



## South Devon College Safeguarding / Child Protection and Vulnerable Adults Policy

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Document control

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### Academic Year 2016/17

*This policy should be read in conjunction with:*

- [Working together to safeguard children \(2015\) A guide to inter-agency working to safeguard and promote the welfare of children](#)
- [Updated guidance-Keeping Children Safe in Education \( 5<sup>th</sup> Sept 2016\)](#)
- [Revised Prevent Duty Guidance 2015](#)

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## Key points

All schools/colleges should protect children and promote their welfare by:

- providing a safe environment for children to learn in;
- creating a culture which recognises and understands the importance of safeguarding - including listening to and discussing with children;
- identifying children who are suffering or likely to suffer significant harm, both at school/college and at home, and referring immediately any concerns to the local authority children's social care services;
- preventing unsuitable people from working with children;
- Working in partnership to prevent adults and young people who are vulnerable from being drawn into violent extremism and terrorism
- having systems and processes that ensure children are kept safe and allow for poor and unsafe practice to be challenged;
- identifying instances in which there are grounds for concern about a child's welfare, and initiating or taking appropriate action to keep them safe; and
- contributing to effective partnership working between all those involved with providing safeguarding services for children.

## 1. General Policy Statement

- 1.1 South Devon College has a statutory and moral duty to ensure that the College functions with a view to safeguarding and promoting the welfare of children, young people and vulnerable adults receiving education and training at the College. This policy has been written incorporating legislation “Keeping Children safe in education” and “Working together to safeguard children” and in line with the Prevent agenda on counter terrorism. The prevent agenda is seen as part of the College safeguarding strategy and therefore is embedded in this policy.
- 1.2 This policy has been written utilising the local Safeguarding Children Board policies and procedures, and the local protocol for preventing violent Extremism and Terrorism in the context of ensuring recognition of Child Protection, Safeguarding and the protection of vulnerable adults.
- 1.3 Throughout these policies and procedures, reference is made to “children and young people” (Section 175 of the Education Act, 2002). This term is used to mean “those under the age of 18”. The safeguarding of children and young persons under 18 in the UK is normally referred to as ‘Child Protection’ and will be used in this policy document. The Governing Body recognise that some adults (over 18) are also vulnerable to abuse; accordingly, the procedures will be applied to allegations of abuse and the protection of vulnerable adults (POVA). From a definitional viewpoint, this document treats “child protection” as inclusive of the protection of vulnerable adults.

The college will:

- 1.4 Appoint and train a Designated Safeguarding Lead for Children and a Designated Safeguarding Lead for Vulnerable Adults, (and deputies who will act in his/her absence) who will co-ordinate the College’s Safeguarding Procedure, and make these people known to all. These Safeguarding Persons will attend regular updating training
- 1.5 Provide an opportunity for staff to attend training on recognising abuse and neglect, responding appropriately to concerns relating to suspected, alleged or disclosed abuse, recording, reporting, information sharing and confidentiality as appropriate.
- 1.6 Make all staff aware of Safeguarding issues through the College Induction Process.
- 1.7 Use the curriculum and other opportunities to help children, young people and vulnerable adults to develop self-esteem, assertiveness, and promote their resilience.
- 1.8 Recruit and train employees to adopt best practice to safeguard children, young people and vulnerable adults from abuse, and themselves from false allegations. Provide enhanced DBS checks for all new staff.
- 1.9 Provide opportunities for children, young people and vulnerable adults to talk about concerns relating to their welfare.
- 1.10 Provide support for children, young people and vulnerable adults who have disclosed abuse and for the staff who have experienced disclosure.
- 1.11 Develop and promote effective working relationships with other agencies, especially the police and the local Children’s Services, local schools and the Safeguarding

Children Board (through the College's Designated Safeguarding Lead and Safeguarding Team).

- 1.12 Provide a systematic means of monitoring children (through the tutorial system and LEAP), young people and vulnerable adults known, or thought to be at risk of harm, and contribute to assessments of need and support plans for them.
- 1.13 Respond promptly, within the timescale laid out in the procedures, to allegations of abuse or abuse of trust made against employees or volunteers or incidents of suspicious poor practice, implementing the appropriate disciplinary and appeals procedures. Such concerns will be referred to the Designated Safeguarding Lead (DSL) and the Principal. The Local Authority Designated Officer (LADO) will be informed.
- 1.13 The college will not tolerate inappropriate behaviour and has a Whistleblowing Policy to protect staff who disclose information regarding abuse by a colleague or other adult towards young people.
- 1.14 All individuals, including those in a position of trust, are expected to act professionally at all times, and to be familiar with college policies and procedures including the staff Code of Conduct.

