

## SAFEGUARDING POLICY AND PROCEDURE

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1.	Introduction .....	2
2.	Governing Body Responsibilities .....	6
3.	Types of Abuse and Neglect .....	8
4.	Designated Staff with Responsibility for Protection from Abuse .....	20
5.	Staff Training .....	22
6.	Safeguarding Students who are Vulnerable to Radicalisation .....	22
7.	Safeguarding Students who are Vulnerable to Exploitation, Forced Marriage, Female Genital Mutilation or Trafficking .....	23
8.	Children who go missing from Education .....	23
9.	Students who have Communication Difficulties .....	24
10.	Students with Special Educational Needs and Disabilities .....	24
11.	Contextual Safeguarding .....	24
12.	Children Looked After (previously Looked After Children) .....	25
13.	Care Leavers .....	25
14.	Children with Family Members in Prison .....	25
15.	Positive mental health promotion .....	25

## SAFEGUARDING PROCEDURE

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1.	How to deal with Suspicions/Concerns of Abuse or Neglect .....	26
	Student Services Safeguarding Procedure Flowchart .....	29
2.	Reporting and Dealing with Allegations of Abuse against Members of Staff .....	30
3.	Safer Recruitment Training .....	37
4.	Staff Training .....	38
5.	Site Security .....	38
6.	Extended College and Off-Site Arrangements .....	38
7.	Photography and Images .....	38
8.	Online Safety .....	38
	APPENDIX 1 – The Channel Process within FE Colleges .....	40
	APPENDIX 2 - Legislation and statutory guidance.....	41

# SAFEGUARDING POLICY AND PROCEDURE

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## 1. Introduction

**1.1** Halesowen College is passionate about safeguarding our students. “Schools and Colleges and their staff form part of the wider safeguarding system for children.” This system is described in statutory guidance Working Together to Safeguard Children (2018 updated December 2020). We believe that not only do we have a statutory duty to ensure that we safeguard and promote the welfare of children, young people and adults at risk of harm in our care, but also a moral duty, providing a safe environment where students can learn, flourish and succeed. Learners will be educated, empowered and enabled to keep themselves safe both on and off-line. This policy focuses on how we recruit and train our staff, preventing unsuitable people from working with our learners through adherence to safe recruitment procedures, deal effectively with allegations against staff and support our students. The policy will contribute to the protection, safeguarding and promote welfare by:

- Maintaining the attitude of ‘it could happen here’
- clarifying standards of behaviour for staff and students
- promotion of an ethos that promotes mutual respect and shared values and a robust culture of vigilance
- including safeguarding in a robust pastoral system that enables learners to develop both the knowledge and skill to recognise harm and keep themselves and others safe
- preventing the impairment of young people and vulnerable adults mental and physical health or development
- addressing concerns at the earliest possible stage to protect learners from maltreatment and / or abuse
- supporting those who have been abused, are vulnerable to abuse or who have witnessed violence
- ensuring that victims of harm are never given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment, nor be made to feel ashamed for making a report
- ensuring systems are in place to enable learners to effectively share a safeguarding concern, express their views and be able to give feedback
- enabling the development of knowledge and skills to understand risk with the provision of appropriate and effective care
- ensuring that everyone who comes into contact with young people and their family understands their role in identifying concerns, sharing information and taking prompt action
- ensuring that on-line safety is promoted within the College’s infrastructure through the use of robust filtering and monitoring systems. This is in place for college devices and networks, regular review takes place to monitor the effectiveness of this and is an integral part of pastoral and teaching programmes
- the recognition of the part that both mobile phones and the learner’s own device use can play in compromising online safety,
- ensuring that there are systems in place to prevent, identify and respond to safeguarding issues and review the effectiveness of online safety practices.

Child protection is a part safeguarding and promoting welfare. It refers to the action taken to protect those who are suffering, or are likely to suffer, significant harm.

- 1.2 Throughout this policy and procedure, reference is made to “children and young people”. The term is used to mean those under the age of 18 years old.
- 1.3 Safeguarding and promoting the welfare of children is defined as: protecting children from maltreatment; preventing impairment of children’s mental and physical health or development; ensuring that 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.

We all have a statutory duty to safeguard and promote the welfare of children, young people and vulnerable adults and to maintain the attitude of ‘it could happen here’ where safeguarding is concerned and demonstrate professional curiosity to ascertain a young person’s circumstances.

**‘Safeguarding and promoting the welfare of children is everyone’s responsibility. Everyone who comes into contact with children and their families has a role to play. In order to fulfill this responsibility effectively, all practitioners should make sure their approach is child-centered. This means that they should consider, at all times, what is in the best interests of the child.’ (Keeping Children Safe in Education 2023 p.6)**

All staff should:

- Understand their safeguarding responsibilities and the systems in place which support safeguarding.
- Know how to contact the safeguarding team and who they are.
- Know what to do if a child tells them they are being abused or neglected and not promise confidentiality.
- report concerns and recognise the importance of raising all concerns and not see any as insignificant. Immediate referral may be justified where a single incident has taken place. Staff should not assume that a colleague, or another professional will take action and share information that might be critical in keeping children safe. ‘Staff should be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children, whether this is when problems are first emerging, or when a child is already known to local authority children’s care’ KCSiE 2023 para 117p.31.
- understand that abuse and maltreatment can be complex and may not be evident in one concern but in a picture built up over time through the consistent reporting of concerns. This is particularly evident in cases of emotional abuse and neglect. It is crucial that information is passed on to the safeguarding team without delay to enable support to be accessed at the earliest opportunity.
- be aware of the indicators of abuse, neglect, exploitation, radicalisation and domestic abuse to enable identification of those children who are need of help or protection.
- be aware that being absent from education may be an indicator of a safeguarding concern.
- be aware that safeguarding incidents and / or behaviours can be associated with factors outside the school or college and / or can occur between children outside of these environments.
- consider the risk to children of abuse and exploitation in situations outside their families including (but not limited to) online grooming, child criminal exploitation, child sexual exploitation, and serious youth violence.
- report marriage that may be planned for anyone under the age of 18
- be aware that domestic abuse can be psychological, physical sexual, financial or emotional and can impact upon children through seeing, hearing or experiencing the effects of this and / or experience this through their own intimate relationships and to report incidences of non-fatal strangulation and suffocation.

- identify when a mental health concern becomes a safeguarding concern and that child mental health issues are recognised as an area of vulnerability and can be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.
- report all incidences of sexual violence and sexual harassment and never minimise these behaviours.
- take all disclosures seriously and ensure the child is supported to keep them safe.
- be aware that children may not feel ready or know how to tell someone that they are being abused, exploited or neglected and that they may not recognise that what they are experiencing is harmful. Children may feel embarrassed, humiliated or being threatened, this could be due to their vulnerability, disability and / or sexual orientation or language barriers.
- develop trusted relationships with children and young people to facilitate communication.

#### Confidentiality:

The College will follow the guidance document 'Information Sharing: advice for practitioners providing safeguarding services to children, young people, parents and carers' (DfE, 2018) and the College Data Protection Policy. KCSiE (2023) p31, para 120 states that 'the Data Protection Act 2018 and UK GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information **must not** be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children'. The college will ensure that information is shared with the right people between and within agencies.

We believe that:

- all children/young people have the right to be protected from harm, abuse and neglect;
- that every child has the right to an education and children/young people need to be safe and feel safe in college;
- children/young people need support that meets their individual needs, including those who may have experienced abuse;
- all children/young people have the right to express their views, feelings and wishes and voice their own values and beliefs;
- all children and young people should be encouraged to respect each other's values and support each other;
- all children/young people have the right to be supported to meet their emotional and social needs as well as their educational needs as this will promote educational achievement;
- the College will contribute to the prevention of abuse, victimisation, bullying (including homophobic, bi-phobic, trans-phobic and cyberbullying), misogyny, misandry, exploitation, serious youth violence, radicalisation, extreme behaviours, sexually harmful behaviours, child on child abuse, discriminatory views and risk taking behaviours whether in person or online

The policy will contribute to ALL college student support by:

- identifying and protecting the vulnerable
- early identification of needs and planning to address those needs
- reviewing and assessing the effectiveness of any plans and amending to meet changing needs

The policy will contribute to the protection of students by:

- implementing Child protection policies and procedures and;
- working in full and transparent partnership with students, parents / carers and other agencies
- developing staff awareness of the risks and vulnerabilities faced by learners embedding safeguarding through effective communication and continuous professional development to promote understanding that no single professional can have the full picture of a young persons or vulnerable adults needs and circumstances
- encouraging learners to participate within an ethos of openness, to have a voice and feel listened to.

The designated safeguarding lead will ensure that a student's child protection file is transferred to a different educational setting should they move on and the process for doing this as stated in KCSiE 2023

- 1.4** Reference is also made throughout to "adults at risk". An adult at risk of abuse or neglect is defined as 'someone who has needs for care and support, who is experiencing or at risk of, abuse or neglect and as a result of their needs - is unable to protect themselves' (Care Act 2014 updated June 2023) The procedure will be applied with appropriate adaptations to all students.
- 1.5** Reference to and awareness of issues around the safeguarding of looked after children is clear throughout. The most common reason for children becoming looked after is as a result of abuse and/or neglect.

Governing bodies should ensure that staff have the skills, knowledge and understanding necessary to keep looked after children safe.

