

**CATEGORY:** Safeguarding

**TYPE:** Procedure

**TITLE:** Safeguarding young people and vulnerable adults

**PERSON RESPONSIBLE:** Director of Student Engagement  
& Partnerships

**PURPOSE:**

The College has a statutory and moral responsibility to safeguard and promote the welfare of the young people and vulnerable adults receiving education and training at the College. This document sets out the procedure relating to the protection of students. This is produced in accordance with the College policy on Safeguarding and which shall be implemented in all instances where concerns exist that abuse may be occurring and/or preventative action is required to ensure students who are at risk of being exploited or radicalised are provided with appropriate support and referral.

**1.0 Introduction**

- 1.1 Newcastle and Stafford Colleges Group (NSCG) recognises its legal duty under s175 Education Act 2002 and the 1989 Children Act and takes seriously its responsibilities to protect and safeguard the interests of all students. This organisation recognises that effective child protection work requires sound procedures, good inter-agency co-operation and a workforce that is competent and confident in responding to child protection situations.
- 1.2 These procedures aim to provide a framework which ensures that all practice in the area of child protection is consistent with stated values and procedures that underpin all work with children and young people. Statutory guidance defines a child as anyone who has not yet reached their 18<sup>th</sup> Birthday. This procedure must be followed in respect of those over 18, who are considered to be vulnerable due to a learning difficulty or disability.
- 1.3 This document has regard to the statutory guidance 'Working Together to Safeguard Children 2015' and 'Keeping Children Safe in Education September 2016'. The Procedure is in keeping with Staffordshire Safeguarding Children Board's (SSCB) Policies, Procedures and Training Strategy and reflects what Staffordshire Safeguarding Children's Board considers to be safe and professional practice in this context. Child Protection has to be considered within professionals' wider "safeguarding" responsibilities that include a duty to co-operate under the Children Act 2004 and takes account of the need for children to 'be healthy' and 'stay safe'.
- 1.4 This document also seeks to make the professional responsibilities clear to all staff (teaching and non teaching), governors and volunteers, temporary and

supply staff to ensure that statutory and other duties are met in accordance with Staffordshire Safeguarding Children Board requirements and procedures.

- 1.5 This Safeguarding Policy and Procedure will be reviewed annually by the governing body.

## **2.0 Safeguarding and Promoting the Welfare of Children**

2.1 The definition for Safeguarding and promoting the welfare of children in Working Together to Safeguard Children 2015 is:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

## **3.0 Underpinning values**

3.1 Where there is a safeguarding issue, NSCG will work in accordance with the principles outlined in the Staffordshire Safeguarding Children Board Inter-agency Child Protection procedures

[www.staffssscb.org.uk/professionals/procedures/procedures.aspx](http://www.staffssscb.org.uk/professionals/procedures/procedures.aspx)

## **4.0 Thresholds for Intervention:**

### **4.1 Early Help Assessment (EHA) formally Common Assessment Framework (CAF)**

Practitioners should complete an EHA when:

- a practitioner is worried about how well a child or young person is progressing (e.g. concerns about their health, development, welfare, behaviour, progress in learning or any other aspect of their wellbeing);
- a child or young person, or their parent/carer, raises a concern with a practitioner;  
a child's or young person's needs are unclear, or broader than the practitioner's service can address. Safeguarding Team and Student Welfare Officers are responsible for liaising with the Designated Safeguarding Person and completing EHA documentation;
- the process is entirely voluntary and informed consent is mandatory, so families do not have to engage and if they do they can choose what information they want to share. Children and families should not feel stigmatised by the EHA; indeed they can ask for an EHA to be initiated;
- the EHA process is not a 'referral' process but a 'request for services';

- the EHA should be offered to children who have additional needs to those being met by universal services. The practitioner assesses needs using the EHA. The EHA is not a risk assessment;
- if a child or young person reveals they are at risk of suffering actual or likely significant harm, the practitioner should follow the local safeguarding process immediately; and
- EHC documents can be obtained by following the link below:  
<https://www.staffordshire.gov.uk/health/childrenandfamilycare/FamiliesFirstPartners/Documents/FamiliesFirstdocuments.aspx>

#### **4.2 Child in Need - S17 of the Children Act 1989:**

A 'Child in Need' referral should be considered where the needs of the child are unlikely to be met under an EHA, such as a child with complex disabilities, when a social work led assessment is required.

Section 17 of the Children Act says that an assessment for services should be undertaken by the Local Authority in the following circumstances:

- child(ren) are unlikely to achieve or maintain, or to have opportunity to achieve or maintain a reasonable standard of health or development, without the provision of services by a local authority;
- their health or development is likely to be impaired, or further impaired without the provision of such services; and
- they are disabled.

