



CHILD PROTECTION POLICY (Including Vulnerable Adults)

This policy document describes how the College intends to fulfil its responsibilities with regard to Child Protection and it should be read in conjunction with the College's Child Protection Procedure document.

It incorporates the recommendations from the Ofsted report on *"Safeguarding Children – An evaluation of procedures for checking staff appointed by schools"*.

STATUTORY RESPONSIBILITY

Schools (including independent and non-maintained special schools) and further education institutions (with respect to those aged less than 18) should safeguard and promote the welfare of their pupils by:

- Creating and maintaining a safe learning environment for children and young people.
- Identifying where there are child welfare concerns and taking action to address them, in partnership with other organisations where appropriate.

POLICY STATEMENT

1. It is the policy of East Berkshire College to work with the police and social services whilst always placing the welfare of the child¹ at the centre of any actions taken. The definitions of abuse have been finalised in agreement with the Area Child Protection Committee (ACPC) for the College's main catchment area.
2. The College recognises that members of staff and students have an important role to play in safeguarding the welfare of children and preventing their abuse. To this end, all staff employed or working with the College are required to adhere to the procedures set out in the College's Child Protection Procedures document.
3. It is not the responsibility of the College or its staff to investigate abuse.
4. Any member of staff receiving a complaint or allegation, or who suspects that child abuse is taking place, will follow the procedures for reporting the incident.
5. The staff induction training programme includes an overview of the Child Protection Policy and Procedures.

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⁵ Partnership Action Note Ref: CXP98 30th June 2003 for Connexions Service Partnerships

6. The governing body, in conjunction with the designated senior manager, will review this policy annually².
 7. A nominated governor will be informed by the College's Designated Person² or the Principal of any complaint, allegation or suspicion of child abuse.
 8. The College has robust procedures in place to carry out checks² on all staff who normally come into contact with students³.
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1. CHILD PROTECTION PROCEDURES FOR ALL STAFF

1.1 Introduction

These procedures aim to guide East Berkshire College staff through what they should do if they suspect, or have disclosed to them, an incident of child abuse.

This guidance is applicable to: -

- All young people and children under 18, including incidents that happened whilst the person was a child but reported in adulthood.
- Students and staff who are deemed to be vulnerable adults.
- Anyone suspected of being an abuser.

1.2 Background

1.2.1 All local authorities have detailed Child Protection Procedures.

1.2.2 Social Services and the Police are the agencies in our areas with statutory powers and duties to investigate or intervene in any case of abuse or suspected abuse.

1.2.3 All local schools and colleges have a designated named person who liaises over child protection issues. The contact person is called the Designated Person (DP) for child protection². The DP will undertake training in inter-agency working that is provided by, or to standards agreed by, the ACPC and refresher training at 2 yearly intervals to keep his/her knowledge and skills up to date.²

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1.2.4 All staff need to be aware that the Designated Person is the Vice Principal, Curriculum and Quality, Kate Webb, ext 3361. The Designated Person will nominate a deputy to take on the responsibility in her absence. This will be the Director of Learner Services, Juliet Holloway, ext 3381. If neither of these people is available, you should contact the Principal or the senior manager deputising for the Principal.

1.2.5 The Designated Person will act as a link with Child Protection and other involved agencies. The Designated Person will be responsible for maintaining centralised records of concern and referrals. The Designated Person will also update staff concerned about how a case is progressing after a referral has been made. Information will be shared between staff and external agencies that need to know but otherwise they will remain confidential. Records may be shared with the student(s) to whom they refer.

1.2.6 Staff should be aware of legal rights and responsibilities in The Children's Act (1989) and The Humans Rights Act (1989). Intervention in family life is justified by the concept of preventing "significant harm".

There will be a training programme for staff and governors every 3 years.²

1.3 Definition of Abuse ⁴

Staff have a duty to refer when they suspect abuse has occurred within any category.

1.3.1 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 feigns the symptoms of, or deliberately causes, ill health to a child whom they are looking after. Proxy commonly describes this situation using terms such as factitious illness by proxy or Munchausen's Syndrome.

1.3.2 Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological need, likely to result in the serious impairment of the child's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, abandonment, or the failure to ensure access

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

1.3.3 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-penetrating acts. They may involve non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

1.3.4 Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may feature age or inappropriate expectations being imposed on children. It may involve causing children to frequently 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 a child, though it may occur alone

2 DUTIES OF STAFF

2.1 Duty to Act

Staff have a duty in law, not simply as a member of College staff but also as an individual, to report to the relevant agencies any suspicion or knowledge of abuse under the above definition. Non-academic staff are also bound by this duty. The Designated Person, on behalf of the College, makes referrals or seeks advice from the appropriate agencies on an individual's behalf.

