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1. PURPOSE

- 1.1 Walsall College is passionate about safeguarding our students. We believe that not only do we have a statutory duty to ensure that we safeguard and promote the welfare of children and young people in our care, but also a moral duty. This policy and procedure focuses on how we recruit and train our staff, support our students, make referrals and deal effectively with allegations against staff. It incorporates a wide range of risks we need to safeguard against, and to be clear in our response to the changing landscape of the safeguarding agenda.
- 1.2 Throughout this policy and procedure, reference is made to 'children and young people'. This term is used to mean those under the age of 18 years old. Safeguarding and promoting the welfare of children is defined as: protecting children from maltreatment; preventing impairment of children's 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 ([Keeping Children Safe in Education September 2020](#)).
- 1.3 This policy has been developed with support from Walsall Local Authority, Safeguarding Partnership, the West Midlands Regional Procedures and with reference to [Working Together to Safeguard Children \(July 2018\)](#) and [Keeping Children Safe in Education \(September 2020\)](#) and is shared with parents/carers on the College website www.walsallcollege.ac.uk

2. GOVERNING BODY RESPONSIBILITIES

- 2.1 The Governing Body at Walsall College abide by their responsibilities as outlined in [Keeping Children Safe in Education September 2020](#). They must have regard to this guidance, ensuring that policies, procedures and training in the college is effective and complies with the law at all times. Governors also have specific responsibility for ensuring that the College monitors the impact of its work and learns lessons from Serious Case Reviews.
- 2.2 The Governing Body instructs the College to:
- 2.2.1 Provide a safe environment for children and young people to learn in.
- 2.2.2 Ensure there are procedures in place to manage safeguarding concerns, or allegations against staff (including supply staff and volunteers) that might indicate they would pose a risk of harm to children.

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- 2.2.2 Identify those who are suffering, or are likely to suffer significant harm or who are at risk of radicalisation.
- 2.2.3 Take appropriate action to see that students and children in the Nursery are kept safe at the College, and also that disclosures of potential abuse occurring at home or elsewhere are reported appropriately.
- 2.2.4 Refer concerns that a child or young person at risk of significant harm or might be at risk of significant harm to the appropriate referral agents.
- 2.2.5 Work effectively with others as required by '[Working Together to Safeguard Children \(July 2018\)](#)' and in line with the guidance "[NPCC When to call the police](#)".
- 2.2.6 Take into account the interagency safeguarding procedure of Walsall Children's Safeguarding Partnership and Walsall Adults Safeguarding Partnership.
- 2.2.7 Listen to the voice of the child and always act in the interest of the child.
- 2.2.8 Appoint a designated teacher for looked after children who will liaise with the relevant Local Authority and Virtual School Head to monitor progress of the Looked after Child.
- 2.2.9 Ensure appropriate safeguarding responses for children who go missing from College particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual abuse or exploitation and to prevent the risk of them going missing in future.
- 2.2.10 Ensure there is an effective Safeguarding Policy in place together with a Staff Code of Conduct which include staff/student relationships and communications including use of social media.
- 2.2.11 Utilise the experiences and expertise of its staff when shaping safeguarding policies.
- 2.2.12 Ensure that students are taught about safeguarding (including online safety) as part of a broad and balanced curriculum (Personal Development). This may include issues, such as Healthy Relationships.
- 2.2.13 Ensure there are clear systems and processes in place for identifying possible mental health problems, including routes to escalate and clear referral and accountability systems.
- 2.3 The Governing Body will approve and annually review policies and procedures and receive regular information relating to safeguarding with the aim of:

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- Maintaining awareness of progress across the College and/or issues relating to the welfare of children and young people;
- Being reassured by the Principal and lead manager that systems are in place and effective in relation to the identification of children and young people at risk of harm and procedures for reporting concerns are widely known;
- Ensuring effective procedures for reporting and dealing with allegations of abuse by members of staff or others who come into contact with students through College activity are in place including referral to Designated Officer at the Local Authority Designated Officer (LADO);
- Ensuring safe recruitment of staff and volunteers;
- Ensuring staff are appropriately trained to discharge their duties in relation to safeguarding;
- Ensuring procedures are in place to make referral to the Disclosure and Barring Services (DBS) if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have been if they had not resigned.

2.4 In developing policies and procedures, the Governing Body will take account of guidance issued by the Department for Education, the [Ofsted Education Inspection Framework \(EIF\) September 2019](#) and other relevant bodies and groups including Walsall Children's Safeguarding Partnership. Ofsted Inspectors will inspect the impact of safeguarding arrangements and will be tested under the quality of leadership and management and report on whether or not safeguarding arrangements are effective.

The aim of the [Government's Prevent Strategy](#) is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. This is part of an overall counter-terrorism strategy called CONTEST which is split into four work-streams that are known as the four "P's"- Prevent, Pursue, Protect and Prepare. In the Counter-Terrorism and Security Act 2015 this has simply been expressed as "prevent people from being drawn into terrorism".

The Government's Prevent Strategy has three specific strategic objectives:

- Respond to the ideological challenge of terrorism and the threat we face from those who promote it;
- Prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and
- Work with sectors and institutions where there are risks of radicalisation that we need to address.

The Government has defined extremism in the Prevent strategy as "vocal or active opposition to fundamental British Values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces".

The aim of this Child Protection and Safeguarding Policy is to ensure, as far as possible, that the College is fulfilling its duty in sections 26 and 29 of the [Counter-Terrorism and Security Act 2015](#). The College will participate fully in work to prevent people from being drawn into terrorism and will ensure that, should this occur, that procedures are implemented to deal with them.

- 2.5 The Principal, Governors and all staff working with children and young people 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 2 years. A senior member of the College Management Team will be the designated person with lead responsibility for child and adult protection. They will be the Designated Safeguarding Lead (DSL) who will undergo training, at least, every 2 years and in addition, keep up-to-date with safeguarding developments. This person will also be the Single Point of Contact for preventing radicalisation (SPOC). They will be assisted by the Deputy Safeguarding Lead and the Safeguarding Team who support and share responsibility for safeguarding students.
- 2.6 The Governing Body will receive from the designated senior member of staff with lead responsibility for safeguarding, an annual report which reviews how the duties have been discharged. In addition, the Principal will include information relating to safeguarding in his termly report to Corporation.
- 2.7 The College recognises the following as definitions of abuse for children and young people at risk of harm.

3 INDICATORS OF ABUSE AND NEGLECT

- 3.1 **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. 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. They may be abused by an adult or adults or another child or children.

All staff will 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. All staff, but especially the designated safeguarding lead (and deputies) will consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

- 3.2 **Physical abuse:** a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing

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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.

3.3 Emotional abuse: Emotional abuse is the persistent emotional maltreatment of a child 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 overprotection 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.

3.4 Sexual abuse: Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities. It may not necessarily involve a high level of violence, whether or not the child may not be 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 (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education.

3.5 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);
or
- ensure access to appropriate medical care or treatment;

It may also include neglect of, or unresponsiveness to a child's basic emotional needs.

All staff will have an awareness of safeguarding issues that can put children at risk of harm. Behaviours linked to issues such as drug taking, alcohol abuse, deliberately missing education and sexting (also known as youth produced sexual imagery) put children in danger.

