



**OXFORD**  
TUTORIAL COLLEGE

# Child Protection Policy

Revised May 2018  
Review date: August 2018

## **Introduction**

The safety and well-being of all our students is our highest priority. All young people have an absolute right to a life free from abuse, neglect or exploitation. All members of staff (teaching and non-teaching), Resident Supervisors and Homestays have a responsibility to be mindful of these issues related to students' safety and welfare and a duty to report and refer concerns, however minor they may appear to be.

Oxford Tutorial College fully recognises its responsibilities for Student Protection under the Children's Acts of 1989 and 2004, the Education Act 2002 and the Equalities Act 2010, and follows the procedures set out by the Local Safeguarding Children's Board, *Working Together to Safeguard Children* (DfE April 2018), *Keeping Children Safe in Education* (DfE September 2016), the National Minimum Standards for Boarding (DfE April 2015) and the Independent Schools' Standards (January 2015).

This policy applies to all students at Oxford Tutorial College, irrespective of age. The purpose of this policy is to set out clear guidelines and procedures for reporting concerns to senior staff. These procedures should be followed by all teaching and non-teaching staff (whether full- and part-time, permanent, temporary or supply), Resident Supervisors and Homestays, volunteers and governors at Oxford Tutorial College whenever there is concern about possible or actual student abuse. The Child Protection Procedures for this College are in accordance with the Oxfordshire Safeguarding Children Board procedures. To be read in conjunction with the Safer Recruitment Policy and Safeguarding Policy.

## **Equal opportunities**

The College is committed to equal treatment for all under the terms of 2010 Equalities Act, regardless of an individual's race, ethnicity, language, religion, political or other opinion, national or social origin, or sexual orientation. We aim to recognise and encourage the valuable and enriching contribution from all who work and learn here and the rights of all individuals who come into contact with the college, such as prospective students and job applicants.

We aim to create a friendly, caring and reflective environment in which every individual is valued. We believe that people from a range of backgrounds and experiences can enhance the life and development of the institution and that all individuals should be treated on the basis of individual merit and without prejudice. The college expects all employees, Resident Supervisors and Homestays, students, and associated partner organisations to adopt this policy.

The College is committed to carrying out Equality Impact Assessments on its policies and procedures in order that some measurement is made of the contribution that the policy/procedure makes towards equality and diversity objectives.

## Policy

We recognise that high self-esteem, confidence, supportive friends and clear lines of communication with a trusted adult help all young people, and especially those at risk of, or suffering, abuse.

We will therefore:

- Work hard to establish and maintain an ethos where our students feel safe, secure and are encouraged to talk and be listened to.
- Ensure that students know that there are adults in the College who they can approach if they are worried or are in difficulty and that they will receive a supportive response.
- Include in the Personal Tutor programme elements which equip students with the skills they need to stay safe and develop realistic attitudes to the responsibilities of adult life.
- Ensure that wherever possible every effort will be made to establish effective working relationships with students, parents/carers and colleagues from other agencies.
- Ensure that the Senior Management Team (SMT), Directors, staff, Resident Supervisors and Homestays and volunteers working with students at the College, including part-time, temporary, visiting and supply staff receive training in Child Protection as part of their induction and thereafter at least every three years; and that all staff and volunteers know:
  - the name of the designated persons and their roles
  - that each member of staff Resident Supervisors, Homestays and volunteer has an individual responsibility for being alert to the signs of abuse and for referring any concerns to the designated Child Protection officers
  - that abuse can happen to any student
  - the procedures identified within this College policy
  - how to avoid their behaviour and actions placing them or students at risk of harm or of allegations of harm, *e.g.* conveying a student by car whilst alone or engaging in inappropriate electronic or mobile telephone communication
  - how to respond to a student who may tell of abuse
- Ensure that parents have an understanding of the responsibility placed on the College and staff in relation to Child Protection, by setting out its obligations in the College handbooks
- Work to develop effective links with relevant agencies and co-operate as required with their enquiries regarding Child Protection matters, including attendance at initial case conferences, core groups and Student Protection review conferences
- Contact the Local Authority Designated Officer (LADO), Alison Beasley (01865 323457) within 18 hours of a disclosure or suspicion of abuse

- Keep written confidential records of concerns about students (noting the date, event and action taken), even where there is no need to refer the matter to social services immediately
- Ensure all records are kept secure, separate from the main student file and in locked locations and/or electronically in a restricted access area
- Develop and then follow procedures for dealing with an allegation of abuse against a member of staff, Resident Supervisors and Homestays or volunteer
- Notify social services if there is an unexplained absence of more than 24 hours of a student who is on the Child Protection register or if any student goes missing from College on repeated occasions to help identify the risk of abuse and neglect including sexual exploitation and to help prevent the risks of their going missing in future.
- Endeavour to remedy any deficiencies or weaknesses in the Child Protection arrangements without delay
- Operate safe recruitment procedures as required by *Keeping Children Safe in education* (2016). These procedures will include criminal records checks and compliance with Independent College Standards Regulations
- Confirm annually that appropriate checks have been carried out in connection with any staff who work with students at other sites
- Obtain assurance that appropriate Child Protection checks and procedures apply to any staff employed by the College, Resident Supervisor in post or Homestays registered with the College. Visitors who have not had their criminal records checked will not have unsupervised access to students and that appropriate Child Protection checks and procedures apply to any staff employed by another organisation working with the students on another site
- Report to the Disclosure and Barring Service (DBS), within one month of leaving the College, any person whose services are no longer used because he or she is considered unsuitable to work with children; and respond to requests from the DfE for information held by Oxford Tutorial College.

### **Designated persons**

The Principal has overall responsibility for Child Protection. The designated Student Protection staff are:

<b>Lead Designated Officer</b>	<b>Carole Nyssen (First floor KES)</b>
<b>Deputy Designated Officer</b>	<b>Angela Salter (First floor KES)</b>
<b>Designated Officer</b>	<b>Jenny Ballam (Second floor KES)</b>
<b>Designated Officer</b>	<b>Rupert Gill (Ground floor KES)</b>

Their role is to:

- To co-ordinate actions in the College and liaise with agencies over suspected or actual cases of abuse, self-harm, Child Sexual Exploitation (CSE), Female Genital Mutilation (FGM), Prevent, Sex Trafficking and any other serious concern for the wellbeing of a student in the College
- Identify the signs and symptoms of abuse and when to make a referral to ensure that staff observe and implement College's agreed procedures
- To facilitate training for all staff, Governors, and Homestays
- To liaise with the Principal and to authorise referral to the relevant and appropriate authorities
- To keep full records of reports/referrals made
- Ensure that all staff, Resident Supervisors and Homestay are aware of what they should do and who they should go to if they are concerned that a student may be subject to abuse or neglect
- Act as a source of support and advice for members of staff
- Ensure that any concerns about a student are acted on, clearly recorded, referred within 18 hours to the Oxfordshire Safeguarding Children Board (OSCB), Multi-Agency Safeguarding Hub (MASH) team, Locality and Community Support Service (LCSS) Social Services or Mental Health Services and followed up to ensure the issues are addressed
- Record any reported incidents in relation to a student or breach of Child Protection policy and procedure.
- Ensure the Lead Designated Officer is Designated Lead trained and the team is Level 3 trained
- Ensure that staff, Resident Supervisors, Homestays training is up-to-date
- Provide a fortnightly report to SMT and an annual safeguarding report

### **Staff responsibilities**

It is not the staff, Resident Supervisor's or Homestay's role to investigate suspected abuse but rather to:

- To be vigilant in order to identify potential incidences of abuse.
- To follow the procedure below and to report immediately to the Designated Persons.
- To complete documentation for external agencies as appropriate.

### **Inter-agency working**

We do not operate in isolation. The welfare of students is a corporate responsibility of the entire College, working in partnership with other public agencies and the voluntary sector. All

local authority services have an impact on the lives of children and families and local authorities have a particular responsibility towards children and families most at risk of social exclusion. Child Protection is the responsibility of everyone. The Designated Person will contact The OSCB or MASH team for advice whenever a Student Protection concern arises and follow its procedures, which can be found at [www.oscb.org.uk](http://www.oscb.org.uk). Or <https://www.oxfordshire.gov.uk/cms/content/multi-agency-safeguarding-hub> or LCSS (0345 2412705)

[http://oxfordshirescb.proceduresonline.com/p\\_locality\\_work.html?printMe.x=0&printMe.y=0](http://oxfordshirescb.proceduresonline.com/p_locality_work.html?printMe.x=0&printMe.y=0)

### **Information Sharing.**

Sharing information enables practitioners and organisations to identify and provide appropriate services that safeguard and promote the welfare of children. The General Data Protection Regulations 2018 does not prohibit the collection and sharing of personal information, but rather provides a framework to ensure that personal information about a living individual is shared appropriately and securely.