## 1.2 Child Protection & Safeguarding-what is the difference?

Definitions:

- 1.2.1 **Child protection** looks at **recognising abuse and neglect and acting on it**, whereas **safeguarding** looks at keeping children, young people and vulnerable adults safe from a much wider range of potential harm, and delivers preventative action, not just reaction.
- 1.2.2 **Child:** up to their 18th birthday (UN convention of the Rights of the Child)
- 1.2.3 **Vulnerable adult:** a person who has attained the age of 18, and:
  - Is receiving any form of health care
  - Is receiving a service or participating in an activity which is specifically targeted at people with age-related needs, disabilities or prescribed physical or mental health conditions or expectant or nursing mothers living in residential care
  - Age-related needs includes needs associated with frailty, illness, disability or mental capacity
  - For more details see Section 59 of Safeguarding Vulnerable Groups Act 2006.

1.4 The Governing Body is committed to ensuring that the College:

- takes reasonable care to adhere wherever practically possible to the relevant UK child protection legislation and the guidance provided by Government Departments and relevant funding bodies (www.teachernet.gov.uk)
- provides a safe environment for children, young people and vulnerable adults to learn in;
- identifies children, young people and vulnerable adults who are suffering, or likely to suffer, significant harm; and
- takes appropriate action to see that such children, young people and vulnerable adults are kept safe, both at home, on line and at the College.

1.5 In pursuit of these aims, the Governing Body will approve and annually review policies and procedures with the aim of:

- protecting children, young persons and vulnerable adults from maltreatment;
- preventing impairment of children's and young person's health or development;
- ensuring that children and young persons are growing up in circumstances consistent with the provision of safe and effective care; and
- Undertaking that role so as to enable those children and young persons to have optimum life chances and to enter adulthood successfully.

1.6 In developing the policies and procedures, the Governing Body will consult with and take account of guidance issued by the Department for Education and other relevant bodies and groups. The procedures have been developed in cooperation with the Torbay and Devon's Safeguarding Children Board and an annual audit will be sent to the (TSCB). Further The College will provide an action plan for the Colleges Prevent strategy to the Devon Public Protection Team responsible for Prevent.

1.7 The College will refer concerns of a child or vulnerable adult that might be at risk of significant harm to Children's or adult Services or the Police, or through Channel as appropriate.

1.8 What college staff should know;

**All staff must have read and understood part one of the new legislation.**

- All staff members should be aware of systems within the High School and college which support safeguarding and these will be explained to them as part of staff induction. This includes: the college's Safeguarding and child protection policy; the college's staff behaviour policy (code of conduct); and the named designated safeguarding leads.
- All college staff members should be aware of the signs of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection. All staff will receive mandatory training on safeguarding/child protection and Prevent.
- Definition of abuse: "Abuse: a form of maltreatment of a child. Somebody may abuse or neglect a child 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 others (e.g. via the internet). They may be abused by an adult or adults or another child or children".
- **Specific safeguarding**
- All staff should be aware of the early help process, and understand their role in identifying emerging problems, sharing information with other professionals to

support early identification and assessment and, in some cases, acting as the lead professional in undertaking an early help assessment. They should be aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989 that may follow a referral, along with the role they might be expected to play in such assessments.

**All** school and college staff should identify children that may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years. In the first instance staff should discuss early help requirements with the deputy designated safeguarding lead (Michelle Wilson). Staff may be required to support other agencies and professionals in an early help assessment.

If early help is appropriate the Deputy designated safeguarding lead will support the staff member in liaising with other agencies and setting up an inter-agency assessment as appropriate.

If early help and or other support is appropriate the case should be kept under constant review and consideration given to a referral to children's social care if the child's situation doesn't appear to be improving.

**Anyone** who has a concern about a child's welfare should ensure a referral is made to children's social care. In the first instance staff should generally discuss any potential referral with the deputy designated safeguarding lead (Michelle Wilson), who in most instances would make any referral. Staff may be required to support social workers and other agencies following any referral.

**The child's wishes:** Where there is a safeguarding concern governing bodies, proprietors and school or college leaders should ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide. Systems should be in place for children to express their views and give feedback. Governing bodies and proprietors should ensure that staff members do not agree confidentiality and always act in the **best** interests of the child.

1.9 All staff members will also receive appropriate child protection training and WRAP/prevent training which is regularly updated (annually) via training, email, bulletins etc.

1.9.1 The Governing Body has nominated **Mark Waldron** as Governor with special responsibility for child protection issues and PREVENT (including protection of vulnerable adults). The Governors will undertake appropriate training.

1.9.2 The Principal and all staff working with children and vulnerable adults will receive appropriate training to familiarise them with child protection issues and responsibilities and the College procedures and policies and will receive annual updates via training, email, bulletins etc.

1.9.3 There is a designated senior member of the College Management Team with special responsibility for safeguarding young people. (See Section 2.)

1.9.4 The Governing Body will receive from the designated senior member of staff with lead responsibility for safeguarding children and young people an annual report which reviews how the duties have been discharged.