- 3.6 So-Called Honour Based Abuse – including Female Genital Mutilation and Forced Marriage:** So called “honour based abuse encompasses crimes which have been committed to protect or defend the honour of the family and/or the community including Female Genital Mutilation (FGM), forced marriage and practices, such as, breast ironing. Abuse committed in the context of preserving “honour” often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of so called honour based abuse should be referred to the Safeguarding Team.
- 3.7 Female Genital Mutilation:** This comprises all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons. Since October 2015, there is a specific, legal duty on staff to personally report to the police where they discover that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. Information on when and how to make a report can be found at: [Mandatory Reporting of FGM](#). Guidance on the warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 38-41 of the [Multi Agency Statutory guidance on FGM](#) (pages 59-61 focus on the role of schools and colleges)..
- 3.8 Forced Marriage:** 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. [The Forced Marriage Unit](#) has published [statutory guidance and Multi-agency guidelines](#); pages 35-36 of which focus on the role of schools and colleges. College staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email fm@fco.gov.uk.
- 3.9 Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE):** Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical

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strength, status, and access to economic or other resources. In some cases the abuse will be in exchange for something the victim needs or wants, and/or for the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. The abuse can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not be, be accompanied by violence or threats of violence. Victims can be exploited even when the activity appears consensual and it should be noted exploitation as well as being physical can be facilitated and/or take place on line. The department provide: Child sexual exploitation: guide for practitioners.

3.10 **Children missing from education**, who run away or are missing from home: All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and can also be a sign of child criminal exploitation including involvement in county lines. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation, risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff will be aware of their college's unauthorised absence and children missing from education procedures.

3.11 **Domestic Abuse: The cross-government definition of domestic violence and abuse is:** any incident or pattern of incidents of controlling, coercive or threatening behavior, violence or abuse between those aged 16 years old or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

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

Controlling behavior is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their

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resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behavior. Coercive behavior is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”

Refuge runs the [National Domestic Abuse Helpline](#) which can be called free of charge and in confidence 24 hours a day on 0808 2000 247. The website provide guidance and support for potential victims. Additional advice on identifying children who are affected by Domestic Abuse and how they can be helped is available at:

[NSPCC – UK domestic-abuse Signs Symptoms Effects Refuge what is domestic violence/effects of domestic violence on children SafeLives: young people and domestic abuse”](#)

- 3.12 **Radicalisation:** Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups. Some young people may be vulnerable to radicalisation for the purpose of violent extremism. Concerns regarding radicalisation will be referred to the Safeguarding Team who will liaise with the Multi Agency Safeguarding Hub (MASH) and/or the [Counter Terrorist Unit](#) (CTU) for advice. If appropriate, a referral will then be made to Channel which is a multi-agency panel who will offer guidance and support with the aim of preventing activity which could be deemed as criminal. The Counter Terrorism Unit (CTU) will be advised of any emerging themes or immediate concerns/ disclosures. The department has published advice for colleges and the home office has developed 3 e-learning modules, [Prevent awareness e-learning, Prevent referrals e-learning and channel awareness e-learning.](#)
- 3.13 **Financial or Material Abuse:** This 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.
- 3.14 **Peer on Peer Abuse:** Children can abuse other children (often referred to as peer on peer abuse). This is most likely to include, but not limited to:
- bullying (including cyber bullying),
 - physical abuse, such as, hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm;
 - sexual violence, such as rape, assault by penetration and sexual assault;
 - sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment which may be stand-alone or part of a broader pattern of abuse;
 - sexting (also known as Youth Produced Sexual Imagery - YPSI);

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- initiation/hazing type violence and rituals;

Research indicates that girls and young women are more frequently identified as those who are abused by their peers, whereas boys and young men are more likely to be identified as abusers. However, boys and young men report high levels of victimisation in gang-affected neighbourhoods. While young men and young women experience peer-on-peer abuse they do so in gendered ways. Peer on peer abuse will be minimised by students understanding and signing the Respect and Positive Communities and British Values agreements, the College's inclusive and strong approach to Equality and Diversity and tutorial delivery.

Peer on peer abuse will not be tolerated and should never be defined as "banter, having a laugh or part of growing up". Instances of Peer on peer abuse will be dealt with through the appropriate policies and procedures e.g. Positive Behaviour Management and Discipline, Anti-Bullying and Child Protection and Safeguarding Policy.

- 3.15 **Child Sexual Violence and Sexual Harassment between Children:** Sexual violence and sexual harassment can occur between two children of **any** age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their education attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physically and verbally) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support. We should not tolerate or dismiss sexual violence or sexual harassment as "banter", "part of growing up", or "just having a laugh". Staff will be aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk further information and guidance can be found in the DfE Guidance [Sexual Violence and Sexual Harassment between Children in Schools and Colleges](#).

When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003, which are, rape, assault by penetration and sexual assault.

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline and 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. Sexual harassment can include the following:

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- sexual comments, such as: telling stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual jokes or taunting;
- physical behaviour such as deliberately brushing against someone, interfering with someone's clothes, displaying pictures, photos or drawings of a sexual nature and;
- on-line sexual harassment, standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
 - non-consensual sharing of sexual images and videos;
 - sexualised online bullying;
 - unwanted sexual comments and messages, including on social media;
 - sexual exploitation; coercion and threats; and
- Up-skirting.

Upskirting – [The Voyeurism \(Offences\) Act](#) which is commonly known as the Upskirting Act, came into force on April 12th 2019. Upskirting is where someone takes a picture under a person's clothing (not necessarily a skirt) without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification or cause the victim humiliation, distress or alarm. Anyone of any gender, can be a victim

- 3.16 **Serious Violence** – All staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include, increased absence from College, 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. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with individuals associated with criminal networks or gangs.

All staff should be aware of the associated risks and understand the measures in place to manage these. Advice for schools and colleges is provided in the Home Office's [Preventing Youth Violence and Gang Involvement](#) and its [Criminal Exploitation of children and vulnerable adults: county lines guidance](#)

- 3.17 **Bullying:** The College has a separate policy and procedure for bullying and harassment. 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. Bullying of this nature is also against the law. Bullying can take many forms and includes:

- **Emotional:** Being excluded, tormented (e.g. hiding things, threatening gestures).
- **Physical:** Pushing, kicking, punching or any use of aggression and intimidation.
- **Racial:** Racial taunts, use of racial symbols, graffiti, gestures.

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- **Sexual:** Unwanted physical contact, sexually abusive comments including homophobic comments and graffiti.
- **Verbal:** Name calling, spreading rumours, teasing.
- **Cyber:** All areas on internet, such as email and internet, chat room misuse. Mobile threats by text message and calls. Misuse of associated technology i.e. camera and video facilities, sexting (YPSI).

3.18 **YPSI** - Sexting (YPSI) is defined as the production and/or sharing of sexual photos and videos of and by young people who are under the age of 18. It includes nude or nearly nude images and/or sexual acts. It is also referred to as 'youth produced sexual imagery' ('Sexting' does not include the sharing of sexual photos and videos of under-18 year olds with or by adults. This is a form of child sexual abuse and must be referred to the police.

Staff will never view, download or share the imagery, or ask a child to share or download it – **this is illegal**. If staff have viewed the imagery by accident (e.g. if a young person has shown it before being asked not to), this must be reported to the Safeguarding Team.

- Parents should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the young person at risk of harm;
- At any point in the process if there is a concern a young person has been harmed or is at risk of harm a referral should be made, by the Safeguarding Team, to children's social care and/or the police immediately;
- In some cases the incident can be handled internally without Police involvement.

Please see "[Sexting in Schools and Colleges – Responding to Incidents and Safeguarding Young People](#)" for further information.

