



CENTRAL SUSSEX COLLEGE

Safeguarding Policy

Ref.
Effective

Student 11.6
01/01/12

POLICY STATEMENT

Central Sussex College is committed to ensuring that arrangements are in place to safeguard and promote the welfare of its learners. Further, for those learners under the age of 18 (young people), or in the case of those with certain disabilities those under 25 years of age, the College is committed to ensuring that it complies with its statutory duty under section 175 of the Education Act 2002 and the Children Act 2004.

In addition to this the College also has similar duties and commitments to our learners who fall under the Vulnerable Adults category as defined by the 'No Secrets' Government guidance 'a person aged 18 years or over, who is in receipt of or may be in need of community care services by reason of 'mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'.

REASONS FOR THE POLICY

The policy exists to ensure that the College implements appropriate arrangements, systems and procedures to ensure that staff in the College have the right skills, means and resources to protect children and vulnerable adults from harm. Further the College recognises that learners who are abused or witness violence may find it difficult to develop a sense of self worth and that the College may be the only stable, secure and predictable environment in the lives of those learners at risk. The College will endeavour to support those learners through a range of mechanisms including a positive ethos where students feel secure, are encouraged to talk, are listened to and are safe, College behavioural policies and procedures and liaison with external agencies and expertise such as Social Services and the educational welfare and psychology services.

POLICY OBJECTIVES

- To ensure Central Sussex College practices safe recruitment in checking the suitability of staff (and volunteers if appropriate) to work with young people and vulnerable adults.
- To raise awareness of child protection issues and to equip young people and vulnerable adults with the skills needed to make and keep them safe.
- To develop and implement procedures for identifying and reporting cases, or suspected cases, of abuse.
- To support young people and vulnerable adults who have been abused.
- To establish a safe environment in which young people and vulnerable adults can learn and develop.
- To enable students to:
 - Be healthy.
 - Stay safe.
 - Enjoy and achieve.
 - Make a positive contribution.
 - Achieve economic well-being.

POLICY

We recognise that because of their day to day contact with the learners, teaching staff, personal tutors and support staff are well placed to observe the outward signs of abuse. The College will therefore:

- Establish and maintain an environment where young people and vulnerable adults feel secure, are encouraged to talk and are listened to.
- Ensure that young people and vulnerable adults know that there are designated staff in the College whom they can approach if they are concerned or upset.
- Include opportunities in the tutorial programme for learners to develop the skills they need to recognise and stay safe from abuse.

In order to achieve the above the College will:

- Ensure we have a designated lead professional member of staff responsible for child protection issues who has received appropriate training and support for this role.
- Ensure every member of staff and relevant external parties knows the name of the designated lead professional and is fully aware of their role.
- Ensure that all staff and relevant external parties understand their responsibilities in being alert to the signs of abuse and their responsibility for referring their concerns to the designated lead professional.
- Ensure that parents/carers/employers and learners have an understanding of the responsibility placed on the College and staff for child protection by setting out its obligations in the College prospectus.
- Notify Social Services and/or other appropriate agencies if there is an unexplained absence of a learner who is on the child protection register.
- Develop effective links with relevant agencies and cooperate as required with their enquiries regarding child protection matters including attendance at case conferences.
- Keep written records of concerns about learners, even where there is no need to refer the matter immediately.
- Ensure that all records are kept securely; separate from the main learner files and in a locked location.
- Ensure strict adherence to procedures when an allegation of any kind concerning learners is made against a member of staff.
- Ensure safe recruitment practices are followed.

DEFINITIONS

- 'Child' is anyone under the age of 18 years or up to 25 years old with certain disabilities. (Please note that although our students aged between 14 and 18 are defined as children by law they are likely to prefer to be called 'young people'.)
- A 'vulnerable adult' is a person who is aged 18 years or older and:
 - Is living in residential accommodation, such as a care home or a residential special school;
 - Is living in sheltered housing;
 - Is receiving domiciliary care in his or her own home;
 - Is receiving any form of health care;
 - Is detained in a prison, remand centre, young offender institution, secure training centre or attendance centre or under the powers of the Immigration and Asylum Act 1999;
 - Is in contact with probation services;
 - Is receiving a welfare service of a description to be prescribed in regulations;
 - 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. (age-related needs includes needs associated with frailty, illness, disability or mental capacity);
 - Is an expectant or nursing mother living in residential care;
 - Is receiving direct payments from a local authority/HSS body in lieu of social care services;
 - Requires assistance in the conduct of his or her own affairs.