## 1.10 Scope:

1.10.1 As well as its commitment to protecting the health, safety and welfare of all volunteers, staff and students, South Devon College now has a number of partnerships which include a much wider range of young students for which child protection legislation and guidance applies, including:

- students from local secondary and special schools who are under the minimum school leaving age (MSLA), between the ages of 14 and 17 years ten months, on courses including Increased Flexibility Programmes (IFP), Young Apprenticeship Programmes and Torbay Link programmes.
- South Devon High school learners
- work experience placements for students under 18 organised by the college
- enrolled full-time and part-time students under the age of 18
- short foreign exchange students, taster programmes
- franchised provision
- teen parents programmes and their children
- students under 18 attending the college as part of 'employed status' apprenticeships
- The college will carefully monitor the achievement of looked after children and those eligible for school meals to ensure that any achievement gaps are closed.

1.11 It should be noted that that apprenticeships are not subject to the Department for Education guidance on child protection once they have an 'employed status' contract. However, South Devon College considers that the child protection principles contained in the DFE guidance for those under 18 on school roles should be observed whenever practically possible.

## 2 Designated Staff with Responsibility for Safeguarding Young People

### 2.1 Senior Staff Member with Lead Responsibility

2.1.1 The designated safeguarding Lead (DSL) for safeguarding and prevent is **Liz Lawrence, Assistant Principal** (office 2.072, mobile number 07739 171352, external number 01803 540359 or extension 359).

2.1.2 This person is a senior member of the College Management Team. She has a key duty to take lead responsibility for raising awareness within the staff of issues relating to the welfare of children, young people, and vulnerable adults, the promotion of a safe environment for those people learning within the College.

2.1.3 She has received appropriate training in child protection issues, Prevent and inter-agency working, as required by the Torbay Safeguarding Children Board (TSCB), and will receive refresher training at least annually. She will keep up to date with developments in safeguarding issues.

2.1.4 The designated senior member of staff is responsible for:

- overseeing the referral of cases of suspected abuse or allegations to the relevant investigating agencies as agreed with the TSCB;
- 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 Safeguarding and child protection policy;
- liaising with the Local Authority and TSCB, CHANNEL, Police and other appropriate agencies;
- liaising with secondary and special schools that 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 short or 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.
- Liz Lawrence is also a Trainer for Prevent as recognised by the Home Office and a member of the Local safeguarding Children's board for Torbay.

2.1.5 The designated senior member of staff ( DSL) will provide an annual report to the Governing Body of the College setting out how the College has discharged its duties. She is responsible for reporting deficiencies in procedure or policy identified by the TSCB (or others) to the Governing Body at the earliest opportunity.

### 2.2 Deputy Designated Lead for safeguarding

2.2.1 The **Deputy Designated Lead** with responsibility for early help safeguarding and Prevent is **Michelle Wilson - Lead Co-ordinator Positive Intervention and Safeguarding Lead** (office 3.060, mobile number, external number 01803 540321 or extension 321).

This person has received training in child protection issues and PREVENT and inter-agency working, as required by the Torbay Safeguarding Children Board (TSCB), and will receive



refresher training at least every 2 years. They will keep up to date with developments in safeguarding issues. Michelle is also a member of the education sub group for safeguarding and is a member of Torbay prevent partnership Board and the Torbay Multi agency child sexual exploitation group.(MACSE).

### 2.2.2 Deputy Designated Safeguarding Lead

- receives referrals of cases of suspected abuse or allegations and reports to the relevant investigating agencies as agreed with TSCB;
- reports to the senior member of staff with lead responsibility;
- provides advice and support to other staff on issues relating to child protection;
- Implements and reviews early help support
- deals with individual cases, including attending case conferences and review meetings as appropriate;
- maintains a proper record of any child protection referral, and safe guarding issue or concern (even where that concern does not lead to a referral);
- will attend training in child protection issues and inter-agency working, as required by the TSCB, and will receive refresher training at least annually.

### 2.2.3 Designated Teacher for looked after Children:

**Alex Howarth** is the **Designated Teacher for looked after Children**. He is supported by a designated team of teachers who promote the educational achievement of and specifically close the achievement gap for those children who are looked after. Rhiannon Gray Coordinates the reviews for looked after children.

### 2.2.4 Other trained designated staff

The college has other trained designated staff who can give help and advice in the absence of the Child protection Lead - These include the Positive Intervention Team members: Simone Wright (01803 540731), Sarah Johns (01803 540321), Barry Kent (01803 540360) Rhiannon Gray (01803 540321).

High School: Lauren Mackenzie (01803 540361)

### 2.2.5 All Staff

All Staff have a responsibility for Safeguarding and Child Protection.