If a member of the Safeguarding Team considers that the welfare concerns indicate that a 'Child in Need' referral is appropriate, he/she will speak with parents / young person and obtain their consent for referral to the First Response Team (FRT -see below) to request an assessment. If parents refuse to give consent, but the child's needs are not being met, the Designated Safeguarding Officer will discuss the issues with the FRT.

Appropriate College staff should be invited to participate in Child in Need (CIN) meetings convened by Children's Social Care when children are deemed to require section 17 services.

Some children in 'acute need' (see SSCB Threshold guidance)

<https://www.staffsscb.org.uk/Professionals/Procedures/Section-One/Section-One-Docs/Section-1E-SSCB-Threshold-document.pdf>

may require Child in Need Section 17 support. This could include children who self harm or disclose an intent to commit suicide (SSCB procedure 4U).

#### **5.0 Child Protection:**

S47 of the Children Act 1989 says the Local Authority has a statutory duty to investigate when there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm due to the actions or inactions of others. Staff from this organisation do not investigate whether a child has been abused.

This is the duty of Social workers from the Safeguarding team and the police. Education staff refer reasonable concerns which indicate that a child may be at risk of significant harm.

It is the 'significant harm' threshold that justifies statutory intervention into family life. A professional making a child protection referral under S.47 must therefore provide information which clearly outlines that a child is suffering or likely to suffer significant harm. It is not possible to rely on one absolute criterion when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the extent of the harm suffered, the context within which it occurred and its duration. Significant harm may also arise from a combination of significant events which are both acute and long standing and which may impair the child's physical, psychological and social development.

In order to both understand and evidence 'significant harm', it is necessary to consider the family context, together with the child's development within their wider social and cultural environment. It is also necessary to consider any special needs, e.g. medical condition, communication difficulties or disability that may affect the child's development and care within the family. The nature of harm, in terms of ill-treatment or failure to provide adequate care also needs consideration alongside the impact on the child's health and development and the adequacy of care provided.

**If staff have significant concerns about any child they must make them known to a member of the Safeguarding Team without delay in accordance with reporting and recording procedures. These concerns may include:**

### **5.1 Physical abuse**

This may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child (*Working Together to Safeguard Children' 2015*).

### **5.2 Emotional abuse**

Is the persistent emotional maltreatment of a child such 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 insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as over protection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying (including Cyber 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. (*Working Together to Safeguard Children' 2015*).

### **5.3 Neglect**

Is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development? Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers); and
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs (*Working Together to Safeguard Children' 2015*).

### **5.4 Sexual abuse**

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (e.g. rape, or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing, They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual online images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. (*Working Together to Safeguard Children' 2015*).

### **5.5 Identifying cases of female genital mutilation (FGM) and Forced Marriage**

Any indications that Female Genital Mutilation (FGM) or Forced Marriage are imminent, or have already taken place, will be dealt with under the child protection procedures outlined in this policy. In support of this provision, we will do everything that we can to ensure that:

- the College is an 'open environment', where students feel able to discuss issues that they may be facing;
- the Safeguarding Team and Student Welfare Officers are aware of the issues surrounding FGM and Forced Marriage;
- advice and signposting is available for accessing additional help, e.g. the NSPCC's helpline, ChildLine services, Forced Marriage Unit; and

- awareness raising about FGM is incorporated in the College’s safeguarding training.

If there is a disclosure of abuse of this kind, or staff are concerned for any other reason, they are advised:

- to alert a member of the Safeguarding Team to their concerns. This member of staff will then refer concerns to children’s social care, who will inform the police if they need assistance. If a student has disclosed that they are at risk in this way, the case will still be referred to social care even if it is against the student’s wishes; and
- **not** to consult or discuss with the student’s parents or family, or others within the community.

## 5.6 Prevention of Violent Extremism – The ‘Prevent’ Agenda

- In March 2015 the Government published the Prevent Duty Guidance; for further education institutes in England and Wales which were informed by the Counter Terrorism and Security Act 2015. This duty imposes organisations to have “due regard to the need to prevent people from being drawn in to terrorism” (*2015 Prevent Duty Guidance*).

### **NSCG will:-**

- Ensure College staff are aware of Prevent and are able to recognise signs of radicalisation and have the confidence to report their concerns to a member of the Safeguarding Team who will liaise with the appropriate agency;
- Promote the ethos of the ‘Prevent’ agenda by encouraging free and open debate but challenging extreme views. This will be achieved through its classroom practice, theme weeks, awareness raising sessions and induction activities. We will embed the Fundamental British Values which are:-

Democracy  
Rule of Law  
Individual Liberty  
Mutual Respect  
Tolerance

(*Fundamental British Values – Prevent Duty Guidance March 2015*).

