

# Child and Young Person's Protection Policy

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Originated	October 2006
Lead Manager	Vice Principal Student and Learning Support
Reviewed by Corporation	December 2010
Next Review	December 2011

# **Child and Young Person's Protection Policy**

## **1. Scope**

- 1.1 City College has the responsibility for the provision of a safe learning environment for all students and staff but especially students under the age of 18 and vulnerable adults. This includes students with the college on work placements or students who are undertaking extended work placements arranged by the college
- 1.2 The college will help keep children and young people safe by contributing to:
  - providing a safe environment for children and young people to learn; and
  - identifying children and young people who are suffering or likely to suffer significant harm, and taking appropriate action with the aim of making sure they are kept safe.
- 1.3 The college's Safeguarding policy sets out the college's commitment to ensuring and promoting the safeguarding of learners who are involved in courses or activities which come under the responsibility of the College.
- 1.4 This Child and Young Persons Protection policy deals with the protection of children and young people. The Children Act 1989 defines a child as a person under 18 years of age.
- 1.5 A separate policy covers Protection of Vulnerable Adults.

## **2. Statutory Framework**

- 2.1 The Children Act 1989 requires colleges to:
  - Take action to safeguard and promote the welfare of any child who is suffering 'significant harm'
  - Safeguard and promote the welfare of any child who is in need

Significant harm is the threshold at which compulsory intervention by Social Services may take place (see Appendix 1).

- 2.2 The Protection of Children Act 1999 requires employers to carry out Criminal Record Checks before employees are allowed to come into contact with children.
- 2.3 Working Together to Safeguard Children, 1999 is a Government Guidance document which sets out how all agencies and professionals should work together to promote children's welfare and protect them from abuse and neglect and requires all educational organisations to follow the procedures for protecting

children from abuse which are established by the Area Child Protection Committee.

- 2.4 DfEE Circular 10/95 (Protecting Children from Abuse: The Role Of The Education Service) derives from the Education Act 2002 and places the responsibility on all educational organisations to have a specific Child Protection policy and outlines acceptable procedures. The definitions of abuse as defined in the circular are in Appendix 1.
- 2.5 Section 175 of the Education Act 2002 specifies that the governing body of an institution within further education, must have arrangements for ensuring that their functions relating to the conduct of the institution are exercised with a view to safeguarding and promoting the welfare of children receiving education or training at the institution.

### **3. Policy Statement**

- 3.1 City College Brighton and Hove holds as one of its highest priorities the health, safety and welfare of all children and young people involved in courses or activities which come under the responsibility of the College.
- 3.2 Children and young people have a right to protection from neglect and abuse. The College recognises that any child or young person can be subject to abuse and all allegations of abuse will be taken seriously and treated in accordance with the colleges' procedures.
- 3.3 It is the responsibility of staff working within the College to report and record child protection concerns, i.e. where they believe a child has been or is at risk of abuse, neglect or significant harm.
- 3.4 It is important to note that this responsibility extends to all staff including teachers, business support staff, with or without direct student contact. This policy also applies to 14 – 16 learners in the college.
- 3.5 The College has a duty under the Act to ensure that its' staff fulfil their responsibilities to prevent child abuse and to report any abuse discovered or suspected.
- 3.6 The College has a duty to ensure that its staff fulfil their responsibilities to prevent abuse and to report any abuse discovered or suspected through the appropriate process according to the procedures in section 5.0
- 3.7 The College requires that all staff including part-time and non-teaching staff, undertake the appropriate Child and Young persons and Vulnerable Adults Protection training.

- 3.8 The College policies will be publically available on the college intranet for parents/ guardians/ carers of students under 18.
- 3.9 In any conflict between the needs of child or young person and those of parents/carers or professionals, the needs of the young person must come first. This may require cases to be referred to the investigative agencies in the interests of the child.

The College will work with appropriate local agencies, and in particular the Area Child Protection Committee, Social Services and the Police Child Protection Team.

- 3.10 This Policy will be reviewed annually by the college corporation of governors. They will receive a report and recommendations prepared by the Safeguarding Manager.

The College will ensure that all staff are aware of and keep to the Code of Conduct for staff, which gives guidelines on appropriate and expected behaviour when dealing with young people.

#### **4. Designated Members of Staff for Child Protection**

- 4.1 The Designated Member of staff for Child Protection at the College is the Head of Intensive Support (and in absence the Vice Principal Student and Learning Support) who will be nominated as the Child Protection Manager. This person will:
- understand the local Area Child Protection Committee procedures and the role of the Designated members of staff within them
  - understand the roles and responsibilities of the investigating agencies, make any necessary referrals and act as the point of liaison with external agencies
  - act as the point of contact and information for any child protection issues within the college and work cross college to ensure the policies outlined above are met
- 4.2 The Vice Principal Student and Learning Support will be responsible for Safeguarding and Child Protection issues at Senior Manager level. She will:
- Ensure that the Child and Young persons Protection Policy is reviewed annually at Academic Board
  - Act as the liaison with the College Senior Leadership Team
  - Ensure the Governors are aware and understand their responsibilities for Child Protection within the College

- 4.3 There will be a nominated Child Protection Governor who will:
- be responsible for ensuring the Governors obligations, as outlined in the Education Act 2002, are met.
- 4.4 The College Counselling and Personal Advisors teams will also be available to meet and support students and staff who have issues of concern relating to Child Protection.