All staff have a responsibility to actively make the learning environment safe and secure for all. All staff must attend the appropriate mandatory training offered by the college and attend annual training/ read updates and attend any other safeguarding training as required by the college to keep regularly updated to ensure their knowledge is current. Staff must be familiar with all related policies and procedures as outlined in the Safeguarding Child Protection Policy. Staff must follow the safer recruitment practices embedded in the Human Resource recruitment procedures and code of conduct.

## 2.3 Designated Governor

- 2.3.1 The designated member of the Governing Body with responsibility for child protection issues is **Mark Waldron** contactable through the Principal's Office (01803 540580).
- 2.3.2 The Designated Governor is responsible for liaising with the Principal and Senior Staff Member with Lead Responsibility over matters regarding child protection, including:
- ensuring that the College has procedures and policies which are consistent with those of Torbay Safeguarding Children Board;
  - ensuring that the Governing Body considers the College policy on safeguarding young people each year;
  - ensuring that each year the Governing Body is informed of how the College and its staff have complied with the policy, including but not limited to a report on the training that staff have undertaken.
- 2.3.3 The Designated Governor is responsible for overseeing the liaison between the agencies, such as the police, social services, 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.
- 2.3.4 To assist in these duties, the Designated Governor shall receive appropriate training [as directed by the Torbay Safeguarding Children Board].

### 3 Disclosure of Abuse and Procedure for Reporting Concerns (General statement)

3.1 All school and college staff have a responsibility to provide a safe environment in which children can learn. All school and college staff have a responsibility to identify children who may be in need of early help or extra help or who are suffering, or are likely to suffer, significant harm. All staff then have a responsibility to take appropriate action, working with other services as needed.

In addition to working with the designated safeguarding lead staff members should be aware that they may be asked to support social workers to take decisions about individual children.

3.2 All college staff members should be aware of the signs of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection.

3.3 All staff members have a duty to disclose any personal issues that relate to current or previous child protection matters within their personal lives.

3.4 Staff members working with children are advised to maintain an attitude of 'it could happen here' where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the interests of the child.

3.5 The procedure will be determined primarily by the Torbay Safeguarding Children Board and the South West Child Protection Procedures.

3.6 Safeguarding issues can revolve around one or more of the following:

- Neglect
- Physical Abuse
- Sexual Abuse
- Emotional Abuse

***And specific safeguarding matters:***

- Bullying or harassment (including cyberbullying)
- Child missing from education or home or care
- Forced Marriage
- Gang and youth violence
- Radicalisation
- Female genital mutilation
- Domestic violence
- Child sexual exploitation
- Teenage relationship abuse
- Sexting
- Faith abuse
- Drugs
- private fostering
- mental health
- trafficking
- Fabricated or induced illness
- Preventing radicalisation
- gender-based violence/violence against women and girls (VAWG)
- Peer on peer abuse

- 3.6.1 The college recognises the positive contribution it can make towards protecting its students from radicalisation to violent extremism. The college will continue to empower its students to create communities that are resilient to extremism and protecting the wellbeing of particular students who may be vulnerable to being drawn into violent extremism or crime. All staff and learners will undergo appropriate training and the College will also continue to promote the development of spaces for free debate where shared values can be reinforced.
- 3.6.2 The college has in place appropriate safeguarding responses to children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or exploitation and to help prevent the risks of their going missing in future. Our safeguarding Lead for The College and the High school attend the "MISPER group for Torbay and South Devon. (Missing persons multiagency forum,)

### 3.7 Reporting procedure

- 3.7.1 If a child or young person tells a member of staff about possible abuse, or has concerns about radicalisation, the member of staff should inform the student that there may be consequences as a result of her/his disclosure, and that this information may be passed on to the **Child Protection Lead (Michelle Wilson)**.
- 3.7.2 The member of staff should:
- Listen to the student. Do not directly question the student or ask leading questions. Do not stop a student who is freely recalling significant events - just listen
  - Make a written note of the account taking care to record the time and setting as well as what was actually said. Record the student's own words wherever possible. Be objective and precise
  - Explain to the student what is going to happen next. You must inform the student that you may need to pass the information on to the Child Protection Lead, and that you are not able to keep child protection matters to yourself. Remind the student that you will only pass the information on to the Child Protection Lead/designated trained staff. Ensure that the student is supported and kept informed. You must always act in the best interest of the child.
  - Notify the Child Protection Lead without delay. It is advisable to stay with the student until the referral has been completed
  - Inform the Section Head that you have concerns and that you have referred the matter to the Child Protection Lead. (It is important that you do not disclose the name of the student to the Section Head or details of the disclosure unless it is absolutely necessary.)
- 3.7.3 Procedures for reporting and recording must be followed and confidentiality adhered to at all times. Lines of communication with regard to child protection issues must be limited to those directly involved on a 'need to know' basis. The procedure for making a referral is highlighted in appendix D and the referral form is in appendix E. If you believe it is an emergency call the designated leads and/ or Childrens Services or the police.
- 3.7.4 Staff should not investigate concerns or allegations themselves, but should report them immediately to the Deputy DSL.