2.2 Confidentiality

2.2.1 Staff must always take care to explain to students that although their disclosure remains confidential in that their circumstances are never discussed inappropriately with others, it is their duty in law to pass such information to the relevant Child Protection Agency.

2.2.2 Consent from the student should be obtained where possible; however the law recognises that disclosure of confidential information without consent or a court order, may be justified in the public interest to prevent harm to others.

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2.2.3 “The key factor in deciding whether or not to disclose confidential information is proportionality: is the proposed disclosure a proportionate response to the need to protect the welfare of the child?”

The amount of confidential information disclosed and the number of people to whom it is disclosed should be no more than is strictly necessary to meet the public interest in protecting the health and wellbeing of the child.”⁵

2.3 Procedures for Dealing with Disclosures or Allegation of Abuse

2.3.1 Any student under the age of 18 who tells you s/he has been abused under the definitions provided in section 1.3, or any student over 18 who reports incidents which happened in childhood, has made an **allegation**.

2.3.2 Staff have a responsibility to act on disclosure or suspicion by referring the information to the Designated Person or the deputy. Other agencies have responsibility for investigation and interventions if this is deemed appropriate.

2.3.3 It should be explained to the students that other people have to be informed of allegations of abuse within the terms of confidentiality defined in section 2.2.

2.3.4 The students should be reassured appropriately. Staff should continue to listen without displaying shock or disbelief but avoid leading questions as these can prejudice subsequent investigation.

2.3.5 The Designated Person should be contacted as soon as possible. The Designated Person will decide if a referral should be made to the investigating agencies or whether further advice from appropriate agencies needs to be sought. In any case the Designated Person will offer advice and support to the member of staff involved.

2.3.6 The Designated Person should inform the Principal and nominated Governor as soon as possible. **Only the Designated Person or the Principal can make a referral to the appropriate external agencies**

2.3.7 As soon as is practicable, staff should make a record of their concerns. This should be signed, dated and stored centrally by the Designated Person. You should explain to the students that a record of what was disclosed has to be made. This should be made within 24 hours of the initial contact and be as detailed as possible.

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2.3.8 The record should include: -

- The date
- The time
- The place where the alleged abuse happened
- Your name and the name of any other persons present
- The name of the complainant and, where different, the name of the child who has allegedly been abused
- The nature of the alleged abuse
- A description of any injuries observed
- The account that has been given of the allegation

2.3.9 Support and advice should continue to be offered appropriately and sensitively to the young person involved.

2.4 Procedures for Dealing with Suspicions of Abuse

2.4.1 If you are concerned that a student is being subjected to abuse but there has been no disclosure, for instance if non-accidental injuries or behaviour which may be caused by abuse are observed, then these concerns should be raised and discussed with the Designated Person. S/he will decide if a referral should be made or if further advice from the appropriate agencies should be sought. S/he will keep the relevant staff members informed as to what the next step should be.

2.4.2 If the suspicion of abuse involves a member of staff, the College's Staff Disciplinary Procedure will be followed after liaison with the Designated Person and the Director of Human Resources. Where appropriate other external personnel, i.e. police and social services, will be involved. **Only the Designated Person or the Principal can make a referral to the appropriate external agencies.**

2.5 Signs and Symptoms of Abuse

2.5.1 A student may have frequent or untypical injuries, not normally associated with the explanation offered.

2.5.2 A student's attitude and behaviour may change dramatically, possibly becoming very withdrawn or aggressive.

2.5.3 A student may indulge in sexual behaviour, either verbal or non-verbal, which is unusually explicit or inappropriate for his or her age.

NOTE: - Copies of Berkshire Area Local Safeguarding Children Boards – Child Protection Procedure 2006 are available in each Student Services office.

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2.6 Procedures for Dealing with Disclosures or Allegation of Abuse

Against Members of Staff or Volunteers²

2.6.1 Any student under the age of 18 who tells you s/he has been abused under the definitions provided in section 1.3, or any student over 18 who reports incidents which happened in childhood, has made an **allegation**.

2.6.2 If the allegation of abuse involves a member of staff, the College's Staff Disciplinary Procedure will be followed after liaison with the Designated Person and the Director of Human Resources. Where appropriate other external personnel, i.e. police and social services, will be involved.

In rare instances, staff of education institutions have been found responsible for child abuse. Due to 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 variety of reasons and that the facts of the allegations 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.

The 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 will do so with sensitivity and will act in a careful, measured way.

An initial assessment will be made and, if the allegation is considered to be a potential criminal act, the matter will be reported immediately to the Local Safeguarding Childrens Board.

Colleges have a duty under the Education (Prohibition from Teaching or Working with Children) Regulations 2003 to make a report to the DfES when a person is dismissed from their employment on grounds of misconduct or resigns in circumstances which would have led to their dismissal, or consideration of dismissal, on those grounds, if they had not been dismissed.

