be trafficked (locally, nationally and internationally).
- Over 70% of adults involved in prostitution were sexually exploited as children or teenagers.

Sexual violence or abuse against children represents a major public health and social welfare problem within UK society, affecting 16% of children under 16. That is approximately 2 million children.

Good practice – Individuals

- Recognise the symptoms and distinguish them from other forms of abuse
- Treat the child/young person as a victim of abuse
- Understand the perspective/behaviour of the child/young person and be patient with them
- Help the child/young person to recognise that they are being exploited
- Collate as much information as possible
- Share information with other agencies and seek advice/refer to Social Care

Good practice – Organisations

- Ensure robust safeguarding policies and procedures are in place which cover CSE
- Promote and engage in effective multi-agency working to prevent abuse
- Work to help victims move out of exploitation
- Cooperate to enable successful investigations and prosecutions of perpetrators

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 Mechanism¹² 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.

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.

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, 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.

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 multiagency 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 (see following section).

FEMALE GENITAL MUTILATION FGM

FGM is child abuse and a form of violence against women and girls, and therefore should be dealt with as part of existing child safeguarding/protection structures, policies and procedures.

FGM is illegal in the UK. In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003.

Other than in the excepted circumstances, it is an offence for **any person (regardless of their nationality or residence status)** to:

- perform FGM in England, Wales or Northern Ireland (section 1 of the Act);
- assist a girl to carry out FGM on herself in England, Wales or Northern Ireland (section 2 of the Act); and
- Assist (from England, Wales or Northern Ireland) a non-UK person to carry out FGM outside the UK on a **UK national or permanent UK resident** (section 3 of the Act).

FORCED MARRIAGE (FM)

FM is now a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014 that came into force on 16 June 2014.

A FM is a marriage conducted without the valid consent of one or both parties, and where duress is a factor. Forced marriage is when someone faces physical pressure to marry (e.g. threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. if someone is made to feel like they're bringing shame on their family). This is very different to an arranged marriage where both parties give consent.

FM is illegal in England and Wales. 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)

PREVENT

The Counter Terrorism & Security Act 2015

The Act places a Prevent duty on specified schools to have "due regard to the need to prevent people from being drawn into terrorism". The education and childcare specified authorities in Schedule 6 to the Act are as follows:

- The proprietors of maintained schools, non-maintained special schools, maintained nursery schools, independent schools (including academies and free schools) and alternative provision academies, PRUs, registered early years providers, registered late years providers and some holiday schemes.

Schools/settings subject to the Prevent Duty will be expected to demonstrate activity in the following areas –

- Assessing the risk of children being drawn into terrorism
- Demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies.
- Ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board.
- Make sure that staff have training that gives them the knowledge and confidence to identify children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism
- Expected to ensure children are safe from terrorist and extremist material when accessing the internet in school

SEXTING

It is important to be aware that young people involved in sharing sexual videos and pictures may be committing a criminal offence. Specifically, crimes involving indecent photographs (including pseudo images) of a person under 18 years of age fall under Section 1 of the Protection of Children Act 1978 and Section 160 Criminal Justice Act 1988. Under this legislation it is a crime to:

- take an indecent photograph or allow an indecent photograph to be taken;
- make an indecent photograph (this includes downloading or opening an image that has been sent via email);
- distribute or show such an image;
- possess with the intention of distributing images;
- advertise; and
- possess such images.

Advice from the Association of Chief Police Officer makes it clear that children should not be criminalised and that sexting should be dealt with as a safeguarding issue(available here), but there isn't a guarantee that children or young people will not be prosecuted as this will depend on the circumstances. They therefore need clear information about the law.

Teachers and other adults running sessions on sexting also need to be aware that it may be a safeguarding issue and if they suspect a sexting incident they should:

- Reassure the person involved and try to explain to them what might happen next.
- Act quickly and secure the device. This can help to ensure that the image doesn't get shared further. Do not copy, print or share any of the content, as doing so breaks the law.
- Seek advice – report to your designated child protection officer via your normal child protection procedures.

SEXUAL VIOLENCE AND SEXUAL HARASSMENT BETWEEN CHILDREN IN SCHOOLS AND COLLEGES

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 2003/19 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.

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 in part one of this policy. 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).