If, at any point, there is a risk of immediate serious harm to a child a referral should be made to children's social care or the Police immediately. Anybody can make a referral.

If the child's situation does not appear to be improving the staff member with concerns should press for re-consideration. Concerns should always lead to help for the child at some point.

#### Online safety

- data protection fears should not be a barrier to information sharing as the safety of the child should be of utmost importance "Fears about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children".
- All learners will be taught about how to protect themselves on line through tutorials and on their programme of study.

#### 3.7.5 Safer recruitment - General Key Messages

3.7.6 The College fully adheres to guidance *Working together to safeguard children (2015)* and [-Keeping Children Safe in Education \( 5<sup>th</sup> Sept 2016\)](#) SDC endeavour to prevent people who pose a risk of harm from working with children by adhering to statutory responsibilities to check staff who work with children, taking proportionate decisions on whether to ask for any checks beyond what is required; and ensuring volunteers/work experience are appropriately supervised. Where necessary barred list checks will be undertaken. The High school and South Devon College have written recruitment and selection policies and procedures in place.

3.7.7 In South Devon College, all HR staff are trained. If a member of HR is not on the interview or shortlisting panel, then the Senior Manager must have undergone safer recruitment training.

3.7.8 The college have procedures in place to make a referral to the Disclosure and Barring Service (DBS) if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have been had they not resigned. This is a legal duty and failure to refer when the criteria are met is a criminal offence. All staff are aware that where they have been investigated as part of a local safeguarding board in relation to their own children this must be disclosed as soon as possible to the DSL (Safeguarding Senior Manager) to HR or to the Principal .

## 4 Allegations of abuse made against teachers and other staff

### 4.1 Duties as an employer and an employee

- 4.1.1 The College has a duty of care to their employees. The College will ensure they provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended.
- 4.1.2 The procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers/work experience. They should be used in respect of all cases in which it is alleged that a teacher or member of staff has:
- 1) behaved in a way that has harmed a young person, or may have harmed a young person;
  - 2) possibly committed a criminal offence against or related to a young person; or
  - 3) behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children.
- 4.1.3 Every effort will be made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

*NB. 4,2 1-3 applies to situations that occur both at work or outside of work.*

### 4.2 Introduction

- 4.2.1 It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in a school or college is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.
- 4.2.2 The framework for managing cases of allegation of abuse against people who work with young people is set out in ***Keeping children safe in education September 2016*** which provides an overview. Part four of this guidance document provides detailed procedures on how allegations should be handled.
- 4.2.3 South Devon College procedure follows these procedures as stated below:

### 4.3 Receiving an Allegation of abuse

- 4.3.1 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 (DSL) 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, and ensure that they 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.
- 4.3.2 In the first instance, the principal (Case Manager) with support from Designated Senior Lead, will immediately discuss the allegation with the LADO.

- 4.3.3 The purpose of an initial discussion is for the LADO and the case manager to consider the nature, content and context of the allegation and agree a course of action. The LADO may ask the case manager to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations previously and the individual's current contact with children. There may be situations when the case manager will want to involve the police immediately, for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where there is no such evidence, the case manager should discuss the allegations with the LADO in order to help determine whether police involvement is necessary.
- 4.3.4 The initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern; in which case this decision and a justification for it should be recorded by both the case manager and the LADO, and agreement reached on what information should be put in writing to the individual concerned and by whom. The case manager should then consider with the LADO what action should follow both in respect of the individual and those who made the initial allegation.
- 4.3.5 Individuals will;
- be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services or the police.
  - The individual will be advised to contact their trade union representative, if they have one, or a colleague for support
- 4.3.6 inform the Chair of the Governing Body and/or the Designated Governor of the allegation and the investigation.
- 4.3.7 The case manager shall keep a written record of the action taken in connection with the allegation. The case manager will appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual.
- 4.3.8 If appropriate, a Senior Post Holder of the College may suspend the employee, in accordance with Section 4.8, whilst an investigation is carried out.
- Wherever possible the Investigating Officer or the Assistant Principal will meet with the employee to discuss the need for, and nature of, the investigation before the investigation takes place.
- An investigation will be carried out as efficiently and quickly as possible to cause minimal disruption to the college. When employees are suspended, the College will keep them informed of both the progress of their case and current work-related issues.
- 4.3.9 Parents or carers of a child or children involved will be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or police or children's social care services need to be involved, the case manager will not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers

Parents or carers will be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process.

Parents and carers should also be made aware of the prohibition on reporting or publishing allegations about teachers in section 141F of the Education Act 2002 (see below). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

In cases where a child may have suffered significant harm, or there may be a criminal prosecution, children's social care services, or the police as appropriate, should consider what support the child or children involved may need.