RELATED POLICIES

Customer Complaints Procedure.
Code of Conduct and Disciplinary Policy for Students.
Disciplinary Policy and Procedure (Staff).
Harassment and Bullying Policy for Learners.
Health, Safety and Welfare at Work Policy
Social Media Guidelines.
Whistleblowing Procedure.

PROCEDURES

Procedures for the implementation of this policy are contained in the Appendix.

CONTACTS

Director of Student Support.
Pastoral Team Leader.

WHO SHOULD KNOW ABOUT THIS POLICY

All staff and learners, particularly those learners under the age of 18 and their parents/carers.

RESPONSIBILITY

Director of Student Support.
Deputy Principal Students, Curriculum & Quality.

HISTORY

Policy adopted September 2004.
Policy revised to incorporate procedures February 2005.
Policy reviewed and revised to incorporate all campuses December 2007.
Policy revised to update the Definition of 'child' and vulnerable adult' January 2009.
Policy reviewed and revised with minor amendment June 2009.
Policy reviewed and revised with minor amendment December 2011.

Signed: _____ Dr R Strutt _____ Date: 9 January 2012 _____
Position: _____ Principal _____

Safeguarding Procedures

Child and vulnerable adult abuse of all kinds - physical, sexual, emotional, neglect, financial and discriminatory - has been increasingly detected in recent years. Adults working in an FE College are well placed to notice signs of abuse or may be approached by a learner who wishes to make a disclosure. It is vital that all members of staff are aware of the appropriate way to respond to situations which may indicate that a child is being abused.

Central Sussex College follows the West Sussex child protection procedures which state:

‘An abused child is any boy or girl, under 18 years of age, who has suffered from, or is believed likely to be at risk of, significant risk or physical injury, neglect, emotional abuse or sexual abuse.’

The Children Act of 2004 gives every child the right to protection from abuse and exploitation and the right to have enquiries made to safeguard his or her welfare.

1. What to do

If any member of staff has any concerns about a learner they consider to be suffering or to be at risk of suffering significant harm, he/she must immediately contact a member of the Safeguarding Team:

- Director of Student Support.
- Pastoral Team Leader.
- Student Support Team Leader Haywards Heath.
- Student Support Adviser at Haywards Heath.

The above College staff are the designated lead professionals in charge of child protection and safeguarding.

2. What concerns should be passed on

Members of staff are sometimes unsure if a concern comes under the safeguarding procedures and the following may help with this:

- Any suspicion, allegation or incident of abuse must be reported to a member of the Safeguarding Team immediately.
- A member of the Safeguarding Team will discuss the situation with Social Services through the integrated team if appropriate. This will include advice and discussion as to whether to make a formal referral for child protection.
- The discussions will include advice regarding Social Services' contact with the young person's parents/carers. In support of this process, any contact with parents/carers by other members of staff MUST be referred to the Director of Student Support or in their absence the College Pastoral Team Leader.
- A member of the Safeguarding Team will make a full and careful written record of the alleged abuse and the report must include the name and position of the person to whom the matter is initially reported. This should be done immediately or as soon as possible thereafter. The record must be kept secure and confidential. The relevant information should include:
 - The date and time the allegation was made.
 - Staff name and the names of others present.
 - The place where the alleged abuse took place, date and time.
 - The name of the person making the allegation and, where different, the name of the child who has allegedly been abused.
 - A description of any injuries observed.
 - An account of the allegation.
- Any telephone report must be confirmed in writing to Social Services department within 24 hours. The confirmation may be hand written, posted or faxed, but a copy must be kept securely on file.
- The Director of Student Support or in their absence the College Pastoral Team Leader shall retain a copy of the written records and any other relevant material. These will be kept securely at all times, separate from the main student file.
- Allegations against staff will also follow agreed Personnel procedures and will be referred to the Executive Director HR & Communications, or in their absence the Principal.

3. What not to do

Staff should not:

- Promise confidentiality.
- Ask leading questions.
- Criticise or give their views.

4. Who should staff discuss their concerns with

Staff should ONLY discuss their concerns with a member of the Safeguarding Team. Staff should discuss these if:

- A learner discloses that he/she has been sexually abused in the past or is now being sexually abused.
- A learner discloses self harm, eating disorders or suicide thought or attempts.
- A learner discloses that he/she has been physically abused in the past or is now being physically abused.
- Staff are told by another learner or parent/carer that they know a learner is being abused.
- Staff see bruises, cuts, burns or any unexplained injuries that lead them to be suspicious of physical injury.
- If they have any concerns about a learner's welfare or safety.