- 1.6** At Halesowen College we have robust safeguarding training for all staff, which is monitored. (See also 5.1 and 5.2)
- All staff receive safeguarding training as required in KCSiE 2023 and also receive regular updates through faculty meetings, briefings and 'My Concern' system alerts to develop and support effective safeguarding practice.
  - There are induction processes for all staff, volunteers and governors, and all required documents and policies are provided both at induction of new staff, and on a yearly refresher basis for current staff.
  - Staff work with other agencies to provide early help for young people and vulnerable adults before they become at risk of harm or require statutory assessment;  
'Early Help means providing support as soon as a problem emerges, at any point in a young person's life, from the foundation years through to the teenage years. '(WT 2018);
  - Staff are alert to the potential need for early help assessment for certain groups of learners, identifying emerging problems
  - All staff have equal responsibility to report their concerns about a young person or the behaviour of any adult without delay to the Designated Safeguarding Lead. Whilst the Designated Safeguarding Lead or deputies will normally make referrals, staff are made aware of the process for making referrals to social care and for statutory assessments under the Children Act 2004, especially section 17 (child in need) and section 47 (child suffering or likely to suffer significant harm) that may follow a referral, along with the role they might be expected to play in such assessments. ' (KCSiE 2023);
  - Everyone has a responsibility to escalate their concerns and 'press for reconsideration' if they believe a young person's needs remain unmet;

- Staff will work in partnership with other agencies to promote the welfare of young people and protect them from harm, including the need to share information in order to safeguard them in line with information sharing guidelines;
- Staff will work with multi-disciplinary teams to ensure any actions are completed in a timely way;

**1.7** This policy has been developed with reference to:

- The Children Act 2004
- The Education Act 2002
- The Education and Training (Welfare of Children) Act 2021
- The Prevent Duty for England and Wales (2015 updated April 2022) under section 26 of the Counter Terrorism and Security Act 2015
- Work based learners and the Prevent statutory duty Guidance for providers' DoE May 2021
- Section 5B of the Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015)
- Mandatory Reporting of Female Genital Mutilation – Procedural information 2020
- Statutory Guidance on FGM
- Dealing with Allegations of Abuse against Teachers and Other staff (2012)
- Information Sharing Advice for practitioners providing safeguarding services to children, young people, parents and carers (2018)
- Domestic Abuse Act 2021
- Controlling or Coercive Behaviour Statutory Guidance Framework 2023
- Police Act 1997 (Protection of Vulnerable Adults) Regulations (2013)
- Rehabilitation of Offenders Act 1974
- Safeguarding Vulnerable Groups Act 2006
- Care Act 2014 (updated 2022)
- Working Together to Safeguard Children (DoE) 2018 (updated 2022)
- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DoE) 2023
- Dudley Safeguarding People Partnership interagency child protection and safeguarding procedures
- Safer Working Practice for Adults who work with Children and Young People 2022.
- Forced Marriage (Civil Protection) Act 2007 (updated March 2023)

## **2. Governing Body Responsibilities**

**2.1** The Governing Body at Halesowen College abide by their responsibilities as outlined in Keeping Children Safe in Education 2023 and Working Together to Safeguard Children 2018.

*“Governing bodies should ensure that there are appropriate policies and procedures in place in order for appropriate action to be taken in a timely manner to safeguard and promote children’s welfare”.* Keeping Children Safe in Education (2023 p 27).

**2.2** The Governing Body ensures that:

- All Governors receive appropriate safeguarding and child protection training (including online) at induction to ensure that they are equipped with the knowledge to

provide strategic challenge and assure themselves that policies and procedures are effective and support a robust whole college approach to safeguarding.

- That updates are received.
- A whole college approach is taken regarding safeguarding.
- Ensure that the colleges online monitoring and filtering systems are effective and regularly review these.
- Safeguarding and child protection at the forefront of all activity and has the best interests of the child at its heart.
- The wishes and feelings of the child are taken into account when determining the action taken where there is a safeguarding concern.
- Systems are in place to enable children to confidently report abuse and that these systems are well promoted, easily understood and accessible to support children to know that their concerns will be treated seriously, where they can express their views and give feedback.
- Appropriate policies and procedures are in place to allow action to be taken in a timely manner to safeguard and promote children's welfare. Including behaviour policies for staff and learners.
- Staff are made aware of the role and identity of the DSL and deputies upon induction.
- Child protection files are maintained in accordance with Keeping Children Safe in Education 2023.
- Safer recruitment policies are in place in accordance with Keeping Children Safe in Education 2023.
- More than one emergency contact number is held for each learner where this is reasonably possible.
- Seek assurance that safeguarding and child protection arrangements in place where the college facilities are used by external organisations for activities.

The Governing body of Halesowen College is accountable for ensuring the effectiveness of this policy and our compliance with it. Although our Governing Body takes collective responsibility to safeguard and promote the welfare of our learners, we also have a named governor (Jo Rouse) who champions safeguarding within the college.

The Governing Board will ensure that:

- The safeguarding policy is in place and is reviewed annually, is available publicly via our college website and has been written in line with Local Authority guidance and the requirements of KCSiE 2023 Dudley Safeguarding People Partnership policies and procedures.
- The college contributes to inter-agency working in line with Working Together to Safeguard Children (2018); and that the senior leadership team and DSL understand their role within local safeguarding arrangements.
- A senior member of staff is designated to take the lead responsibility for safeguarding and child protection and that there is at least one deputy DSL(s) who is appropriately trained member to deal with any issues in the absence of the Designated Safeguarding Lead (DSL). There will always be cover for this role. The role will be evidenced explicitly in the role holder's job description.
- All staff receive a safeguarding induction and are provided with a copy of this policy, the staff code of conduct, the conduct policy, an explanation of the response when children are absent from education and the role of the designated safeguarding lead and deputies.
- All staff undertake appropriate safeguarding training that is updated annually and includes online safety training (including online filtering and monitoring); along with regular updates to enable them to safeguard children effectively.
- There is a robust approach to teaching learners about online safety and that teaching also takes place regarding both local and national risks, that this is an integral part of the colleges approach to safeguarding,

- There are appropriate and effective online filtering and monitoring processes which are reviewed
- There is an appropriate response to allegations of sexual violence and harassment
- Procedures are in place for dealing with allegations against members of staff and volunteers in line with statutory guidance.
- Safer recruitment practices are followed in accordance with the requirements of 'Keeping Children Safe in Education' DfE (2023).
- They remedy without delay any weakness in regard to our safeguarding arrangements that are brought to their attention.
- Temporary staff and volunteers are made aware of the school's arrangements for safeguarding & child protection and their responsibilities.

- 2.3** The Governing Body nominates a member (normally the Chair) – (Jo Chilton) to be responsible for liaising with the local authority and other agencies in the event of an allegation being made against the Principal (Jaquie Carman).
- 2.4** The Nominated Governor for safeguarding, (Jo Rouse) is responsible for liaising with the Principal and Designated Senior Person over matters regarding safeguarding issues. The role is strategic rather than operational – they will not be involved in concerns about individual students. The nominated governor will receive training relevant to the governance role and this will be updated every two years.
- 2.5** Governing bodies should ensure that their safeguarding arrangements take into account the procedures and practice of the local authority as part of the inter-agency safeguarding procedures set up by Dudley Safeguarding Peoples Partnership (DSPP) This includes the Integrated Care Boards.
- 2.6** As part of meeting a child's needs, it is important for governing bodies and proprietors to recognise the importance of information sharing between professionals and local agencies in line with statutory guidance – The Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR), this legislation also places duties on organisations and individuals to process personal information fairly and lawfully and keep information they hold safe and secure
- 2.7** The Principal, Governors and all staff working with children, young people and adults at risk of harm will receive adequate training to familiarise them with their safeguarding roles and responsibilities. They will be familiar with College procedures and policies and receive refresher training at least every 3 years, annual updates will be given. A senior member of staff will co-ordinate child protection arrangements and will be the Designated Safeguarding Lead (DSL). They will be assisted by the Deputy Designated Safeguarding Leads.

### 3. Types of Abuse and Neglect

- 3.1.** To ensure that our students are protected from harm, we need to understand what types of behaviour constitute abuse and neglect. All College staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases multiple issues will overlap with one another. Staff should know that children can be at risk of harm inside and outside of the college, home and online and that exercising professional curiosity is key to the early identification of abuse and neglect.

- 3.1.1. 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, this may involve witnessing the ill treatment of others. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take



place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

**3.1.2. Physical Abuse:** a form of abuse which 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.

**3.1.3. Emotional Abuse:** emotional abuse is the persistent emotional maltreatment of a child or adult at risk of harm such as to cause severe and persistent adverse effects on their emotional development. It may involve conveying to them that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person. It may include not giving them 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 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.

**3.1.4. Sexual Abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example 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 images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue (also known as child on child abuse) in education and all staff should be aware of it.

**3.1.5. Neglect:** 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)
- ensure access to appropriate medical care or treatment
- It may also be neglect of or unresponsiveness to a child's basic emotional needs. This also applies to adults at risk of harm for whom neglect is an often under-reported or unchallenged concern.

Safeguarding issues:

**3.1.6. Forced Marriage:** Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to

cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

**3.1.7.** It is now an offence to cause a child under the age of 18 to enter a marriage in any circumstances, without the need to prove that a form of coercion was used. This includes non-legally binding 'traditional' ceremonies which would still be viewed as marriages by the parties and their families.

**3.1.8. Mental Health:** Mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Education staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour, and education.

**3.1.9. Child On Child Abuse:** Children can abuse other children (previously referred to as peer on peer abuse). It can happen both inside and outside of school or college and online. Downplaying certain behaviours, for example dismissing sexual harassment as "just banter", "just having a laugh", "part of growing up" or "boys being boys" can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it. Halesowen has a zero-tolerance approach. It is also important to recognize that where there are intra familial harms support for the siblings is needed and for any other children involved / impacted.

Child on child abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- abuse in intimate personal relationships between peers;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- consensual and non-consensual sharing of nudes and semi-nude images and or videos (youth produced sexual imagery);
- upskirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm;

- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

### **3.1.10. Sexual Violence and Sexual Harassment**

Local Authority Children's social care and the police are important partners where a crime may have been committed and the college, as a relevant agency should be a part of the discussion with these agencies.

It is important that children understand that the law on child-on-child abuse is there to protect them rather than criminalise them.

The terminology used when managing such incidents is important some children and young people will not wish to be identified as a victim, and the term 'alleged perpetrator' should be used as it is recognised that the behavior may be harmful to them also. The term perpetrator to be used where this is appropriate.

Children who have experienced sexual violence display a very wide variety of responses to their experience, including in some cases clear signs of trauma, physical and emotional responses, or no overt signs at all. Support and sensitivity to the needs of the child irrespective of how overt the child's distress is.

Sibling support is to be taken into account following incidents where there are intra familial harms.

Where patterns of behaviour are identified this may point to environmental or wider local area issues and good practice is to share emerging trends with safeguarding partners.

*Refer to – Sexual Violence and Sexual Harassment Policy*

### **3.1.11. Sexual Violence**

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way and that it can happen both inside and outside of school/college. Halesowen college maintains an 'it could happen here approach'.

When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003 as described below:

**Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

**Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

**Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

Sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent, or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.

Causing someone to engage in sexual activity without consent: A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

### **3.1.12. Sexual Harassment**

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school/college. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

This can include:

- sexual comments, such as telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualized names;
- sexual jokes or taunting;
- physical behaviour such as brushing against someone, interfering with someone's clothes (sexual violence should be considered here along with the experience of the victim), displaying pictures photo's or drawings of a sexual nature; and
- online sexual harassment, this may be standalone or part of a wider pattern of sexual harassment and/or sexual violence and may include;
- Non-consensual sharing of nudes, semi nudes, images and videos;
- Sexualised online bullying;
- Unwanted sexual comments and messages;
- Sexual exploitation, coercion or threats.

### **3.1.13. Upskirting**

The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act came into force on 12 April 2019. Upskirting is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any gender, can be a victim.

