

Safeguarding Children Policy

Issue 13

October 2016

Summary of Policy:

This policy sets out the College's commitment to protecting children and young people and how the College meets its legal obligations. The policy covers the process staff must follow if they have any concerns about the safety and welfare of a child or young person.

Senior Manager Responsible for Policy:

Director of Learning
Development

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1.0 STATEMENT OF POLICY AND COMMITMENT

Tyne Metropolitan College has a statutory duty of care to ensure that the College functions with a view to safeguarding and promoting the welfare of children receiving education and training at the College. The needs and interests of young people and vulnerable adults are paramount. The College also recognises its statutory duties under the Prevent Guidance (March 2015). For full details please refer to the Prevent Policy, available on the College Toolkit and website.

Throughout this policy and its associated procedures, reference is made to “children and young people”. This term is used to mean “those under the age of 18”. The Corporation Board recognises that some adults are also vulnerable to abuse; accordingly, the College adult safeguarding procedures will apply to allegations of abuse and the protection of vulnerable adults (see separate policies, etc.).

The Corporation Board 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.
- Takes appropriate action to see that such children and young people are kept safe, both at home and at the College.
- Creates supportive environments which enable young people and vulnerable adults to be able to speak out.

In pursuit of these aims, the Corporation Board 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.
- Ensuring staff have appropriate training.
- 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 safe recruitment of staff.

In developing policy and procedures, the Corporation Board will consult with, and take account of, guidance issued by the Department for Education and other relevant bodies and groups. This policy and its associated procedures have been developed in cooperation with the Local Safeguarding Children Board (LSCB) and the Local Adult Safeguarding Board.

The College will refer concerns that a child or young person might be at risk of significant harm to the local Children’s Services. Telephone numbers will be available from the designated members of staff responsible for Safeguarding within the College.

The Corporation Board has a designated Governor with special responsibility for Safeguarding issues who is nominated annually. The Governor will undertake appropriate training. The Governor can be contacted via the Company Secretary, Tyne Metropolitan College, Battle Hill Drive, Wallsend, Tyne & Wear, NE28 9NL, or by telephone on (0191) 2295000 (main switchboard).

The Principal and all staff working with children will receive training which is adequate to familiarise them with Safeguarding issues and responsibilities and College policy and procedures, with refresher training at least every 2 years. There will be a senior member of the College management team with special responsibility for Safeguarding issues. (This is the Director of Learning Development.)

He/she shall be assisted by another member of staff with responsibility for Safeguarding. The member of staff is: The Wellbeing Coordinator / Safeguarding Officer. The Corporation Board will receive from the designated senior member of staff with lead responsibility for Safeguarding an annual report which reviews how the duties have been discharged. Any deficiencies or weaknesses in the College's safeguarding policy and procedures brought to their attention will be remedied without delay.

The Corporation Board recognises the following as definitions of abuse as expressed within the four categories below: (DfE Keeping Children Safe in Education 2016).

1. Physical Abuse

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.

2. Emotional Abuse

The persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child 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 a 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 cyberbullying), 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, although it may occur alone.

3. 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.

4. Neglect

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.

2.0 SOCIAL MEDIA

The College recognises that social media can be a medium by which some forms of abuse are channelled. Staff should be mindful at all times of the risks to children and young people from online content, without in anyway restricting students' access to the learning technologies that play an important role in enriching the learning experience. Teaching and support staff should ensure internet safety is embedded into the curriculum and that young people receive relevant and appropriate guidance on how to stay safe and how to report concerns over online content (see e-safety policy).

3.0 DESIGNATED STAFF WITH LEAD RESPONSIBILITY FOR SAFEGUARDING

The designated senior member of staff with lead responsibility for safeguarding issues is **The Director of Learning Development, Tyne Metropolitan College, Battle Hill Drive, Wallsend, Tyne & Wear NE28 9NL**

This person is a senior member of the College management team. He/she has a key duty to take lead responsibility for raising awareness within the body of 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.

He/she has received training in safeguarding issues and inter-agency working, as advised by the Local Safeguarding Children Board (LSCB), and will receive refresher training at least every 2 years. He/she should keep up to date with developments in safeguarding issues.