APPENDIX 4

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

- 1.1 In rare instances, staff of education institutions have been found responsible for child, young person or vulnerable adult abuse and because of their frequent contact with children, young people and vulnerable adults, 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 that 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. In addition, the Care Standards Act 2000 (Protection of Vulnerable Adults (POVA) 3 requires all institutions who serve vulnerable adults to put in place checks to ensure their safety. 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.

2 RECEIVING AN ALLEGATION FROM A CHILD, YOUNG PERSON OR VULNERABLE ADULT

- 2.1 A member of staff who receives an allegation about another member of staff from a child, young person or vulnerable adult should follow the guidelines for dealing with disclosure. 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 Governor. In the event of the Principal or Designated Governor being unavailable, then the report should be made to the Deputy Principal.
The Principal (or designated governor if the allegation is against the Principal) should:
 - 2.1.1 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 Governor).
 - 2.1.2 record information about times, dates, locations and names of potential witnesses.

3 INITIAL ASSESSMENT BY THE PRINCIPAL (OR DESIGNATED PERSON)

- 3.1 The Principal (or designated person) should make an initial assessment of the allegation, consulting with the Senior Staff Member with Lead Responsibility (DSL), the Designated Governor and the Local Safeguarding Children Board as appropriate. Where the allegation is considered to be either a potential criminal

act or indicates that the child, young person or vulnerable adult has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the Local Safeguarding Children Board.

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 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, young person or vulnerable adult. 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 Safeguarding children, young people or vulnerable adults enquiries by the Social Care Service 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 children, young people or vulnerable adults 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 the Social Care Service investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform with 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 a representative, for example, a trade union.

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

4.4.1 inform the child/children, young person(s), vulnerable adult(s) or parent/carer/guardian making the allegation that the investigation is taking place and what the likely process will involve.

4.4.2 ensure that the parents/carers/guardians of the person 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.

- 4.4.4 inform the Chair of Governors and/or the 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, suspension can only be carried out by the Principal. In respect of the Principal, suspension can only be carried out by the Chair of Governors (or in his/her absence, the Deputy Chair).
- 5.2 Suspension may be considered at any stage of the investigation. It is a neutral, not 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 serious reason. For example:
 - 5.3.1 where a child, young person or vulnerable adult 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, the Principal (or Chair or Deputy Chair of Governors) should interview the member of staff. This should occur with the approval of the appropriate agency from the Local Safeguarding Children Board, a representative of the Social Care Team for Vulnerable Adults. 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 their trade union representative or 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 interview, 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 interview 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 or Deputy Chair of Governors) considers that suspension is necessary, the member of staff 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 is suspended, the Principal (or Chair or Vice Chair of Governors) should address the following issues:

- 5.9.1 The Chair of Governors should be informed of the suspension in writing.
 - 5.9.2 The Governing Body should receive a report that a member of staff has been suspended pending investigation, the detail given to the governing body should be minimal
 - 5.9.3 Where the Principal has been suspended, the Chair or Deputy Chair of Governors will need to take action to address the management of the College
 - 5.9.4 The parents/carers/guardians of the child, young person or 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 child, young person or vulnerable adult making the allegation of the suspension
 - 5.9.5 Senior staff who need to know of the reason for the suspension should be informed and advised that the information given to them should be kept confidential
 - 5.9.6 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/carer/guardians 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 Local Safeguarding Children Board 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 College disciplinary procedures.

6 THE DISCIPLINARY INVESTIGATION

- 6.1 The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures.
- 6.2 The member of staff should be informed of:
 - 6.2.1 the disciplinary charge against him/her.
 - 6.2.2 his/her entitlement to be accompanied or represented by a trade union representative or friend.
- 6.3 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.
- 6.4 The person making the allegation and/or their parents/carers/guardians 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).
- 6.5 The Principal (or designated person) should give consideration to what information 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 Safeguarding Children Board in order that other agencies may act upon the information.
- 7.2 In consultation with the designated senior member of staff and/or the 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 action will be taken. Consideration should be given to offering counselling/support from the point of suspension.
 - 7.2.2 inform the parents/carers/guardians 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, young person or vulnerable adult other than the alleged victim, consideration to be given to informing the parents/carers/guardians of that person.
 - 7.2.4 prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.

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.
- 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 Secretary of State for Education under the "List 99" procedures.

9 MONITORING EFFECTIVENESS

- 9.1 Where an allegation has been made against a member of staff, the nominated 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 Board. Consideration should also be given to the training needs of staff.