3.19 **Private Fostering:** Private fostering is an arrangement made privately (without the involvement of a local authority) for the care of a child under the age of 16 (under 18, if disabled) by someone other than a parent or close relative with the intention that it should last for 28 days or more. Private foster carers may be from the extended family, such as a cousin or great aunt. However, a person who is a relative under the Children Act 1989 i.e. a grandparent, brother, sister, uncle or aunt (whether full or half blood or by marriage) or step-parent will not be a private foster carer. A private foster carer may be a friend of the family, the parent of a friend of the child, or someone previously unknown to the child's family who is willing to privately foster a child. Local authorities have a duty to satisfy themselves that the welfare of children who are, or will be, privately fostered within their area is being, or will be, satisfactorily safeguarded and promoted.

If you are aware of any student who you feel maybe being privately fostered, please follow the safeguarding procedure for reporting to the safeguarding team.

- 3.20 Children with special education needs and disabilities:** Children with special educational needs and disabilities can face additional safeguarding challenges. Students within this cohort can be disproportionately impacted by things like bullying without showing any signs, they can also be more prone to peer group isolation than other children. All staff should be vigilant to ensure that they are mindful of signs of abuse which could include changes in behaviour, mood and/or injury and should be aware that there may be communication barriers which may make it more difficult for these students to share concerns and issues. It is important for staff to be aware that assumptions can be made about possible abuse, mood and injury and that this could relate to the child's disability without further exploration.
- 3.2.1 Children who need a social worker (Child in Need and Child Protection Plans)** where children need a social worker, this should inform decisions about safeguarding (for example, responding to unauthorised absence or missing education where there are known safeguarding risks) and about promoting welfare. Findings from the [Children in Need review: "Improving the educational outcomes of children in need of help and protection and Help, protection, education.](#)
- 3.21 Child Criminal Exploitation – county lines:** Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: it is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more areas within the UK, using dedicated mobile phones lines or other form of “deal line”. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the [National Referral Mechanism](#) should be considered.
- 3.22 Homelessness:** Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. In most cases we will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home and will require a different level of intervention and support. Children's services will be the lead agency for these young people and appropriate referrals should be made based on the child's circumstances.
- 3.23 Online Safety:** The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm. An

effective approach to online safety empowers the College to protect and educate the College community in their use of technology and establishes mechanisms to identify, intervene in and escalate any incident where appropriate. The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

- Content – being exposed to illegal, inappropriate or harmful material, such as, pornography, fake news, racist or radical and extremist views;
- Contact - being subjected to harmful online interaction with other users; for example commercial advertising as well as adults posing as children or young adults;
- Conduct – personal online behaviour that increases the likelihood of, or causes, harm, such as, making, sending and receiving explicit images, or online bullying.

The college will do all that they reasonably can to limit exposure to the risks detailed above from the college's IT system. The college has appropriate filters and monitoring systems in place and there is a whole approach to online safety. This includes clear guidance on the use of mobile technology and particularly whilst more students are accessing their learning via a virtual platform on a more regular basis.

Useful guidance and websites include "[Thinkunow the National Crime Agency/CEOPs education programme](#)", "[UK Safer Internet Centre](#)" and "[On-line safety in schools and colleges UKCIS](#)".

- 3.24 **Children and the Court System:** Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. We will recognise these vulnerabilities and offer early help where necessary for the children, young people and their families to safeguard emotional wellbeing and access resources as defined in Keeping Children Safe in Education September 2020.
- 3.25 **Children with Family Members in Prison:** These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. We will work with the children and their families as much as possible to mitigate the harm by offering early help and emotional wellbeing support where necessary and recognise additional risks such as witnessing arrests, trauma of prison visits, concerns regarding an offenders release and return home.
- 3.26 **Mental Health:** all staff will be aware that 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. Staff 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. We will work with young people in the college to encourage them to talk about mental health in a positive way and we will train staff to ensure they understand and are aware of mental health concerns, diagnosis and conditions. We also have counsellors in the safeguarding team who are able to work quickly with young people presenting a mental health condition. Staff receive mandatory Mental Health training at the start of the academic year and other courses are delivered through [Mental First Aid England](#). The department has published advice and guidance on [Mental Health and Behaviour in Schools](#) which is useful for our college environment.

- 3.27 **The use of [Reasonable Force](#):** There are circumstances when it is appropriate for our staff to use reasonable force to safeguard children and young people. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom.

When using reasonable force in response to risks presented by incidents involving children with SEN or disabilities or with medical conditions we will consider the risks carefully and recognise the additional vulnerability of these children.

- 3.28 Below are lists of links that will provide further, expert and up to date information from professional organisations.

- [Child Sexual Exploitation \(CSE\)](#)
- [Bullying including cyberbullying](#)
- [Child missing from Education](#)
- [Child missing from home or care](#)
- [Domestic abuse](#)
- [Drugs](#)
- [Educate Against Hate](#)
- [Effects of Domestic Violence on Children](#)
- [Fabricated or induced illness](#)
- [Faith abuse](#)
- [Female Genital Mutilation \(FGM\)](#)
- [Forced marriage](#)
- [Gangs and Youth Violence](#)
- [Gender-based violence/violence against women and girls \(VAWG\)](#)

- [Mental Health](#)
- [Missing Children and Adults Strategy](#)
- [National Information Centre on Children of Offenders](#)
- [Private Fostering](#)
- [Preventing radicalisation](#)
- [Relationship abuse](#)
- [Sexting \(YPSI\)](#)
- [Teaching Online Safety in School](#)
- [Trafficking](#)
- [Modern Slavery](#)

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 \(LADO\)](#), Tina Cooper - Children's Services, Social Care. She 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 are people who are in positions of trust (PoT) and therefore any behaviour which may call that position into question will be communicated to the College and acted on.
- 4.2 Senior Staff Member with Lead Responsibility: The designated senior member of staff with lead responsibility for safeguarding is Andrea Packer, Designated Safeguarding Lead, Wisemore Campus, Littleton Street West, Walsall. She is a member of the College's Senior Management Team and has a key duty to take lead responsibility for ensuring that staff are aware of issues relating to the welfare of children, young people and adults at risk of harm. This includes the promotion of a safe environment for children, young people and adults at risk of harm who are learning within the College or in the workplace. She will have undertaken up to date training in child protection issues and inter-agency working, as required by the Walsall Children's Safeguarding Partnership, Walsall Adult Safeguarding Partnership and will receive refresher training at least every two years. She will remain up to date with developments in child protection and adult safeguarding.

The designated senior member of staff is responsible for ensuring that:

- Cases of suspected abuse or allegations are appropriately referred to relevant agencies;
- 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 and young people within the College have access to the College's Safeguarding Policy;
- Liaison takes place with employers and training organisations that receive children and young people from the College on long term placements to ensure that appropriate safeguards are put in place;
- There is liaison with secondary schools which send pupils to the College to ensure that appropriate arrangements are made for the pupils;
- Staff receive basic training in safeguarding issues and are aware of the College safeguarding procedures including preventing people from being drawn into terrorism;
- Safer recruitment practices are in place;
- College works with appropriate partners to safeguard children;
- Where staff discover that an act of FGM has been carried out our mandatory duty to report to Police.

The designated senior member of staff will ensure an annual report is provided to the Governing Body of the College setting out how the College has discharged its duties. They are responsible for ensuring deficiencies in procedure or policy identified by the WSCB, WSAB (or others) are reported to the Governing Body at the earliest opportunity.