Where possible consent to share information will be sought, however in situations where there are concerns that a child is suffering, or is likely to suffer significant harm, information may be shared without consent.

Where personal information is sent to another organisation it will be sent securely using a secure online service such as Egress.

### **Principles**

There are three main elements to the College's Child Protection Policy:

#### **Prevention**

- Through the creation of an open culture which respects every individual's rights and discourages discrimination and bullying of any kind and in which students feel secure and that their viewpoints are valued and in which they are encouraged to talk in the knowledge that they will be listened to.
- Through the Personal Tutor meetings and an ongoing programme of support, at an age-appropriate level, the College aims to promote self-esteem and social inclusion and address the issue of Child Protection in the wider context of student safety in general.
- Through tutorials, discussion forums and visually the College will promote British values and engage students in challenging discussions about worldwide current affairs. See Appendix A for further details.

#### **Protection**

- By establishing this policy and following agreed procedures.
- By ensuring staff Resident Supervisors and Homestays are trained and supported to respond appropriately and sensitively to Child Protection concerns.

#### **Support**

- By working to support any student or member of staff who may have been abused and by working to support parents, guardians or carers.
- Members of College staff, Resident Supervisors and Homestays have a vital role to play in both the prevention and detection of abuse. Staff are in a unique position to observe students' behaviour over time, often develop close and trusting relationships with students and may well be the first to suspect that something is amiss. All concerns about a student's safety and welfare, including small nagging doubts, can be vital and should be reported to one of the Designated Persons immediately.

### **Key Concerns in Oxford**

The four key concerns in the local area are:

- CSE
- FGM
- Drug use (see the Alcohol, Drugs and Smoking policy)
- Drug Trafficking

Further information and advice on these key areas can be found on pages 10, 11 and 12

### **Definitions of abuse**

Abuse is 'a form of maltreatment of a student. Somebody may abuse or neglect a student by inflicting harm, or by failing to act to prevent harm. They may be abused by an adult or adults or another student or children.'

Safeguarding professionals identify four main categories of abuse, of which some details follow. Please remember that every case is different and these notes are for guidance.

### **Neglect**

This 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.

Physical signs to look out for:

- a) Unusual tiredness
- b) A change in appetite – a significant and prolonged increase or decrease; being constantly hungry and sometimes stealing food from others; loss of weight or being constantly underweight

- c) Unexplained patterns of lateness or illness
- d) Sudden changes in behaviour or mood e.g. hyperactivity, extreme passivity or depression
- e) Acting out of aggressive, disruptive, unacceptable or inappropriate behaviour in such a way as to indicate stress or turmoil
- f) Inappropriate clothing or poor personal hygiene; being in an unkempt state; frequently dirty or smelly; being dressed inappropriately for the weather conditions
- g) Untreated medical conditions – not being taken for medical treatment for illnesses or injuries
- h) Reluctance to change in front of peers and others of same gender
- i) Fear of medical treatment
- j) Having few friends.
- k) Being left alone or unsupervised on a regular basis
- l) Stories of a 'friend' who suffers from abuse

### **Physical**

This is actual or likely physical injury to a child, or failure to prevent physical injury (or suffering) to a child including hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. The simplest cases to recognise are non-accidental injuries and injuries which are not consistent with the explanation given. Giving a child poisonous substances, inappropriate drugs and alcohol can also come in this category. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Physical signs to look out for:

- a) Injuries which the child cannot explain, or explains unconvincingly
- b) Injuries which have not been treated or treated inadequately
- c) Injuries on parts of the body where accidental injury is unlikely, such as the cheeks, chest or thighs
- d) Bruising which reflects hand or finger marks
- e) Cigarette burns, human bite marks
- f) Broken bones (particularly in children under the age of two)
- g) Scalds, especially those with upward splash marks where hot water has been deliberately thrown over the child, or 'tide marks' – rings on the child's arms, legs or body where the child has been made to sit or stand in very hot water

Behavioural signs to look out for:

- a) A child is reluctant to have their parents contacted
- b) Aggressive behaviour or severe temper outbursts
- c) A child who runs away or shows fear of going home
- d) A child who flinches when approached or touched

- e) Reluctance to get undressed for sporting or other activities where changing into other clothes is normal
- f) Covering arms and legs even when hot
- g) Depression or moods which are out of character with the child's general behaviour
- h) Unnaturally compliant to parents or carers

## **Emotional**

This is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child 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 a 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 cyberbullying), 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, although it may occur alone.

Physical signs to look out for:

- a) A failure to grow or to thrive (particularly if the child thrives when away from home)
- b) Sudden speech disorders
- c) Delayed development, either physical or emotional

Behavioural signs to look out for:

- a) Compulsive nervous behaviour such as hair twisting or rocking
- b) An unwillingness or inability to play
- c) An excessive fear of making mistakes
- d) Self-harm or mutilation
- e) Reluctance to have parents contacted
- f) An excessive deference towards others, especially adults
- g) An excessive lack of confidence
- h) An excessive need for approval, attention and affection
- i) An inability to cope with praise

## **Sexual**

This involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for

example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (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.

Physical signs to look out for:

- a) Pain, itching, bruising or bleeding in the genital or anal areas
- b) Any sexually transmitted disease
- c) Recurrent genital discharge or urinary tract infections without apparent cause
- d) Stomach pains or discomfort when the child is walking or sitting down

Behavioural signs to look out for:

- a) Sudden or unexplained changes in behaviour
- b) An apparent fear of someone
- c) Running away from home
- d) Nightmares or bedwetting
- e) Self-harm, self-mutilation or attempts at suicide
- f) Abuse of drugs or other substances
- g) Eating problems such as anorexia or bulimia
- h) Sexualised behaviour or knowledge in young children
- i) Sexual drawings or language
- j) Possession of unexplained amounts of money
- k) The child taking a parental role at home and functioning beyond their age level
- l) The child not being allowed to have friends (particularly in adolescence)
- m) Alluding to secrets which they cannot reveal
- n) Telling other children or adults about the abuse
- a) Delayed or no learning progress
- b) Low self-esteem
- c) Acting in a sexually inappropriate way towards adults and/or peers
- d) Uneasiness or unusual behaviour with adults
- e) Drawings of a specific sexual nature

*Keeping Children Safe in Education 2016* identifies further important areas:

**Child sexual exploitation (CSE)** involves exploitative situations, contexts and relationships where young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) as a result of engaging in sexual activities. Sexual exploitation can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks out exploitation is an imbalance of power in the relationship. The perpetrator

always holds some kind of power over the victim which increases as the exploitative relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming. However, it is also important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse and often don't recognise they are being abused. However, victims sometimes carry two phones or one phone and two SIM cards. CSE is one of the four key concerns in Oxford, staff should remain vigilant at all times and if you have any concerns you should immediately inform one of the safeguarding team.

**Peer on Peer Abuse:** staff should recognise that children/young people are capable of abusing their peers. The College will take any concerns of this nature very seriously and concerns should be raised in the same way as any other concerns, directly to the Safeguarding Team. Peer on peer abuse can take the form of bullying (including cyber-bullying) sexting (now referred to as Youth Produced Sexual Imagery, YPSI) and any other form of sexual or physical abuse. Gender based issues can also occur for example girls being sexually touched/assaulted or boys being subject to initiation/hazing type violence.

**Female Genital Mutilation (FGM):** it is illegal to perform FGM in the United Kingdom and is a reportable offence, therefore any suspicion that FGM might be taking place must be reported directly to the police and MASH team. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM. There is a range of potential indicators that a child or young person may be at risk of FGM, which individually may not indicate risk but if there are two or more indicators present this could signal a risk to the child or young person. Victims of FGM are likely to come from a community that is known to practise FGM. Research in the UK has identified three key communities, Somalis, Kenyans and Nigerians. These groups have both a higher prevalence of FGM and a significant UK Population.

