



BATH ACADEMY SAFEGUARDING OF CHILDREN POLICY

Policy statement

- 1.1 This policy is addressed to all members of staff and volunteers, is available to parents on request and is published on the College website. It applies wherever staff or volunteers are working with students even where this is away from the College, for example at an activity centre or on an educational visit.
- 1.2 Every student should feel safe and protected from any form of abuse which, in this policy, means any kind of neglect, non-accidental physical injury, sexual exploitation or emotional ill-treatment.
- 1.3 Bath Academy is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. The College will take all reasonable measures to:
 - ensure that we practise safer recruitment in checking the suitability of staff and volunteers (including staff employed by another organisation) to work with children and young people in accordance with the guidance given in *Safeguarding Children and Safer Recruitment in Education*, the Education (Independent College Standards) (England) Regulations 2003 as amended and the National Minimum Standards for Accommodation of Students under Eighteen by Further Education Colleges;
 - ensure that we carry out all necessary checks on the suitability of people who serve on the College's governing body in accordance with the above regulations and guidance given in *Safeguarding Children and Safer Recruitment in Education* (and the National Minimum Standards for Accommodation of Students under Eighteen by Further Education Colleges);
 - ensure that where the College ceases to use the services of any person (whether employed, contracted, a volunteer or student) because that person was considered unsuitable to work with children, a prompt and detailed report is made to the Independent Safeguarding Authority (ISA);
 - ensure that where staff from another organisation are working with our students on another site, we have received assurances that appropriate child protection checks and procedures apply to those staff;
 - follow the local inter-agency procedures of the Bath and North East Somerset Local Safeguarding Children Board;
 - protect each student from any form of abuse, whether from an adult or another student;
 - be alert to signs of abuse both in the College and from outside;

- design and operate procedures which, so far as possible, ensure that teachers and others who are innocent are not prejudiced by false allegations;
- support students who have been abused in accordance with his / her agreed child protection plan;
- be alert to the medical needs of students with medical conditions;
- operate robust and sensible health & safety procedures;
- take all practicable steps to ensure that College premises are as secure as circumstances permit;
- operate clear and supportive policies on drugs, alcohol and substance misuse;
- consider and develop procedures to deal with any other safeguarding issues which may be specific to individual students in our College or in our local area; and
- have regard to guidance issued by the Secretary of State for Education in accordance with section 157 of the Education Act 2002 and associated regulations.

Every complaint or suspicion of abuse from within or outside the College will be taken seriously and in all proper circumstances will be referred to an external agency such as the social services department of the local authority (**SSD**), the child protection unit of the police (**CPU**) or the NSPCC. In each of these cases, the matter will be referred by the Designated Person to the Local Authority Designated Officer (LADO), Bath and South East Somerset:

Contact Details:

Bath Locality Team (for children who live in the central Bath area) **01225 396312**

North East Somerset Locality Team (for children who live outside central Bath) **01225 396313**

Outside of office hours- the **Emergency Duty Team** on **01454 615165**

2 The Designated Person

2.1 The College has appointed a senior member of staff with the necessary status and authority (Alison Gourmley – Head of Student Services) to be responsible for matters relating to child protection and welfare. Parents are welcome to approach the Designated Person if they have any concerns about the welfare of any student in the College, whether these concerns relate to their own child or any other. If preferred, parents may discuss concerns in private with the student's tutor or the Principal, who will notify the Designated Person in accordance with these procedures.

2.2 The main responsibilities of the Designated Person are:

- to be the first point of contact for parents, students, teaching and non-teaching staff and external agencies in all matters of child protection;
- to co-ordinate the child protection procedures in the College;
- to maintain an on-going training programme for all College employees;

- to monitor the keeping, confidentiality and storage of records in relation to child protection;
- to liaise with the child protection officer appointed by the SSD (Local Authority Designated Officer);
- to keep parents informed of action to be taken under these procedures in relation to their child in accordance with paragraph 6.11;
- to monitor records of students in the College on the Child Protection Register (CPR) to ensure that this is maintained and updated as notification is received;
- to liaise with other professionals to ensure that students on the CPR are monitored;
- where appropriate, to take part in the child protection conferences or reviews;
- to inform the SSD in writing when a child on the CPR moves to another College and to inform the new College of the child's status on the CPR.

2.3 The Designated Person for the College site is Ms Alison Gourmley (Head of Student Services) who may be contacted on 01225 334577. She will:

- advise and act upon all suspicion, belief and evidence of abuse reported to her;
- keep the Principal informed of all actions unless the Principal is the subject of a complaint. In this situation, the Designated Person should consult with the Directors, Mr David Game and Mr Mansour Kaveh;
- liaise with the SSD and other agencies on behalf of the College.

