

Policy for the Protection of Children & Vulnerable Adults – Annex

2 Introduction

- 2.1 Everyone in the education service shares an objective to help keep children, young people and vulnerable adults safe by contributing to:
- Providing a safe environment for children, young people and vulnerable adults to learn in education settings
 - Identifying children, young people and vulnerable adults who are suffering or likely to suffer significant harm and taking appropriate action with the aim of making sure they are kept safe at home, in the community and in the education setting
- 2.2 Achieving this objective requires systems designed to:
- Prevent unsuitable people working with children, young people and vulnerable adults by practicing safe staff recruitment procedures built around CRB checks
 - Promote safe practice and challenge poor and unsafe practice
 - Identify instances in which there are grounds for concern about a child, young person or vulnerable adult's welfare and initiate or take appropriate action to keep them safe
 - Contribute to an effective partnership working with all those involved in providing services for children, young people and vulnerable adults.
- (Safeguarding Children and Safer Recruitment in Education HM Gov 2007)
- 2.3 For local authorities, schools and FE colleges, safeguarding therefore covers more than the contribution made to child, young person and vulnerable adult protection in relation to each individual.
- 2.4 Safeguarding and promoting the welfare of children (and for the purpose of this document we have included young people and vulnerable adults) is defined as:
- Protecting a child/young person/vulnerable adult from maltreatment
 - Preventing the impairment of a child/young person/vulnerable adult's health or development
 - Ensuring that a child/young person/vulnerable adult is growing up and living in circumstances consistent with the provision of safe and effective care
 - Undertaking that role so as to enable a child/young person/vulnerable adult to have optimum life chances.
- (Safeguarding Children and Safer Recruitment in Education HM Gov 2007)
- 2.5 The College policy aims to safeguard the interests of individual learners and outline the legal framework in which the College operates in relation to Child Protection issues. The College believes that people attending college are usually mature enough and have a right to make important decisions about their own lives. In supporting our learners, there are occasions where a hasty response may not be in the best interests of the person concerned. It is therefore intended that this policy and procedure be applied with sensitivity and respect.

Policy Title:	Policy for the Protection of Children & Vulnerable Adults – Annexe	Staff Member Responsible:	Director of Welfare
Version:	Final July 2009	Review Due:	July 2010

Policy for the Protection of Children & Vulnerable Adults – Annex

- 2.6 Once an issue has been identified and raised by a learner relating to the protection of a child, young person or vulnerable adult, the College will refer the case to the relevant Social Services Department as promptly as possible.

3 General Principles

- 3.1 The College recognises that it has a statutory obligation under the Children Act 1989 and Section 175 of the Education Act 2002, to safeguard and promote the welfare of its learners. This document offers guidance and outlines procedures that should be followed in all cases of suspected abuse and situations of serious risk. It applies to all learners under the age of 18 or those aged 18 or over who are considered to be “vulnerable adults”. A Vulnerable Adult is ‘a person aged 18 yrs or over who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to care for him or herself, or unable to protect him or herself against significant harm or exploitation’.
(Lord Chancellor Dept. 1997 and ‘No Secrets’ DoH 2000)
- 3.2 Whilst the College has always had a role in the rehabilitation of offenders, the safeguarding of our students must take a greater priority. If any member of staff or student has concerns that a violent or sex offender may be accessing any College site or course, this information must be passed to a College Designated Person.
- 3.3 The College also recognises its responsibility to safeguard children, young people and vulnerable adults in the wider community, for instance, if a learner has younger siblings, offspring or a vulnerable adult within their family.

4 What is Abuse?

- 4.1 The Children Act 1989 places a duty on local authorities to take steps to protect children and gives certain powers to the Police so that they can take action to protect them where necessary. The Act defines a child as a person under the age of 18. **The Police and Social Services have the primary legal responsibility to protect children and investigate allegations of abuse.**
- 4.2 In relation to vulnerable adults, the Government sets out key principles in its guidance document ‘No Secrets’ (DOH, 2000), which says ‘the protection of vulnerable adults should always receive a high priority and that all agencies should be able to clearly demonstrate they are able to respond to abuse with prompt, timely and appropriate action’.
- 4.3 Abuse can involve inflicting harm or failing to act to prevent harm and can include any one or more of the following:
- **Physical abuse;** Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a person.
 - **Emotional Abuse;** Emotional abuse is the persistent emotional maltreatment of a person such as to cause severe and persistent adverse effects on the person’s emotional development. It may involve conveying to people that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on people. These may include interactions that are beyond the person’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the person participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying causing the victim frequently to feel frightened