Disclosures will be referred in line with Local Authority procedures.

### **3.1.14. Child Criminal Exploitation and Child Sexual Exploitation**

Both CSE and CCE are forms of abuse that occur where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and CCE can affect children, both male and female and it can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.

### **3.1.15. Child Criminal exploitation (CCE)**

Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, working in cannabis factories, shoplifting or pickpocketing. They can also be forced or manipulated into committing

vehicle crime or threatening/committing serious violence to others.

Children can become trapped by this type of exploitation as perpetrators can threaten victims (and their families) with violence or entrap and coerce them into debt. They may be coerced into carrying weapons such as knives or begin to carry a knife for a sense of protection from harm from others. As children involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognised by adults and professionals, (particularly older children), and they are not treated as victims despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to.

It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

### **3.1.16. Child Sexual Exploitation**

CSE is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or nonpenetrative acts such as masturbation, kissing, rubbing, and touching outside clothing.

It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse including via the internet.

CSE can occur over time or be a one-off occurrence and may happen without the child's immediate knowledge e.g. through others sharing videos or images of them on social media.

CSE can affect any child, who has been coerced into engaging in sexual activities. This includes 16 and 17-year olds who can legally consent to have sex. Some children may not realise they are being exploited e.g. they believe they are in a genuine romantic relationship.

### **3.1.17. County Lines**

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs using dedicated mobile phone lines or other form of "deal line". This activity can happen locally as well as across the UK - no specified distance of travel is required. Children and vulnerable adults are exploited to move, store and sell drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in a number of locations including schools (mainstream and special), further and higher educational institutions, pupil referral units, children's homes and care homes. Children are also increasingly being targeted and recruited online using social media. Children can easily become trapped by this type of exploitation as county lines gangs can manufacture drug debts which need to be worked off or threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

Any concerns regarding the above will be reported in line with local authority

procedures and staff will recognise that learners are victims and should be supported as such

### **3.1.18. Serious Violence**

All staff should be aware of the indicators, which may signal children are at risk from, or are involved with serious violent crime. These may include increased absences, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries.

All staff should be aware of the range of risk factors which increase the likelihood of involvement in serious violence, such as being male, having been frequently absent or permanently excluded from school, having experienced child maltreatment and having been involved in offending, such as theft or robbery.

### **3.1.19. Appropriate Adult**

The Designated safeguarding lead will liaise with the Principal to inform them of ongoing enquiries under section 47 of the Children Act 1989 and police investigations.

It is a requirement for Children and those who are vulnerable to have an appropriate adult during police investigations(PACE code C2019).

The role of the appropriate adult is to 'support, advise and assist' the young person and to 'observe whether the police are acting properly and fairly to respect (the young person's rights and entitlements) and inform an officer of the rank of inspector or above if they consider that they are not'. This role is usually fulfilled by a parent or family member, it can also be someone who is provided by the local authority or a professional known to the child.

The College will (where it is appropriate to do so) seek consent from a parent / carer / family member if they are unable to attend to ensure a member of the safeguarding team is present during the interview.

### **3.1.20. Online Safety**

Halesowen College acknowledges that it is essential that children and vulnerable adults at risk of harm are safeguarded from potentially harmful and inappropriate online material. An effective whole college approach to online safety will support the college to protect and educate learners and staff in their use of technology and establishes mechanisms to identify, intervene in, and escalate any concerns where appropriate.

The breadth of issues classified within online safety is considerable, but can be categorised into four areas of risk:

- content: being exposed to illegal, inappropriate or harmful content, for example: pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation and extremism.
- contact: being subjected to harmful online interaction with other users; for example: peer to peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes.
- conduct: personal online behaviour that increases the likelihood of, or causes, harm; for example, making, sending and receiving explicit images (e.g. consensual and non-consensual sharing of nudes and semi-nudes and/or pornography, sharing other explicit images and online bullying; and

- commerce - risks such as online gambling, inappropriate advertising, phishing and or financial scams.

### 3.1.21. Cybercrime

Cybercrime is criminal activity committed using computers and/or the internet. It is broadly categorised as either 'cyber-enabled' (crimes that can happen off-line but are enabled at scale and at speed on-line) or 'cyber dependent' (crimes that can be committed only by using a computer). Cyber-dependent crimes include;

- unauthorised access to computers (illegal 'hacking'), for example accessing a school's computer network to look for test paper answers or change grades awarded;
- denial of Service (Dos or DDoS) attacks or 'booting'. These are attempts to make a computer, network or website unavailable by overwhelming it with internet traffic from multiple sources; and,
- making, supplying or obtaining malware (malicious software) such as viruses, spyware, ransomware, botnets and Remote Access Trojans with the intent to commit further offence, including those above.
- Children with particular skill and interest in computing and technology may inadvertently or deliberately stray into cyber-dependent crime. The college will refer in line with guidance in KCSiE 2023

### 3.1.22. Domestic Abuse

The Domestic Abuse Act 2021 introduces the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of abuse. The statutory definition of domestic abuse, based on the previous cross-government definition, ensures that different types of relationships are captured, including ex-partners and family members. The definition captures a range of different abusive behaviours, including physical, emotional and economic abuse and coercive and controlling behaviour. Both the person who is carrying out the behaviour and the person to whom the behaviour is directed towards must be aged 16 or over and they must be "personally connected" (as defined in section 2 of the 2021 Act).

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child/adolescent to parent violence and abuse. Anyone can be a victim of domestic abuse, regardless of sexual identity, age, ethnicity, socioeconomic status, sexuality or background and domestic abuse can take place inside or outside of the home. **The Domestic Abuse Act 2021 (amended) the Serious Crime Act 2015, now has two new sections — section 75A and 75B specific criminal offence of non-fatal strangulation and suffocation.**

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Experiencing domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children including an impact on learning. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

Young people can also experience domestic abuse within their own intimate relationships. This form of child on child abuse is sometimes referred to as 'teenage relationship abuse'. Depending on the age of the young people, this may not be recognised in law under the statutory definition of 'domestic abuse' (if one or both parties are under 16). This also includes the sharing of / taking explicit images where those involved are under the age of 18 as this is illegal

Referral will be made in line with local safeguarding procedures.

### **3.1.23. Female Genital Mutilation**

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

FGM mandatory reporting duty for teachers Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers, along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases may face disciplinary sanctions.

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out.

Unless the teacher has good reason not to, they should still consider and discuss any such case with the school's or college's designated safeguarding lead (or deputy) and involve children's social care as appropriate.

The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures.

**3.1.24. So-called 'honour-based' abuse:** encompasses crimes which have been committed to protect or defend the honour of the family and/or the community and can include multiple perpetrators, including Female Genital Mutilation (FGM), forced marriage and practices such as breast ironing. All should be handled and escalated as abuse.

### **3.1.25. Preventing Radicalisation**

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of a schools' or colleges' safeguarding approach.

Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.

Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies including those associated with terrorist groups and movements, such as INCEL.

Terrorism is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can



occur through many different methods (such as social media or the internet) and settings (such as within the home). However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead (or deputy) making a Prevent referral.

### **3.1.26. The Prevent Duty**

All schools and colleges are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the Prevent duty. (Updated 2021)

### **3.1.27. Channel**

Channel is a voluntary, confidential support programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. Prevent referrals may be passed to a multi-agency Channel panel, which will discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required. A representative from the school or college may be asked to attend the Channel panel to help with this assessment. An individual's engagement with the programme is entirely voluntary at all stages.

Preventative education – is most effective in the context of a whole college approach that prepares children for life in modern Britain and creates a zero tolerance for sexism, misogyny / misandry, homophobia, biphobic and sexual violence and harassment. Behaviour expectations are underpinned by the colleges behavioural policy and pastoral support system. Tutorial sessions are planned and evidenced based and additional opportunities are taken during lessons.

### **3.1.28. Financial and Material Abuse**

This applies largely to adults at risk of harm and relates to circumstances where trust in relation to financial matters is abused. Includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions or the misuse or misappropriation of property, possessions or benefits.

### **3.1.29. Bullying:**

While bullying between children is not a separate category of abuse and neglect, it is a very serious issue that can cause considerable anxiety and distress. At its most serious level, bullying can have a disastrous effect on a child's wellbeing and in very rare cases has been a feature in the suicide of some young people. Bullying someone because of their age, race, gender, sexual orientation disability and/or transgender will not be tolerated as the College operates a zero tolerance approach to all forms of discrimination of those with any of the protected characteristics as defined by the Equality Act 2010 (see also: child on child abuse, 3.1.8) See also Halesowen College Student Conduct Policy.

### **3.1.30. Fabricated and Induced Illness**

This is also a type of physical abuse. This is where a child is presented with an illness that is fabricated by the adult carer. The carer may seek out unnecessary medical treatment or investigation. The signs may include a carer exaggerating a real illness or symptoms, complete fabrication of symptoms or inducing physical illness for example through poisoning, starvation, inappropriate diet. This may also be presented through false allegations of abuse or encouraging the child to appear disabled or ill to obtain unnecessary treatment or specialist support.

### 3.1.31. Private Fostering

Private fostering is when a child under the age of 16 (under 18 if disabled) is cared for by someone who is not a parent, person with parental responsibility for them or a relative in their own home. A child is not privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer. Such arrangements may come to the attention of school staff through the normal course of their interaction, and promotion of learning activities with children.

Although local authorities are charged with several duties, including the implementation of measures designed to strengthen private fostering notification arrangements, raising awareness of private fostering across partner agencies, ensuring that relevant training practices are developed, reviewing the findings of the annual private fostering report and responding to the findings of OFSTED inspections, all partner agencies of the LSPP, parents and private foster parents have a responsibility and duty to:

ensure that privately fostered children are protected.

- raise awareness of private fostering and the need to notify the local authority of arrangements.
- ensure that private fostering arrangements are satisfactory and compliant with legislation.
- ensure that the private foster parents are suitable and that appropriate advice is being given.
- consider post 16 support for those who are no longer subject to private fostering due to their age.

In a private fostering placement, the responsibility for safeguarding and promoting the welfare of the child stays with the parent. Local authorities or LSPPs do not approve or register private foster parents. Placement cannot be prevented unless the person is disqualified or a prohibition order is imposed. The local authority cannot remove the child except under an Emergency Protection Order.

**3.1.32. Culture, Faith and Beliefs:** The number of known cases of child abuse linked to accusations of 'possession' or 'witchcraft' is small, but children involved can suffer damage to their physical and mental health, their capacity to learn, their ability to form relationships and to their self-esteem. It is likely that a proportion of this type of abuse remains unreported.

Such abuse generally occurs when a carer views a child as being 'different', attributes this difference to the child being 'possessed' or involved in 'witchcraft' and attempts to exorcise him or her.