Professionals should note that girls at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject. Warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 11-12 of the Multi-Agency Practice Guidelines referred to in the Keeping Children Safe document. Staff should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care'.

Under the updated Keeping Children Safe in Education, Sept 2016 'If a teacher, in the course of their work in the profession, discovers that an act of Female Genital Mutilation appears to have been carried out on a girl under the age of 18 the teacher must report this to the police'. In College this can be done with the support of the Safeguarding Team.

<http://www.legislation.gov.uk/ukpga/2003/31/contents>

**Breast Ironing:** in the procedure, hot objects, including stones and hammers, are used to pound and beat girls' breasts to stop them growing, in the belief it makes them less desirable to men and discourages premarital pregnancy. Breast ironing originated in Cameroon, where it affects as many as one in four girls. It also takes place in Nigeria, Benin and Chad. It is typically carried out by the girl's mother who will say she is trying to protect the girl from sexual harassment and rape, to prevent early pregnancy that would tarnish the family name, or to allow the girl to pursue education rather than be forced into early marriage.

As well as extreme pain, the practice can cause tissue damage and some medical experts have warned it could contribute towards breast cancer, cysts, abscesses and lead to problems with breastfeeding.

[https://en.wikipedia.org/wiki/Breast\\_ironing](https://en.wikipedia.org/wiki/Breast_ironing)

### **Child Drug exploitation**

Section 34(5) of the Policing and Crime Act 2009 defines gang related drug dealing activity as "the unlawful production, supply, importation or exportation of a controlled drug which occurs in the course of, or is otherwise related to, the activities of a group that:

- a) consists of at least 3 people; and
- b) has one or more characteristics that enable its members to be identified by others as a group."

Gangs pose a significant threat to vulnerable adults and children (15-16 years being the most common age range), upon whom they rely to conduct and/or facilitate this criminality. Exposure to gang exploitation has the potential to generate emotional and physical harm. A more recent trend identified is the targeting of adults with mental health problems.

The use of mobile phones, to maintain 'deal lines' between customers and gang member suppliers, is a key feature. Gang members travel between the urban and county locations on a regular basis to deliver drugs and collect cash. They tend to use local property, generally belonging to a vulnerable person, as a base for their activities. Gangs typically exploit children to deliver drugs from the urban to county location using intimidation, violence, debt bondage and/or grooming.

Although CSE is not the driving factor, there are clear links between county lines exploitation and child sexual exploitation exists. Girls who are being exploited to hold and deal drugs are vulnerable to becoming more accessible to gang members wishing to sexually exploit them.

Reference; County Lines Gang Violence, Exploitation and Drug Supply 2016, 0346-CAD National briefing Report OSCB.

Drug Trafficking is a local concern and the most recent intelligence indicates that drugs are being moved through private schools and colleges. If you are concerned about a student you must report your concern to a member of the safeguarding team.

### **Honour based violence**

'Honour' based violence (HBV) is a form of domestic abuse which is perpetrated in the name of so called 'honour'. The honour code which it refers to is set at the discretion of male relatives and women who do not abide by the 'rules' are then punished for bringing shame on the family. For example, honour based violence might be committed against people who:

- become involved with a boyfriend or girlfriend from a different culture or religion
- want to get out of an arranged marriage
- want to get out of a forced marriage
- wear clothes or take part in activities that might not be considered traditional within a particular culture

Women and girls are the most common victims of honour based violence however it can also affect men and boys. Crimes of 'honour' do not always include violence. Crimes committed in the name of 'honour' might include:

- domestic abuse
- threats of violence
- sexual or psychological abuse
- forced marriage
- being held against your will or taken somewhere you don't want to go
- assault

Honour based violence isn't legal. It is particularly under-reported, as often victims are too scared, shocked or tied by family or community loyalties to speak out. It is vital that you report any concerns to the safeguarding team if you are worried about a student.

### **Forced Marriage**

Forced marriage is a marriage in which one or more of the parties is married without his or her consent or against his or her will (or in the cases of people with learning disabilities, cannot) consent to the marriage and pressure or abuse is used. It is illegal in the United Kingdom. It is an appalling and indefensible practice and is recognised in the UK as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights.

The pressure put on people to marry against their will can be physical (including threats, actual physical violence and sexual violence) or emotional and psychological (for example, when someone is made to feel like they're bringing shame on their family). Financial abuse (taking a partners money or not giving a partner any money) can also be a factor.

A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of their parents or a third party (such as a matchmaker) in choosing a spouse.

The Forced Marriage Unit (FMU) has been set up by the Foreign and Commonwealth Office and Home Office to help stop forced marriages and/or helps people to leave a marriage they have been forced into.

Forced Marriage Unit [fm@fco.gov.uk](mailto:fm@fco.gov.uk)

Telephone: 020 7008 0151

Monday to Friday, 9am to 5pm

Out of hours: 020 7008 1500 (ask for the Global Response Centre)

### **Anti-Modern Slavery**

Even though most people think that slavery only exists overseas, modern slavery in the UK is thriving. The British Government estimates that tens of thousands of people are in modern slavery in the UK today. Most people are trafficked into the UK from overseas, but there is also

a significant number of British nationals in slavery. The most common countries of origin are Albania, Vietnam, Nigeria, Romania and Poland.

Most commonly people are trafficked into forced labour in industries such as agriculture, construction, hospitality, manufacturing and car washes. Many women and girls are trafficked for sexual exploitation. Many people, again mostly women and girls, also end up in domestic slavery. Others, particularly children, are forced into crime such as cannabis production, petty theft or begging.

Typically, a person coming from a situation of poverty and lack of opportunity gets an offer of an apparently good job in the UK. Often the victim has to take a loan from an agent to pay for the recruitment fees and for the journey. When the person arrives in Britain, the job and the conditions they were promised are completely different.

Their passport is taken away, and they're told they need to pay off the debt before they can leave. Violence or threats are common practice, both against the victim as well as their family back home.

Particular caution needs to be taken with students on Tier 4 visas, particularly from the countries listed above, who have 10 absences consecutively and not contactable. In these instances the Designated Person will inform the police and the Admissions Officer will inform UKVI (See Missing Persons Policy).

The Modern Slavery Act in 2015 is an Act of the Parliament of the United Kingdom. It is designed to tackle slavery in the UK and consolidates previous offences relating to trafficking and slavery.

### **Self-Harm**

One in ten teenagers self-harm. The rates in the UK have been increasing and are now among the highest in Europe.

The most common types of self-harm are self-cutting and self-burning. But, eating disorders, like anorexia, binge-eating or drinking and self-induced vomiting are also forms of self-harm. There are other actions classified as self-harm such as hitting solid objects, head banging, deliberate poisoning, self-biting, hair pulling and cutting, overdosing, picking wounds so they don't heal, the ingestion of foreign objects and deliberate limb breaking.

Self-harmers use violence to the self as a means of coping with intense emotional trauma, pain or distress. It is far more likely to affect younger people, but can occur in any age group, and increasingly self-harm is showing up among the elderly.

If you notice any physical signs of self-harm, indicators that someone might be self-harming or a student discloses that they are self-harming please contact one of the safeguarding team members.

### **Fabricated Illness**

Fabricated or induced illness (FII) is a rare form of child abuse. It occurs when a parent or carer, usually the child's biological mother, exaggerates or deliberately causes symptoms of illness in the child.

FII is also known as 'Munchausen's syndrome by proxy' (not to be confused with Munchausen's syndrome, where a person pretends to be ill or causes illness or injury to themselves).

FII covers a wide range of symptoms and behaviours involving parents seeking healthcare for a child. This ranges from extreme neglect (failing to seek medical care) to induced illness.

Behaviours in FII include a mother or other carer who:

- persuades healthcare professionals that their child is ill when they're perfectly healthy
- exaggerates or lies about their child's symptoms
- manipulates test results to suggest the presence of illness – for example, by putting glucose in urine samples to suggest the child has diabetes
- deliberately induces symptoms of illness – for example, by poisoning her child with unnecessary medication or other substances.

If you suspect that someone you know may be fabricating or inducing illness in their child, you shouldn't confront them directly, please let one of the Designated Officers know immediately.