- Will ensure compliance with the Prevent Duty Guidance March 2015 by working with other stakeholders to undertake a comprehensive risk assessment and developing an action plan which will be approved and monitored by the Safeguarding Team and reported through the Education and Standards Committee.

## 6.0 Referrals

### 6.1 Making referrals

Where a concern has been raised about a young person or vulnerable adult a member of the Safeguard Team will make the decision to whether a referral is

necessary and to which agency. A written record of concerns will be made using the College's internal safeguarding recording system.

As per statutory government guidance 'Keeping Children Safe in Education', anybody **can** make a referral. However, where possible this should be referred to a member of the Safeguarding Team.

Dependent on the young person's address the referral telephone numbers are:-

Staffordshire- First Response – 08001313126  
Stoke-on-Trent Safeguarding Referral Team - 01782 235100

For concerns about a young person who is immediate danger call 999

## **6.2 Confidentiality**

Confidentiality is an issue that needs to be understood by all those working with children, particularly in the context of child protection. This is a complex area and involves consideration of a number of pieces of legislation.

You can never guarantee confidentiality to a child as some kinds of information may need to be shared with others. A suggested form of words that may help when talking to children is as follows:

"I will keep our conversation confidential and agree with you what information I can share, unless you tell me something that will affect your personal safety or that is illegal, but I will tell you if I am going to pass information on and who to."

Professionals can only work together to safeguard children if there is an exchange of relevant information between them. This has been recognised in principle by the courts. However, any disclosure of personal information to others, including children's social care departments, must always have regard to both common and statute law.

Normally, personal information should only be disclosed to third parties (including other agencies) with the consent of the subject of that information (Data Protection Act 1998 European Convention on Human Rights, Article 8). Wherever possible, consent should be obtained before sharing personal information with third parties. In some circumstances, however, consent may not be possible or desirable but the safety and welfare of the child dictate that the information should be shared.

The law requires the disclosure of confidential information necessary to safeguard a child or children. Under Section 47 of the Children Act 1989 statutory agencies have a duty to co-operate. Therefore, if the Police or Social Care/Services are conducting a Section 47 investigation under the 1989 Children Act, staff must share requested information relevant to the investigation. Legal advice should be sought if in doubt from the College's legal advisors.

When children transfer to a new school or college at any time other than key transition points (e.g. move to primary or high school), it may be necessary to inform other partners.

### **6.3 Talking to and listening to young people/vulnerable adults**

If a young person/vulnerable adult chooses to disclose, you SHOULD:

- be accessible and receptive;
- listen carefully and uncritically at the child's pace;
- take what is said seriously;
- reassure the child that they are right to tell;
- tell the child that you must pass this information on; and
- make a careful record of what was said.

You should NEVER:

- take photographs of injuries;
- examine marks/injuries solely to assess whether they may have been caused by abuse (there may be a need to give appropriate first aid);
- investigate or probe, aiming to prove or disprove possible abuse – never ask leading questions;
- make promises to children about confidentiality or keeping 'secrets';
- assume that someone else will take the necessary action;
- jump to conclusions or react with shock, anger or horror;
- speculate or accuse anybody;
- confront another person (adult or child) allegedly involved;
- offer opinions about what is being said or about people allegedly involved;
- forget to record what you have been told;
- fail to pass the information on to the correct person; and
- ask a them to sign a written copy of the disclosure or a 'statement'.

For student with communication difficulties or who use alternative/augmented communication systems, staff may need to take extra care to ensure that signs of abuse and neglect are identified and interpreted correctly, but concerns should be reported in exactly the same manner as for other students.

### **6.4 Record keeping**

Well-kept records are essential in situations where it is suspected or believed that a student may be at risk from harm.

Records should:

- state who was present, time, date and place;
- use the actual words wherever possible;
- be factual/state exactly what was said; and
- differentiate clearly between fact, opinion, interpretation, observation and/or allegation.

Records about safeguarding or welfare concerns including EHC paperwork, will be retained securely and separately to the curriculum records of the student. If the student moves to another school or education setting, these records will be suitably redacted in regard to the identification of other children or adults and sent in a timely and secure manner to the Designated Safeguarding Lead of the receiving school or college.

### **6.5 Attendance at Child Protection Conferences**

A member of the Safeguarding Team and/or Student Welfare Officer will be expected to attend the initial Child Protection Conference and Reviews, and provide a written report as required.