A child could be viewed as 'different' for a variety of reasons such as disobedience, independence, bed-wetting, nightmares, illness or disability. There is often a weak bond of attachment between the carer and the child.

There are various social reasons that make a child more vulnerable to an accusation of 'possession' or 'witchcraft'. These include family stress and/or a change in the family structure.

The attempt to 'exorcise' may involve severe beating, burning, starvation, cutting or stabbing and isolation and usually occurs in the household where the child lives.

Any siblings or other children in the household may be well cared for with all their needs met by the parents and carers. The other children may have been drawn in by the adults to view the child as 'different' and may have been encouraged to participate in the adult activities.

Concerns reported in the cases known from research have involved children aged 2-14, both boys and girls and have generally been reported through schools or non-governmental organisations. The referrals usually take place at a point when the situation has escalated and become visible outside the family. This means that the child may have been subjected to serious harm for a period of time already.

The initial concerns referred have been about:

- issues of neglect such as not being fed properly or being 'fasted', not being clothed, washed properly etc. but left to fend for themselves, especially compared to the other children in the household.
- often the carer is not the natural parent and the family structure can be complex.
- children often appear distressed or withdrawn.
- the child is seen as the scapegoat for a change in family circumstances for the worse.
- in a group of children, it may be the child who is relatively powerless vis-à-vis the parents/carers, may be a child with no essential role in the family.
- the child is seen as someone who violates the family homes by being physically different perhaps because of illness, disability or, in some cases, a suspicion by the father of adultery by the mother.
- child abuse linked to faith or belief may occur where a child is treated as a scapegoat for perceived failure.

### 3.1.33. Multiple Needs

Research shows that the environment in which a child lives is crucial to his or her health, safety and well-being.

The term 'Toxic trio' has been used to describe the issues of domestic abuse, mental ill-health and substance misuse which have been identified as common features of families where harm to children has occurred. They are viewed as indicators of increased risk of harm to children and young people. The NSPCC 2023 identifies that **families' lives are often a lot more complex than the term 'toxic trio' suggests.**

Work in this area has shown that there is a large overlap between these parental risk factors and cases of child death, serious injury and generally poorer outcomes for children across all ages (Brandon et al, 2008).

Experiencing serious, multiple disadvantage cuts across many domains and family life and families with multiple and complex needs are likely to have difficulties meeting the needs of their children and parenting effectively. Children can be at heightened risk of abuse and neglect (Cleaver et al 2007) and at high risk of adverse outcomes.

Given the predominance of families experiencing multiple and complex difficulties who become involved with child protection and the range of social and economic issues that interact with presenting problems such as mental health concerns, family violence and substance abuse. The challenge for child protection is how to provide a holistic and contextual response to the needs of the whole family.

### **3.1.34. Homelessness**

Being homeless or being at risk of homelessness presents a real risk to children's welfare and can place the child at risk of harm from a variety of sources including exploitation. It should be recognised that some 16- and 17-year-olds could be living independently from their parents or guardians through exclusion from the family home.

Referral to Children's services is required as they are the lead agency for these young people.

### **3.1.35. LGBT+ learners**

Some learners may be vulnerable due to their sexual orientation or gender identity, either, because they have been subjected to homophobic, bi-phobic or transphobic bullying, or because of negative responses from parents/carers or others, which may result in increased risk of self-harm, suicide or homelessness.

Several studies also evidence that LGBT+ young people may be at increased risk of becoming victims of CSE.

It is important that the College is aware of increased risk factors to enable access to the appropriate support for these young people when required and that there is access to a trusted adult who they can be open with.

## **4. Designated Staff with Responsibility for Protection from Abuse**

- 4.1** In all cases where allegations are made against people who may constitute part of the children's workforce, the College will consult with the Local Authority Designated Officer (LADO). S/He will offer advice regarding appropriate next steps in relation to referral and investigation and ensure that all cases are handled in accordance with safeguarding procedures. Designated staff will have on-going communications with the LADO as part of their safeguarding responsibilities to ensure that College Policies and Procedures are effective and meet the requirements of current legislation.

Members of College staff, including volunteers and those in charge of out-of-hours clubs and activities, are in positions of trust and therefore any behaviour which may call that position into question will be communicated to the College and acted upon.

- 4.2** Senior staff member with Lead Responsibility: the designated senior member of staff with lead responsibility for safeguarding and child protection is Lynn Pass, Head of safeguarding and wellbeing. The designated safeguarding lead is responsible for ensuring that:

- They and deputy designated leads are always available during college opening hours.
- Cases of suspected abuse or allegations are appropriately referred to relevant agencies
- That there is a culture of listening to children and taking account of their wishes and feelings
- Liaise with the college Mental Health lead where safeguarding concerns are linked to mental health
- Promote the welfare of children and work with families where they are facing challenging circumstances
- Promote educational outcomes of those receiving safeguarding support and for those who have or have had a social worker maintaining a culture of high aspirations

- That online safety is promoted, this includes the filtering and monitoring arrangements and their effectiveness
- Support staff to enable learners who have or who have had a social worker to achieve their potential that continues once social care has ceased.
- Child protection files are kept up to date in line with KCSiE 2023 requirements and that those files are appropriately stored and only accessed by those who need to see it in line with information sharing guidance
- That safeguarding files are transferred when a child leaves the college to attend another educational establishment and sharing additional information with settings to enable effective support to be put in place, in line with KCSiE 2023 requirements.
- That staff have access to and understand college policies and procedures
- Review the policy annually at least and update and review regularly working with the governing body
- The safeguarding policy is available publicly and that parents are aware that referrals regarding suspected abuse or neglect will be made and the role of the college in this.
- They work with the safeguarding partners and promote regarding training opportunities and local policies
- They undergo training and refresher training to ensure that they, and deputies have the knowledge and skills to carry out the role, and that this is updated every two years to ensure that they are able to identify, understand and respond to specific needs that can increase the vulnerability of children as well as specific harms that can put children at risk and the processes and procedures and responsibilities of other agencies including information sharing.
- They work closely with, and understand local authority children's social care arrangements regarding referral and providing information that will support safeguarding and promote the welfare of children and that child protection meetings are attended and that they contribute effectively
- Are alert to and aware of issues for those learners with special educational needs and disabilities, those with health needs, and young carers.
- Understand the impact that adversity and trauma can have on a child's behavior and mental health and well-being and how to support this to promote educational outcomes
- The Prevent duty is met and staff are supported to protect children from radicalization
- Understand the risks associated with online safety and the additional risks to specific groups of vulnerable children
- children who may benefit from 'early help assessment' are identified – acknowledging that any child 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.
- Advice and support to staff on issues relating to safeguarding is provided.
- A record of any safeguarding referral, complaint or concern is kept (even where that concern does not lead to a referral).
- Parents/carers, employers of children, young people or adults at risk of harm within the College have access to the College's Safeguarding Policy.
- Staff receive training in safeguarding issues and are aware of the College safeguarding procedures.
- Safer recruitment practices are in place.

There is liaison with the nominated Governor and Principal as appropriate

The designated safeguarding lead will ensure an annual report is provided to the College Executive setting out how the College has discharged its duties.

- 4.3** The deputy designated safeguarding lead(s) is/are appropriately trained and, in the absence of the designated person, carries out those functions necessary to ensure the ongoing safety and protection of students
- 4.4** Whilst the activities of the designated safeguarding lead can be delegated to appropriately trained deputies, the ultimate **lead responsibility** for safeguarding and child protection, as set out above, remains with the designated safeguarding lead.

In the event of the long-term absence of the designated safeguarding lead, the deputy will assume all of the functions above. This responsibility should not be delegated.

#### **4.5 Designated Staff Members**

Designated members of staff with responsibility for child and adult protection issues are:

<b>Lynn Pass</b>	<b>Head of safeguarding and wellbeing. Lead DSL</b>	ext 7760
<b>Lee Smart</b>	<b>Head of student conduct</b>	ext 7819
<b>Jennifer Morrison</b>	<b>Deputy Designated Safeguarding Person</b>	ext 7717
<b>Renate Broomhall</b>	<b>Deputy Designated Safeguarding Person</b>	ext 7656
<b>Mandy Downing</b>	<b>Deputy Designated Safeguarding Person</b>	ext 7717
<b>Ann-Marie Walkley</b>	<b>Deputy Designated Safeguarding Person</b>	ext 7667
<b>Kylie Penn</b>	<b>Deputy Designated Safeguarding Person</b>	Ext 7716

- 4.6 Designated Governor:** Jo Rouse is the College designated Governor for safeguarding. The lead Governor will have regular updates on safeguarding matters.
- 4.7** The College has appointed a designated teacher to promote the educational achievement of children who are looked after and ensure that this person is appropriately trained. This person is Mandy Downing.

## **5. Staff Training**

- 5.1** All staff members should receive appropriate safeguarding and child protection training which is regularly updated. In addition, all staff members should receive safeguarding and child protection updates (via email, e-bulletins and staff meetings), as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.
- 5.2** Governing bodies should ensure that all staff members undergo safeguarding and child protection training at induction, this includes information regarding filtering and monitoring to support online safety. The training should be regularly updated. Induction and training should be in line with advice from the LSPP.

## 6. Safeguarding Students who are Vulnerable to Radicalisation

- 6.1** Since 2010, when the Government published the Prevent Strategy, there has been an awareness of the specific need to safeguard children, young people and adults at risk of harm from violent extremist ideologies. There have been several occasions both locally and nationally in which extremist groups have attempted to radicalise vulnerable children and young people to hold extreme views including views justifying political, religious, sexist or racist violence or to steer them into a rigid and narrow ideology that is intolerant of diversity and leaves them vulnerable to future radicalisation.
- 6.2** The current threat from terrorism in the United Kingdom may include the exploitation of vulnerable people, to involve them in terrorism or in activity in support of terrorism. The normalisation of extreme views may also make the children, young people and adults at risk of harm vulnerable to future manipulation and exploitation. Halesowen College is clear that this exploitation and radicalisation should be viewed as a safeguarding concern and that protecting children from the risk of radicalisation is part of the College's safeguarding duty.
- 6.3** With effect from July 2015 in accordance with the Counter Terrorism and Security Act the College has a responsibility to prevent people from being drawn into terrorism. Prevent is a strand of the Government counter terrorism strategy – CONTEST. The UK faces a range of terrorist threats. The Prevent Strategy aims to:
- Respond to the ideological challenge of terrorism and aspects of extremism and the threat faced from those who promote these views.
  - Provide practical help to stop people from being drawn into terrorism and ensure they are given appropriate advice and support.
  - Work with a wide range of sectors where there are risks of radicalisation which needs to be addressed, including education, criminal justice, faith, charities, the internet, social media and health.
- 6.4** The College is required to identify a Prevent Single point of contact (SPOC) who will be the lead within the organisation for safeguarding in relation to protecting individuals from radicalisation and involvement in terrorism. The SPOC for Halesowen College is Haroon Bashir.
- 6.5** Staff of the College will be alerted to changes in a student's behaviour or attitude which could indicate that they are in need of help or protection.
- 6.6** When any member of staff has concerns that a student may be at risk of radicalisation or involvement in terrorism, they should speak with the SPOC.
- 6.7** **Channel** is a multi-agency approach to provide support to individuals who are at risk of being drawn into terrorist related activity. It is led by the West Midlands Police Counter-Terrorism Unit and it aims to:
- Establish an effective multi-agency referral and intervention process to identify vulnerable individuals.
  - Safeguard individuals who might be vulnerable to being radicalised, so that they are not at risk of being drawn into terrorism related activity.
  - Provide early intervention to protect and divert people away from the risks they face and reduce vulnerability.
- 6.8** The Channel programme focusses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for schools to make referrals if they are concerned that an individual might be vulnerable to

radicalisation. An individual's participation in the programme is entirely voluntary at all stages.