If an allegation is made, the college will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The Education Act 2011 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school or college (where that identification would identify the teacher as the subject of the allegation). The reporting restrictions apply until the point that the accused person is charged with an offence

It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation.

#### **4.4 Suspension of Staff**

- 4.4.1 When the Senior Post Holder is of the view that an employee may have been guilty of gross misconduct, or that because of some other good and urgent cause, the continuing attendance of the employee at the College cannot be permitted, the Senior Post Holder may suspend the employee from duty pending an investigation and the holding of a formal disciplinary hearing.
- 4.4.2 Such a suspension should only be imposed after careful consideration and it should be made clear to the employee that it is not considered a disciplinary act.
- 4.4.3 If the Senior Post Holder decides to suspend an employee from duty, he/she shall confirm the suspension in writing, with reasons, immediately.
- 4.4.4 An employee who is suspended from duty shall, throughout the period of suspension, continue to be entitled to his/her full pay.

#### **4.5 The Disciplinary Investigation**

- 4.5.1 The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures.
- 4.5.2 The member of staff should be informed of:
  - the disciplinary charge against him/her.



- his/her entitlement to be accompanied or represented by a trade union representative or friend.
  - college reserves the right to remove an employee's access to college IT equipment, devices and buildings on commencement of disciplinary proceedings. In extreme circumstances the college reserves the right to search an employee's belongings or work area/location if necessary.
- 4.5.3 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. 4.9.5 The child, children or young person 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).
- 4.5.4 The Principal (or designated person) should give consideration to what information should be made available to the general population of the College.
- 4.5.5 If on conclusion of the case the college ceases to use the person's services, or the person ceases to provide his or her services, the college should consult the local authority designated officer about whether a referral to Department for Education / Disclosure and Barring Service is required. If a referral is appropriate the report should be made within one month.

## 4.6 Allegations without foundation

- 4.6.1 Obviously false allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given regarding referral to the Torbay Safeguarding Children Board in order that other agencies may act upon the information.

The following definitions will be used when determining the outcome of allegation investigations:

- **Substantiated:** there is sufficient evidence to prove the allegation;
  - **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;
  - **False:** there is sufficient evidence to disprove the allegation;
  - **Unsubstantiated:** there is insufficient evidence to either to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
- 4.6.2 In consultation with the designated senior member of staff and/or the Designated Governor, the Principal shall:
- 4.6.2.1 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;
  - 4.6.2.2 inform the parents/carers of the alleged victim that the allegation has been made and of the outcome;
  - 4.6.2.3 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;
  - 4.6.2.4 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.

## 4.7 Records

- 4.7.1 It is important that a clear and comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on a person's confidential personnel file, and a copy provided to the person concerned. The purpose of the record is to enable accurate information to be given in response to any future request for a reference if the person has moved on. It will provide clarification in cases where a future DBS disclosure reveals information from the police about an allegation that did not result in a criminal conviction. And it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.
- 4.7.2 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 Disclosure and Barring Service.

## 4.8 Monitoring Effectiveness

- 4.8.1 Where an allegation has been made against a member of staff, the Designated 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 Torbay Safeguarding Children's Board. Consideration should also be given to the training needs of staff.
- 4.8.2 The procedures need to be applied with common sense and judgement. It is important to ensure that even allegations that appear less serious are seen to be followed up and taken seriously, and that they are examined objectively by someone independent of the college. The local authority designated officer should be informed of all allegations that come to the college's attention and appear to meet the criteria.


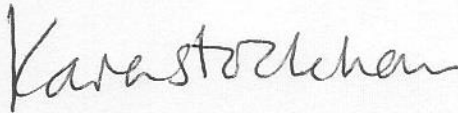
## 5 Recruitment and Selection Procedures

- 5.1 The College has recruitment and selection procedures which are reviewed by the HR Manager who ensures that they take account of the following:
- They apply to staff, volunteers, work experience, placements and regular contractors who may work with children, young people or vulnerable adults.
  - The post or role is clearly defined in the job description.
  - The key selection criteria for the post or role should be identified from the person specification.
  - Vacancies are advertised widely in order to ensure a diversity of applicants.
  - Documentary evidence is required of academic/vocational qualifications.
  - Professional references are obtained for new starters.
  - Previous employment history is verified.
  - DBS and Children's barred list checks are carried out (maintain sensitive and confidential use of the applicant's disclosure)

- A variety of selection techniques is used (eg qualifications, previous experience, interview, reference checks, teaching session, skills tests and aptitude tests).
- The application form includes an explanation that the post is exempt from the Rehabilitation of Offenders act and therefore all convictions cautions and bind overs including those regarded as “spent” must be declared. Providing false information or failing to declare convictions, bind overs and cautions is an offence and could result in summary dismissal if the applicant was selected for the post.
- Specific safeguarding and child protection questions are asked at interview.
- Clear Safeguarding and Child Protection statements of commitment are included on all recruitment advertisements and job descriptions.