Other potential outcomes are:

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

3 STAFF CHECKS

- 3.1 The College will complete a Criminal Records Bureau (CRB) check for ALL staff who come into contact with students PRIOR to commencing employment.
- 3.2 All staff will be expected to have a CRB check every 3 years.
- 3.3 For all existing staff who do not have a current check, a system is in place to risk assess those individuals ensuring they are not able to teach alone or are removed from teaching pending receipt of the check.
- 3.4 Records will be maintained of all CRB checks with dates and by whom these checks were made for all staff on the HR computerised information system.
- 3.5 Records will be kept, within the Human Resources department, of all CRB checks that are being processed and/or need to be chased. Managers will be advised of their status so that a risk assessment can be carried out and the appropriate action may be taken.
- 3.6 Checks will be carried out for overseas staff in the same way as UK based teachers. This will include references, identity as well as any appropriate police checks that are available through embassies or local police forces.
- 3.7 We will carry out CRB checks on all overseas applicants for work in education.
- 3.8 We will roll out mandatory training in safer recruitment practices for staff whose duties will involve regular contact with children.
- 3.9 We will check and maintain records of checks carried out on agency staff.
- 3.10 We will carry out CRB checks for all governors.

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3.11 We will review our checking procedures and associated record keeping annually.

The Safeguarding Vulnerable Groups Act 2006 lays the foundation for a new scheme which aims to help avoid harm, or risk of harm, to children and vulnerable adults. The College will follow the scheme as it is phased in from Autumn 2008.

4. EMPLOYERS

The *Safeguarding Children in Education* guidance does not apply to training schemes where day release or its equivalent is part of the scheme or to employed status apprenticeships.

The College, as a matter of good practice are raising awareness of employers (placement providers) and training providers about the need for child protection by asking them to endorse a child protection policy or statement of principles.

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Appendix 1

Home Area	Under 18	Vulnerable Adults
Slough	Initial Referral 01753 690734	Elderly/Physical disability 01753 690400 CMHT 01753 690950
Royal Borough of Windsor & Maidenhead	Children & Families Duty Desk 01628 683150	Switchboard 01753 798888 Ask for Adult & Disabilities Service
North East Surrey	Spelthorne, Elmbridge, Epsom & Ewell 01372 832500	Social Care 01372 832555
South West Surrey	Guildford. Waverley 01483 517777	Social Care 01483 517700
North West Surrey	Runnymede, Surrey Heath & Woking 01483 518484	Social Care 01483 518851
South East Surrey	Reigate & Banstead, Tandridge & Mole Valley 01737 737377	Social Care 01737 737888
Buckinghamshire	High Wycombe & Amersham 01494 475211 or 475037 or 475253 Aylesbury 01296 383999	Physical Disability 01494 475128 Learning Disability 01494 475300

Bracknell Forest	Including North Ascot 01344 351 582	Learning difficulties (CMHT) 01344 351630 Elderly & Physical disability 01344 351500
Reading	Children & Families Team 0118 955 3641	Access & Advisory Team 0118 955 3621

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Home Area	Under 18	Vulnerable Adults
Barnet	Children & Families Team 020 8359 4066 / 4097	Adult Services 0208 492 5460
Brent	Including Wembley, Neasden & Harlesden 020 8937 4717	Physical disability 020 8937 4620 Learning Disability 020 8937 4336 Sensory Disability 020 8937 4669
Ealing	All referrals 020 8825 8000	All referrals 020 8825 8000
Haringey	Hornsey 020 8489 1415 Tottenham 020 8489 5409	Adults Services 020 8489 3092
Harrow	Including Edgware 020 8728 8812 Child protection Co-ordinator Steve Spur 020 8428 9644	People First 020 8424 1352

Hillingdon	Including Hayes, Uxbridge, West Drayton Switchboard 01895 250111 Ask for Duty Social Worker	Switchboard 01895 250111 Ask for Duty Social Worker
Hounslow	Child protection line (24hr answerphone) 020 8583 3456 Bedfont, Feltham & Hanworth 020 8583 3200 Brentford & Chiswick 020 8583 3400 Heston, Isleworth, Cranford & Hounslow 020 8583 3125	Adult disabilities 020 8583 3300 CMHT – Hounslow 020 8583 3496 CMHT – Feltham 020 8321 3959
Islington	Referrals 020 7527 7400 Emergency 020 7226 0992	Referrals 020 7527 2299

Home Area	Under 18	Vulnerable Adults
Richmond upon Thames	Initial Response Team 020 8891 7969	Adult Duty Desk Twickenham - 020 8891 7965 Richmond - 020 8891 7967 Teddington - 020 8891 7971
Kingston upon Thames	Initial Response Team 020 8547 5888	Adult Services 020 8547 6008

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