See Appendix 1 for the Channel Process within FE Colleges.

## **7. Safeguarding Students who are Vulnerable to Exploitation, Forced Marriage, Female Genital Mutilation or Trafficking**

- 7.1** The Safeguarding Policy above and the College's values and ethos provide the basic platform to ensure children, young people and adults at risk of harm are given the support to respect themselves and others and protect each other.
- 7.2** The College keeps updated on the latest advice and guidance provided to assist in addressing specific vulnerabilities and forms of exploitation.
- 7.3** Staff are supported and trained to recognise warning signs and symptoms in relation to specific issues and include such issues in their curriculum.
- 7.4** Our safeguarding team knows where to get advice as necessary.
- 7.5** Our staff recognise the 'one chance rule' in respect of Honour Based Abuse and follow the 'The right to choose': government guidance on forced marriage

### **Reporting of Female Genital Mutilation (FGM)**

- 7.6** With effect from October 2015, Colleges are subject to mandatory reporting in respect of FGM. If a member of staff discovers that an act of FGM appears to have been carried out on a girl aged under 18, that member of staff has a statutory duty to report it to the Police.
- 7.7** When a member of staff has reasons to suspect that an act of FGM has been carried out on a student s/he will discuss the situation with the Designated Senior Person who may consult relevant agencies before a decision is made whether the mandatory reporting duty applies.

## **8. Children who are absent from Education**

### **8.1 Children who are absent from education or missing from home**

A child who is absent from college or is missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding risks, including abuse and neglect which may include child sexual exploitation, child criminal exploitation, mental health problems, substance abuse and other issues. Early identification and intervention is necessary to identify any underlying safeguarding risk and to help prevent future episodes.

Our College will hold a minimum of 2 emergency contact numbers for each student. It is good practice to have sufficient contact details to enable a responsible adult to be contacted where concerns have been identified during the College day.

- 8.2** Local authority reporting guidelines will be followed where a child is absent from education or is removed from the College roll.

Halesowen College will demonstrate that reasonable enquiries to ascertain the whereabouts of children will have been taken when there is an attendance / believed missing issue.



## **9. Students who have Communication Difficulties**

- 9.1** Students with additional learning needs will be supported to be able to disclose issues using a communication method of their choice (for example, signers, communication boards).  
Where language is a barrier, all efforts will be made to access an interpreter to enable the learner to make the disclosure and be understood. Family members / students will NOT be asked to interpret.
- 9.2** Those people supporting the student will be subject to confidentiality requirements.

## **10. Students with Special Educational Needs and Disabilities**

Children with Special Educational Needs and disabilities (SEND) can face additional safeguarding challenges. Additional support will be made available for this group of students.

Additional barriers can exist when recognizing abuse and neglect in this group of students. This can include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- Children with SEN and disabilities can be disproportionately impacted by things like bullying – without showing any signs;
- Communication barriers and difficulties in overcoming these barriers.
- Being more prone to peer group isolation than other children.

## **11. Contextual Safeguarding**

Safeguarding incidents and/or behaviours can be associated with factors outside the College and / or can occur between children outside the College. Staff should consider the context within which such incidents and / or behaviours occur. Assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety or welfare. Children's social care assessments should consider such factors, so it is important that the College provides as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse. (Contextual Safeguarding – An overview of the operational, strategic and conceptual framework. Carlene Firmin November 2017).

## **12. Children Looked After (previously Looked After Children)**

The most common reason for children becoming looked after is as a result of abuse / neglect. Staff should have the skills, knowledge and understanding to keep looked after children safe. Staff need information in relation to a looked after child's legal status (whether they are looked after under voluntary arrangements or with the consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility. Information should be available on care arrangements and the level of authority delegated to the carer by the authority looking after him/her.

- 12.1** A previously looked after child / young person potentially remains vulnerable and all staff should have the skills, knowledge and understanding to keep previously looked after children safe. It is important that all agencies work together, and that prompt action is taken.
- 12.2** The designated teacher for students who are looked after will work with local authorities to promote the educational achievement of looked after children, this will include those who have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care outside of England and Wales. At Halesowen College the

Designated Teacher is Mandy Downing. The designated teacher will work with the virtual school head where appropriate.

**13. Care Leavers**

The designated teacher will have details of the local authority Personal Advisor appointed to help and guide the care leaver and liaise with them when there are issues of concern.

**14. Children with Family Members in Prison**

Approximately 200,000 have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health.

**15. Positive mental health promotion**

Positive mental health is important for every member of the College community and we recognise that educational establishments play a key role in this. Halesowen College wants to develop the emotional well-being and resilience of all learners and staff, as well as provide specific support for those with additional needs. We understand that there are risk factors that increase an individual's level of vulnerability and protective factors that can promote or strengthen resiliency. The more risk factors present in an individual's life, the more supportive interventions are required to support and build resilience. It is vital that we work in partnership with parents to support the well-being of our learners.

# SAFEGUARDING PROCEDURE

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## 1 How to deal with Suspicions/Concerns of Abuse or Neglect

Wherever possible there should be a conversation with the Designated Safeguarding Lead (or deputy), who will help staff decide what to do next. This **MUST** be recorded in writing, using the College's electronic system 'My Concern' as soon as possible following any conversation.

Options include:

- Managing support internally via the Colleges own pastoral processes;
- Early help assessment; or
- A referral for statutory services, for example as the child is in need or suffering or likely to suffer harm.

**IF IN EXCEPTIONAL CIRCUMSTANCES, THE DESIGNATED SAFEGUARDING LEAD (OR DEPUTY) IS NOT AVAILABLE, THIS SHOULD NOT DELAY APPROPRIATE ACTION BEING TAKEN.**

Where a child is suffering, or is likely to suffer from harm, concerns should be reported and recorded without delay to the appropriate safeguarding services, e.g. MASH (Multi agency safeguarding hub) / Front Door or the child's social worker if there is already an open case to social care.

- 1.1** Key things to remember if a child, young person or adult at risk of harm tells you about possible abuse: recognise, record, report and refer
- 1.1.1 Never promise confidentiality – you will have to break it and with it the person's trust in you.
  - 1.1.2 Listen carefully and stay calm – you need to listen without making assumptions or judgments.
  - 1.1.3 Do not interview the child, young person or adult at risk of harm. Question normally and without pressure and only to be sure that you understand what you have heard. Never ask leading questions or act as an investigator. Do not put words into their mouth. Exercise professional curiosity.
  - 1.1.4 Reassure them that by telling you, they have done the right thing.
  - 1.1.5 Inform them that you must pass the information on, but that only those that need to know about it will be told. Inform them of whom you will report the matter to.
  - 1.1.6 Find out what the child, young person or adult at risk of harm would like to happen, but make them aware that you may have to act against their wishes (eg they may ask you not to disclose to anyone else).
  - 1.1.7 Note the main points carefully.
  - 1.1.8 Use the 'My Concern' system to report, if possible, to gather key information and as a record of your discussion. This is accessed via a link on 'My Halesowen'.
  - 1.1.9 Do not investigate concerns or allegations yourself but report them immediately to a member of the safeguarding team.

At no time should an individual teacher / member of staff consider taking photographic evidence or request to see any injuries or marks to a child's person, this type of behavior could lead to the staff member being taken into managing allegations procedures

## **1.2 Procedure for Students**

There are slightly different procedures to follow for different types of student:

- 1.2.1 Under 18 years old on programmes at main sites (students 16-17 years old).
- 1.2.2 Under 16 years old on any school linked programmes.
- 1.2.3 Under 16s who are on part time programmes that are not attached to a school – EHE.
- 1.2.4 Apprentices
- 1.2.5 Under 18-year olds in the College who are not enrolled as students – e.g. work placements.
- 1.2.6 Adults at risk of harm: IF IN DOUBT – ALWAYS CONTACT A MEMBER OF THE SAFEGUARDING TEAM.

## **1.3 Under 16 Year Old's on any Secondary School Roll**

- 1.3.1 The School Liaison Director will liaise with the schools concerned and ensure appropriate arrangements are in place to safeguard children.
- 1.3.2 The referral must go back to the safeguarding coordinator at the school they normally attend to discuss the referral and agree actions.
- 1.3.3 This should not delay appropriate action being taken where there is risk of harm

## **1.4 Students 16-17 Years Old**

Where a student aged under 18 years old discloses information or staff become concerned that the young person is at risk of abuse, the following action will be taken:

- 1.4.1 Staff will advise the student that action may have to be taken as a result of the disclosure. It is not the responsibility of members of staff to investigate suspected abuse. Confidentiality must not be promised.
- 1.4.2 A written record of the disclosure will be made where appropriate /possible and entered onto 'My Concern'.
- 1.4.3 Referral to a member of the safeguarding team will be made immediately and in person where possible.
- 1.4.4 Students' wishes regarding action to be taken will be noted where possible. However, the student will be made aware that this will not affect the final decision to make a referral and that we will always act in their best interests.
- 1.4.5 There is no need to involve other members of staff (including line managers) as this reduces confidentiality.
- 1.4.6 Make the student aware of the services within the College which may be able to help them address the situation and offer support.

- 1.4.7 Where possible the DSL / DDSL will consult the student regarding the report and their wishes and feelings and inform them of action which has or will be taken. However, depending upon the circumstance, this may not always be possible.
- 1.4.8 Confidential records will be kept of all discussions relating to protection from abuse matters and will be stored in a confidential manner through the use of 'My Concern'.

