

# Safeguarding

## Policy for the Protection of Children and Young People

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This policy and procedure is subject to The Equality Act 2010 which recognises the following categories of individual as Protected Characteristics: Age, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex (gender), Sexual orientation, Disability.

## **Introduction**

Safeguarding is a core element of all aspects of College activity. The term Safeguarding describes the broader preventative and precautionary approaches to planning and procedures that are necessary to be in place to protect all students, staff and visitors and minimise risk from any potential harm. Protection of children and vulnerable adults, 'Safer Recruitment' practice and health and safety are all aspects of Safeguarding.

The College recognises that personal safety is a fundamental precondition for effective and successful teaching and learning and can only be felt in a safe learning environment that promotes well-being, safety and security for all students, staff and visitors.

The College recognises that Safeguarding impacts on all areas of an individual's life. The College aims to build knowledge of Safeguarding and resilience in students within their college experience, personal lives and within the community.

The College has detailed procedures underpinning this policy to provide clear direction to staff, these can be found in Annex 1. Application of these procedures is mandatory.

In developing the policy and procedures, the College consulted with, and took account of, guidance issued by the Department of Children, Schools and Families and other relevant bodies and groups. The procedures have been developed in cooperation with the Milton Keynes Safeguarding Children Board (MKSCB).

*Note: Throughout, reference is made to 'children and young people'. This term is used to mean 'those under the age of 18'. The College recognises that some adults are also vulnerable to abuse; accordingly, the College has a separate Policy and Procedure for Safeguarding Vulnerable Adults.*

## **Policy**

Milton Keynes College has a statutory and moral duty to safeguard and promote the welfare of children receiving education and training at the College. It is the policy of the College to ensure that:

- a safe learning environment is provided for children and young people;
- children and young people who are suffering, or are likely to suffer, significant harm are identified;
- appropriate action is taken to ensure that such children and young people are kept safe.

Overall responsibility for compliance monitoring lies with the Safeguarding Group which is chaired by the Vice Principal Curriculum. Designated members of senior staff are assigned responsibility for receiving referrals and taking appropriate action.

## **Scope**

This policy applies to any student under the age of eighteen who is engaged on a learning programme at Milton Keynes College, including students taking part in visits or residential trips and those studying in the workplace.

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.

## **Aims**

- to promote a safe environment for the children and young people learning within the College;
- to ensure that all child protection matters are dealt with according to national guidelines and statutory requirements;
- to fulfil the statutory requirement of providing staff with relevant and up-to-date training, information and guidance every three years;
- to aid the identification of children and young people at risk of significant harm, and provide procedures for reporting concerns;
- to act promptly in response to any incident reported;
- to establish procedures for reporting and dealing with allegations of abuse against members of staff;
- to ensure students are provided with appropriate information relating to safeguarding and building their resilience;
- to maintain a confidential centralised database of all reported child protection issues;
- to provide an annual report to the Board of Governors which reviews how the College's statutory duties have been discharged. This report will go, in the first instance, to the College's Safeguarding Group;
- to review, annually, the Policy and Procedures for approval by the Board of Governors.



## Safeguarding

# Procedures for the Protection of Children and Young People

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## **DESIGNATED STAFF WITH RESPONSIBILITY FOR SAFEGUARDING CHILDREN AND YOUNG PEOPLE**

### **Senior Member of Staff with Lead Responsibility**

The designated senior member of staff with lead responsibility for safeguarding children and young people is the Director of Student Services, She/he will be assisted by three other designated members of staff: two Directors of Curriculum and the Manager for Student Support. Designated members of staff have a key 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 children and young people within the College.

Designated members of staff receive training in safeguarding children and young people and inter-agency working, as required by the Local Safeguarding Children's Board (LSCB) and will receive refresher training at least every two years. The Team is required to keep up to date with developments in safeguarding children and young people.