5. Neglect or Emotional Abuse

Members of staff often find it more difficult to know what to pass on in these circumstances. Any concerns or worries about a learner's welfare should be discussed with a member of the Safeguarding Team. In cases where the learner is still at school, and in the light of their knowledge of the Child Protection Procedures and the individual learner, it may be that the Director of Student Support or in their absence the College Pastoral Team Leader informs the school of the concern.

It is important that staff alert the Director of Student Support or in their absence the College Pastoral Team Leader of concerns regarding:

- Lack of adequate food, clothes or hygiene.
- Loss of weight.
- Increase in apathy.
- Excessive attention-seeking behaviour.
- Unduly aggressive behaviour.
- Self-depreciation (I'm stupid, ugly, worthless, etc).
- Extremes of passivity or aggression.
- Constant tiredness.
- Untreated medical or hygiene problems.
- No social relationships.

6. Suspected abuse by a member of staff

In the rare event that a member of staff suspects that a learner is being abused by a person on the staff of the learner's school or the College, a report should be made in strict confidence to the Director of Student Support who will liaise in the strictest of confidence with the Executive Director of HR and Communications.

If the Principal is suspected of improper conduct this should be reported immediately in strict confidence to the Senior Education Officer, Schools at County Hall, Chichester who will inform Social Services.

7. Suspected abuse by another student

Any form of inappropriate behaviour (i.e. bullying and harassment) towards students will be dealt with under the College Disciplinary Procedures.

The legal age for young people to consent to have sex is still 16, whether they are heterosexual, homosexual, lesbian or bisexual. The aim of the law is to protect the rights and interests of young people, and make it easier to prosecute people who pressure or force others into having sex they don't want. Although the age of consent remains at 16, the law is not intended to prosecute mutually agreed teenage sexual activity between two young people of a similar age, unless it involves abuse or exploitation. Young people, including those under 13, will continue to have the right to confidential advice on contraception, condoms, pregnancy and abortion.

Therefore a member of staff should only report cases of under age sex if they feel there is an abuse or exploitation issue. This may include abuse of a position of trust.

Teachers, health professionals, social care professionals, sexual health counsellors, youth workers, and parents are not liable to prosecution when they are acting to protect a child or young person. The exception covers people who are: protecting a child from sexually transmitted infection, protecting the physical safety of a child, preventing a child from becoming pregnant, or promoting the child's emotional well-being by the giving of advice. This means that, for instance, a teacher who promotes contraception as part of sex education tutorial, or a Pastoral Support Tutor who accompanies a young person to a sexual health clinic, would be exempted from these offences, providing they are acting to protect the child.

8. Responding to an allegation or suspicion of abuse – Guidelines

- The guidelines on child protection emphasise the need for a careful and measured approach to reported or suspected child abuse, and the danger of precipitate action. Whether or not to make a referral, which could activate a child protection investigation, is a serious decision and will require careful judgement.
- All allegations or suspicions of abuse must be taken seriously. Staff are required to respond with sensitivity to a young person who confides in them, recognising that it requires courage (and/or desperation) to share such painful and personal concerns.
- The Student Support Pastoral Support Tutors, Counsellors and Welfare Advisers are also available to offer that young person support and advice and would also immediately refer any suspected cases of child abuse to the Director of Student Support or in their absence the College Pastoral Team Leader.
- The procedures must be followed whenever an allegation is made that a young person/vulnerable adult has been abused or when there is suspicion that a young person has been abused.
- Promises of total confidentiality cannot, and must not, be given. However, young people can be assured that as few people as possible will be involved. No one will be told more than they need to know. Information is shared only on a need to know basis.
- The young person/vulnerable adult will be informed of all actions taken.
- Young people with learning difficulties and/or disabilities may need a different approach than other young people. Staff must be aware of any special considerations with regard to communication difficulties and equal opportunities. This issue will be dealt with through staff training and development.

9. Abuse of a Position of Trust

The Sexual Offences Act sets out a series of occupations to which the abuse of position of trust laws apply, these include Educational Institutions.

The offences for those working in positions of trust cover the same kinds of behaviour as offences which apply to the general public – except that, where positions of trust are concerned, the offences apply where the young person is under 18, instead of under 16, even though they are over the age of consent, they are potentially vulnerable to sexual abuse from people in positions of trust or authority.

The Act sets down specific positions of trust to which offences relate. People who are in these positions of trust will normally have power and authority in a child's life, and may have a key influence on their future. This applies to all roles and responsibilities within the College.