2.4 The Designated Person has undertaken child protection training and training in inter-agency working and will attend refresher training at two yearly intervals.

3 Types of abuse

3.1 Abuse can be:

- physical abuse, for example beating or punching;
- emotional abuse, for example rejection and denial of affection;
- sexual abuse, for example sexual assault or encouraging a child to view pornographic material;
- neglect, for example failure to provide appropriate care including warmth or medical attention.

4 Signs of abuse

4.1 Possible signs of abuse include (but are not limited to):

- the student says s/he has been abused or asks a question which gives rise to that inference;
- there is no reasonable or consistent explanation for a student's injury; the injury is unusual in kind or location; there have been a number of injuries; there is a pattern to the injuries;

- the student's behaviour stands out from the group as either being extreme model behaviour or extremely challenging behaviour; or there is a sudden change in the student's behaviour;
- the student asks to drop subjects with a particular teacher and seems reluctant to discuss the reasons;
- the student's development is delayed;
- the student loses or gains weight;
- the student appears neglected, e.g. dirty, hungry, inadequately clothed;
- the student is reluctant to go home, or has been openly rejected by his / her parents or carers.

5 Duty of employees, Directors and volunteers

5.1 Every employee and Director of the College as well as every volunteer who assists the College is under a general legal duty:

- to protect students from abuse;
- to be aware of the College's child protection procedures and to follow them;
- to know how to access and implement the procedures, independently if necessary;
- to keep a sufficient record of any significant complaint, conversation or event;
- to report any matters of concern to the Designated Person.

Every employee is under a legal duty to undertake appropriate training including refresher training at three-yearly intervals and part-time and voluntary staff who work with students are made aware of these arrangements.

5.2 **Whistleblowing:** All staff are required to report to the Principal or the Directors in his/her absence, any concern or allegations about College practices or the behaviour of colleagues which are likely to put students at risk of abuse or other serious harm. There will be no retribution or disciplinary action taken against a member of staff for making such a report provided that it is done in good faith.

6 Procedures

6.1 **Initial complaint:** A member of staff suspecting or hearing a complaint of abuse:

- must listen carefully to the student and keep an open mind. Staff should not take a decision as to whether or not the abuse has taken place;
- must not ask leading questions, that is, a question which suggests its own answer;
- must reassure the student but not give a guarantee of absolute confidentiality. The member of staff should explain that they need to pass the information to the Designated Person who will ensure that the correct action is taken;
- must keep a sufficient written record of the conversation. The record should include the date, time and place of the conversation and the essence of what was said and done by whom and in whose presence. The record should be signed by the person making it and should use names, not initials. The record must be kept securely and handed to the Designated Person.

- 6.2 **Preserving evidence:** All evidence, (for example, scribbled notes, and mobile phones containing text messages, clothing, and computers), must be safeguarded and preserved.
- 6.3 **Reporting:** All suspicion or complaints of abuse must be reported to the Designated Person or Deputy Designated Person, or if the complaint involves the Designated Person, to the Principal.
- 6.4 **Action by the Designated Person:** The action to be taken will take into account:
- the local inter-agency procedures of the Bath and North East Somerset Local Safeguarding Children Board;
 - the nature and seriousness of the suspicion or complaint. A complaint involving a serious criminal offence will always be referred to the SSD or the police without further investigation within the College;
 - the wishes of the student who has complained, provided that the student is of sufficient understanding and maturity and properly informed. However, there may be times when the situation is so serious that decisions may need to be taken, after all appropriate consultation, that override a student's wishes;
 - the wishes of the complainant's parents, provided they have no interest which is in conflict with the student's best interests and that they are properly informed. Again, it may be necessary, after all appropriate consultation, to override parental wishes in some circumstances. If the Designated Person is concerned that disclosing information to parents would put a student at risk, he or she will take further advice from the relevant professionals before making a decision to disclose;
 - duties of confidentiality, so far as applicable;
 - the lawful rights and interests of the College community as a whole including its employees and its insurers;
 - if there is room for doubt as to whether a referral should be made, the Designated Person may consult with the Local Authority Designated Officer or other appropriate professionals on a no names basis without identifying the family. However, as soon as sufficient concern exists that a student may be at risk of significant harm, a referral will be made without delay. If the initial referral is made by telephone, the Designated Person will confirm the referral in writing to SSD within 24 hours. If no response or acknowledgment is received within three working days, the Designated Person will contact Social Services again.
- 6.5 **Referral guidelines:** A referral to the SSD or police will not normally be made where:
- the complaint does not involve a serious criminal offence; and
 - a referral would be contrary to the wishes of a student complainant who is of sufficient maturity and understanding and properly informed, and contrary also to the wishes of the complainant's parents; and
 - the case is one that can be satisfactorily investigated and dealt with under the College's internal procedures, the parents being kept fully informed, as appropriate.