Designated staff are responsible for:

- overseeing the referral of cases of suspected abuse or allegations to Milton Keynes Children and Young People's Service Children's Social Care;
- maintaining a proper record of any safeguarding children and young people 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 Policy for the Protection of Children and Young People;
- liaising with Milton Keynes Children and Young People's Service and other appropriate agencies;
- liaising with secondary schools which send pupils to the College to ensure that appropriate arrangements are made for those pupils;
- ensuring that the College works with employers and training organisations that provide apprenticeships and/or work placements for children or young people from the College to ensure that appropriate safeguards are in place;
- ensuring that all staff receive training in safeguarding children and young people, are aware of the College's Procedures for Protecting Children and Young People and that refresher training takes place every three years.
- The designated senior member of staff will provide information on an annual basis to the Board of Governors setting out how the College has discharged its duties. He/she is also responsible for reporting deficiencies in procedure or policy identified by the Local Safeguarding Children Board to the Board of Governors at the earliest opportunity.

## **Safeguarding Children and Young People Designated Staff Team**

Avril Hill, Director of Student Services – Chaffron Way Campus 01908 684554, email: [avril.hill@mkcollege.ac.uk](mailto:avril.hill@mkcollege.ac.uk) (Senior Member of staff)

Lindsey Styles, Director Curriculum – Bletchley Campus 01908 637139, email: [lindsey.styles@mkcollege.ac.uk](mailto:lindsey.styles@mkcollege.ac.uk)

Dorne Macken, Director Curriculum – Chaffron Campus 01908 634504, email: [dorne.macken@mkcollege.ac.uk](mailto:dorne.macken@mkcollege.ac.uk)

Ruth Hester, Student Support Manager – Bletchley Campus 01908 637307, email: [ruth.hester@mkcollege.ac.uk](mailto:ruth.hester@mkcollege.ac.uk)

These designated staff will:

- be accountable to the senior member of staff with lead responsibility;
- know how to make an appropriate referral to Milton Keynes Children and Young People's Services;
- be available for consultation and be able to provide advice and support to other staff on issues relating to safeguarding children and young people;
- have skills of listening to children and young people studying at the College;
- will deal with individual cases, including attending case conferences and review meetings as appropriate;
- have received training in safeguarding children and young people and inter-agency working, as required by the Local Safeguarding Children's Board, and will receive refresher training at least every 2 years;
- will have the ability to record appropriately;
- will ensure that the young person and the member involved in the procedure are aware of the support provided by the College Counselling Service.

## **Governor Champion for Safeguarding Children and Young People**

The Governor Champion is responsible for liaising with the Principal and the Senior Member of Staff with Lead Responsibility over matters regarding safeguarding children and young people, including:

- ensuring that the College has procedures and policies which are consistent with the Local Safeguarding Children's Board procedures;
- ensuring that the Board of Governors annually reviews the College's Policy for the Protection of Children and Young People;
- ensuring that the Board of Governors is informed annually of how the College and its staff have complied with the Policy, including but not limited to, a report on the training that the staff have undertaken.

The Governor Champion is the contact person for liaison between agencies such as the police and the Children's Trust in connection with allegations against the Principal or the designated senior member of staff 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 Governor Champion shall receive appropriate inter-agency training as directed by the Local Safeguarding Children's Board.

## **GUIDANCE FOR HANDLING DISCLOSURE OF ABUSE AND PROCEDURE FOR REPORTING CONCERNS**

Staff should **NOT** investigate concerns or allegations themselves, but should report them immediately to a designated member of staff.

When a young person makes an allegation of abuse, the member of staff who receives it should:

- reassure the young person that they have done the right thing;
- Listen and not interrupt;
- **not** promise the young person that they will keep the matter confidential. Explain to him/her that you must report the matter to the Safeguarding Children and Young People Team, as this is your legal duty;
- let the individual finish speaking and then only ask questions if you are still unsure whether this is a safeguarding children and young people issue;
- note, this is not an investigation; simply establish the key facts, remember TED (**Tell, Explain, Describe**);
- only ask simple, open, non-leading questions. For example, if a young person tells you they have been hurt, ask, 'Can you describe how that happened?' rather than 'Did someone hit you?'
- accept what the young person is saying and do not offer an alternative interpretation of the alleged events;
- once concerned enough to raise the matter with a designated member of staff, do not ask any more questions;
- write down what has been said immediately afterwards, to the best of your memory, in the words used by the young person and you (attach transcript to Form 1);
- **not** ask the person to sign anything at this stage;
- note anything about the young person which may be connected, for example, any visible injuries including the position and description;
- verbally report the matter to a designated member of staff as soon as possible and within 24 hours (if you are unable to contact a member of the Designated Team please contact any member of the Senior Management Team);
- if in doubt, seek advice from one of the designated members of staff;
- complete Form 1 and submit it to a designated member of staff;
- ensure Form 1 is signed and dated by the member of staff who received the allegation and countersigned and dated by the designated member of staff.