4.3 Designated Staff Members

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

Business Support	
Andrea Packer	Designated Safeguarding Lead Single Point of Contact (SPOC)
Luki Poonia	Deputy Safeguarding Lead
Jayne Holt	Assistant Principal – Workforce Development and Learning Services Safeguarding Officer
Melanie Jones	Counsellor - Safeguarding Officer
Lyndsey Shuker	Counsellor – Safeguarding Officer
Kit Rennie	Welfare and Safeguarding Officer (Hawbush)
Selina Harra	Welfare and Safeguarding Officer (Green Lane and Portland Street)
Gemma Earp	Nursery Manager Protection Officer for Children Safeguarding Officer - (Nursery Children only)
Claire Dunn	HR Specialist Allegations against staff only

Volunteer Safeguarding Officers	
Sarah Cassidy	Education BSL/English Interpreter Safeguarding Officer
Lauren Coe	Pastoral Support Officer – Achieving Together
Laura Eggington	Pastoral Support Officer – Health and Public Services
Georgina Tsinopoulo	Sales Executive
Natalie Ali	Lecturer - Creative Industries & Foundation Learning
Kieran Molloy	Lecturer - Creative Industries & Foundation Learning
Julia Hawes	Lecturer – Adult and Community ESOL
Jo Hughes	Tutorial Coordinator
Lynda Whitebeard	Programme Support Assistant

These designated staff members collectively:

- Report to the senior member of staff with lead responsibility as appropriate;
- Make appropriate referrals;
- Liaise with other agencies in our partnership around children and adults at risk of harm;
- Provide advice and support to other staff on issues relating to protection from abuse;
- Have particular responsibility to be available to listen to children, young people and adults at risk of harm studying at the College or in the workplace;
- Deal with individual cases, including attending case conferences and review meetings as appropriate;
- Undergo appropriate training as required by WSCB, WSAB and receive refresher training at least every two years.

Professional curiosity is not simply about asking the question. It is about the language used, creating a trusting relationship, a safe space in which to disclose and giving time to children and young people so they do not feel pressured.

Not all members of the team will deal with referrals. They are there in an advisory capacity and to ensure communication flow to all areas of the College.

4.4 Designated Governor

Governors are briefed by the Designated Safeguarding Lead regarding yearly updates to policy and procedure and activity to maintain high standards in relation to safeguarding.

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The Chair of Governors Allan Pinnegar is the College Designated Governor for safeguarding. As part of his duties he will take lead responsibility for overseeing any allegations made against the Principal (see Procedures: Section 2) and other Governors (see Procedures: Section 3) in relation to safeguarding matters. Where an allegation is made against the Chair of Governors, the Vice Chair Alan Woods will then take the lead. He is responsible for overseeing the liaison between the LADO, the Safeguarding Lead, Walsall Council, Social Services and/or the Police, in connection with such allegations. This will not involve undertaking any form of investigation, but will ensure good communication between the parties and provision of information to assist enquiries.

The lead Governor will have regular updates on safeguarding matters via the Principal's termly report to Corporation.

4.5 Data Protection and Information Sharing

Information sharing is vital in identifying and tackling all forms of abuse. It is important that we recognise the importance of information sharing between professionals and local agencies. Practitioners must have due regard to the relevant data protection principles which allow them to share personal information, as provided for in the [Data Protection Act 2018](#) and the [General Data Protection Regulation \(GDPR\)](#).

We have a duty to process personal information fairly and lawfully and to keep information held safe and secure. However, this is not a barrier to sharing information where failure to do so would result in a child being placed at risk of harm. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and protect the safety of students.

When students leave College, the DSL and Deputy DSL will ensure their safeguarding file is transferred to the new school or College as soon as possible, (if applicable) ensuring secure transit, and confirmation of receipt. When receiving file transfers we will ensure key staff are aware as required, e.g. Tutors, Safeguarding Team.

When sharing information staff will take account of the Seven Golden rules for sharing information.

4.6 Safeguarding and Wellbeing Committee

The Safeguarding and Wellbeing Committee meet on a termly basis and undertake the following:

1. Actively promote and embed Safeguarding and Wellbeing throughout the College's activities.
2. Review information and planning from the College's Safeguarding Team.

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3. Provide a forum to strategically monitor plans for safeguarding the College Community.
4. Consider the implications of changes in legislation for the implementation of Safeguarding and Wellbeing in the College and to provide advice on any related issues.
5. Provide assistance across College in the implementation of policies and procedure including the commissioning of training and staff development.
6. Establish working groups to investigate (as appropriate), report on and monitor the Safeguarding and Wellbeing aspects of the College's policies and procedures.
7. Monitor the College's commitment towards promoting Safeguarding and Wellbeing through its marketing and publicity activity.
8. Report to the Senior Management Team and Corporation as appropriate.
9. Receive and review key data (for students and other key aspects including staff, community, employers) in order to evaluate the impact of strategies adopted by the College.

SAFEGUARDING PROCEDURE

1 HOW TO DEAL WITH SUSPICIONS/CONCERNS OF ABUSE OR NEGLECT

- 1.1 Key things to remember if a child or young person tells you about possible abuse:
 - 1.1.1 Never promise confidentiality – you will have to break it, and with it, the persons trust in you.
 - 1.1.2 Listen carefully and stay calm – you need to listen without making assumptions or judgements.
 - 1.1.3 Do not interview a child or young person. 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.
 - 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 to whom you will report the matter.
 - 1.1.6 Find out what they would like to happen but make them aware that you may have to act against their wishes (e.g. they may ask you not to disclose to anyone else).
 - 1.1.7 Note the main points carefully.

- 1.1.8 Use the [Safeguarding Report form](#) if possible to gather key information and as a record of your discussion.
- 1.1.9 Do not investigate concerns or allegations yourself, but report them immediately to a member of the Safeguarding Team.

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 16's who are on full-time programmes that may or may not be attached to a school i.e. Home Educated.
- 1.2.4 Apprentices.
- 1.2.5 Under 18 years olds in the College who are not enrolled as students – e.g. work placements from school or visitors to open days etc.
- 1.2.6 Children in the Nursery.

IF IN DOUBT - ALWAYS CONTACT A MEMBER OF THE SAFEGUARDING TEAM

- 1.3 Under 16 Year olds on any School Link programme, formal taster event, or work experience within College
- 1.3.1 All participating schools must have signed the school/college contract which includes safeguarding practice, notification of vulnerability, travel arrangements, attendance monitoring/reporting and out of class supervision or workplace supervision as appropriate.
- 1.3.2 All school link pupils must be enrolled/registered at the College and details of emergency contact recorded.
- 1.3.3 For young people on a school link programme, the referral must go back to the Safeguarding Co-ordinator at the school they normally attend to discuss the referral and agree actions.
- 1.3.4 When dealing with a disclosure follow section 1.4.1 to 1.4.5 for students aged 16 – 17 years old.
- 1.3.5 Curriculum Manager for Achieving Together has details of School Liaison Co-ordinators and will pass on the disclosure to be actioned under their procedures

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1.3.6 Pastoral support to be actioned within the School.

1.4 Students 16-17 years old

Where a student aged under 18 years old divulges 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.

1.4.2 A written record (using the reporting form [Safeguarding Report Form](#)) of the interview will be made where possible.

1.4.3 Referral to a member of the Safeguarding Team will be made immediately and in person where possible.

1.4.4 Student's 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.

1.4.5 There is no need to involve other members of staff (including line managers) as this reduces confidentiality.

1.4.6 Make student aware of services within the College which may be able to help them address the situation and offer support i.e. Student Journey provide information or local or national telephone helpline and counselling support.

1.4.7 Where possible the Safeguarding Officer will consult the student regarding the report and their wishes 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 Where action is decided upon which necessitates contacting Children's Services, College procedures for referral will be followed within 24 hours of Safeguarding Team receiving the referral.