Policy Title:	Policy for the Protection of Children & Vulnerable Adults – Annexe	Staff Member Responsible:	Director of Welfare
Version:	Final July 2009	Review Due:	July 2010

Policy for the Protection of Children & Vulnerable Adults – Annex



or in danger, or the exploitation or corruption of a person. Some level of emotional abuse is involved in all types of maltreatment of a child, young person or vulnerable adult though it may occur alone.

- **Sexual Abuse;** Sexual abuse involves forcing or enticing a child, young person or vulnerable adult to take part in sexual activities, including prostitution, whether or not they are aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts.

They may include non-contact activities, such as involving children, young people or vulnerable adults in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging them to behave in sexually inappropriate ways.

- **Neglect;** Neglect is the persistent failure to meet a person's basic physical and/or psychological needs, likely to result in the serious impairment of their 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 and clothing, shelter including exclusion from home or abandonment, failing to protect a child, young person or vulnerable adult from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a person's basic emotional needs.

(Working Together to Safeguard Children, HM Gov 2006)

- **Financial Abuse;** including theft, fraud, exploitation, the misuse of possessions or benefits and pressure applied in relation to financial transactions
- **Discriminatory Abuse;** that is based on a person's disability, including harassment
- **Forced Marriage;** to force a person to marry someone against their will is an abuse and a criminal offence
- **Cyber-bullying Abuse;** improper use of facilities available on computers, mobile phones, audio-visual equipment

Procedure

- 4.4 When a learner discloses to a member of College staff that abuse has taken place, the Individual staff member should:
- Listen
 - Stay calm
 - Take him/her seriously
 - Ask clarification questions only if necessary. Remember that it is not your duty to investigate
 - Inform him/her that they will need to tell someone else
- 4.5 Remember staff cannot make guarantees of confidentiality. **If possible, they should warn the learner about this before (s)he discloses the abuse.** If the learner then does not wish to continue (s)he should be encouraged to access support from the College counsellors or alternative specialist organisations.
- 4.6 **A member of staff should not question the learner in depth.** This is because asking leading questions or attempting to investigate the allegations could jeopardise any criminal investigation that may follow. The member of staff should re-assure the learner that they are doing the right thing in telling, but avoid making comments or judgements.

Policy Title:	Policy for the Protection of Children & Vulnerable Adults – Annexe	Staff Member Responsible:	Director of Welfare
Version:	Final July 2009	Review Due:	July 2010

Policy for the Protection of Children & Vulnerable Adults – Annex



- 4.7 If the person wishes to continue to disclose the abuse, the member of staff should:
- Refer the learner to a College Designated Person immediately or as soon as possible
 - Inform the young person of the action that would follow the conversation and assure them that they will be kept informed of developments
 - Record the conversation by writing down what the learner has told them as soon as they can, using the learner’s own words, including the time, the setting and names of those present and give this document to the College Designated Person
 - If the learner volunteers the information, it is useful to record the general nature of the allegation, where and when it occurred, who was involved and if any other persons were present.
 - This written account should be signed, timed and dated by the member of staff
- 4.8 If the disclosure is made by an outside party such as parent/guardian/carer, **the member of staff should follow the same procedure and refer them to a College Designated Person.**
- 4.9 Individual staff should never deal with abuse disclosures in isolation and must always refer to a College Designated Person with responsibility for child/vulnerable adult protection. These are the only people who can make the decision about whether or not to report suspected abuse to Social Services or the Police.
- Once a referral is made to the College Designated Person, they will undertake to ensure that the learner is not in any immediate danger and seek medical attention if needed.
 - **The learner will be asked to repeat the disclosure they have made.** Every effort will be made to communicate with the learner in a way that is appropriate to their age, understanding and preference. This is especially important for learners with a disability or those whose preferred language is not English. The learner will be asked if there are younger children or any vulnerable adults who might also be at risk. However, the College Designated Person will avoid asking leading questions and will not attempt to investigate the allegations. A written account will be made of the disclosure and the context.
 - If the learner wishes to take the allegation forward, the College Designated Person should support the learner in contacting Social Services, the Police, the NSPCC and/or College Counsellors.
 - When a learner is not sure about taking the allegation forward, the College Designated Person can, without necessarily identifying the person in question, discuss concerns with Social Services or the Police, so that an informed decision can be reached.
 - Following consultation the College Designated Person will ask for the learner’s views if it is clear that they can understand the significance and consequences of a referral to Social Services or the Police. However, it remains the responsibility of the Designated Person to take whatever action is necessary to ensure the learner’s safety and that of any other children or vulnerable adults who may be at risk. Whenever possible the College Designated Person will discuss cases and referrals with another Designated Person.
 - Where practicable, concerns will be discussed with a parent or guardian unless this may, either by delay or the behavioural response it prompts, place the learner at risk of harm. The learner’s view will also be considered in deciding whether to contact their parent/guardian. A written record will be made of any discussion with parents or guardians.