10. Good Practice

The College must be aware of the need to adhere to recognised good practice in the protection of children. In accordance with such practice the College will take steps to ensure that:

- Promises of confidentiality are not given, as the matter may need to be taken further.
- Individuals feel secure that any information they give will only be used to improve their circumstances.
- As few people as possible are involved in the procedure.
- Staff act on the basis that the overriding concern is the safety of the young person/vulnerable adult.
- Where the person making the allegation is a young person, questions are kept to a minimum necessary to understand what is being alleged and leading questions are avoided.
- The young person/vulnerable adult understand that external agencies may become involved.
- Particular attention is given to a young person/vulnerable adults with learning difficulties and/or disabilities.
- If a learner declares to staff that they were abused as a child and that learner does not wish further action to be taken, his/her wishes are respected. However, if there is reasonable concern that other children (as defined in the Act) in the discloser's family may be at risk, Social Services should be contacted by the Director of Student Support or in their absence the College Pastoral Team Leader.
- Conversations between staff and the discloser of abuse and (if different) the young person are recorded immediately and held in a confidential and secure place, separate from the student record.

11. Physical contact with learners

- As a general principal, staff should avoid all forms of physical contact with learners. Many learners dislike any form of physical contact and see it as intrusive, which can lead to aggressive or challenging responses.
- Physical contact which may be misconstrued by the learner, parent/carer or other observer should be avoided. This could include well intentioned informal gestures such as a hand on the shoulder or arm which some learners can misinterpret.
- A distressed learner may need comfort or reassurance. The learner's agreement should be sought before any physical comforting is given.
- Some staff are more likely to come into physical contact with learners on occasions e. g. demonstrating equipment or a piece of apparatus. On such occasions staff should be aware of the limits within which this contact should take place.
- Staff administering first aid should also be aware of the appropriate limits to physical contact and it is advisable that another learner or adult is present if the first-aider is concerned as to the nature of the contact.
- Staff who see learners individually should be aware of the potential issues which may arise from private interviews. Where possible, such interviews should be held in a room with visual access or with the door open, or in a room or area likely to be frequented by other people. It is always advisable to ensure another adult knows the interview is taking place.

12. Relationships with learners

- Staff should be aware they are in a position of trust and act accordingly.
- At Central Sussex College 14-16 year old learners are expected to address staff formally by using their title, e.g. Mr., Mrs., Ms., unless the learners are otherwise directed by individual tutors.
- All communication with parents/carers or schools in relation to 14-16 students should be noted down and copies sent to the 14-19 Partnership Coordinator based in Student Support, e.g. medical absence notes.
- Staff are strongly advised to telephone parents/carers only during working hours and from College.
- Members of staff should never visit a learner or parent/carer at home.

- Staff should never transport a learner in their car unaccompanied, irrespective of car insurance.
- Staff should not give their personal numbers, addresses or emails to students.
- Staff should not accept or invite students to their personal social networking sites (please refer to the Social Media Guidelines for more information).

13. Use of force to control or restrain learners

Central Sussex College's advice is to avoid all physical contact with learners unless specifically trained to do so. However, the Education Act 2002 clarifies the powers of tutors and other staff to use physical restraint to prevent learners causing injury or damage to property, committing a crime or causing serious disruption. Such restraint must be appropriate to the circumstance and reasonable in degree.

14. Monitoring

It will be the responsibility of the Director of Student Support or in their absence the College Pastoral Team Leader to review and monitor the procedures and to seek the advice of the Area Child Protection Committee (ACPC) and local authority Social Services department and to bring about a change in procedures and guidelines if necessary.

15. Training and Staff Development

Training and briefings will be provided at Induction and as appropriate, to all members of staff to ensure that they are aware of these procedures and guidelines. The Director of Student Support or in their absence the College Pastoral Team Leader and any other members of the College Welfare Team are available to discuss with colleagues areas or particular cases which give cause for concern.

16. Whistleblowing

Staff should familiarise themselves with the College's Whistleblowing Procedure. It is particularly important in the context of Safeguarding. Staff have a statutory duty to report concerns that a child is at risk of abuse, is being, or has been abused, to a member of the Safeguarding Team. This is because the interests of the child are paramount. However, fear of reprisal is a real issue for staff in reporting abuse by colleagues. The Public Interest Disclosure Act 1998 provides protection against victimisation for persons who, acting in good faith, raise concerns about a wide variety of malpractices in the public interest. When establishing the validity of any cause for concern care will be taken to:

- Protect the whistleblower;
- Avoid alerting anyone about whom a concern has been raised;
- Avoid alerting other colleagues who may warn the subject of the concern;
- Record the information;
- Keep all records secure and confidential.

Signed: _____ Alison White _____ Date: 4 January 2012 _____

Position: Director of Student Support

Signed: _____ Rosie Clements _____ Date: 4 January 2012 _____

Position: Pastoral Team Leader