**Terrorism and radicalisation:** The Counter-Terrorism and Security Act, which received Royal Assent on 12 February 2015, places a duty on specified authorities, including local authorities and childcare, education and other children's services providers, in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism ("the Prevent duty"). The Counter-Terrorism and Security Act 2015 requires teachers, carers and responsible adults to report signs of extremism or radicalisation amongst children in primary school, nursery school or other pre-school educational settings; and for connected purposes.

The Counter-Terrorism and Security Act 2015 also place a duty on local authorities to ensure Channel panels are in place. The panel must include the local authority and chief officer of the local police. Panels will assess the extent to which identified individuals are vulnerable to being drawn into terrorism, following a referral from the police and where considered appropriate and necessary consent is obtained, arrange for support to be provided to those individuals. The Act will require partners of Channel panels to co-operate with the panel in the carrying out of its functions and with the police in undertaking the initial assessment as to whether a referral is appropriate. Schools and colleges which are required to have regard to Keeping Children Safe in Education are listed in the Act as partners of the panel. The relevant provisions of the Act will come into force on 12 April 2015 but many local authorities already have Channel panels set up in their area.

See Appendix A

### **Sexting / Youth Produced Sexual Imagery (YPSI)**

Sending sexual messages or sexually explicit pictures of yourself to someone you know might seem harmless, but according to sexual health and wellbeing charity Brook, some young people feel under pressure to swap personal pictures and messages because they think everyone else is doing it. However, research shows they're not and sometimes sexting can be harmful. For anyone under the age of 18 years it is illegal, even if the participants agree to it.

Once you hit "send", the message or picture is out of your hands. It could be seen by anyone, including your friends, family or total strangers. If you send or upload a picture and then regret doing it, there's no guarantee you can get it removed. Even if it can be deleted, it could already have been copied. Similarly, if you send a picture or video to someone but then ask them to

delete it, they might not want to, may not know how to, or might already have shared it with other people or saved it elsewhere. Sexts shared with other people or uploaded on to websites without their permission is a form of cyberbullying. It can lead to threats being made – for example, your family will be shown the pictures if you do not send more images. At its most extreme this is sometimes known as "sextortion"

Staff who suspect or know that a student is participating in YPSI must report their concerns to the safeguarding team.

### **Disclosure**

Disclosure is when a student tells you something that you need to report to the designated person. Disclosure can be made in a variety of ways. Students may:

- a) Tell staff, Resident Supervisors and Homestays about incidents involving bullying or bribes or abuse
- b) Ask for help with minor anxieties: it can be a way of seeking out a safe situation in which to confide a major concern
- c) Reveal things through their behaviour or creative work as well as direct disclosure.

It is important to remember that:

- a) Older children feel that the abuse isolates them. Abused children and adults often reveal that they believed they were the only ones to have endured this experience.
- b) Abusers can threaten that children who tell will suffer further abuse; and abusers often tell their victims that no-one will believe them.
- c) Most children make some attempt to 'tell' in the early stages of abuse. Often they are not heard. They may never tell again.
- d) Sexual abuse of a young student within a family usually only ends when the secret is told. Such abuse can be ongoing over many years. It is rarely a one-off event.
- e) No one really wants to hear that a student is being abused, but unless someone hears, the abuse goes on
- f) Children react in different ways to the same home circumstances. If one student causes concern it is important to discuss the behaviour of other children in the family.

Sometimes, things that seem to be insignificant or trivial at the time turn out to be vital pieces of information later. If there has been no specific incident or information, staff, Resident Supervisors and Homestays should try to identify what is really making them feel worried and make a written note, which is dated, timed and signed. The note should be passed to one of the Designated Persons and a copy kept in a secure place. The student should be monitored. If several notes have been made about the student, the Designated Person should seek advice.

**What should you do if a student confides in you?**

If a student speaks directly to you about Child Protection matters, you must remember that it has taken a lot of courage to get to this point and that this student has chosen them as someone they trust. You must not undertake an investigation but seek clarification from the student.

If a student confides in you, the following are vital;

- a) Choose a place to talk where the talk will not be interrupted but also where you are safe from allegation
- b) Listen carefully and patiently to the student, no matter how difficult you find what they are saying
- c) Show the student you believe in him/her and take his/her disclosure seriously
- d) Stay calm and reassuring, and maintain neutral body language
- e) Does not promise to keep the conversation secret, no matter how insistent the student may be. You must explain that you are ready to listen but that when you have heard their account there may be parts that you have to tell somebody else in order to get the help required. It is essential that you tell the student that you will record anything the student says to ensure an exact record as possible is kept for future reference.
- f) It is particularly important not to use leading questions or to put words into the student's mouth. You need to respond verbally, you should ask open questions feed back to the student what they have said: 'Go on'; 'You had mentioned...' Do not press for information, cross-examine or lead the student, as well-intentioned questions could prejudice further investigations
- g) Ensure the student's immediate safety
- h) Make careful notes immediately after the conversation, giving an accurate and full account of what was said. These notes should include all relevant information regarding the setting and circumstances of the communication, including the time and the persons present. A pro-forma is included in this policy document; Appendix B
- i) Immediately inform the Designated Person and the LCSS, MASH or LADO (or the Principal if the allegation is against one of the safeguarding team: please see below) of the disclosure, allegations or suspicion, give them a copy of the written notes and ensure that they are aware of any immediate medical needs.
- j) Take no further action, including discussing their suspicions with the parent or anyone else involved in the care of the student, until the Designated Person or Principal has been in direct consultation with the LCSS, MASH Team, LADO and/or Police and their advice has been given.
- k) If an incident happens outside the normal College hours or on an out-of-College activity and the Designated Person/s are unavailable, the tutor/staff member, Resident Supervisors or Homestays must contact the relevant agency immediately to ensure the safety of the student. The Designated Person/s should be informed as soon as possible afterwards. Relevant information should be recorded at the time with full details of the concern.

**Note: LCSS should be contacted if the child does not require an immediate safeguarding response. The MASH team should be contacted if there is an immediate safeguarding**

**concern i.e. the child is in danger of hurting themselves or someone else or of being hurt. If there is an allegation against a member of staff/host or residence supervisor then the LADO and or police should be contacted.**

### **What happens next?**

Once an allegation or disclosure is received it will be treated seriously, and the Designated Person will within 24 hours:

- a) Assess any urgent medical needs of the student and consider whether the student has suffered, or is likely to suffer significant harm.
- b) Check with the LCSS or MASH team whether the student is currently subject to a Child Protection Plan or has been previously subject to a Plan.
- c) Confirm whether any previous concerns have been raised by staff.
- d) Take any allegations to the Principal of the College (or, if the allegation concerns the Principal, the Directors) directly to the Designated Safeguarding Lead or LADO to seek advice
- e) Contact the police or social services if advised to do so, following up any verbal reports in writing, with a copy sent to Safeguarding Lead Governor. In cases of serious harm, the police will be involved from the outset.
- f) Collect together notes and evidence records
- g) Put a risk assessment in place
- h) Consider, through consultation with the appropriate external organisation, whether the matter should be discussed with the student's parents, guardian or carers or whether to do so may put the student at further risk of harm because of delay or the parent's possible actions or reactions
- i) If there is an allegation against a member of staff, Resident Supervisors or Homestays, working with the LADO, consider suspension of the member of staff or a change of accommodation if it is appropriate and there is cause to suspect that a student is at risk of significant harm or if the matter has been referred to the police immediately and OSCB within 24 hours.
- j) Working closely with the LADO and/or police keep the person who is the subject of the allegation informed of the nature of the allegations and the progress of the case and consider what support is appropriate for the individual, including union representation or counselling
- k) Establish a named contact for the student, parents, outside agencies and the person against whom the allegations are made, and inform them of the contact's name and contact details.

### **Attendance at Child Protection Conferences**

A Child Protection conference may be convened by social services to which all involved agencies would be invited.

Where a case involves a student in our College a representative is usually invited to attend the

meeting. The Principal or other designated person may attend – the choice of this representative will depend on the circumstances of each individual case.

A staff member, Resident Supervisors or Homestays may be requested to provide a report for a Child Protection meeting. Any report should be relevant, concise and professional. All reports should be submitted in the first instance to the Principal or, if not available, one of the other named persons with designated responsibility for Child Protection in College.

