

Child Protection Policy



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A General Policy Statement

Stoke on Trent Sixth Form College has a statutory and moral duty to ensure that the College functions with a view to safeguarding and promoting the welfare of children receiving education and training at the College.

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

The governing body is committed to ensuring that the College:

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

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

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

In developing the policies and procedures, the governing body will consult with, and take account of, guidance issued by the Department for Education and Skills and other

relevant bodies and groups. The procedures have been developed in cooperation with the Area Child Protection Committee (ACPC).

The College will refer concerns that a child or young person might be at risk of significant harm to Social Services or other appropriate agencies.

The Principal and all staff working with children will receive training adequate to familiarise them with child protection issues and responsibilities and the College procedures and policies, with refresher training every year. There will be a senior member of the College management team with special responsibility for child protection issues.

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

The governing body recognises the following as definitions of abuse:

Physical Abuse

Physical abuse causes harm to a child's person. It may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning or suffocating or any other form of physical attack. It may be done deliberately or recklessly, or be the result of a deliberate failure to prevent injury occurring.

Neglect

Neglect is the persistent or severe failure to meet a child or young person's basic physical and/or psychological needs. It will result in serious impairment of the child's health or development.

Sexual Abuse

Sexual abuse involves a child or young person being forced or coerced into participating in or watching sexual activity. It is not necessary for the child to be aware that the activity is sexual and the apparent consent of the child is irrelevant.

Emotional Abuse

Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the child's or young person's behaviour and emotional development, resulting in low self worth. Some level of emotional abuse is present in all forms of abuse.

B Designated Staff with Responsibility for Child Protection

Senior Staff Member with Lead Responsibility

The designated senior member of staff with lead responsibility for child protection issues is Nigel Mansfield, Director of Student Guidance and Support (Room B23, Tel. 01782 854219).

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

He has received training in child protection issues and inter-agency working, as required by the Area Child Protection Committee (ACPC), and will receive regular refresher training . He should keep up to date with developments in child protection issues.

The designated senior member of staff is responsible for:

- Overseeing the referral of cases of suspected abuse or allegations to Social Services or other agencies.
- Providing advice and support to other staff on issues relating to child protection
- Maintaining a proper record of any child protection 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 child protection policy
- Liaising with the LEA and ACPC 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 child protection issues and are aware of the College child protection procedures.

The designated senior member of staff will provide an annual report to the governing body 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 ACPC (or others) to the governing body at the earliest opportunity.

Designated Staff Members

The other designated member of staff with responsibility for child protection issues is Liz Beardmore, Senior Tutor Inclusion.

This designated staff member:

- Reports to the senior member of staff with lead responsibility
- Will know how to make an appropriate referral
- Will be available to provide advice and support to other staff on issues relating to child protection
- Have particular responsibility to be available to listen young people studying at the College
- Will deal with individual cases, including attending case conferences and review meetings as appropriate.
- Have received training in child protection issues and inter-agency working, as required by the ACPC, and will receive regular refresher training.

C 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.

Do not interview the student, but question normally and without pressure, in order to be sure that you understand what the student is telling you.

Do not put words into the student's mouth.

Reassure the student that by telling you, they have done the right thing.

Inform the student that you must pass the information on, but that only those that need to know about it will be told. Inform them of to whom you will report the matter.

Note the main points carefully.

Make a detailed note of the date, time, place, what the student said, did and your questions etc.

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

D 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 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.*

1.2 *The College recognises that the Children Act 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.*

2 Receiving an Allegation from a Child

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

2.2 *The allegation should be reported immediately to the Principal, unless the Principal is the person against whom the allegation is made, in which case the report should be made to the Senior Staff Member with Lead Responsibility. The Principal (or designated person if the allegation is against the Principal) should:*

2.2.1 *Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the Principal (or designated person).*

2.2.2 *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 and the Area Child Protection Committee as appropriate. **Where the allegation is considered to be either a potential criminal act or indicates that the child has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the ACPC.***
- 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. The matter should be addressed in accordance with the College disciplinary procedures.*
- 3.3.2 *The allegation can be shown to be false because the facts alleged could not possibly be true.*

4 Enquiries and Investigations

- 4.1 *Child protection enquiries by social services or the police are not to be confused with internal, disciplinary enquiries by the College. The College may be able to use the outcome of external agency enquiries as part of its own procedures. The child protection agencies, including the police, have no power to direct the College to act in a particular way, however, the College should assist the agencies with their enquiries.*
- 4.2 *The College shall hold in abeyance its own internal enquiries while the formal police or social services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform 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 young person or parent/carer making the allegation that the investigation is taking place and what the likely process will involve.

4.4.2 ensure that the parents/carers of the young 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 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: eg paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.

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

5.3.1 where a young person 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 ACPC. In particular, if the police are engaged in an investigation the officer in charge of the case should be consulted.*
- 5.6 *The member of staff should be advised to seek the advice and/or assistance of his/her trade union and should be informed that they have the right to be accompanied by a friend. The member of staff should be informed that an allegation has been made and that consideration is being given to suspension. It should be made clear that the interview is not a formal disciplinary hearing, but solely for raising a serious matter which may lead to suspension and further investigation.*
- 5.7 *During the 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 Vice Chair or 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 Vice Chair of Governors will need to take action to address the management of the College*
- 5.9.4 *the parents/carers of the young person making the allegation should be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the young person making the allegation of the suspension*
- 5.9.5 *senior staff who need to know of the reason for the suspension should be informed*
- 5.9.6 *depending on the nature of the allegation, the Principal should consider whether a statement to the students of the College and/or parents/carers should be made, taking due regard of the need to avoid unwelcome publicity*
- 5.10 *The Principal shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The ACPC 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 young person/people 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).*
- 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 Area Child Protection Committee in order that other agencies may act upon the information.*
- 7.2 *In consultation with the designated senior member of staff the Principal shall:*
- 7.2.1 *inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or child protection action will be taken. Consideration should be given to offering counselling/support.*
- 7.2.2 *inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.*
- 7.2.3 *where the allegation was made by a young person other than the alleged victim, consideration to be given to informing the parents/carers of that young 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 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 ACPC. Consideration should also be given to the training needs of staff.*

E 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 young people.

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.

Require documentary evidence of academic/vocational qualifications.

Obtain professional and character references.

Verify previous employment history.

Criminal Records Bureau disclosure/List 99 checks (maintain sensitive and confidential use of the applicant's disclosure).

Use a variety of selection techniques (eg qualifications, previous experience, interview, reference checks