## 5.2 In relation to students

- Ask applicants on the College application form if they have relevant previous convictions.
- Refer any learner to the College Risk Assessment Panel (chaired by the Designated Senior Manager - Elizabeth Lawrence) who has relevant convictions or has been identified as being a potential risk to the safety of others. The panel will make decisions on their admission to the college with advice from Torbay Safeguarding Children Board and Public Protection Team.

Approved by		Signature	Date
Author:	<b>Liz Lawrence</b>		
Owner:	<b>Liz Lawrence</b>		2010/2016
Chair of Approval Committee:	<b>Karen Stockham</b>		20/10/2016
Next Review due	<b>Oct 2017</b>		

## Appendix A - Statutory guidance

### [Keeping Children Safe in Education](#) Statutory guidance

Updated: September 2016

**About this guidance:** This guidance sets out how organisations and individuals should work together to safeguard and promote the welfare of children and how practitioners should conduct the assessment of children.

This guidance replaces [Working Together to Safeguard Children \(2015\)](#); *The Framework for the Assessment of Children in Need and their Families (2000)*; and *statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (2007)*.

The guidance is effective from 5<sup>th</sup> Sept 2016

### [Keeping children safe in education-Statutory guidance for schools and colleges-July 2015](#)

**About this guidance:** This is statutory guidance from the Department for Education issued under Section 175 of the Education Act 2002, the Education (Independent School Standards) Regulations 2014 and the Education (Non-Maintained Special Schools) (England) Regulations 2011. Schools and colleges must have regard to it when carrying out their duties to safeguard and promote the welfare of children.

**Key points:** This legislation sets out our duties in relation to Child protection, significant safeguarding matters, safer recruitment and looked after children. It is the key piece of legislation that forms South Devon College Policies and procedures.

### [Prevent Duty Guidance-for England and Wales](#) 1(Issued 12<sup>th</sup> March 2015-updated 16<sup>th</sup> July 2015)

**About this guidance:** The Prevent strategy, published by the Government in 2011, is part of the overall counter-terrorism strategy, CONTEST. The aim of the *Prevent* strategy is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. In the Act this has simply been expressed as the need to “prevent people from being drawn into terrorism”. The 2011 *Prevent* strategy has three specific strategic objectives: respond to the ideological challenge of terrorism and the threat we face from those who promote it; prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and; work with sectors and institutions where there are risks of radicalisation that we need to address.-Education is one of those sectors.

**Key points:** The guidance sets out our duty under the act and our responsibilities to work in partnership with other key agencies to prevent people from being drawn into terrorism.

Further important guidance:

What to do if your worried a child is being abused, Advice for practitioners, March 2015, [Link here](#)

## Appendix B - Useful web-links and documents

### Designated Senior Lead:

Elizabeth Lawrence - [liz.lawrence@southdevon.ac.uk](mailto:liz.lawrence@southdevon.ac.uk)

tel: 01803 540359 / 07739171352

### Deputy Designated Lead:

Michelle Wilson - [michelle.wilson@southdevon.ac.uk](mailto:michelle.wilson@southdevon.ac.uk)

tel: 01803 540321 / 07894334887

### Useful web-sites

Teachernet

[www.teachernet.gov.uk/childprotection](http://www.teachernet.gov.uk/childprotection)

Independent Safeguarding Authority

[www.isa.gov.org.uk](http://www.isa.gov.org.uk)

### Useful documents

The following documents can be ordered and/or downloaded at [www.teachernet.gov.uk/publications](http://www.teachernet.gov.uk/publications)

- Safeguarding Vulnerable Groups Act 2006  
Safeguarding Children and safer recruitment in education, DfES 2007  
(<http://www2.cnwl.ac.uk/UserFiles/File/Safeguarding%20Children%20and%20Safer%20Recruitment%20Practices%20in%20Education.pdf>)
- Work-related Learning and the Law, DfES 2006
- The Work-related Learning Guide, DCFS 2008

### Useful local child protection contacts

Child Protection -Torbay Hub (Children's Services) - 01803 208100

Police Child Protection Team - 08452 777444

Emergency Duty Social Work Team - 01803 52451

Torbay LADO/local Safeguarding Board - 01803 208955

Training providers - Torbay Safeguarding Children Board <http://www.torbay.gov.uk/tscb>

Multi-Agency Safeguarding Hub (MASH) - 03451551071

*The Multi-Agency Safeguarding Hub is a new service developed in conjunction with Devon & Cornwall Constabulary and other key partners and provides a new approach to intelligence and decision making with regards to adult and children safeguarding.*

*MASH will provide the highest level of knowledge and analysis of all known intelligence and information across the safeguarding children and adult's partnerships in Torbay to ensure all safeguarding activity and intervention is timely, proportionate and effective.*