All staff that are required to attend such meetings, prepare reports and maintain relationships with parents during and after a referral has been made will be fully supported by staff with specialist Child Protection training.

### **Training and Support**

The Governors ensure that the Principal, Designated Persons and the Governor with Child Protection responsibilities attend Child Protection training relevant to their roles. College staff will also receive basic Child Protection awareness training and be kept informed through dissemination and the INSET programme.

### **Recruitment**

‘Keeping Children Safe in Education (KCSiE), Sept 2016’ stipulates that ‘schools and colleges and their staff form part of the wider safeguarding system for children. This system is described in statutory guidance ‘Working together to Safeguard Children 2018’. Safeguarding is everyone’s responsibility and KCSiE states ‘Safeguarding and promoting the welfare of children is everyone’s responsibility. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interest of the child’.

Oxford Tutorial College operates safe recruitment procedures in line with *Keeping Children Safe in Education* 2016 and Local Authority guidelines to ensure that, where appropriate, checks are carried out on all new staff and volunteers who work with children. This includes DBS checks. Anyone who is not prepared to cooperate with these procedures will not be considered for employment within the College.

All childcare organisations, which includes Colleges, have a statutory duty under the Protection of Children Act 1999 for the following:

- To refer names to the Secretary of State in certain specified circumstances for possible inclusion on the PoCA List.
- When recruiting, checks must be made through the Criminal Bureau to check whether an individual is included on the PoCA List or List 99. (These lists contain records of individuals who are deemed to be unsuitable to work with student.)
- Not to employ a person if they are registered on either of the above lists.
- To cease to employ a person if it is later discovered that the individual is included in either of the above lists.

From January 2010 it became mandatory that at least one person on any appointments

committee should have completed the Safer Recruitment training. Details of all staff who have completed this training is held on the Single Central Register.

Staff will be required to attend mandatory safeguarding training prior to their start date and during their staff induction, which may take place after their start date and refresh this every 2 or 3 years depending on the level studied. All staff will receive regular annual safeguarding training with updates throughout the year. They will also be required to adhere to the College Staff Code of Conduct and ensure their behaviour with students is appropriate at all times. Any person who is either employed by the College (voluntarily or paid) or acting in a position of responsibility with children, young people or vulnerable adults, who has concern for the wellbeing of a child, young person or vulnerable adult or knowledge or a suspicion that a child/young person/vulnerable adult is being abused or is at risk of abuse has a duty to refer his/her concern immediately. This guidance is to inform staff what they should do and why if they suspect or have disclosed to them an incident of abuse.

### **General Data Protection Regulations**

The General Data protection Regulations (GDPR) 2018 regulates the storage, handling and sharing of personal data. Essentially, this is any information kept about an individual that would enable another person to identify them. It includes all data stored on a computer, in a secure area, or in a lockable manual filing system. The regulation lays down requirements for the processing of this information which includes obtaining, recording, storing, disclosing and destroying it.

GDPR does not prevent, or limit, the sharing of information for the purpose of keeping children safe. Legal and secure information sharing between schools, colleges, Children's Social Care and other local agencies, is essential for keeping children safe and ensuring they get the support they need. Information can be shared without consent if to gain consent would place a child at risk. Fears about sharing information must not be allowed to stand in the way of promoting the welfare and protecting the safety of children. As with all data sharing, appropriate organisational and technical safeguards should still be in place.

Professionals can only work together to safeguard students if there is an exchange of relevant information between them. This has been recognised in principle by the courts. Any disclosure of personal information to others (including social services depts. departments), must always, however, have regard to both common and statute law.

### **Records and Monitoring**

Well-kept records are essential to good Child Protection practice. Staff will be informed about the need to record any concerns held about a student within our College, the status of such records and when these records should be passed over to other agencies or educational institutions

The College recognises the importance of keeping up-to-date and accurate information about students. We will regularly ask all parents/guardians/agents to provide it with the following information and to notify the College of any changes that occur:

- a) Names and contact details of persons with whom the student normally lives.

- b) Names and contact details of all persons with parental responsibility.
- c) Emergency contact details.
- d) Details of any persons authorised to collect the student from College (if different from above).
- e) Any relevant court orders in place including those which affect any person's access to the student (e.g. Residence Order, Contact Order, Care Order, Injunctions etc.).
- f) Name and contact detail of G.P.
- g) Any other factors which may impact on the safety and the welfare of the student.

Child Protection records should be kept for 88 years from the date the case was opened and be securely stored. These records are exempt from the disclosure provisions of GDPR 2018. All other safeguarding cases should be kept securely until the student reaches their 25<sup>th</sup> birthday.

The Principal will ensure that the relevant staff are informed of the contents of reports and other confidential issues on a need-to-know basis, although the overriding principle is the safety of students. All records are confidential. Anyone requesting access to records must first consult with the Principal who will allow access only if it is deemed appropriate. A record of all access will be maintained to provide an audit trail.

The College should be notified by Social Services when a student on the Child Protection Register starts at the College, or if a student's name has been placed on the register, or if removed from the register. It is the College's responsibility to pass this information on immediately, using a secure email system such as Egress, if a student transfers to a new college or school.

Details of allegations that are found to have been malicious should be removed from personnel records. Cases in which an allegation was proven to be unsubstantiated, unfounded or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be unsubstantiated, malicious etc. should also not be included in any reference. Please refer to the Allegations against staff Policy.

For all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on a person's confidential personnel file, and a copy provided to the person concerned. The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS Disclosures reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation resurfaces after a period of time. The record should be retained at least until the person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.

## **ALLEGATIONS MADE AGAINST STAFF, HOMESTAYS AND RESIDENT SUPERVISORS**

Allegations of abuse may involve a member of the College staff. In these circumstances the allegations must be reported to the Principal immediately. On receipt of such an allegation the Principal or a designated person will contact the Local Authority Designated Officer (LADO). If the allegation concerns the Principal, the member of staff receiving the allegation must contact additional named College person; the Lead Designated Safeguarding Officer, who will contact the LADO immediately and the Director of Human Resources at OIEG. (Contact details are held in the DSS office.)

The College is required to manage cases of allegations that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with students in their present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers) in the College has:

- behaved in a way that has harmed a student, or may have harmed a student;
- possibly committed a criminal offence against or related to a student; or
- behaved towards a student in a way that indicates he or she would pose a risk of harm to students

Allegations against a teacher who is no longer teaching will be referred to the police. Historical allegations of abuse will also be referred to the police.

### **Principles**

All allegations about members of staff will be dealt with according to the following principles:

- Safeguarding the student is paramount, but the College also has a duty of care towards its employees. The process should be well managed and carried out in a way that provides effective protection for the student and at the same time supports the person who is the subject of the allegation.
- Investigations should be fair, thorough, consistent and quick, and the response should be proportionate
- The process should be transparent but confidential

The person about whom the allegation has been made should be told about the allegations and the progress of the case, and given a full opportunity to answer the allegation and make representation about it. Resignation and compromise agreements must not prevent an allegation being followed up.

Every effort should be made to maintain confidentiality and guard against unwanted publicity

whilst an allegation is being considered or investigated.

## Initial considerations

### Allegations against staff

The procedures for dealing with allegations need to be applied with common sense and judgement. Many cases may well either not meet the criteria set out above where others will be so serious they require immediate intervention by children's social care or the police. All allegations will be reported to the LADO immediately. The Lead Designated Officer should be informed of all allegations that come to the College's attention so that they can consult the police, LADO and children's social care services as appropriate.

### Allegations against a Homestay

Any allegation against a Homestay will be taken seriously and the student will be immediately removed from the Homestay. The Lead Designated Officer will contact the LADO immediately and inform the Principal. Students will not be placed with the Homestay again until and unless the police and Local Authority have concluded their investigation and the Homestay has been cleared of all allegations.

### Allegations against a Resident Supervisor

Any allegation against a Resident Supervisor will be taken seriously and they will be immediately removed from the boarding house. The Lead Designated Officer will contact the LADO immediately and inform the Principal and servicing company, Hyline.