1.4.9 Records will be kept of all discussions relating to protection from abuse matters and will be stored electronically in a confidential manner.

1.4.10 The Designated Safeguarding Lead will be informed immediately of any referrals received/made.

1.5 Apprentices

1.5.1 Workplace providers will receive a copy of the Safeguarding Policy and Procedure and information relating to their responsibility for safeguarding.

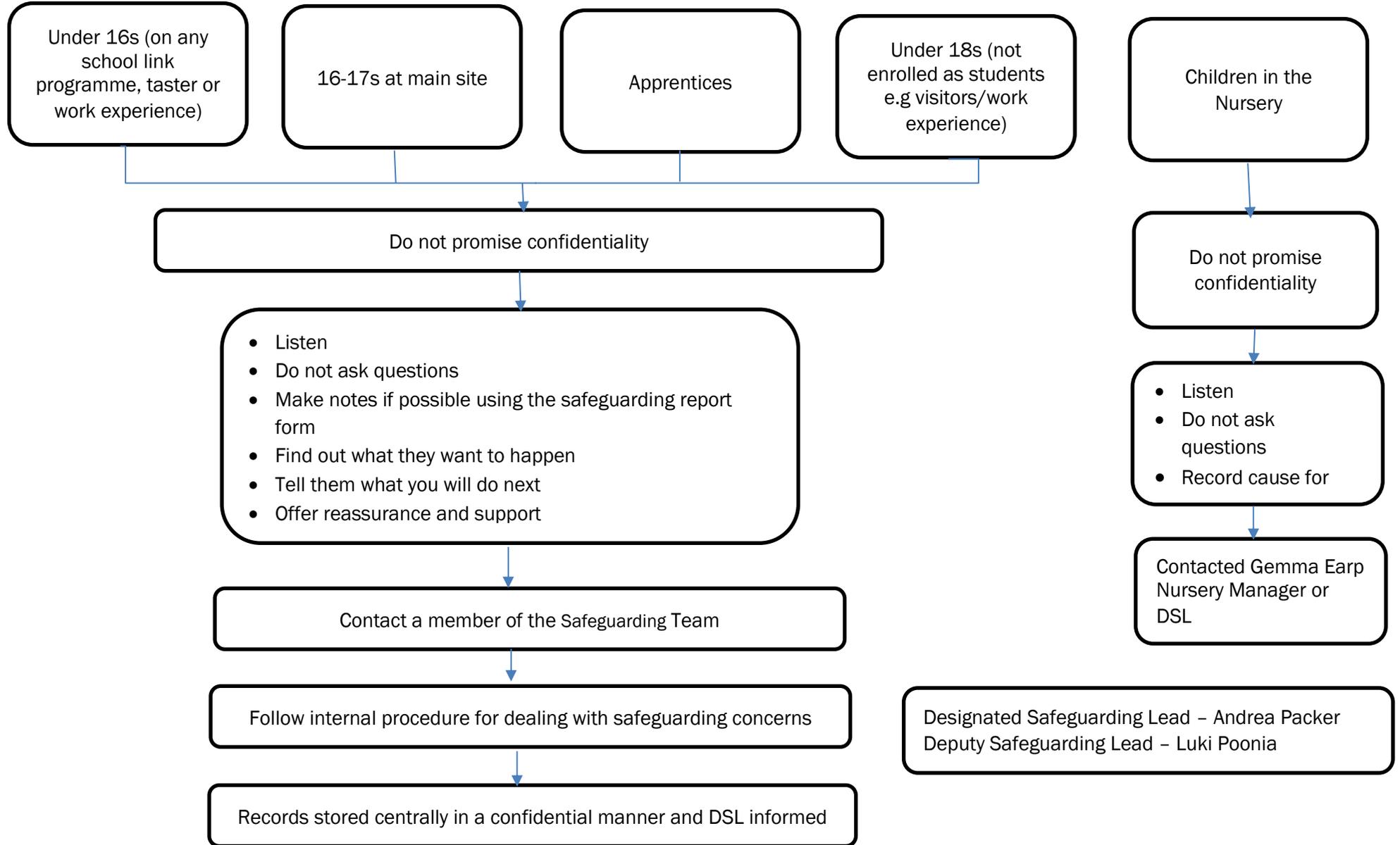
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- 1.5.2 Placement Officers/Assessors will carry out all risk assessments and include safeguarding discussion as part of workplace reviews with students.
- 1.5.3 Apprentices will receive information relating to safe practice in the workplace and safeguarding contact details.
- 1.5.4 When dealing with a disclosure, follow referral procedure for [1.4.1 to 1.4.10](#) for students aged 16 – 17 years old, or adult at risk of harm.
- 1.5.6 Organisations seeking subcontracted work have to submit their policies and procedures as part of the PQQ process.
- 1.6 Under 18 Year olds in the College who are not enrolled as students**
- 1.6.1 For young people who are not enrolled at the College, the referral must go back to the head of the organisation to which they are attached. The contact can be made direct or via the Designated Safeguarding Lead if they are on site.
- 1.6.2 Where there is no organisational contact available, the referral will be made direct to Children's Services.
- 1.6.3 A report of the disclosure and any action taken must be recorded and the Designated Safeguarding Lead informed.
- 1.7 Children in the Nursery**
- 1.7.1 Report to Gemma Earp, Nursery Manager, or in her absence a member of the Safeguarding Team.
- 1.7.2 All referrals to meet Walsall Children's Safeguarding Partnership requirements and Early Years Ofsted expectations.
- 1.7.3 A report of the disclosure and any action taken must be recorded and the Designated Safeguarding Lead informed.

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Child Protection and Safeguarding Procedure Flowchart

'At a Glance' Guide



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Safeguarding Report Form

Confidentiality Statement			
Please note that this meeting is confidential. However, if information provided gives reason for us to believe that you or anyone else is at risk of harm we will need to contact relevant agencies to access support and share information with them. These may be external agencies; however, you will be notified of the process.			
Privacy Notice given			
Yes / No			
Staff Details			
Name			
Date			
Time of Interview			
Referred by			
Student Details			
Full Name			
Date of Birth/Age			
Family Address			
Names of Household Members			
Child	Yes/No	Adult at risk of harm	Yes/No
Information Relating to the Incident. What did the student tell you?			

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What would the student like to happen as a result of the disclosure?	
Is the student aware that this referral is being made	Yes/No
Organisation referred to	
Name of person who took the referral	
Date/Time referred to external services	

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2 REPORTING AND DEALING WITH ALLEGATIONS OF ABUSE AGAINST MEMBERS OF STAFF

The procedures apply to all staff, whether teaching, administrative, management, support, supply and volunteers. Allegations of abuse against a member of staff can be defined as when a person has:

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child;
- Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

There may be times where an individual's actions in their personal life come under scrutiny from the community, the media or public authorities, including with regard to their own children, or children or adults in the community. Staff should be aware that their behaviour, either in or out of the workplace, could compromise their position within the work setting in relation to the protection of children, loss of trust and confidence, or bringing the employer into disrepute. Such behaviour may also result in prohibition from teaching by the "Teaching Regulations Agency (TRA)" a bar from engaging in regulated activity or action by another relevant regulatory body.

2.1 Introduction

2.1.1 The College recognises that the Children Act 1989 states that the welfare of the child is the paramount concern.

2.1.2 Staff of education institutions have been found responsible for child abuse. Because of their frequent contact with children and young people, staff may have allegations of child abuse made against them. Under the Mental Capacity Act 2005 (MCA) Section 44, it is an offence to harm or neglect an adult at risk of harm. The College recognises that an allegation of child abuse or abuse of adults at risk of harm made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and those investigations are thorough and not subject to delay.