### **7.0 Protecting yourself against allegations of abuse**

Keeping children safe in education 2014 says that all staff members should be aware of systems within their college which support safeguarding and these should be explained to them as part of staff induction. This includes the college's code of conduct. You should seek to keep your personal contact with children under review and seek to minimise the risk of any situation arising in which misunderstandings can occur. The following sensible precautions can be taken when working alone with children:

- work in a room where there is a glass panel in the door or leave the door open;
- make sure that other adults visit the room occasionally;
- avoid working in isolation with children unless thought has been given to safeguards;
- never give out personal mobile phone numbers or private e-mail addresses;
- do not give students lifts home in your car (unless this has been specifically agreed by senior management);
- do not arrange to meet students outside of College activities; and
- never 'befriend' or chat to students on social network sites.

Under the Sexual Offences Act 2003 it is a criminal offence for anyone working in an education setting to have a sexual relationship with a student even when the student is over the age of consent but under 18 years of age.

### **8.0 Recruitment, supervision and training for staff**

When recruiting new members of staff the College follows the government guidance 'Keeping children safe in education' 2016 and Safer Recruitment principles, and has due regard to the Safeguarding Vulnerable Groups Act 2006 and The Protection of Freedoms Act 2012. The College ensures that enhanced DBS checks are undertaken in line with government guidance, that appropriate references are obtained and that qualifications are verified. Accredited Safer Recruitment training has been undertaken by members of staff and appropriate Governors who sit on recruitment panels in accordance with statutory guidance.

All staff will be encouraged to read the government guidance 'Keeping Children Safe in Education 2016' and have been given a copy of Part One of this guidance which they must read.

Newly appointed staff and volunteers will have a robust induction into the child protection procedures when they join the College. They will be made aware of the Staffordshire Safeguarding Children Board procedures ([www.staffsscb.org.uk](http://www.staffsscb.org.uk)) as part of that induction programme, and be given a copy of the College Safeguarding Policy and the Code of Conduct. Any reason for staff to be having personal, social contact with students at the College must be explained to the Principal with the rationale and any safeguarding actions required will be recorded. Staff will also attend the Level 1 Safeguarding and Promoting the Welfare of Children and Young People training including Prevent Awareness within 3 months of joining the College. The initial Level One Child Protection training given to each member of the organisation will be updated every three years and recorded.

Any staff member, volunteer or governor who becomes the subject of a police investigation in relation to physical or sexual offences against adults or children, or are charged with such a criminal offence, must inform the Principal. Staff must disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children whether received before, or during their employment at the College. The Principal will discuss any potential safeguarding matters with the LADO and any required action will be agreed.

Any staff member, volunteer or governor whose own children become subject to child protection investigations must inform the Principal. The Principal will discuss with the Local Authority Designated Officer (LADO) in regard to procedures for dealing with allegations against Persons who work in a position of trust with children. Appropriate action will be agreed.

The Designated and Deputy Designated Safeguarding Leads will attend Staffordshire Safeguarding Board Courses at Level Two and above at least every 2 years in order to maintain continuous professional development and comply with statutory guidance and the SSCB training strategy.

The College's safeguarding team meets on a regular basis for this purpose.

## **9.0 Allegations against staff**

### **9.1 Allegations of abuse against a person working in a position of trust**

Children can be the victims of abuse by those who work with them in any setting. All allegations of abuse of children carried out by any staff member or volunteer is therefore taken seriously.

Staff have a professional duty to report concerns about the conduct of other adults working in the College if there are indications that a child or children could be at risk of harm. Adults working in the College are encouraged to raise

any concerns about conduct or practice so that this can be addressed appropriately. Allegations of abuse made against adults working in the College, whether historical or current, should be reported to the Principal (or, if the allegation is against the Principal, it should be reported to the Chair of Governors). Adults working in the College are also able to follow the ['Whistle Blowing Policy'](#) if they feel unable to follow standard procedures relating to an allegation against staff.

In line with government guidance and SSCB procedures, the Principal/Chair of Governors will contact a Local Authority Designated Officer (LADO) to discuss the allegation if the concerns are that an adult in a position of trust has:

- behaved in a way that has harmed a child, or may have harmed a child;
  - possibly committed a criminal offence against or related to a child; and
  - 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.
- (Keeping children safe in education April 2016)*

This initial discussion will establish the validity of any allegation under SSCB procedures ([www.staffsscb.org.uk](http://www.staffsscb.org.uk) procedure 4A) and if a child protection safeguarding referral is required due to a child having suffered or being at risk of suffering 'significant harm'. If this is the case a referral will be raised with the relevant Safeguarding team and a section 47 child protection strategy meeting will be convened that the Principal/Chair of Governors should attend.