## **REPORTING AND DEALING WITH ALLEGATIONS OF ABUSE AGAINST MEMBERS OF STAFF**

In rare instances, a member of staff of an educational institution has been found responsible for child abuse. Additionally, 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.

The College recognises that the Children Act 1989 states that the welfare of the child/young person 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.

### **Receiving an Allegation from a Child or Young Person**

A member of staff who receives an allegation about another member of staff from a child/young person 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 Senior Member of Staff with Lead Responsibility or the Designated Governor. The Principal (or designated person if the allegation is against the Principal) should:

- deal with the allegation as a matter of urgency;
- obtain written details of the allegation from the person who received it, which should be 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.

## **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 Member of Staff with Lead Responsibility, the Designated Governor and Milton Keynes Safeguarding Children's Board as appropriate. Where the allegation is considered to be either a potential criminal act or indicates that the child/young person has suffered, is suffering or is likely to suffer significant harm, the matter should be reported directly to the Local Authority Designated Officer (LADO).

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 as to 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/young person. The matter should be addressed in accordance with the College's disciplinary procedures;
- The allegation can be shown to be false because the facts alleged could not possibly be true.

## **Enquiries and Investigations**

Safeguarding children and young people enquiries by Milton Keynes Children's Services Social Care 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 and young people 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 must 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 to 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 objections from the police or other investigating agency, 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;
- ensure that the parents/carers of the child/young person 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.
- 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.

### **Suspension of Staff**

Suspension should not be automatic. In respect of staff other than the Principal, suspension can only be carried out by the Principal or senior post holder with delegated authority. In respect of the Principal, suspension can only be carried out by the Chair of Governors (or in his/her absence, the Deputy Chair).

Suspension may be considered at any stage of the investigation. It is a neutral, no blame suspension 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.

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

- where a child/young person 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.

Prior to making the decision to suspend, the Principal/senior post holder, (Chair or Vice Chair of Governors) and designated senior member of staff, may meet with the member of staff but this should be with the approval of 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 that they have the right to be accompanied by a trade union representative, professional association or a fellow work colleague. The member of staff should be informed that an allegation has been made and that consideration is being given to a no blame suspension. The purpose of the meeting is to provide information about, where possible, the allegation and to inform the member of staff of the process that will be followed. The meeting should be with the Principal or senior post holder with delegated authority and the HR Manager.

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, on a no blame basis and the estimated length of time of the suspension. Written confirmation of the suspension, with reasons, will be despatched as soon as possible, and ideally within one working day.

Where a member of staff is suspended, the Principal/senior post holder, (or Chair/Vice Chair of Governors) and the designated senior member of staff, should attend to the following:

- the Chair of Governors shall be informed of the suspension in writing;
- the Board of Governors should receive a report that a member of staff has been suspended pending investigation, the detail given to the governing body should be minimal and should not identify the member of staff by name;
- 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;
- the parents/carers of the child/young person making the allegation should be informed of the no blame suspension and asked to treat the information as confidential. Consideration should be given to informing the child/young person 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, designated member of the senior management team will 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. Legal advice should be sought on this.

The Principal/senior post holder (or Chair/Vice Chair of Governors) and designated senior member of staff will 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.

The suspended member of staff shall be given appropriate support during the period of suspension. He/she will also be provided with information on progress and developments in the case at regular intervals.

The suspension process will be carried out in accordance with the relevant College disciplinary procedures.

### **The Disciplinary Investigation**

The disciplinary investigation will be conducted in accordance with the existing staff disciplinary procedures

The member of staff should be informed of:

- the disciplinary charge against him/her;
- his/her entitlement to be accompanied by a trade union or professional association representative or work colleague.