The following definitions should be used when determining the outcome of allegation investigations:

- **Substantiated:** there is sufficient evidence to prove the allegation;
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;
- **False:** there is sufficient evidence to disprove the allegation;
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

In the first instance, the Principal, should immediately discuss the allegation with the Lead

Designated Officer. Where the Principal is the subject of the allegation the Lead Designated Officer will have the initial discussion with the Director of HR (DHR). The purpose of an initial discussion is for the Lead Designated Officer and the Principal/DHR to consider the nature, content and context of the allegation and agree a course of action. The Lead Designated Officer may ask the Principal to provide or obtain relevant additional information, such as previous history, whether the student or their family have made similar allegations previously and the individual's current contact with students. There may be situations when the Principal or DHR will want to involve the police immediately, for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where there is no such evidence, the Principal or DHR should discuss the allegations with the Lead Designated Officer and the LADO in order to help determine whether police involvement is necessary.

The initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern; in which case this decision and a justification for it should be recorded by both the Principal or DHR and the Lead Designated Officer and agreement reached on what information should be put in writing to the individual concerned and by whom. The Principal or DHR should then consider with the Lead Designated Officer what action should follow both in respect of the individual and those who made the initial allegation.

The Principal or DHR should inform the accused person about the allegation as soon as possible after consulting the LADO and the Lead Designated Officer. It is extremely important that the Principal or DHR provides them with as much information as possible at that time. However, where a strategy discussion is needed, or police or children's social care services need to be involved, the Principal should not do that until those agencies have been consulted, and have agreed what information can be disclosed to the accused. The Principal or DHR must consider carefully whether the circumstances of a case warrant a person being suspended from contact with students at the College or whether alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension should be considered prior to taking that step (further information on suspension follows).

If there is cause to suspect a student is suffering or is likely to suffer significant harm, a strategy discussion should be convened in accordance with the statutory guidance *Working Together to Safeguard Children* (2018). If the allegation is about physical contact, the strategy discussion or initial evaluation with the police should take into account that College staff are entitled to use reasonable force to control or restrain students in certain circumstances, including dealing with disruptive behaviour.

Where it is clear that an investigation by the police or children's social care services is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the Lead Designated Officer should discuss the next steps with the Principal or DHR. In those circumstances, the options open to the College depend on the nature and circumstances of the allegation and the evidence and information available. This will range from taking no further

action to dismissal or a decision not to use the person's services in future. Suspension should not be the default position: an individual should be suspended only if there is no reasonable alternative.

In some cases, further enquiries will be needed to enable a decision about how to proceed. If so, the Lead Designated Officer should discuss with the Principal how and by whom the investigation will be undertaken. In straightforward cases, the investigation should normally be undertaken by a senior member of College's staff. However, in other circumstances, such as lack of appropriate resource within the College, or the nature or complexity of the allegation will require an independent investigator or support from the LADO.

### **Supporting those involved**

The College has a duty of care to its employees and should act to manage and minimise the stress inherent in the allegations process. Support for the individual is vital to fulfilling this duty. Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services, LADO or the police. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support.

The Principal should appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

Following consultation with the LADO, police, and/or children's social care services parents or guardians of a student involved should be told about the allegation as soon as possible if they do not already know of it. The Principal should not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or guardians. Parents or guardians should also be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or guardians of the student should be told the outcome in confidence. Parents and guardians should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002 (see paragraph 125). If parents or guardians wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

In cases where a student may have suffered significant harm, or there may be a criminal prosecution, children's social care services, the LADO and/or the police as appropriate, should consider what support the student involved may need.

In deciding what information to disclose, careful consideration should be given to the provisions of the GDPR 2018, the law of confidence and, where relevant, the Human Rights Act 1998.

### **Confidentiality**

When an allegation is made, the College will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a student from the same college (where that identification would identify the teacher as the subject of the allegation). The reporting restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State publishes information about an investigation or decision in a disciplinary case arising from the allegation. The reporting restrictions also cease to apply if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so or if a judge lifts restrictions in response to a request to do so.

The legislation imposing restrictions makes clear that “publication” of material that may lead to the identification of the teacher who is the subject of the allegation is prohibited. “Publication” includes “any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public”. This means that a parent who, for example, published details of the allegation on a social networking site would be in breach of the reporting restrictions (if what was published could lead to the identification of the teacher by members of the public).

In accordance with the Association of Chief Police Officers’ (ACPO) guidance the police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless and until the person is charged with a criminal offence. (In exceptional cases where the police would like to depart from that rule, for example an appeal to trace a suspect, they must apply to a magistrates’ court to request that reporting restrictions be lifted).

The Principal should take advice from the Lead Designated Officer, police, LADO and/or children’s social care services to agree the following:

- who needs to know and, importantly, exactly what information can be shared;
- how to manage speculation, leaks and gossip;
- what, if any information can be reasonably given to the wider community to reduce speculation; and

- how to manage press interest if and when it should arise.

### **Resignations and 'settlement agreements'**

If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance. A referral to the DBS *must* be made, if the criteria are met. If the accused person resigns or their services cease to be used and the criteria are met it will not be appropriate to reach a settlement/compromise agreement. A settlement agreement which prevents the College from making a DBS referral when the criteria are met would likely result in a criminal offence being committed as the College would not be complying with its legal duty to make the referral.

It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of students, including any in which the person concerned refuses to cooperate with the process. Wherever possible the accused should be given a full opportunity to answer the allegation and make representations about it. But the process of recording the allegation and any supporting evidence, and reaching a judgement about whether it can be substantiated on the basis of all the information available, should continue even if that cannot be done or the accused does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

Settlement agreements by which a person agrees to resign if the College agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, should not be used in cases of refusal to cooperate or resignation before the person's notice period expires. Such an agreement will not prevent a thorough police investigation where that is appropriate.

### **Record keeping**

Details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on the confidential personnel file of the accused, and a copy provided to the person concerned.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

## References

Cases in which an allegation was proven to be false, unsubstantiated or malicious will not be included in College references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious will also not be included in any reference.

## Timescales

It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation. All allegations should be investigated as a priority to avoid any delay. Target timescales are shown below: the time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation, but these targets should be achieved in all but truly exceptional cases. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months.

Cases where it is clear immediately that the allegation is unsubstantiated or malicious should be resolved within one week. Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the Principal to deal with it, although if there are concerns about student protection, the Principal should discuss them with the Lead Designated Officer. In such cases, if the nature of the allegation does not require formal disciplinary action, the employer should institute appropriate action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

## Oversight and monitoring

The Lead Designated Officer have overall responsibility for oversight of the procedures for dealing with allegations; for resolving any inter-agency issues; and for liaison with the Local Safeguarding Children Board (LSCB) on the subject. The Lead Designated Officer will provide advice and guidance to the Principal, in addition to liaising with the LADO, police and other agencies, and monitoring the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process. Reviews should be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

If the strategy discussion or initial assessment decides that a police investigation is required, the police should also set a target date for reviewing the progress of the investigation and consulting the Crown Prosecution Service (CPS) about whether to: charge the individual; continue to investigate; or close the investigation. Wherever possible, that review should take place no later than four weeks after the initial evaluation. Dates for subsequent reviews, ideally at fortnightly intervals, should be set at the meeting if the investigation continues.

## Suspension

The possible risk of harm to students posed by an accused person should be evaluated and managed in respect of the students involved in the allegations. In some cases that will require

the Principal to consider suspending the accused until the case is resolved. Suspension should not be an automatic response when an allegation is reported; all options to avoid suspension should be considered prior to taking that step. If the Principal is concerned about the welfare of other students in the community or the teacher's family, those concerns should be reported to the Lead Designated Officer, the LADO and/or the police. But suspension is highly unlikely to be justified on the basis of such concerns alone.

Suspension should be considered only in a case where there is cause to suspect a student or other students at the college is/are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the Principal must consider carefully whether the circumstances warrant suspension from contact with students at the College or until the allegation is resolved, and may wish to seek advice from their personnel adviser and the Lead Designated Officer. In cases where the College is made aware that the Secretary of State has made an interim prohibition order in respect of an individual at the college it will be necessary to immediately suspend that person from teaching pending the findings of the NCTL's investigation.

The Principal should also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases an investigation can be resolved quickly and without the need for suspension. If the Lead Designated Officer, police, LADO and children's social care services have no objections to the member of staff continuing to work during the investigation, the Principal should be as inventive as possible to avoid suspension. Based on assessment of risk, the following alternatives should be considered by the Principal before suspending a member of staff:

- redeployment within the College so that the individual does not have direct contact with the student or students concerned;
- providing an assistant to be present when the individual has contact with students;
- redeploying to alternative work in the College so the individual does not have unsupervised access to students;
- moving the student or students to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted; or
- temporarily redeploying the member of staff to another role in a different location, for example to an alternative school or college or work for the local authority or academy trust.