2.1.3 Hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence and career; therefore, those dealing with such allegations within the College will do so with sensitivity and will act in a careful, measured way, and with appropriate external support.

2.1.4 All staff are advised that they must report worries or concerns about other members of staff through the Whistleblowing Policy or direct to Children's or Adult Services if they prefer.

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- 2.1.5 Staff and volunteers should also feel able to raise concerns about poor or unsafe practice and potential failures in College safeguarding regime and that such concerns will be taken seriously by the senior leadership team. They can do this by contacting the Designated Safeguarding Lead or by activating the College's Whistleblowing Policy.

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – line is available from 8:00 a.m. to 8:00 p.m. Monday to Friday and Email: help@nspcc.org.uk or via their website [Whistleblowing advice line | NSPCC](https://www.nspcc.org.uk/whistleblowing). Alternatively, you can find information via the following link: <https://www.gov.uk/whistleblowing>

2.2 Receiving an Allegation from a Child or Adult at risk of harm about a Member of Staff

- 2.2.1 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 in Section 1 for dealing with disclosure. This will ensure the child/adult needs are met. On some occasions, the concern may not arise from a direct disclosure. If observations of staff behaviour give rise for concern of inappropriateness these must be shared directly with Designated Safeguarding Lead or the Head of Human Resources
- 2.2.2 The allegation about the staff member will be reported immediately to either the Designated Safeguarding Lead / Deputy Safeguarding Lead or the Head of Human Resources. In their absence, the report will go to the Deputy Principal or other member of the Executive team who will follow the steps below.
- 2.2.3 They will contact the Local Authority Designated Officer (LADO) for children under 18 or the Adult Safeguarding Unit for adults at risk of harm to discuss referral and action. The LADO will be contacted within 1 working day of receiving the allegation. Appropriate internal action will be taken to safeguard the child/adult at risk of harm.

The Designated Safeguarding Lead/Deputy Safeguarding Lead or Head of Human Resources will inform the Principal (or designated person if the allegation is against the Principal or the Principal is off site) and they will provide details including information about times, dates, locations and names of potential witnesses where appropriate or necessary.

2.3 Initial Assessment by the Principal (or designated person)

- 2.3.1 The Principal (or designated person) will make an initial assessment of the allegation, consulting with the LADO, Senior Staff Member with Lead Responsibility 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

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will be dealt with under Walsall's Safeguarding Children procedures, or in the case of adult abuse the Adult Safeguarding Unit.

2.3.2 It is important that the Principal (or designated person) 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.

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 and mentoring, or in some cases where 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 while the formal Police or Children's Social Care or Adult Safeguarding investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries will conform to the existing Staff/Governor 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 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 he/she 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:

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- 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, Deputy/Vice Principal or a designated member of the Executive Team. In respect of the Principal, suspension can only be carried out by the Chair of Governors (or in his/her absence, the Vice Chair).

2.5.2 Where a suspension is being considered Human Resources must be consulted. It is a neutral act, not a disciplinary sanction, and does not involve any prejudgement. 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 Deputy 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

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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 he/she is suspended from duty. Written confirmation of the suspension, with reasons, shall be despatched 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. They will be asked to treat the information as confidential. Consideration will be given to informing the child or adult making the allegation of the suspension.
 - Consider whether the Marketing Department needs to liaise with the Children's or Adult Services Press Officer.
- 2.5.10 Senior staff that need to know of the reason for the suspension will be informed. Depending on the nature of the allegation, the Principal will consider with the Chair of Governors whether a statement to the students of the College and/or parents/carers will be made, taking due regard of the need to avoid unwelcome publicity.
- 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.

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- 2.5.13 The suspension will remain under review in accordance with the College disciplinary procedures.
- 2.5.14 Where suspension is instigated for 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. Advice may be taken from other agencies prior to any action being taken.
- 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, Walsall College has a statutory duty to refer to the DBS.
- 2.5.16 If the person is subject to registration or regulation by a professional body or regulator, for example by the General Social Care Council, General Medical 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 contact with the child or children who made the allegation can be best managed.

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 e.g. 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 their parents/carers 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).
- 2.6.5 The Principal (or designated person) will give consideration to what information will be made available to the general population of the College.

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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 member of staff or designate /or the designated Governor, the Principal shall:

- Inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or child protection 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, he/she will be informed about the College's statutory duty to inform the DBS.

2.9 Monitoring Effectiveness

2.9.1 Where an allegation has been made against a member of staff, the Head of Human Resources, together with the Senior Staff Member with Lead Responsibility will, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of the College's procedures and/or policies which will be drawn to the attention of the [Walsall Children's Safeguarding Partnership](#) and [Walsall Adult Safeguarding Partnership](#). Consideration will also be given to the training needs of staff. Any recommendations following a review will be reported to the designated Governor.

2.10. Recruitment and Selection

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- 2.10.1 Walsall 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. Walsall College is committed to safeguarding and promoting the welfare of children and adults at risk of harm, and expects its staff to share this commitment.
- 2.10.2 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 adults.
- 2.10.3 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 Walsall College will meet the definition of regulated activity and our practices must comply with the legislation.
- 2.10.4 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 checking identity, qualifications and references, and enquiring into career history.
- 2.10.5 [The Safeguarding Children and Safer Recruitment in Education](#) guidance which came into force on 1st January 2007, recommends that in addition to the various staff records which are kept as part of normal business, Colleges 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.

3 REPORTING AND DEALING WITH ALLEGATIONS AGAINST NON-MEMBERS OF STAFF

There are a number of instances where Walsall College students come into contact with people as part of College activity, who are not formally employed by the College e.g. Governors, Volunteers, placement providers, taxi/community transport personnel, staff of partner organisations or other service providers.

In the event of allegations regarding non-College employed persons as defined above, who come into contact with children on the College's behalf, the following procedure will be followed.

3.1. Governors

- 3.1.1 The person hearing the allegation will follow the Safeguarding Procedure: Section 1. for supporting the student.

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- 3.1.2 They will immediately contact the Designated Safeguarding Lead or the Head of Human Resources who will take a written record of the allegation which is signed and dated.
- 3.1.3 The Chair of Governors, (or the Deputy Chair if the allegation is against him/her) and the Principal, will be contacted and informed of the allegation.
- 3.1.4 The Chair of Governors, with the support of the Head of Human Resources and/or Designated Safeguarding Lead, will contact the LADO and discuss the allegation if it relates to a person under 18. If the allegation relates to an adult at risk of harm, Adult Safeguarding Unit will be contacted for advice.
- 3.1.5 If no action is required, the Clerk to the Corporation and the Chair of Governors will inform the person against whom the allegation has been made of the allegation and offer reassurance.
- 3.1.6 If it is decided that action is required, the Chair of Governors, and/or Designated Safeguarding Lead or Head of Human Resources will contact the appropriate agency (prior to making any contact with the Governor against whom the allegation has been made) e.g. Children's Social Services, Adult Safeguarding Unit or the Police, who will then begin their own processes.
- 3.1.7 If action has been required, the Clerk to the Corporation and the Chair of Governors will inform the person against whom the allegation has been made of the allegation and their suspension from duty pending external investigation. They will offer information about College processes and support.
- 3.1.8 Suspension and subsequent College action will follow the Governors' disciplinary procedure.
- 3.1.9 The Designated Safeguarding Lead/ Head of Human Resources will keep the Chair of Governors and the Principal informed of the progress and outcome of any investigation.
- 3.2 Persons not employed by the College**
- 3.2.1 The responsibility to deal with any allegations against people who come into contact with our students on our behalf, but are employed by other organisations, rests with the host organisation.
- 3.2.2 Should an allegation be made, the person hearing the disclosure will follow the College procedure for supporting students (Safeguarding Procedures: Section 1.). They will report immediately to the Designated Safeguarding Lead. The Designated Safeguarding Lead will contact the relevant referral agent and discuss action in relation to the student.
- 3.2.3 The Designated Safeguarding Lead will contact the employing company to advise them of the allegation and action taken. They will be advised that until

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the case is resolved the person against whom the allegation has been made must not continue with College activity and that it should activate its own procedures for such circumstances.