## **Appendix C - College Policy/Procedures and Documents**

### **College Procedures and Documents (external)**

College website Safeguarding Page

<http://www.southdevon.ac.uk/about-us/safeguarding>

### **College Procedures and Documents (Internal)**

College intranet Safeguarding Page

<http://staff.southdevon.ac.uk/pages/696> (access for staff only via South Devon College intranet)

**Child Protection: All information is on the staff pages intranet under safeguarding**



# Child Protection Team

## Child Protection and Prevent Referral Procedure 2016/17

All Child Protection information MUST be treated as CONFIDENTIAL

Make a Child Protection referral if a learner discloses to you or you have immediate and urgent concerns about a learner in relation to abuse, radicalisation or neglect.

If you have concerns about a member of staff which could impact on the learners please contact Liz Lawrence.



Elizabeth Lawrence



Michelle Wilson

Complete the Child Protection Incident/Referral Form and forward to Michelle Wilson:  
michellewilson@southdevon.ac.uk

### Contact

Designated Safeguarding Lead Coordinator:  
Liz Lawrence:  
07739 171352 (ex 359) Room 2.072

Lead Coordinator - Positive Intervention/  
Deputy Designated Safeguarding Lead:  
Michelle Wilson:  
07595 282528 (ex 321)Room 3.060

### Other designated staff:

Simone Wright:  
07964 630174 (ex 731)  
Rhiannon Gray:  
07900 287135 (ex 321)  
Sara Johns:  
07711 425515 (ex 321)  
Barry Kent:  
07966 457010

The Child Protection Team will assess whether a referral to Children's Services or Channel is required.

The Child Protection Team will contact Children's Services and/or the Police, as appropriate, in area where student lives and will send a written report to Children's Services within 24 hours.

Children's Services will liaise directly with parents/guardians.

Yes

In all cases the Child Protection Referral will be documented and logged on our confidential Child Protection and Safeguarding register

No

If further intervention is required for the referred learner the Child Protection Team will raise a Positive Intervention Referral to progress this according to our Positive Intervention & Disciplinary Procedure.

In all cases, the referring member of staff will receive a follow up debrief and offered counselling as appropriate. They may not be informed of the outcome.

## **CONFIDENTIAL** Child Protection Referral Form



Step 1. Complete this form ensuring that you tell the student that there may be consequences as a result of his/her disclosure and that you may need to pass this information on to the Child Protection Co-ordinator.

Step 2. Deliver by hand or email to [michelle.wilson@southdevon.ac.uk](mailto:michelle.wilson@southdevon.ac.uk) and [elizabeth.lawrence@southdevon.ac.uk](mailto:elizabeth.lawrence@southdevon.ac.uk) . **Include CONFIDENTIAL CP as email Subject.**



Referral date:	
Referrer's name:	
Referrer's position:	
Referrer's contact telephone number:	
Student's College ID number:	
Age of student:	
<p><i>Before you begin recording the incident, tell the student that there may be consequences as a result of his/her disclosure and that you may need to pass this information on to the Child Protection Co-ordinator. It may be referred to Children's Services. All information will be treated as confidential.</i></p>	
<p><i>Recording the Incident (For further guidance see Safeguarding &amp; Child Protection – Staff Guidelines)</i></p>	



## Appendix F - Local School Contact Numbers

<b>TORBAY SCHOOLS</b>	<b>CONTACT</b>	<b>NUMBER</b>
Brixham College	Claire Terry - CP	01803 858271 / 881227
Coombe Pafford	Mike Lock - Principal	01803 327902
Paignton Community & Sports College	Mark Williams - Assistant Principal	01803 403003
St Cuthbert Mayne School	Eileen Kirby - Assistant Head	01803 328725
Torbay Pupil Referral Unit	Moira Devlin - Head	01803 698018
Torbay School	Julie Shears - Business Manager	01803 665522
Torquay Academy	Elaine Whatling - CP	01803 329351
The Spires College	Mrs P Brown - CP	01803 400660
TORBAY 14-19 Partnership	John Davies / Elizabeth Porter	01803 208963
<b>DEVON SCHOOLS</b>	<b>CONTACT</b>	<b>NUMBER</b>
Bridge Centre, Dartington	Sarah Acland - Head	01803 865580
Coombeshead Academy	Serena Evans - Assistant Principal	01626 201800
Dartmouth Academy	Nick Bowles - Vice Principal	01803 839700
Dawlish Community College	Cheryl George: Assistant Principal and Senco	01626 862318
KEVICC	Assistant Principal	01803 869200
Kingsbridge Community College	Mick Philips - CP	01548 852641
South Dartmoor Community College	Joss Glossop - Assistant Principal	01364 652230
Teign School	Pete Shaw - Assistant Principal	01626 366969