These alternatives allow time for an informed decision regarding the suspension and possibly reduce the initial impact of the allegation. This will, however, depend upon the nature of the allegation. The Principal should consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unsubstantiated or maliciously intended.

If immediate suspension is considered necessary, the rationale and justification for such a course of action should be agreed and recorded by both the Principal and the Lead Designated Officer. This should also include what alternatives to suspension have been considered and why they were rejected.

Where it has been deemed appropriate to suspend the person, written confirmation should be dispatched within one working day, giving as much detail as appropriate for the reasons for the suspension. It is not acceptable for an employer to leave a person who has been suspended without any support. The person should be informed at the point of their suspension who their named contact is within the organisation and provided with their contact details.

Children's social care services or the police cannot require the Principal to suspend a member of staff or a volunteer, although they should give appropriate weight to their advice. The power to suspend is vested in the proprietors of the college, or Principal of the college who are the employers of staff at the college. However, where a strategy discussion or initial evaluation concludes that there should be enquiries by the children's social care services and/or an investigation by the police, the Designated Officer should canvass police and children's social care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the college consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment.

### **Information sharing**

In a strategy discussion or the initial evaluation of the case, the agencies involved should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim.

Where the police are involved, wherever possible the college should ask the police to obtain consent from the individuals involved to share their statements and evidence for use in the employer disciplinary process. This should be done as their investigation proceeds and will enable the police to share relevant information without delay at the conclusion of their investigation or any court case.

Children's social care services should adopt a similar procedure when making enquiries to determine whether the student or students named in the allegation are in need of protection or services, so that any information obtained in the course of those enquiries which is relevant to a disciplinary case can be passed to the college without delay.

### **Specific actions**

#### **Following a criminal investigation or a prosecution**

The police should inform the Principal and Lead Designated Officer immediately when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to continue to prosecute the case after person has been

charged. In those circumstances the Lead Designated Officer should discuss with the Principal whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or children's social care services should inform that decision. The options will depend on the circumstances of the case and the consideration will need to take into account the result of the police investigation or the trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

### **On conclusion of a case**

If the allegation is substantiated and the person is dismissed or the Principal ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, the Lead Designated Officer should discuss with the Principal and their personnel adviser or LADO whether the college will decide to make a referral to the DBS for consideration of inclusion on the barred lists is required; and in the case of a member of teaching staff whether to refer the matter to the National College for Teaching and Leadership (NCTL) to consider prohibiting the individual from teaching.

**There is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a student; or if a person otherwise poses a risk of harm to a student.**

Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the Principal should consider how best to facilitate that. Most people will benefit from some help and support to return to work after a stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The Principal should also consider how the person's contact with the student or students who made the allegation can best be managed if they are still a student at the college.

### **In respect of malicious or unsubstantiated allegations**

If an allegation is determined to be unsubstantiated or malicious, the Lead Designated Officer should refer the matter to the children's social care services to determine whether the student concerned is in need of services, or may have been abused by someone else. If an allegation is shown to be deliberately invented or malicious, the Principal should consider whether any disciplinary action is appropriate against the student who made it; or whether the police should be asked to consider if action might be appropriate against the person responsible, even if he or she was not a student.

### **Learning lessons**

At the conclusion of a case in which an allegation *is* substantiated, the Lead Designated Officer should review the circumstances of the case with the Principal to determine whether there are any improvements to be made to the College's procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified.

Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The Lead Designated Officers and Principal should consider how future investigations of a similar nature could be carried out without suspending the individual.

### **Allegations against other persons working at but not directly employed by the College**

If the allegation is made against a volunteer, a supply teacher, contractor or other person not directly employed by the college, the investigation must involve the organisation or agency of employment. For those who are self-employed, the allegation will be passed directly to the Oxfordshire Local Safeguarding Children Board for advice.

Should a decision, with the LADO, be made to refer a case to social services, the parents of those involved will be informed. However should the LADO, Lead Designated Officer and Principal decide that to inform parents would increase the risk to the student no contact will be made and further legal and Student Protection advice will be taken.

Should a referral be made, the Lead Designated Officer should ask to be informed of the timing of the strategy discussions between the statutory agencies which will decide whether and how to investigate. The Lead Designated Officer should clarify with the investigating agencies when, how and by whom the parents and the student will be told that a referral has been made.

### **Arrangements for Skype Lessons**

On the rare occasions where a Skype lesson is undertaken to support a student's needs this will only be delivered by tutors who are on the Single Central Register of the College and who have undergone safeguarding training. A record of when the lessons take place and with whom should be recorded.

## **CONTACT DETAILS OF AGENCIES OUTSIDE THE COLLEGE**

### **Emergency**

If someone is in immediate danger always phone **999** and report the matter to the Police.

### **Advice**

If you are unsure about a situation or events, several organisations will give general advice in confidence:

LCSS:	0345 2412705
NSPCC:	0808 800 5000
Childline:	0800 1111
Kidscape:	08451 295
MASH:	0845 050 7666

### **Contacts for Oxfordshire Social Services**

If anyone is concerned that a student is being abused they can phone Social Services Single Point of Access Team on 0845 219 1500 (outside of office hours phone the Emergency Duty team on 01865 741747)

The Oxfordshire Local Safeguarding Children Board is at: <http://www.oscb.org.uk/>

Oxfordshire County Council County Hall - 3rd floor New Road Oxford OX1 1ND

Tel: 01865 815843 Fax: 0845 605 4165

Email: [OSCB@Oxfordshire.gov.uk](mailto:OSCB@Oxfordshire.gov.uk)

The LADO is:

Alison Beasley	<a href="mailto:Alison.beasley@oxfordshire.gov">Alison.beasley@oxfordshire.gov</a>	01865 323457
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Children’s Social Care Assessment Team can be contacted on: 01865 323648

If a student or young person has made a disclosure regarding sexual exploitation or if you think a student may be at risk of being sexually exploited, please contact the **Kingfisher Team** on **01865 335276**. Out of hours calls to this number will be diverted to the Thames Valley Police Referral Centre

The local Police has a specialist team who deal with Child Protection:

Detective Superintendent Nora Holford - Head of PVP

DCI Andy Bird - Oxfordshire PVP

In an emergency dial 999 and report the matter to the Police.

**Other useful information:**

Oxfordshire Threshold of Needs Matrix produced by OSCB gives helpful guidance. <http://www.oscb.org.uk/>

**National bodies**

**ISI**

The Independent Schools’ Inspectorate (ISI) oversees independent College boarding in the UK and may be contacted by anyone with any concerns: ISI, CAP House, 9 - 12 Long Lane, London EC1A 9HA (Telephone 0207 600 0100; email [info@isi.net](mailto:info@isi.net))

**The Children’s Commissioner**

The role of the Children's Commissioner was created by the Children Act 2004 and has been strengthened by the Children and Families Act 2014. Anne Longfield is the Children's Commissioner for England as of 1 March 2015. She has a legal duty to promote and protect the rights of all children in England with a particular focus on children and young people with difficulties or challenges in their lives, and in particular those living away from home, in or leaving care, or receiving social care services. Her work focuses on making sure that adults in charge, or making decisions, listen to what children and young people say about things that affect them. The free phone number is **0800 528 0731**, and email address is: [advice.team@childrenscommissioner.gsi.gov.uk](mailto:advice.team@childrenscommissioner.gsi.gov.uk). The line is open Monday to Friday, 9am to 5pm.

**Other relevant information can be found at:**

<https://www.gov.uk/government/consultations/working-together-to-safeguard-children-revisions-to-statutory-guidance>

**Links to other policies**

This policy should be read in conjunction with our other related College policies such as: Promoting Good Behaviour, Anti-bullying, Missing Persons, SEND, Health & Safety, Safeguarding, Safe Recruitment, Smoking, Alcohol and Drugs, Visitors, Whistle Blowing and Allegations against Staff.