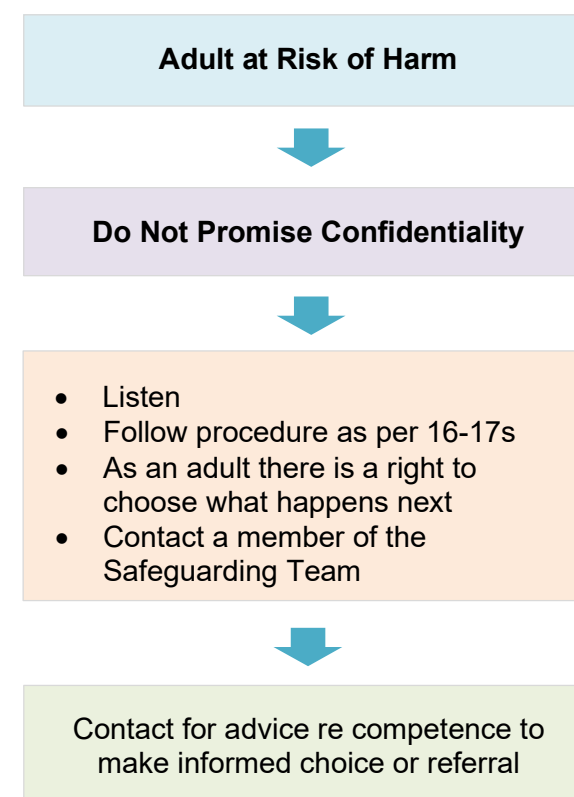
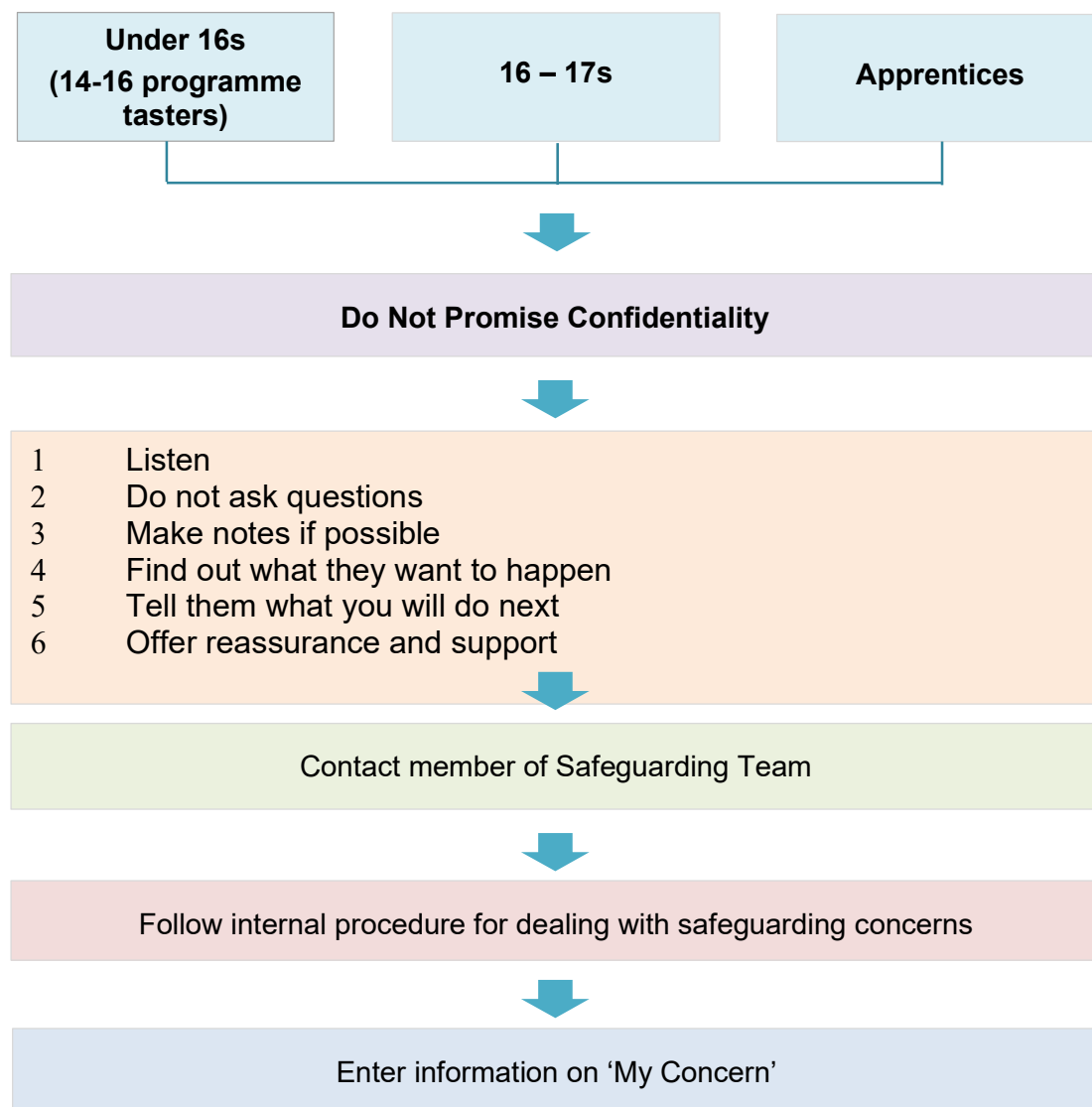
## **1.5 Apprentices**

- 1.5.1 Workplace providers still receive a copy of the Safeguarding Policy and Procedure and information relating to their responsibility for safeguarding.
- 1.5.2 Placement officers/Assessors will carry out all risk assessments and include safeguarding discussion as part of workplace reviews with students.
- 1.5.3 Apprentices will receive information relating to safe practice in the workplace and safeguarding contact details.
- 1.5.4 When dealing with disclosure, follow referral procedure for 1.4.1 to 1.4.8 for students aged 16-17 years old or adult at risk of harm (1.6) dependent upon their age.

## **1.6 Adults at Risk of Harm**

- 1.6.1 Members of staff hearing allegations follow the procedure for 16-17 year olds. Do not promise confidentiality and explain what might happen as a result of disclosure.
- 1.6.2 The adult has a right to make their own decisions if they are competent to do so in line with the Mental Capacity Act 2005. If their competency is in doubt, contact a member of the safeguarding team for advice.
- 1.6.3 If appropriate, further advice will be sought or a referral will be made.
- 1.6.4 A report of the disclosure and any action must be recorded on 'My Concern' and the Designated safeguarding lead informed.

## STUDENT SERVICES SAFEGUARDING PROCEDURE FLOWCHART



## **2 Safeguarding concerns and allegations made about staff, including supply teachers, volunteers, staff involved in out-of-hours activities and contractors.**

This applies to all staff working in or on behalf of the college in a paid or unpaid capacity, this includes members of staff whether teaching, administrative, management, support and includes volunteers, staff involved in out of hours activities or contractors.

There are two sections that cover allegations and concerns:

Allegations that meet the harm threshold

Allegations / concerns that do not meet the harms threshold

### **Section 1 Allegations' that may meet the harms threshold**

Where an allegation is made that might indicate a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children in a school or college that provides education for children under 18 years of age or adults at risk of harm, including supply teachers, volunteers and contractors has:

- behaved in a way that has harmed a child or vulnerable adult at risk of harm, or may have harmed a child or adult at risk of harm and/or;
- possibly committed a criminal offence against or related to a child or vulnerable adult at risk of harm and/or;
- behaved towards a child or children or adult or adults at risk of harm in a way that indicates he or she may pose a risk of harm to children or adults at risk of harm; and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children or adults at risk of harm. This includes behaviour that may have happened outside of school or college, that might make an individual unsuitable to work with children or adults at risk of harm and is known as transferable risk

Halesowen College:

- recognises that the welfare of the child / adult at risk of harm is the paramount concern and that referrals to children's / adult social care and the police are made in line with local authority guidance.
- recognises that an allegation made against a member of staff may be made for a variety of reasons and that the facts of the concern / allegation may or may not be true. It is imperative that those dealing with a concern / allegation maintain an open mind and those investigations are thorough and not subject to delay.
- Provides effective protection for the child and support the person subject to the allegation
- Understand the local authority arrangements for managing allegations and contact the local authority designated officer (LADO).

### **2.2 Receiving an Allegation from a Child or Adult at Risk of Harm about a Member of Staff**

- A member of staff who receives an allegation about another member of staff from a child or adult at risk of harm will follow the guidelines for dealing with disclosure.
- The welfare of the child or adult at risk of harm is paramount and the Designated Safeguarding Lead will ensure that referrals are made to local authority children's / adult care and the police where the child / adult at risk of harm has been harmed or is

at risk of immediate harm and ensure that the child / vulnerable adult at risk of harm needs are met.

- The allegation should be reported to the Principal or a member of College Executive/Senior Management Team (CE/SMT) without delay
- where there are concerns/allegations about the principal, this should be referred to the chair of governors, where there is a conflict of interest in reporting the matter to the Principal, this should be reported directly to the local authority designated officer(s) (LADO)
- the Local Authority Designated Officer (LADO) for children under 18 or the Adult Safeguarding unit for adults at risk of harm will be contacted to discuss referral and action. The LADO will be contacted within 1 working day of receiving the allegation.

## **2.3 Initial Assessment by the Principal (or designated person)**

- 2.3.1 The Principal will make an initial assessment of the allegation, consulting with the LADO, the Designated safeguarding Lead (DSL) and the Designated Governor as appropriate. Where the allegation is considered to be either a potential criminal act or indicates that the student has suffered, is suffering or is likely to suffer significant harm, the matter will be dealt with under the relevant safeguarding children procedures or in the case of adult abuse, the Adult Safeguarding Unit.
- 2.3.2 It is important that the Principal does not investigate the allegation. The initial assessment will be on the basis of the information received and is a decision whether or not the allegation warrants further investigation.
- Where the case manager is concerned about the welfare of other children in the community or the member of staff's family, they should discuss these concerns with the designated safeguarding lead and make a risk assessment of the situation. It may be necessary for the designated safeguarding lead to make a referral to children's social care.
- 2.3.3 Other potential outcomes are:
- The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the child or adult at risk of harm. The matter will be addressed through professional development of mentoring or in some cases more appropriate, the College's Disciplinary Policy and Procedure.
  - The allegation can be shown to be false because the facts alleged could not possibly be true, in which case the person concerned will be reassured and supported as appropriate.

## **2.4 Enquiries and Investigations**

- 2.4.1 Child/Adult protection enquiries by Children's Social Care, Adult Services or the Police are not to be confused with internal, disciplinary enquiries by the College. The College may be able to use the outcome of external agency enquiries as part of its own procedures.