3.2.4 The company should contact the College at the conclusion of any investigation.

3.2.5 Where no legal action is taken discussion will take place regarding the individual's potential resumption of College activity.

3.3 Volunteers

3.3.1 Should an allegation be made about a volunteer, the person hearing the disclosure will follow the College Safeguarding Procedure for supporting students (Section 1).

3.3.2 The Designated Safeguarding Lead/Head of Human Resources will be contacted immediately.

3.3.3 The Designated Safeguarding Lead /Head of Human Resources will contact the LADO/Adult Safeguarding and discuss action.

3.3.4 If action is deemed to be required the Designated Safeguarding Lead /Head of HR will make the referral to external agents and inform the relevant Senior Management Team member.

3.3.5 The Head of Human Resources will inform the volunteer of the allegation and suspend volunteering activity within the College pending investigation by the authorities.

3.3.6 If no action is required, the volunteer will be informed of the allegation, reminded of the College policy in relation to safeguarding, and allowed to return with supportive supervision in place.

3.4 Other Students

3.4.1 Should an allegation be made against another student the person hearing the disclosure will follow the College Safeguarding Procedure for supporting students (Section 1).

3.4.2 The Designated Safeguarding Lead and Head of Curriculum Cluster will assess immediate risk and take any necessary decision to suspend. The Designated Safeguarding Lead will seek advice from the appropriate external agents and make the referral if required. If no action is required, the College will follow its normal procedures following suspension of a student, including the activation of the Positive Behaviour Management and Disciplinary Policy & Procedure.

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3.4.3 Where new activity is proposed which may affect the dynamics of the student cohort, e.g. additional recruitment of vulnerable 14-16's, safeguarding risk assessment is built into the risk assessment process.

4 SAFER RECRUITMENT TRAINING

4.1 All staff who participate in the recruitment process are required by the College to undergo recruitment and selection process training. In addition, every interview panel must have at least one member who has received Safer Recruitment training. Both are arranged by Human Resources. Refresher training is available, and all staff will be expected to keep themselves up to date with current practice.

4.2 Whilst it is a criminal offence to knowingly employ someone who is barred from working with children or adults at risk of harm in regulated activity, it is possible to allow such a person to work in controlled activity, subject to specific safeguards being in place.

The decision whether to employ in controlled activity someone who is barred from working with children or adults at risk of harm in regulated activity will be made after the Head of Human Resources completes the appropriate risk assessment form and consults with Designated Safeguarding Lead, the relevant Senior Management Team member and the Principal/Deputy Principal.

If the applicant has already declared on their application form or during interview they are barred from working in regulated activity, or the subsequent pre-employment checks reveal this to be the case, the individual must not be allowed to start employment until the decision has been made by the above panel. To do so, is a criminal offence.

4.3 Recruitment and Selection Process

The College's Safer Recruitment and Selection Policy sets out the recruitment and selection processes currently used by the College. Recruitment and Selection Procedures apply 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 Disclosure and Barring Service (DBS) checks.

The post or role will be clearly defined and 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 a present or most recent employer.
- verification of identity and the provision of original documents as required by the Disclosure and Barring Service;

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- DBS checks are sought on appointment and updated every 3 years as appropriate;
- a clear check against the DBS Barred Children's List, if applicants are working in regulated activity;
- a variety of selection techniques (e.g. qualifications, previous experience, and interview) are also used.

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

If previously non-disclosed 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 members of the interview panel, to determine whether withdrawing the conditional offer of employment is necessary.

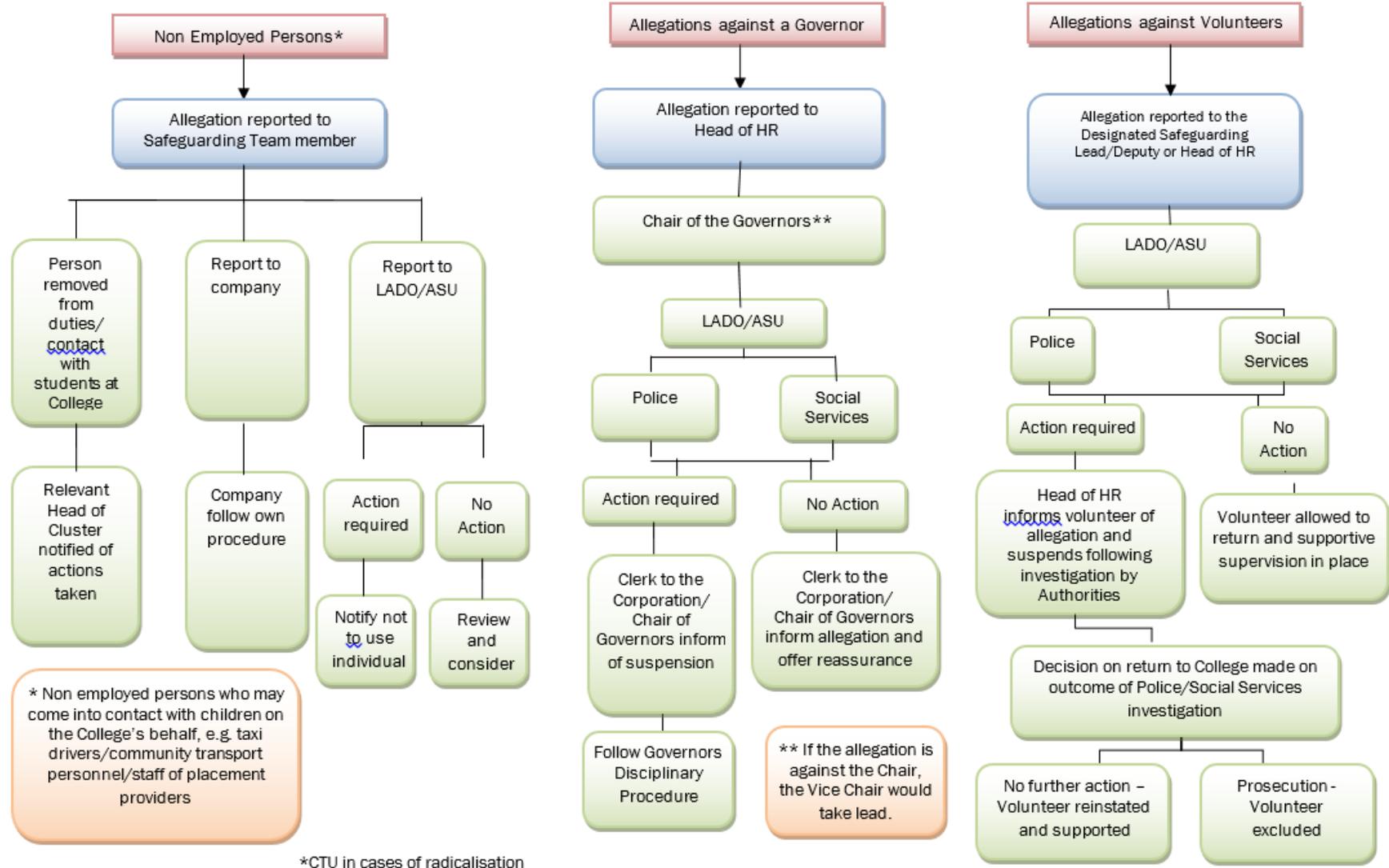
For overseas appointees, additional checks will be made against criminal records information from countries where the individual has lived or worked.