## 5. Procedures

- 5.1 If a young person discloses abuse to any member of staff, or the member of staff suspects or has concerns that abuse may have taken place, then they must:

- Talk as soon as is possible, or at the latest within 24 hours, to the Child Protection Manager.

This will include situations where abuse is suspected but there is no firm evidence.

- 5.2 The report of the disclosure should be in person or in writing but not in any circumstances by email. The incident will be recorded on the 'Safeguarding Concern Form' either by the member of staff directly after the disclosure or at a subsequent meeting with the Child Protection Manager or the College Counsellor.

- 5.3 **It is not the role of staff to investigate any incident.** This must only be done by social services and/or the police. If any member of staff feels unsure about what to do or how to respond to a disclosure they must seek advice from either the Child Protection Manager or the College Counsellors.

- 5.4 The Child Protection Manager will liaise with Vice Principal Student and Learning Support and where appropriate, the College Counsellor or if the student is under 16, the 14-19 Manager. A decision will be made as to whether the matter should be taken further. This will be usually be done where it is believed:

- there is a risk of significant harm to the student or
- harm to others or
- a criminal act has taken place or
- the student is at immediate risk or danger

- 5.5 Where the Child Protection Manager decides that further action is necessary, this may be to:

- Seek further advice from Social Services
- Make a referral to Social Services

- Report the incident to a designated Social Worker
  - Report the matter to the Police if a crime is suspected.
- 5.6 If a member of staff does not agree with a decision of the College Child Protection Manager that no further action is necessary, the member of staff should refer these concerns in the first instance to the Principal. If the Principal does not recommend further action and the member of staff still has concerns, then the member of staff has the right and duty to refer the case directly to Brighton and Hove Social Services Child Protection Service and should at the same time alert the Clerk to the Corporation or other designated senior manager under the College's Public Interest Disclosure Procedure (the 'Whistleblowing' procedure).
- 5.7 The Child Protection Manager will keep the member(s) of staff who raised the concerns informed as the progress/ outcome of the case on a need to know basis.
- 5.8 Allegations of abuse against a member of staff should be referred under the Brighton and Hove Area Child Protection procedures. This will also be dealt with under the College's disciplinary procedures.

## **6. Confidentiality**

- 6.1 Staff cannot keep confidential a disclosure of abuse and must refer on to the designated person.
- 6.2 Staff must act on the basis that the safety of the child or young person is the overriding concern and always be open and honest with the child if the case is to be taken further.
- 6.3 The child or young person should be informed at the earliest possible stage of the disclosure that the information will be passed on.
- 6.4 Other staff may need to be alerted to concerns in order to monitor concerns or gather further evidence or to assist with support. Any discussions must be kept confidential between those directly involved and only shared on a strict need to know basis and within a professional context.
- 6.5 The College complies with the requirements of the Data Protection Act 1998, which allows for disclosure of personal data where this is necessary to protect the vital interests of a child. There is an exemption from the disclosure requirements of both computer and paper records, except where the case results in a court action.

## **7. Record Keeping**

- 7.1 Any disclosure from a student or another member of staff must be recorded in writing. This will cover:

- Student and staff details
  - Reason for the concern
  - Any apparent physical signs of abuse
  - An account given to you of abuse by the child concerned, as accurately as you are able to record it.
  - Dates and times of incidents
  - Dates and time of when notes were made.
- 7.2 The report should be factual and should not include opinions or personal interpretations of the facts presented as it may form part of a criminal investigation.
- 7.3 The report should be signed, dated and passed, at the latest within 24 hours, to the Child Protection Manager, who will keep a copy stored in a secure place.

## **8. Allegations Against Staff**

- 8.1 There are occasions where a child or young person will accuse a member of staff of physically or sexually abusing them. In some cases this may be false or unfounded. However, in some cases the allegations may be true.
- 8.2 In the event that any member of staff suspects any other member of staff of abusing a student, it is their responsibility to bring these concerns to the Senior Manager for Human Resources or the Principal
- 8.3 If a decision is made to pursue an allegation of abuse against a member of staff, this will be dealt with under the College disciplinary procedures.

## **9. Other Policies**

- 9.1 The college will have regard to Child Protection when developing other policies, in particular:
- Safeguarding
  - Staff recruitment and training
  - Staff Code of Conduct
  - Equality and Diversity
  - Protection of Vulnerable Adults
  - Data Protection

## Appendix 1

### 1. Concept of Significant Harm; Children Act 1989

The concept of Significant Harm introduced by the Children Act 1989 is the threshold by which compulsory intervention by Social Services may take place:

- Harm means ill treatment or the impairment of health or development
- Development means physical, intellectual, emotional, social or behavioural development
- Health means physical or mental health; and
- Ill treatment includes sexual abuse and forms of ill treatment which are not physical

### 2. Definitions of Abuse and Neglect from 'Working Together to Safeguard Children' (1999)

#### 2.1 Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocation or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of or deliberately causes ill health to a child whom they are looking after.

#### 2.2 Emotional Abuse

Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on a child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, although it may occur alone.

#### 2.3 Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is fully aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts. This may include non contact activities, such as involving children in looking at or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

#### 2.4 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. It may involve a parent or carer failing to provide adequate food



or shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, basic emotional needs.