The designated senior member of staff is responsible for:

- Overseeing the referral of cases of suspected abuse or allegations to Children's Services.
- Providing advice and support to other staff on issues relating to safeguarding
- Maintaining a proper record of any safeguarding referral, complaint or concern (even where that concern does not lead to a referral).
- Ensuring that parents of children and young people within the College are aware of the College's safeguarding children policy.
- Liaising with the LEA and LSCB and other 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 or young people from the College on long term placements to ensure that appropriate safeguards are put in place.

- Ensuring that staff receive basic training in safeguarding issues and are aware of the College safeguarding children procedures.

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

Other Designated Staff Member

The other designated member of staff with responsibility for safeguarding issues is the Student Wellbeing Coordinator. She can be contacted by telephone by dialling 0191 2295000 (main switchboard) or writing to the College's registered office: Tyne Metropolitan College, Battle Hill Drive, Wallsend, Tyne & Wear, NE28 9NL.

The designated staff member will:

- Report to the senior member of staff with lead responsibility.
- Know how to make an appropriate referral.
- Be available to provide advice and support to other staff on issues relating to safeguarding.
- Have particular responsibility to be available to listen to children and young people studying at the College.
- Deal with individual cases, including attending conferences and review meetings as appropriate.
- Have received training in safeguarding issues and inter-agency working, as advised by the LSCB, and will receive refresher training at least every two years.

Designated Governor

The designated member of the Corporation Board with responsibility for safeguarding issues can be contacted via the Company Secretary, Tyne Metropolitan College, Battle Hill Drive, Wallsend, Tyne & Wear, NE28 9NL, or by telephone on 0191 2295000 (main switchboard).

The designated Governor is responsible for liaising with the Principal and senior staff member with lead responsibility over matters regarding safeguarding, including:

- Ensuring that the College has procedures and policies which are consistent with the Local Safeguarding Children Board's procedures and Working Together to Safeguard Children (2015) and Keeping Children Safe in Education (2016)
- Ensuring that the Corporation Board considers the College policy on safeguarding children each year.
- Ensuring that each year the Corporation Board is informed of how the College and its staff have complied with the policy, including but not limited to a report on the training that staff have undertaken.

The designated Governor is responsible for overseeing the liaison between agencies such as Children's Services and the College's Head of Human Resources in connection with allegations against the Principal or the senior staff member 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 advised by the LSCB.

4.0 DEALING WITH DISCLOSURE OF ABUSE AND PROCEDURE FOR REPORTING CONCERNS

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

- Listen carefully and stay calm. Take what the child is saying seriously. Remember that this disclosure will have taken a lot of courage.
- Reassure the child that by telling you, they have done the right thing.
- Do not interview the child, but simply clarify what is said, in order to be sure that you understand what the child is telling you. You are not trying to get at the truth or to interrogate the child. You are trying to make clear what they are saying. This can be achieved by using simple prompts such as 'Tell me', 'Explain more fully' or 'Describe that for me'. This simply helps establish a free narrative account without contaminating the disclosure or investigation.
- Do not put words into the child's mouth. Do not ask leading questions.
- Inform the child that you must pass the information on, you cannot promise confidentiality, but that only those that need to know about it will be told. Tell them to whom you will report the matter. (Designated Safeguarding Children Lead).
- Thank the child.
- Note the main points carefully.
- Make a detailed note of the date, time, place, what the child said, did and your questions, etc. Sign and date the record. The designated person will advise on how and where to store safeguarding records. It is essential that you use verbatim accounts in your recording, i.e. only document the words the child or young person uses.
- Designated staff should consider what parental contact is appropriate.

Staff should not investigate concerns or allegations themselves, but should report them immediately to the designated person. Staff need to act without delay by speaking with the designated person.

Where staff feel that the child's situation is not improving, they should 'press for re-consideration'. The guidance states that 'concerns should always lead to help for the child at some point'. 'Keeping Children Safe in Education' encourages schools and colleges to develop a stronger culture of listening to children and make sure that what they say about safeguarding issues is taken seriously. The curriculum should be used to help children understand and manage the risks around keeping themselves safe.

For more information about the process see **Annex 1 Communication process for safeguarding and child protection concerns**.

The LSCB Local Safeguarding Procedures outline the process for making a referral when there is a concern that a child or young person may be suffering significant harm. The referral should be made to the area where the child lives.

5.0 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.