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/young person 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.

### **Allegations without foundation**

As 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 senior post holder with delegated authority shall:

- inform, orally and in writing, the member of staff against whom the allegation is made that no further disciplinary or safeguarding children and young people action will be taken;
- advise the member of staff of the opportunity for 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/young person other than the alleged victim, consideration should be given to informing the parents/carers of that child/young person;
- 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.

## **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 in accordance with internal procedures.
- 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 Children, Schools and Families under ISA (Independent Safeguarding Authority) Procedures.

## **Monitoring Effectiveness**

Where an allegation has been made against a member of staff, the nominated Governor, together with the designated senior member of staff 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 Policy 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.

## **REPORTING AND DEALING WITH ALLEGATIONS OF ABUSE AGAINST ANOTHER STUDENT**

If any student makes an allegation of abuse against another student this must be reported to a member of the Designated Team. The designated member of staff will decide whether the matter is of a serious nature or should be dealt with under the College's policies for example, Disciplinary or Bullying and Harassment.

If the allegation of abuse is of a sexual or serious nature the young person should be encouraged to report the abuse/offence directly to the police. The designated member of staff will in all such cases report the matter directly to the Milton Keynes Children's Services (Referral and Assessment Team). Should the young person be unwilling to report the matter to the police the designated member of staff will seek additional advice and guidance from Children's Services, will consult informally with the College's local police officer, and will seek to work with the young person to ensure there are appropriate measures and strategies in place to support his or her safety.

## **PROCEDURES TO DEAL WITH ALLEGATIONS OF ABUSE WHERE AN OUTSIDE AGENCY IS ACTIVELY INVOLVED WITH THE YOUNG PERSON**

If a student discloses abuse against an employee of an outside agency and the College is aware of the active involvement of that agency (for example, Youth Offending Team, Connections), a designated member of staff, with the explicit permission of the young person, will inform that external agency of the allegation and, if appropriate, the name of the alleged perpetrator. This action will be taken alongside the direct referral to Milton Keynes Children's Services (Referral and Assessment Team). Should the young person not give permission the matter must in any case be shared with Children's Services.

Members of staff from external agencies working in their professional capacity (for example educational psychologists, health professionals, key workers) with young people in College do not require a College CRB check to undertake that work, where the College has established inter agency working and is assured of that agency having appropriate safeguarding procedures in place. Where a child or young person is accompanied regularly by an adult facilitator who may be a volunteer or parent then the College would require a CRB check.

Where a third party makes an allegation about, for example, a key worker, health professional, carer or parent supporting a student then the matter will be reported to the agency employing that person (where there is such) and in all cases will be referred to Children's Services, as above.

## **TRAINING**

To comply with legislation all staff must attend Child Protection training every three years. This training will meet minimum standards set by the Milton Keynes safeguarding Children Board (MKSCB).

Additionally, for reference an outline of the training provided by the College may be accessed by staff via the Staff Intranet.

Members of the College's Designated Team will undertake Milton Keynes Council's Designated Teacher and Designated Teacher 'Refresher' training as required by the Safeguarding Children Board. Additional training for the Designated Team will be supported as informed by the annual report to the College's Safeguarding Group, and the guidance of the Safeguarding Children Board on local priorities.

### Definitions of Abuse and Neglect

Abuse and neglect are forms of maltreatment of a child/young person. Somebody may abuse or neglect a child/young person by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults, or another child or children.

#### Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child/young person. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child/young person.

#### Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child/young person such as to cause severe and persistent adverse effects on the child/young person's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child/young person participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve witnessing domestic violence. It may involve serious bullying, causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