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. All required checks will be held by the Human resources department in a Single Central Record (SCR).

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'At a Glance' Guide



GLOSSARY OF TERMS

Child: a young person under the age of 18 years

Child Protection Enquiry: Local authorities, with the help of other organisations as appropriate, have a duty to make enquires under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment, including all forms of abuse and neglect, female genital mutilation or other so-called honour based violence, and extra-familial threats like radicalisation and sexual exploitation.

Child in Need: A child in need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989.

Please note: staff who work with and know the child may be requested to attend a Section 47 or a Section 17 meeting to provide information on the child on behalf of the College.

Early Help Assessment: Providing early help is more effective in promoting the welfare of children than reacting later. 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. Full Early Help guidance can be accessed via www.mywalsall.org

Local Authority Designated Officer - LADO: The Local Authority must appoint a Designated Officer (LADO) whose responsibility it is to be involved in the management and oversight of individual cases which fall within this procedure. They will provide advice and guidance to employers and voluntary organisations, liaising with the Police and other agencies, and monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistently, and with a thorough and fair process.

Designated Safeguarding Lead: each partner should have a Designated Safeguarding Lead (or, for health provider organisations, named professionals) for safeguarding. Their role is to support other professionals in their agencies to recognise the needs of children, including rescue from possible abuse or neglect. Designated safeguarding roles should always be explicitly defined in job descriptions. Professionals should be given sufficient time, funding, supervision and support to fulfil their child welfare and safeguarding responsibilities effectively and undergo training to provide them with the knowledge and skills required to carry out their role. They should liaise with staff on matters of safety and safeguarding.

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Significant Harm: The Children Act 1989 introduced Significant Harm as the threshold that justifies compulsory intervention in family life in the best interests of children.

Significant Harm is any Physical, Sexual, or Emotional Abuse, Neglect, accident or injury that is sufficiently serious to adversely affect progress and enjoyment of life.

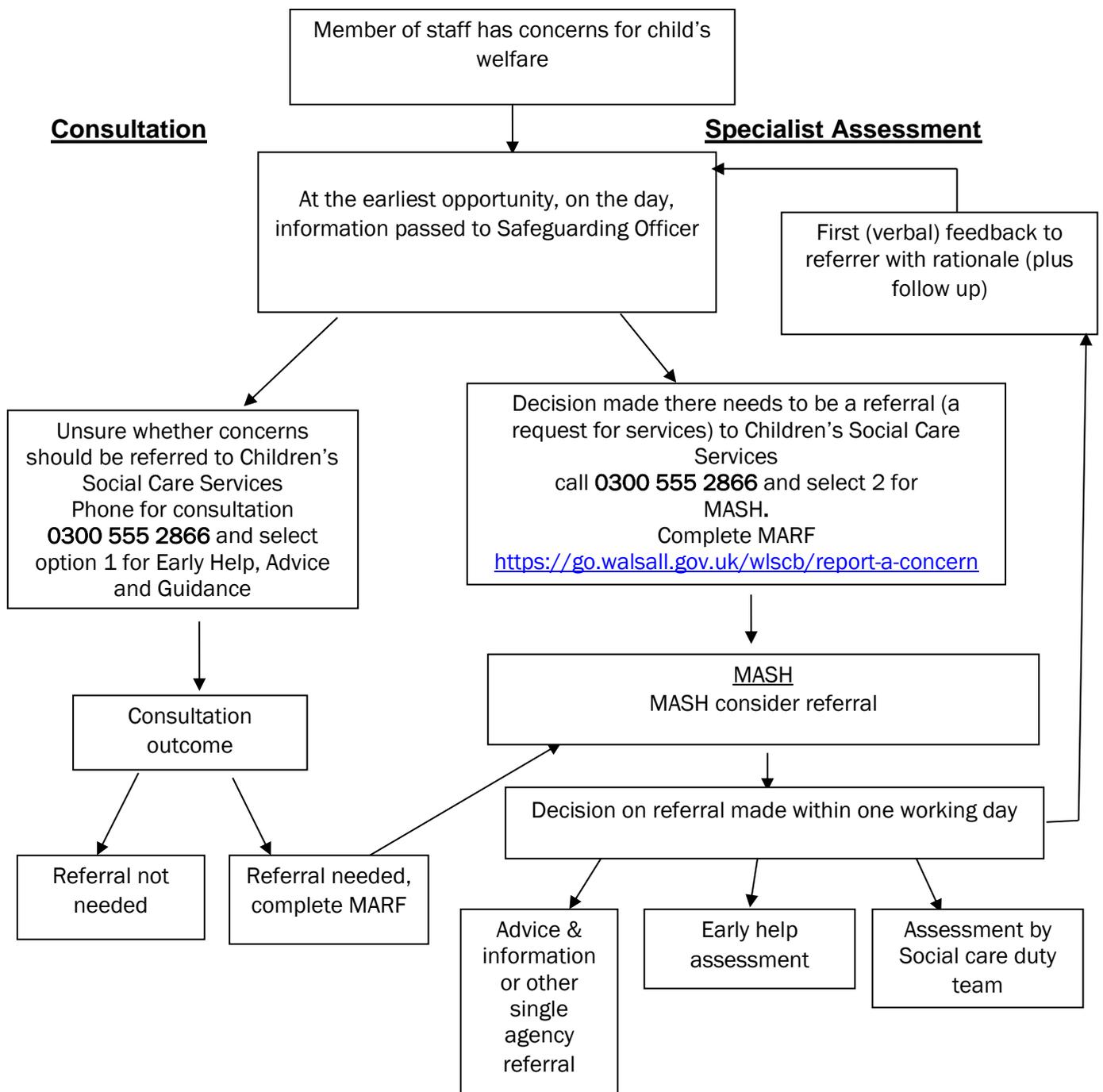
Harm is defined as the ill treatment or impairment of health and development. This definition was clarified in section 120 of the Adoption and Children Act. Suspicions or allegations that a child is suffering or likely to suffer Significant Harm may result in a Core Assessment incorporating a Section 47 Enquiry.

There are no absolute criteria on which to rely when judging what constitutes significant harm. Sometimes a single violent episode may constitute significant harm but more often it is an accumulation of significant events, both acute and longstanding, which interrupt, damage or change the child's development.

Walsall Safeguarding Children Partnership – Revisions to “Working Together to Safeguard Children” have been made to reflect the legislative changes introduced through the “Children and Social Work Act 2017”. This act replaces Local Safeguarding Children Boards with new, local safeguarding arrangements led by three safeguarding partners (local authorities, chief officers of police and clinical commissioning groups). The Act places a duty on those partners to make arrangements for themselves and relevant agencies they deem appropriate, to work together for the purpose of safeguarding and promoting the welfare of children in their area.

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Early Help Hub and Multi-Agency Safeguarding Hub (MASH) in Walsall



All staff should be aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral. Please contact MASH if you are unable to speak to a member of the Safeguarding Team.

Managing Allegations against Staff and Volunteers