Guidance is given in the North Tyneside Safeguarding and Child Protection Procedures

<http://www.northtyneside.gov.uk> (section on LADO)

5.1 Introduction

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.

Tyne Metropolitan College recognises that the Children Act 1989 states that the welfare of the child is the paramount concern. It is also recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence and career. Therefore, those dealing with such allegations within the College will do so with sensitivity and will act in a careful, measured way.

It is good practice to gain the consent of the child and/or family to share information. From the outset professionals should explain openly and honestly to children, young people and families what and how information will be shared and why. Their agreement should always be sought **unless** seeking permission would put the child or others at increased risk of significant harm or an adult at risk of serious harm **or** if it would undermine the prevention, detection or prosecution of a serious crime including where seeking consent might lead to interference with any potential investigation.

Wherever possible, you should respect the wishes of children and families who do not consent to share information. You may however; share information if, in your judgment on the facts of the case, there is a need to override the lack of consent due to child protection issues.

Information relevant to safeguarding and promoting the wellbeing of children will cover:

- Information about the health and development of a child and his/her exposure to possible harm.
- Information about a parent/carer who may need help to, or may not be able to care for a child adequately and safely.
- Information about other individuals who may pose a risk of harm to the child.

5.2 Concerns about a Member of Staff from a Colleague

- A member of staff may have concerns about another member of staff. These concerns must be communicated to either the Principal, or to the designated Governor if they concern the Principal, or to the senior member of staff designated with lead responsibility for

safeguarding. Where concerns arise with regard to staff, it is vital that the Children's Services are included in discussions from the outset and that the child's immediate safety is ensured.

5.3 Receiving an Allegation from a Child

A member of staff who receives an allegation about another member of staff from a child should follow the guidelines below 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 senior staff member with lead responsibility or the designated Governor. The Principal (or designated person if the allegation is against the Principal) should:

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

5.4 Initial Assessment by The Principal (or designated person)

The Principal (or designated person) should make an initial assessment of the allegation, consulting with the senior staff member with lead responsibility, the designated Governor and the Local Safeguarding Children Board 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 Children's Services or the police.**

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

Other potential outcomes are:

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

5.5 Enquiries and Investigations

Safeguarding enquiries by Children's Services or the police are not to be confused with internal, disciplinary enquiries by the College. The College may be able to use the outcome of external agency enquiries as part of its own procedures. The safeguarding agencies, including the police, have no power to direct the College to act in a particular way; however, the College should assist the agencies with their enquiries.

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

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.

Subject to discussion with the police or Children's Services, the Principal (or designated person) shall:

- inform the child/children or parent/carer making the allegation that the investigation is taking place and what the likely process will involve, unless to do so would place the child/young person at risk of significant harm.
- 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.
- 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, unless to do so would place the child/young person at risk of significant harm.
- inform the Chair of Governors and/or the designated Governor of the allegation and the investigation.
- The Principal (or designated person) shall keep a written record of the action taken in connection with the allegation.

5.6 Suspension of Staff

Suspension should not be automatic. In respect of staff other than the Principal and Senior Post Holders (as defined in the College's Instrument and Articles of Government), suspension can only be carried out by the Principal. In respect of the Principal and Senior Post Holders, suspension can only be carried out by the Chair of Governors (or in his/her absence, the Vice Chair of Governors) acting on behalf of the Corporation Board.

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.

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

- where a child is at risk.
- where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.

- where necessary for the good and efficient conduct of the investigation.

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

Prior to making the decision to suspend, the Principal (or Chair or Vice Chair Of Governors) should interview the member of staff. Discussion should occur with the Local Authority Designated Officer (LADO). In particular, if the police are engaged in an investigation the officer in charge of the case should be consulted.

The member of staff should be advised to seek the advice and/or assistance of his/her trade union and should be informed that they have the right to be accompanied in accordance with the 1999 Employment Relations Act. 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 if an interview is undertaken then this is not a formal disciplinary hearing, but solely for raising a serious matter which may lead to suspension and further investigation.

During the interview, the member of staff should be given limited information as to why they may well be suspended. This will assist in not interfering with the investigation into the allegation.

If the Principal (or Chair or Vice 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 shall be despatched as soon as possible and ideally within one working day.