If an individual child is not identified but there are concerns about the behaviour of a person in a position of trust which require consideration by other agencies or organisations, the LADO will convene a Joint Evaluation Meeting (JEM) to consider the issues and any action required.

The fact that a member of staff offers to resign will not prevent the allegation procedure and any necessary disciplinary action reaching a conclusion.

The decision of the strategy/Joint evaluation meeting could be:

- investigation by children's social care;
- police investigation if there is a criminal element to the allegation; and
- single agency investigation completed by the College which should involve the Director of HR.

If the matter does not meet the threshold for intervention by other agencies, but concerns remain about the conduct of a person in position of trust working with children, the College will undertake investigatory and, if appropriate, disciplinary action. Referrals to the Disclosure and Barring Service (DBS) will be made by the College when necessary in line with current guidance.

## **10.0 E-Safety**

The growth of different electronic media in everyday life and an ever developing variety of devices including PC's, tablets, laptops, mobile phones, webcams etc place an additional risk.

Internet chat rooms, discussion forums or social networks can all be used as a means of contacting children and young people with a view to grooming them for inappropriate or abusive relationships. The anonymity of the internet allows adults, often pretending to be children, to have conversations with children and in some cases arrange to meet them.

Access to abusive images is not a 'victimless' act as it has already involved the abuse of children. The internet has become a significant tool in the distribution of indecent photographs of children and should be a concern to all those working with students.

Students can engage in or be a target of cyberbullying using a range of methods including text and instant messaging to reach their target. Mobile phones are also used to capture violent assaults of other children for circulation (happy slapping), or distributing indecent images of children (e.g. sexting).

The best protection is to make students aware of the dangers through curriculum teaching and tutorial sessions.

### **Protection is Prevention**

- software is in place to minimise access and to highlight any one accessing inappropriate sites or information;
- students will be encouraged to discuss openly their use of technology and anything which makes them feel uncomfortable. (If this results in child protection concerns the Safeguarding Team should be informed immediately);
- students should be encouraged not give out their personal details, phone numbers, College, home address, computer passwords etc; and
- students should adhere to the College policy on mobile phones.

The police will be involved if there is any criminal element to misuse of the internet, phones or any other form of electronic media.

Storage of Mobile Phone, Images of children (Early Years Framework 2012 and 2014 (effective September 2014))

## **11.0 Resources**

Section 175 of the Education Act 2002 puts an explicit duty on Governing Bodies to ensure their functions are exercised with a view to safeguarding and promoting the welfare of students. The governing body will therefore ensure that sufficient resources are made available to enable the necessary tasks to be carried out properly under Staffordshire Safeguarding Children Board procedures including attending meetings, collating and writing assessment reports, and staff training. The Governing Body will also ensure that all

Governors have an understanding of safeguarding issues and the policies and procedures that are in place in College to safeguard and promote the welfare of all students in the College. Safeguarding awareness will be addressed through the curriculum as appropriate to ensure all the students understand what is meant by safeguarding and how they can be safe.

## **12.0 Key documents referred to and underpinning this policy are:**

- ‘Working Together to Safeguard Children’ 2015 (DfE) <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- Staffordshire Safeguarding Children Board Procedures (online) [www.staffsscb.org.uk/professionals/procedures/](http://www.staffsscb.org.uk/professionals/procedures/)
- Staffordshire Safeguarding Children Board Training Catalogue (online) <https://www.staffsscb.org.uk/Training/inter-agency-training.aspx>
- Staffordshire Policy and guidance on the use of Restrictive Physical Interventions (including restraint) in mainstream schools
- The Children Act 1989 and 2004
- Education Act 2002
- [Whistle Blowing policy](#)

## **13.0 Links with other college policies**

This policy document should also be considered within the context of other policies and documents relating to our work with children and young people.

## **14.0 Designated Safeguarding Team**

### **The Designated Safeguarding Person at NSCG is:**

Lesley Morrey – Director of Student Engagement and Partnerships

### **The Deputy Designated Safeguarding Officer at NSCG is:**

Denise Haney – Group Head of Student Services

### **The Duty Safeguarding officers are:**

Carolyne Dixon, Jo Lawton

### **The Safeguarding Team are:**

Liz Wyman, David Bourne and Student Welfare officers at both sites

### **The Nominated Governor for Safeguarding Is: Alan Aston**

### **The Chair of Governors is: Simon Leech**