Neither the Child Protection Agencies nor the Police have power to direct the College to act in a particular way; however, the College will always assist the agencies with their enquiries.



- 2.4.2 The College will hold in abeyance its internal enquiries which the formal Police or Children's Social Care or ASU investigation. Any internal enquiries will conform to the existing staff disciplinary procedures.
- 2.4.3 If there is an investigation by an external agency, for example, the Police, the Principal (or designated person) will normally be involved in and contribute to the inter-agency strategy discussions. The Principal (or designated person) is responsible for ensuring that the College gives every assistance with the agency's enquiries. They will ensure that the appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The Principal (or designated person) shall advise the member of staff that s/he may consult with a recognised Trade Union representative or work companion.
- 2.4.4 Following discussion with the LADO, the ASU manager, the Police or other investigating agency, the Principal (or designated person) shall:
- ensure that the parents/carers of the child or vulnerable adult making the allegation have been informed that the allegation has been made and what the likely process will involve.
  - inform the member of staff against whom the allegation was made of the fact that the allegation was made. Where investigation is taking place, they will be informed of what the likely process will involve and what support may be available.
  - inform the Designated Governor of the allegation if action is required and of the investigation.
- 2.4.5 Written records of the action taken in connection with the allegation will be kept.

## **2.5 Suspension of Staff**

- 2.5.1 Suspension will not be automatic; a member of staff may be suspended on full pay whilst an investigation is undertaken. In respect of staff other than the Principal, suspension can only be carried out by the Principal or a designated member of the College Executive. In respect of the Principal, suspension can only be carried out by the Chair of Governors (or in their absence, the Vice Chair).
- 2.5.2 Where a suspension is being considered it is not a disciplinary sanction and does not involve any pre-judgment. Consideration will be given to alternatives – e.g. paid leave of absence, agreement to refrain from attending work, change of or withdrawal from specified duties.
- 2.5.3 Suspension will only occur for a good reason, for example:
- Where there is a cause to suspect a child or adult is at risk of significant harm.
  - Where the allegations warrant investigation by the Police or potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.
  - Where necessary for the good and efficient conduct of the investigation.
- 2.5.4 If suspension is being considered, the member of staff will be encouraged to seek advice and support for example from a Trade Union.
- 2.5.5 Prior to making the decision to suspend, the Principal or a designated member of the Senior Management Team or Chair (or Vice Chair of Governors) will interview the member of staff. This will occur with the approval of the LADO where possible.

In particular, if the Police are engaged in an investigation, the officer in charge of the case will be consulted.

- 2.5.6 The member of staff will be advised to seek the advice and/or assistance of his/her Trade Union and will be informed that they have the right to be accompanied by a representative of a recognised Trade Union or a workplace colleague. The member of staff will be informed that an allegation has been made. It will be made clear that the interview is not a formal disciplinary hearing but solely for raising a serious matter which may lead to further investigation. It may be considered at this time to suspend the member of staff.
- 2.5.7 During the interview, the member of staff will be given as much information as possible, in particular the reasons for any proposed suspension, provided that doing so would not interfere with the investigation into the allegation. The member of staff will be given the opportunity to consider any information given to him/her at the meeting and prepare a response.
- 2.5.8 If the Principal (or Deputy Principal or Designated Governor) considers that suspension is necessary, the member of staff shall be informed that s/he is suspended from duty. Written confirmation of the suspension, with reasons, shall be dispatched as soon as possible and ideally within five working days.
- 2.5.9 Where a member of staff is suspended, the Principal (or Designated Governor) will address the following issues:
- The Chair of Governors will be informed of the suspension
  - The Governing Body will receive a report if a senior member of staff has been suspended pending investigation. The detail given to the Governing Body will be minimal.
  - Where the Principal has been suspended, the Chair or Vice Chair of Governors will need to take action to address the management of the College.
  - The parents/carers of the child or adult making the allegation will be informed of the suspension.
- 2.5.10 Senior staff that need to know of the reason for suspension will be informed.
- 2.5.11 The Principal shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The LADO and external investigating authorities will be consulted.
- 2.5.12 The suspended member of staff will be given appropriate support during the period of suspension. They will also be provided with information on progress and developments in the case at regular intervals with approval of LADO and the police.
- 2.5.13 The suspension will remain under review in accordance with the College Disciplinary Procedures.
- 2.5.14 Where suspension is instigated and or something that could result in dismissal for misconduct which harmed a child or placed a child at risk, the College will refer them to the Disclosure and Barring Service (DBS). Referral to DBS also applies to action taken in relation to adults at risk of harm.
- 2.5.15 Where an individual is dismissed for misconduct which harmed a child or placed a child at risk of harm or resigns, retires, is made redundant or is transferred to a position which is not a child care position in such circumstances, Halesowen College has a statutory duty to refer to the DBS. This will be undertaken by the Director of Human Resources.

- 2.5.16 if a person is subject to registration or regulation by a professional body or regulator, for example, by the Health and Care Professions Council, OFSTED etc., the LADO will advise on whether a referral to that body is appropriate.
- 2.5.17 if it is decided that a member of staff who has been suspended from work can return, the College will facilitate their return to work and consider how the member of staff's contract with the child or children who made the allegation can be best managed. The DBS will be notified that the suspension has been lifted.

## **2.6 The Disciplinary Investigation**

- 2.6.1 The disciplinary investigation will be conducted in accordance with the existing College Disciplinary Policy and Procedure.
- 2.6.2 The member of staff will be informed of:
- The disciplinary allegation against him/her
  - His/her entitlement to be represented by a Trade Union representative or work companion.
  - The College's awareness of the personal impact the allegation may have and the support the College is able to offer for example, counselling.
- 2.6.3 Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension will be lifted immediately and arrangements made for the member of staff to return to work.
- 2.6.4 The child, children or adult at risk of harm, making the allegation, and/or parent will be informed of the outcome of the investigation and proceedings. This will occur prior to the return to College of the member of staff (if suspended).

## **2.7 Allegations without Foundation**

- 2.7.1 False allegations may be indicative of problems of abuse elsewhere. A record will be kept and consideration given to a referral to Children's Services, Social Care in order that other agencies may act upon the information.
- 2.7.2 In consultation with the Designated Senior Person or designated Governor, the Principal shall:
- Inform the member of staff against whom the allegation is made orally and in writing that no further action will be taken.
  - Reassure them of the College's understanding of the personal impact that false allegations may have and the support the College will continue to offer.
  - Inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.
  - Where the allegation was made by a child/adult at risk of harm other than the alleged victim, consideration to be given to informing the parents/carers of that child/adult at risk of harm.
  - 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.
  - Remove allegations from member of staff's personal file.

## 2.8 Records

- 2.8.1 Documents relating to an investigation will be retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details will be retained on the member of staff's personal and confidential file.
- 2.8.2 If a member of staff is dismissed or resigns before the disciplinary process is completed, s/he will be informed about the College's statutory duty to inform the DBS.

### Section 2: Concerns and or allegations that do not meet the harm threshold

Concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or because of vetting checks undertaken.

Halesowen college has policies and processes in place to ensure that such concerns are managed, recorded and that appropriate action is taken to safeguard children and adults at risk of harm.

There is an open and transparent culture enabling all concerns to be raised and are shared with the right people enabling the early identification of concerning, problematic or inappropriate behaviour and minimise the risk of abuse. There are clear professional boundaries which staff must adhere to promote the safeguarding culture of the college.

Low level concerns are not seen as insignificant, this means that the threshold for harm has not been met. All staff should report any behavior that causes a sense of unease or nagging doubt that there may be an adult working on behalf of the college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- humiliating students

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

All staff will report any such concerns to the Principal / Designated Safeguarding Lead and these will be recorded and dealt with appropriately. Where reports are made to the Designated Safeguarding Lead these will be reported to the Principal.

Halesowen College will:

- Ensure staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others;

- Empower staff to share any low-level safeguarding concerns and be confident to do so, this includes self-referral if they have found themselves in a situation that could be misinterpreted, appear compromising to others or where they have recognised that their behavior has fallen below that which is expected.
- Address unprofessional behaviour and support the individual to correct it at an early stage;
- Provide a responsive, sensitive and proportionate handling of such concerns when they are raised; and,
- Identify any weakness in the colleges safeguarding system.
- Where there is doubt regarding information that has been shared regarding the behaviour of a member of staff as a low level concern in fact meets the harm threshold the LADO will be contacted.
- Report any concerns of this nature involving supply staff and contractors to their employers allowing inappropriate patterns of behavior to be identified. Low concerns will be recorded in writing and kept confidential, held securely and comply with the Data protection act 2018 and UK General Data Protection Regulation (UK GDPR) whilst employed by the college.(KCSiE 2023). Low level concern records will be kept for the duration of the member of staffs' employment, upon leaving employment the record will be removed. (Employment references do not refer to low level concerns.)

Records will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified.

Where a pattern of such behaviour is identified, the college will take action in line with policy and procedures where a pattern of behaviour moves from a concern to meeting the harms threshold, in which case it will be referred to the LADO.

Dudley Local Area Designated Officers:

- Yvonne Nelson-Brown – 01384 813110

## **2.9 Recruitment and Selection**

- 2.9.1 Halesowen College aims to recruit and develop skilled and motivated staff who will deliver an outstanding service to the local community. An effective recruitment and selection process is a major contributor to this aim. Halesowen College is committed to safeguarding and promoting the welfare of children and adults at the risk of harm and expect its staff to share this commitment.

Candidates will be made aware that the pre-employment checks will include an online check if offered the position. This will enable identification of any incidents or issues that have happened, and are publicly available online. If necessary further exploration will be undertaken in conjunction with the preferred candidate. Criminal history and suitability to work with children information will ONLY be requested from applicants who have been shortlisted. (KCSiE )2023

- 2.9.2 The Disclosure and Barring Service (DBS) was introduced on 1 December 2012 through the Safeguarding Vulnerable Groups Act 2006 and Protection of Freedom Act 2012. Its purpose is to reduce the risk of harm to children and vulnerable adults.
- 2.9.3 The DBS scheme defines the type of work- regulated activity. The defined roles stated within the DBS policy, which are carried out by staff at Halesowen College will meet the definition of regulated activity and our practices must comply with the legislation.

- 2.9.4 The barred list checks are an additional safeguarding check and part of a wider framework of safer recruitment practices. It enables the increased monitoring and review of criminal record related information and intelligence. It does not remove the need for DBS disclosures, nor does it remove the need to develop and apply robust recruitment procedures, including identity checking, qualifications and references and enquiring into career history.
- 2.9.5 The Safeguarding Children and Safer Recruitment in Education Guidance recommends that in addition to the various staff records which are kept as part of normal business, College must also keep and maintain a single central record of recruitment and vetting checks. The College's Single Central Record (SCR) is run and stored with Human Resources. Also applies to contractors.