However, if during the course of the internal procedures, it appears that the situation is more serious, the Designated Person will again consider whether a referral should be made in accordance with paragraph 6.4 above.

- 6.6 **External agencies:** Whether or not the College decides to refer a particular complaint to the SSD or the police, the parents and student will be informed in writing of their right to make their own complaint or referral to the Social Services Department or the Child Protection Unit of the police and will be provided with contact names, addresses and telephone numbers, as appropriate.
- 6.7 **Allegations against staff:** The College has procedures for dealing with allegations against staff (and volunteers who work with students) that aim to strike a balance between the need to protect students from abuse and the need to protect staff and volunteers from false or unfounded allegations. These procedures follow the guidance in chapter 5 of *Safeguarding Children and Safer Recruitment in Education*.

Suspension will not be an automatic response to an allegation. Full consideration will be given to all the options, subject to the need to ensure:

- the safety and welfare of the students or student concerned;
- the need for a full and fair investigation.

Where an allegation or complaint is made against the Designated Person or any other member of staff or a volunteer, the matter should be reported immediately to the Principal.

Where an allegation or complaint is made against the Principal, the person receiving the allegation should immediately inform the Designated Person, or in her absence, the Directors, without first notifying the Principal.

Detailed guidance is given to staff to ensure that their behaviour and actions do not place students or themselves at risk of harm or of allegations of harm to a student.

If the College ceases to use the services of a member of staff (or a Director or volunteer) because they are unsuitable to work with students, a compromise agreement will not be used and there will be a prompt and detailed report to the Independent Safeguarding Authority. Any such incidents will be followed by a review of the safeguarding procedures within the College, with a report being presented to the Board of Directors without delay.

- 6.8 **Allegations against students:** A student against whom an allegation of abuse has been made may be suspended from the College during the investigation and the College's policy on behaviour, discipline and sanctions will apply. The College will take advice from the Local Authority Designated Officer (LADO) on the investigation of such allegations and will take all appropriate action to ensure the safety and welfare of all students involved including the student or students accused of abuse. If it is necessary for a student to be interviewed by the police in relation to allegations of abuse, the College will ensure that, subject to the advice of the LADO, parents are informed as soon as possible and that the student is supported during the interview by an appropriate adult. In the case of students whose parents are abroad, the student's Guardian will be requested to provide support to the student and to accommodate him/her if it is necessary to suspend him/her during the investigation.
- 6.9 **Suspected harm from outside the College:** A member of staff who suspects that a student is suffering harm from outside the College should seek information from the student with tact and sympathy using "open" and not leading questions. A sufficient

record should be made of the conversation and if the member of staff continues to be concerned he or she should refer the matter to the Designated Person.

- 6.10 **Missing child procedures:** The Designated Person will notify Social Services if there is an unexplained absence of more than two days by a child on the Child Protection Register. All staff are informed of the separate procedure to be used for searching for, and if necessary, reporting, any student missing from College. The procedure includes the requirement to record any incident, the action taken and the reasons given by the student for being missing.
- 6.11 **Informing parents:** Parents will normally be kept informed as appropriate of any action to be taken under these procedures. However, there may be circumstances when the Designated Person will need to consult the LADO and/or the Principal before discussing details with parents.

7 Confidentiality and information sharing

- 7.1 **Confidentiality and information sharing:** The College will keep all child protection records confidential, allowing disclosure only to those who need the information in order to safeguard and promote the welfare of children and young people. The College will co-operate with police and social services to ensure that all relevant information is shared for the purposes of child protection investigations under section 47 of the Children Act 1989 in accordance with the requirements of *Working Together to Safeguard Children*.

8 Monitoring

- 8.1 The Designated Person will monitor the operation of this policy and its procedures and make an annual report to the Principal.
- 8.2 The Directors will undertake an annual review of this policy and how their duties under it have been discharged.
- 8.3 The Directors will ensure that any deficiencies or weaknesses in regard to child protection arrangements are remedied without delay.

9 Contact numbers

- 9.1 The following telephone numbers may be useful for students:

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| Childline | 0800 1111 |
| NSPCC | 0808 800 5000 |
| Parent Line | 0808 800 2222 |

Flowchart for a member of staff worried about a student