#### Sexual Abuse

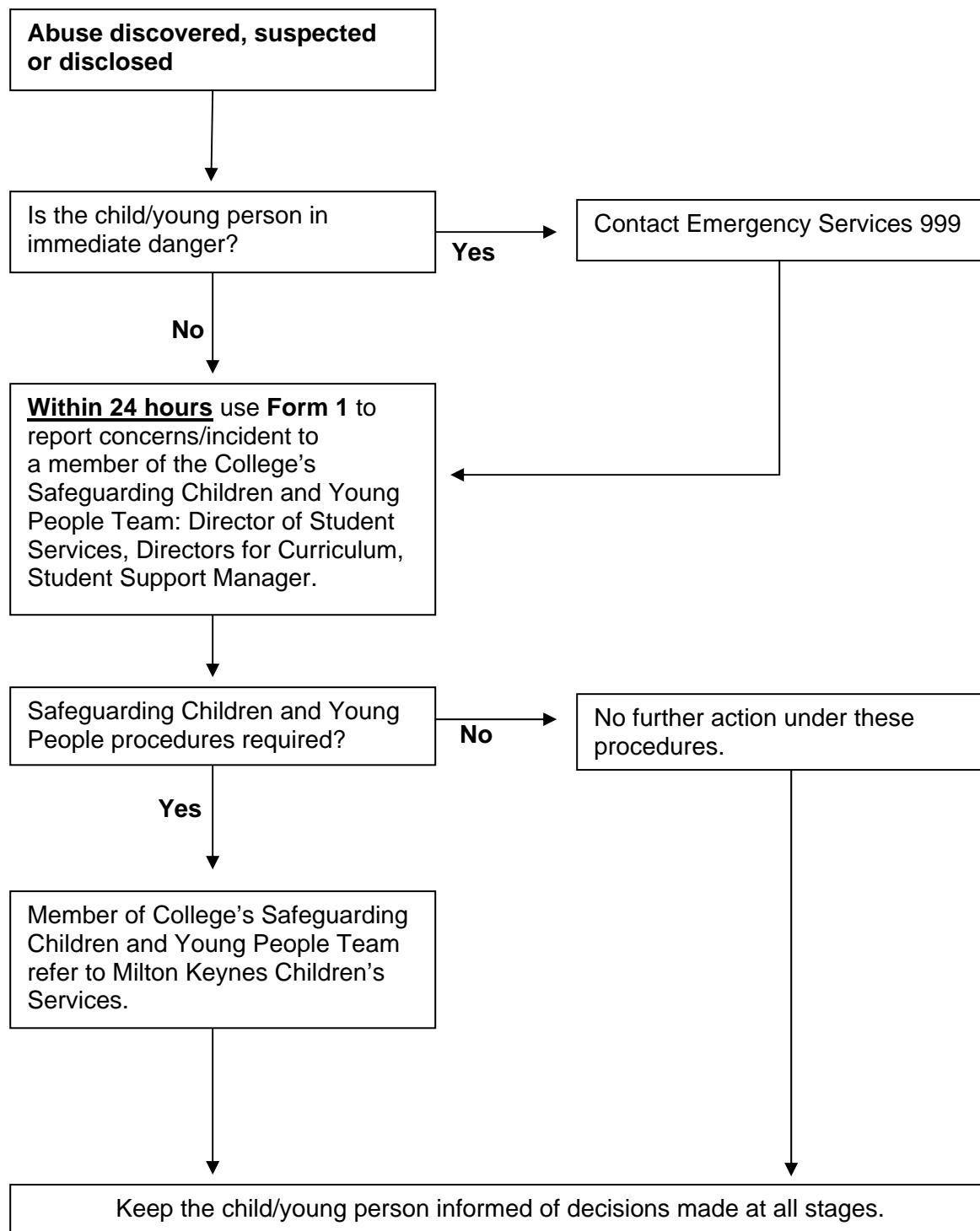
Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (eg rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, sexual online images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

#### Neglect

Neglect is the persistent failure to meet a child/young person'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/young person from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers);
- ensure access to appropriate medical care or treatment;
- It may also include neglect of, or unresponsiveness to, a child/young person's basic emotional needs.

**FLOWCHART FOR REPORTING CONCERNS ABOUT SAFEGUARDING CHILDREN AND YOUNG PEOPLE**



# SAFEGUARDING CHILDREN AND YOUNG PEOPLE FORM 1



The young person's full name	Gender	Date of Birth

The young person's full address and telephone number

Names of person(s) with parental responsibility with contact number and address if known

Names of any professionals included with family/young person.

Details of any other family members

Any other names the young person or family members may have been known by

Clear details of the concern

Signature of member of staff	Date
Print Name	Title