Where a member of staff is suspended, the Principal (or Chair or Vice Chair of Governors) should address the following issues:

- The Chair of Governors (or in his/her absence the Vice Chair of Governors) should be informed of the suspension in writing
- The Corporation Board should receive a report that a member of staff has been suspended pending investigation, the detail given to the Corporation Board should be minimal
- Where the Principal or a Senior Post Holder has been suspended, the Chair or Vice Chair of Governors shall report this to the Corporation Board and the Skills Funding Agency within 2 working days or as soon thereafter as practicable.
- Where the Principal or a Senior Post Holder has been suspended, the Chair or Vice Chair of Governors will need to take action to address the management of the College
- The parents/carers of the child making the allegation should be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the child making the allegation of the suspension
- Senior staff who need to know of the reason for the suspension should be informed

- Depending on the nature of the allegation, the Principal (or Chair or Vice Chair of Governors) should consider with the nominated Governor whether a statement to the students of the College and/or parents/carers should be made, taking due regard of the need to avoid unwelcome publicity

The Principal (or Chair or Vice Chair of Governors) shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The LADO and external investigating authorities should be consulted.

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.

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

5.7 The Disciplinary Investigation

The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures **only when the formal police or Children's Services investigations has been completed.**

The member of staff should be informed of:

- The disciplinary charge against him/her.
- His/her entitlement to be accompanied in accordance with the 1999 Employment Relations Act.

Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension should be lifted immediately and arrangements made for the member of staff to return to work. It may be appropriate to offer counselling.

The child or children making the allegation and/or their parents should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to College of the member of staff (if suspended).

The Principal (or designated person) should give consideration to what information should be made available to the general population of the College.

5.8 Allegations without foundation

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.

In consultation with the designated senior member of staff and/or the designated Governor, the Principal (or Chair or Vice Chair of Governors) shall:

- Inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or safeguarding action will be taken. Consideration should be given to offering counselling/support.

- Inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.
- Where the allegation was made by a child other than the alleged victim, consideration is to be given to informing the parents/carers of that child.
- 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.

5.9 Records

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

If a member of staff is dismissed or resigns before the disciplinary process is completed, he/she should be informed about the College's statutory duty to inform the Secretary of State for Education Vetting and Barring Procedures as directed by the Independent Safeguarding Authority or its successor organisations and in accordance with the 2006 Vulnerable Groups Act.

5.10 Monitoring Effectiveness

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 LSCB. Consideration should also be given to the training needs of staff.

6.0 RECRUITMENT AND SELECTION PROCEDURES

The College will already have recruitment and selection procedures. These should be reviewed in order to ensure that they take account of the following:

They should apply to staff and volunteers who may work with children.

- The post or role should be clearly defined.
- The key selection criteria for the post or role should be identified.
- Vacancies should be advertised widely in order to ensure a diversity of applicants.
- They should require documentary evidence of academic/vocational qualifications.
- Professional and character references should be obtained.
- Previous employment history should be verified.
- They should include Disclosure and Barring Service checks, as appropriate (maintain sensitive and confidential use of the applicant's disclosure).
- They should use a variety of selection techniques (e.g. qualifications, previous experience, interview, reference checks). (see Safer Recruitment Policy)

7.0 CONTROL OF THIS DOCUMENT

The senior staff member with lead responsibility for safeguarding issues at the College will review this policy and its associated procedures for effectiveness and the need for change on an annual cycle. Recommendations for change will be made through the Safeguarding Committee to the Senior Leadership Team and then to the Corporation Board. The latest version of the document will be maintained on the College Toolkit and website.