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Policy for the Protection of Children & Vulnerable Adults – Annex

- In the event of a decision to report, the College Designated Person should inform the learner of the proposed action and the reasons for the decision. Ideally this should happen before the appropriate agency is informed, unless doing so would place the person at greater risk.
- The College Designated Person should contact the Social Services Department of the appropriate Local Authority by telephone in the first instance and record the date and time that this took place. The College Designated Person will agree with the recipient of the referral what the learner and parents will be told, by whom and when. The College Designated Person will make a confirmation of the referral in writing.
- Where a learner decides not to take the matter further (and the College Designated Person agrees), the learner will be asked to sign a written statement to that effect.
- All concerns, discussions, decisions made and reasons for those decisions will be recorded. Written records will be kept in a securely locked location where unauthorised persons cannot access them.
- A College Designated Person will be the College contact if Social Services or the Police require further information about the learner and if necessary, represent the College at multi-agency strategy discussions or protection conferences.
- On an annual basis, College Designated Staff and the Nominated Governor will undertake a review of protection cases that have been recorded and review the College procedures to ensure that they are kept up to date. It will also include details of any staff training undertaken by College staff on the issue of Children, Young People and Vulnerable Adults Protection.

5 Allegations Against College Staff

- 5.1 These should be referred immediately to the Director of Welfare Services who will then inform and involve other agencies and College Managers (e.g. Director of Personnel) as and where necessary. This would then move in to College Disciplinary Procedures, taking account of any current guidelines ('Working Together to Safeguard Children: a guide to inter-agency working to safeguard and promote the welfare of children', Appendix 5 - HM Gov. 2006 and 'Safeguarding Children and Safer Recruitment in Education', Chapter 5 - DfES 2007).

6 College Designated Staff

- 6.1 As Kingston College is a large institution there are five members of staff with designated status to try to ensure that there is always someone on site if a disclosure is made.
- 6.2 The College Designated Staff are:

The Senior Nominated Person is the Director of Welfare Services,

Wendy Wildman : Room G34 Ext. 2966 who is the link person for the Local Safeguarding Children's Boards and who is responsible for reviewing and updating the Protection Policy and Procedures on an annual basis.

Lucy Dowds, Welfare Services Manager:	Room G40	Ext 2970
Diane Smith, Information, Advice and Guidance Manager:	IAG Centre	Ext. 2780
Jenny Lane, Learning Support Co-ordinator:	LRC	Ext. 3053
Tony Cicco, Head of School of Care:	Room 708	Ext. 2897

Policy Title:	Policy for the Protection of Children & Vulnerable Adults – Annexe	Staff Member Responsible:	Director of Welfare
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The College Counsellors may be contacted via Welfare Services Reception on the Ground Floor Ext. 2969. They work to the British Association of Counsellors' and Psychotherapists' (BACP) Ethical Framework for Good Practice and, whilst respecting the confidentiality of the person, they will work with him/her towards disclosure if they believe abuse has taken place.

The Counsellors have information about the contact details of other support agencies.

There is a nominated member of the College Governing Body who is charged with the responsibility for Child Protection. Details may be obtained from the Clerk to the Board of Governors.

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