**Review**

The Child Protection Policy will be reviewed annually by the Directorate for approval. This review will include looking at how the duties of Child Protection have been discharged. Questions or comments should be directed to the appropriate member of the Senior Management Team. The Lead Designated Officer will continually monitor Child Protection and safeguarding practices and bring to the notice of the Principal and Directorate any weaknesses or deficiencies. The Directorate has a duty to remedy any weaknesses that are identified.

This policy is due to be reviewed in August 2018

## **Appendix A**

### **Preventing Extremism and Radicalisation**

#### **Introduction**

Preventing Extremism and Radicalisation is one element within our overall arrangements to Safeguard and Promote the Welfare of all students in line with our statutory duties set out at Keeping Children Safe in Education, 2016.

This Preventing Extremism and Radicalisation Policy also draws upon the guidance contained in the BIS Guidance The Counter – Terrorism and Security Bill: Prevent Duty for Colleges 2015, Working Together to Safeguard Children 2018, DCSF Resources "Learning Together to be Safe", "Prevent: Resources Guide", "Tackling Extremism in the UK", DfE's "Teaching Approaches that help Build Resilience to Extremism among Young People" and Peter Clarke's Report of July 2014.

*\* the physical, mental health and emotional well-being of children; the protection of children from harm and neglect; the education, training and recreation of children; the contribution made by them to society; and their social and economic well-being.*

#### **Ethos and Practice**

The following accepted Governmental definition of extremism is:

'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; and/or calls for the death of members of our armed forces, whether in this country or overseas'.

There is no place for extremist views of any kind in our College, whether from internal sources — students, staff or governors, or external sources - college community, external agencies or individuals. Our students see the college as a safe place where they can explore controversial issues safely and where our teachers encourage and facilitate this — we have a duty to ensure this happens.

We recognise that extremism and exposure to extremist materials and influences can lead to poor outcomes for children and so should be addressed as a safeguarding concern. We also recognize that if we fail to challenge extremist views we are failing to protect our students.

Extremists of all persuasions aim to develop destructive relationships between different communities by promoting division, fear and mistrust of others based on ignorance or prejudice and thereby limiting the life chances of young people. Education is a powerful weapon against this; equipping young people with the knowledge, skills and critical thinking, to challenge and debate in an informed way.

Therefore, we will provide a broad and balanced pastoral curriculum, delivered by skilled professionals, so that our students are enriched, understand and become tolerant of difference and diversity and also to ensure that they thrive, feel valued and not marginalized.

Any prejudice, discrimination or extremist views, including derogatory language, displayed by students or staff will always be challenged and where appropriate dealt with in line with our Disciplinary Policy for students and the Professional Conduct for staff.

As part of wider safeguarding responsibilities College staff will be alert to:

- Disclosures by students of their exposure to the extremist actions, views or materials of others outside of College, such as in their homes or community groups, especially where students have not actively sought these out.
- Graffiti symbols, writing or art work promoting extremist messages or images.
- Students accessing extremist material online, including through social networking sites.
- Parental/agent reports of changes in behavior, friendship or actions and requests for assistance.
- Local authority services, police reports of issues affecting students in other colleges, universities, schools or other settings.
- Students voicing opinions drawn from extremist ideologies and narratives.
- Use of extremist or 'hate' terms to exclude others or incite violence.
- Intolerance of difference, whether secular or religious or, in line with our equalities policy, views based on, but not exclusive to, gender, disability, homophobia, race, colour or culture.
- Attempts to impose extremist views or practices on others.
- Anti-western or Anti-British views.

The College will closely follow any locally agreed procedure as set out by the Local Authority and/or Local Safeguarding Children Board's agreed processes and criteria for safeguarding individuals vulnerable to extremism and radicalisation.

"British Values" are considered to be:

- Democracy
- The rule of law
- Individual liberty
- Mutual respect
- Tolerance of those with different faiths and beliefs

As a College we aim to develop and nurture these by:

- Developing the content and influence of the Tutorial programme with students, enabling a growing understanding of the political, moral, social and religious issues that can lead to extremist ideologies and avoiding its development (looking at Democracy, Freedom, and the rule of law, Human Rights and responsibilities).
- Effective and well-managed Student Voice enabling students to actively participate in the democratic process.
- Embedding and contextualising British Values across the curriculum.
- Having a clearly communicated and consistently applied the Disciplinary Policy so that students understand what is expected of them and the consequences of both meeting and failing to meet these expectations.
- A Code of Conduct which is regularly referred to and communicated with students, reiterating that we are a college community built on mutual respect and understanding.

- Adopting restorative approaches, where possible, to resolve any difficulties between members of our College community.
- Having a rigorous commitment to student safety (for example: Off-site Activities Policy and procedures, Safeguarding procedures, Code of Conduct and Health and Safety procedures).

## Teaching Approaches

We will all strive to eradicate the myths and assumptions that can lead to some young people becoming alienated and disempowered, especially where the narrow approaches students may experience elsewhere may make it harder for them to challenge or question these radical influences. This will be achieved by good tutoring, opportunities or debate, but also by adopting the methods outlined in the Government's guidance; DfE 'Teaching approaches that help build resilience to extremism among young people' (2011).

We will ensure that all of our teaching approaches help our students build resilience to extremism and give students a positive sense of identity through the development of critical thinking skills. We will ensure that all of our staff are equipped to recognise extremism and are skilled and confident enough to challenge it.

We will be flexible enough to adapt our teaching approaches, as appropriate, so as to address specific issues to become even more relevant to the current issues of extremism and radicalisation. In doing so we will apply the 'key ingredients' for success as set out in the Table in Appendix 1 taken from the DfE document above and we will apply the methodologies set out in that document following the three broad categories of:

- Making a connection with young people through good teaching and a student centered approach.
- Facilitating a 'safe space' for dialogue, and
- Equipping our students with the appropriate skills, knowledge, understanding and awareness for resilience.

Therefore this approach will be embedded within the ethos of our college so that students know and understand what safe and acceptable behavior is in the context of extremism and radicalisation. This will work in conjunction with our college approach to Equality and Diversity.

Our goal is to build mutual respect and understanding and to promote the use of dialogue not violence as a form of conflict resolution. We will achieve this by using a curriculum that includes:

- Open discussion and debate
- Tutorial times
- Work on anti-violence and a restorative approach addressed throughout curriculum and the behavior policy.

We will also work with local partners, families and communities in our efforts to ensure our College understand and embrace our local context and values in challenging extremist views and to assist in the broadening of our students' experiences and horizons.

We will help support students who may be vulnerable to such influences as part of our wider safeguarding responsibilities and where we believe a student is being directly affected by extremist materials or influences we will ensure that that student is offered appropriate support and guidance. Additionally in such instances our college will seek external support from the Local Authority working to prevent extremism.

The College will promote the values of democracy, the rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs. We will teach and encourage students to respect one another and to respect and tolerate difference, especially those of a different faith or no faith. It is indeed our most fundamental responsibility to keep our students safe and prepare them for life in modern multi-cultural Britain and globally.

### **Whistle Blowing**

Where there are concerns of extremism or radicalisation students, staff and governors will be encouraged to make use of our internal systems to Whistle Blow or raise any issue in confidence. Please refer to the Whistleblowing policy for full details.

They must inform the Principal straight away or the Student Services Director if the Principal is unavailable.

### **Role of Governing Body**

The Directors of the College will undertake appropriate training to ensure that they are clear about their role and the parameters of their responsibilities, including their statutory safeguarding duties.

The Directors of the College will support the ethos and values and will support the College in tackling extremism and radicalisation.

In line with the provisions set out in the DfE guidance 'Keeping Children Safe in Education (2016) the governing body will challenge the College's senior management team on the delivery of this policy and monitor its effectiveness.

## Appendix B

### Pro-forma for recording concerns/allegations of abuse, harm or neglect

Student's full name	
Date of birth	
UK address	
Telephone number	
Name(s) of parents/guardians/agent	
Details of the reason for the record <i>(Notes should <b>be factual</b> and a record of what you saw and heard; this may be important if the notes are used in court. Please continue overleaf or on another sheet if necessary).</i> Please include: <ul style="list-style-type: none"><li>a) the context and time</li><li>b) the sequence of events/concerns</li><li>c) the student's actual words if possible</li><li>d) any previous concerns</li><li>e) Your name and position</li><li>e) College name and address</li><li>f) College telephone number</li><li>g) Whether parents/carers have been notified of the referral/permission sought</li></ul>	
Student's G.P.	