Prepared by: **Director of Learning Development**

Tracking and validation: **Executive Officer**

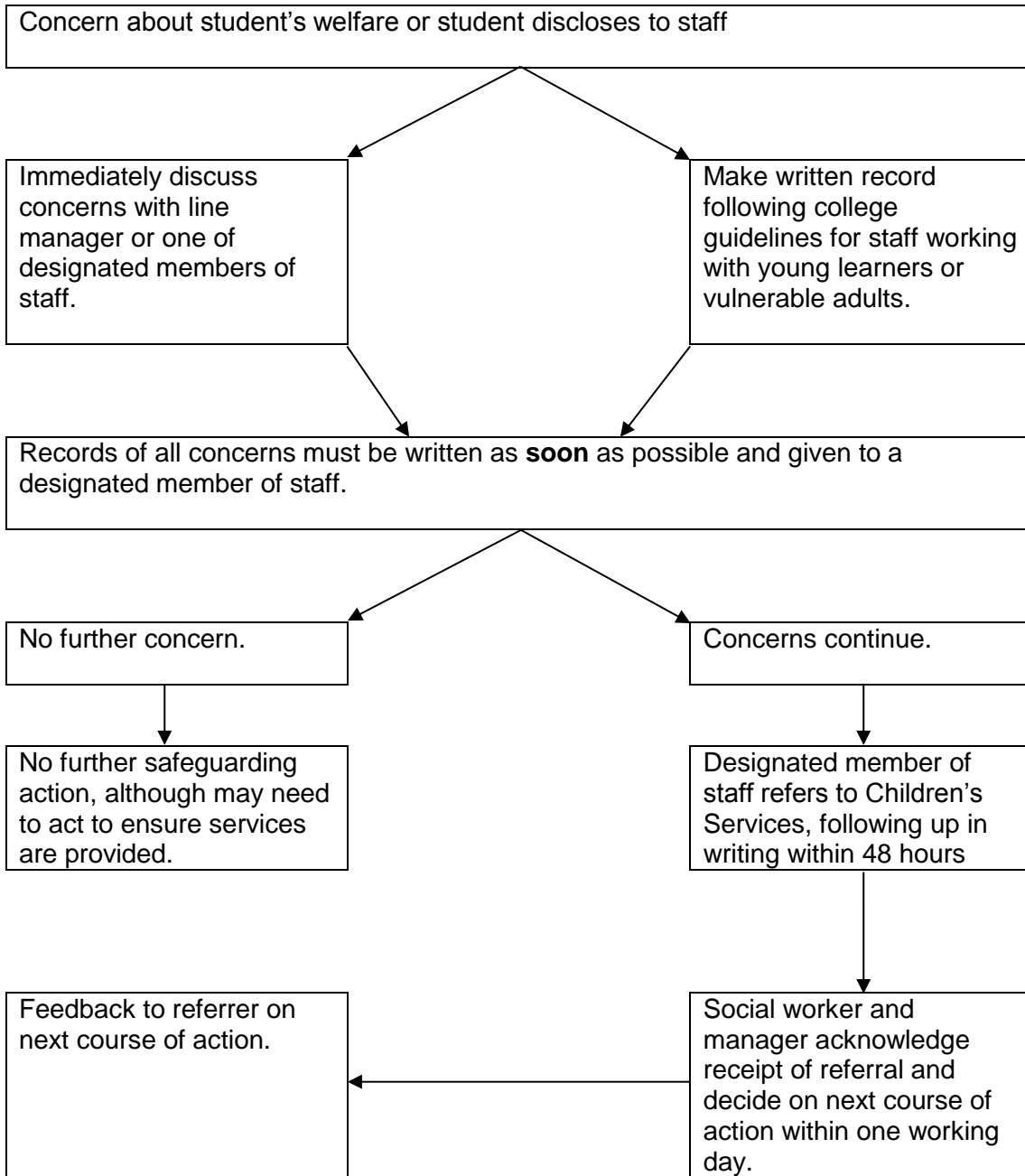
Corporation Board **D.W. Midgley**

Approval: **Signed:**
12 October 2016

Date:
October 2017

To be reviewed: **Date:**

Communication process for safeguarding concerns



Designated senior member of staff with lead responsibility for Safeguarding Children and Vulnerable Adults: Director of Learning Development, Tyne Metropolitan College, Battle Hill Drive, Wallsend, NE28 9NL

Designated Governor: Contact via: Company Secretary, Tyne Metropolitan College, Battle Hill Drive, Wallsend, NE28 9NL

Other designated staff: Student Wellbeing Coordinator, Tyne Metropolitan College, Battle Hill Drive, Wallsend, NE28 9NL

Designated Staff and Governor with Safeguarding Responsibilities:
To be confirmed annually

For 2015/16:

Designated senior member of staff with lead responsibility for safeguarding: Pam Robertson - Director of Learning Development, phone number 0191 229 5141

Designated Governor: Janet Hunter (contact via: Company Secretary) 0191 229 5000 (via switchboard)

Other designated staff: Jude Fletcher – Student Wellbeing Coordinator, phone number 0191 229 5227, email judith.fletcher@tynemet.ac.uk