### **3 Safer Recruitment Training**

- 3.1** Line managers are required to undertake Safer Recruitment Training. An interview panel must have at least one member who has received safer Recruitment Training. The Personnel Team is provided with a list of those who have received Safer Recruitment Training.

Line Managers will be expected to keep themselves up to date with current practice, and undergo three yearly renewal of Safer Recruitment Training.

#### **3.2 Recruitment and Selection Process**

The College's Safer Recruitment and Selection process applies to all staff and volunteers who may work with children, young people and adults at risk of harm.

Vacancies are advertised widely in order to ensure a diversity of applicants and make clear the requirements for DBS checks. The post or role will be clearly defined and the job offers will be made subject to satisfactory completion of pre-employment checks which include:

- receipt of two satisfactory written references provided by past employers, one of which must be from the present or most recent employer.
- verification of identity and the provision of original documentation as required by the DBS.
- DBS checks are sought an appointment and staff are asked to join the update service.
- a clear check against the DBS Barred Children's List, if applicants are working in regulated activity.
- a variety of selection techniques (for example, qualifications, previous experience and interview are also used).

The College's interview process includes a specific question relating to safeguarding.

If previously non-disclosed and criminal/police information is identified by the DBS disclosure, a member of Human Resources will discuss this with the person seeking the position, before discussing with the Principal, to determine whether withdrawing the conditional offer of employment is necessary.

For overseas appointees, additional checks will be made against criminal records information from countries where the individual has lived or worked. Overseas police checks are made for any individual who within the last five years has lived or worked outside the United Kingdom, whether they are a British citizen or not [Certificates of Good Conduct relevant to the country resided] [www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants](http://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants).

If a candidate is to be employed in regulated activity, but is not currently working, checks will be made, including a full reference, with the School, FE College or Local Authority at which they were most recently employed, to confirm details of their employment and reason for leaving and if there were any safeguarding issues. All required checks will be held by the Human Resources Department in a Single Central Record (SCR).

The college will ensure that written notification is obtained from any agency or third-party organisation that they have carried out the same checks as the college would undertake for any individual who will be providing education in the college, including through online delivery. This will include that written notification confirms that a DBS certificate has been obtained by either the employment business or any other such business. Where information is disclosed on an enhanced DBS certificate the college will obtain a copy of the certificate from the agency.

#### **4. Staff Training**

New staff and Governors will receive training during induction. All staff, including the Principal and Governors will receive training that is updated at least every three years and the DSL and Deputy DSL's will receive training updated at least every two years, including training in the inter-agency procedures. All staff will receive annual updates and there will be an ongoing programme of safeguarding CPD offered. Bulletins will be sent via email and newsletters to support safeguarding practice and in response to emerging themes.

#### **5. Site Security**

Visitors to the College, including contractors, are required to sign in and are given a badge, which confirms they have permission to be on site. Parents who are simply delivering or collecting their children do not need to sign in. All visitors are expected to observe the College's Safeguarding and Health and Safety regulations to ensure children in College are kept safe.

#### **6. Extended College and Off-Site Arrangements**

Where extended College activities are provided by and managed by the College, our own Safeguarding Policy and Procedures apply. If other organisations provide services or activities on our site, we will check that they have appropriate procedures in place, including safer recruitment procedures.

When students attend off-site activities, including day and residential visits and work – related activities, we will check that effective child protection arrangements are in place.

#### **7. Photography and Images** – To protect students, we will:

- Seek their consent for photographs to be taken or published (for example, on our website or in newspapers and publications).
- Ensure students are appropriately dressed.
- Encourage students to tell us if they are worried about any photographs that are taken of them.

#### **8. Online Safety** - The College's online safety policy explains how we aim to keep students safe in College. Cyber-bullying by students, via texts, emails, the sharing of nudes, semi-nudes images and video's will be treated as seriously as any other type of bullying and will be managed through the College peer on peer abuse procedures.

Chat rooms and social networking sites are more obvious sources of inappropriate and harmful behaviour. Any inappropriate behaviour towards other students attending this College will be managed through the disciplinary system.

As the College increasingly works online, it is essential that students are safeguarded from potentially harmful and inappropriate online material. As such, appropriate filters and monitoring systems are in place.

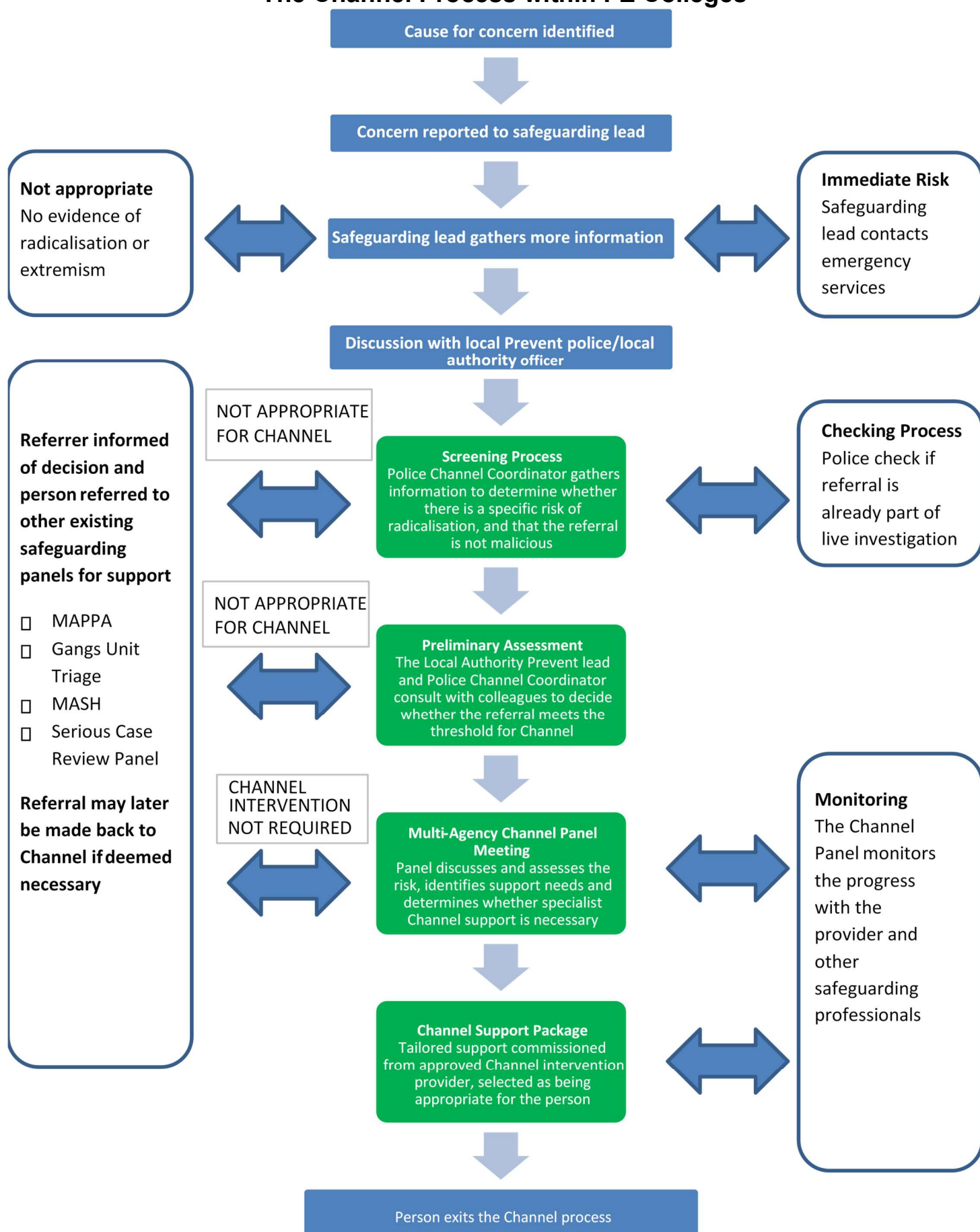
The College has a whole College approach to online safety which includes a clear policy on the use of mobile technology in the College. It is acknowledged, however, that whilst it is essential to ensure that appropriate filters and monitoring systems are in place, it is also important that 'over blocking' does not lead to unreasonable restrictions to what children/students can be taught with regards to online teaching and safeguarding.

The College will ensure that online safety is included in lessons and students are taught about safeguarding, including online, through teaching and learning opportunities, as part of a broad and balanced curriculum. This may include covering relevant issues through tutorials.

<b>Reviewed / Approved</b>	<b>By</b>	<b>Date</b>
Reviewed by	Joanne Williams/Lynn Pass	August 2023
Consulted with		
Approved	Corporation - Yes	19.10.23
CLT approved	Yes	05.09.23
Website	No	
Next Review date		01.08.24



## The Channel Process within FE Colleges



## Legislation and Statutory Guidance

**Human Rights Act:** The Human Rights Act (HRA) sets out the fundamental rights and freedoms that everyone in the UK are entitled to and includes the Articles and protocols of the European Convention of Human Rights (EHCR) (the convention) that are deemed to apply in the UK. It compels public organisations to respect and protect an individual's human rights when they make individual decisions about them. This means that it is unlawful for the college to act in such a way that is incompatible with the Convention. The specific rights that apply to are:

- Article 3: the right to freedom from inhuman and degrading treatment (an absolute right)
- Article 8: the right to respect for private and family life (a qualified right) this includes a duty protect individuals' physical and psychological integrity
- Article 14: requires that all of the rights and freedoms set out in the Act must be protected and applied without discrimination, and
- Protocol 1, article 2: protects the right to education.

Being subjected to harassment, violence and / or abuse, including that of a sexual nature, may breach any or all of these rights, depending upon the nature of the conduct and the circumstances. (equalityhumanrights.com)

**Equality Act 2010**, the college has obligations under the Equality Act 2010 and must not unlawfully discriminate against students because of their sex, race, disability, religion or belief, gender reassignment, pregnancy and maternity, or sexual orientation. Safeguarding practice at the college will ensure that all students, where there are particular protected characteristics are supported. This includes disability, sex, sexual orientation, gender reassignment and race. The college will make reasonable adjustments and take positive action to deal with particular disadvantages affecting students in order to meet their specific needs.

The College will have due regard to the need to eliminate unlawful discrimination, harassment and victimisation, along with any conduct prohibited under the Equality Act 2010, including sexual violence and harassment, misogyny / misandry and racism. We are committed to anti-discriminatory practice and recognise our students' diverse circumstances ensuring that all receive the same protection regardless of any barriers they may face.