

# Safeguarding Children & Child Protection Policy



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<b>Author: Darren Heathcote</b>	<b>Approved by: The Governing Board</b>
<b>Equality Impact Assessment (EIA) completed by (name): Positive About Inclusion</b>	<b>Analysis of effects on equality assessment: 16.09.2022</b>

<b>Version Level</b>	<b>Details of Change</b>	<b>Date</b>
01	New front page only	14.02.06
02	Review, new format no changes to content	30.04.06
03	Review and update	05.05.07
04	New template and logo only	12.12.07
05	Reviewed and updated	03.07.08
06	Review and update to reflect current legislation and practice	02.07.09
07	Review and update to reflect current legislation and practice / status	06.05.10
08	Review and change to include Bullying to the titles of the Harassment process and procedure in the related documents section	19.05.11
09	Reviewed and updated, author changed	05.07.12
10	Reviewed and updated	15.10.13
11	Reviewed and updated to reflect current legislation	16.09.14
12	Refresher training period updated. Update to reflect current legislation	14.04.15
13	Updated to included reference to Prevent	09.06.15
14	Updated to include date approved by the Board of Governors.	09.07.15

15	Reviewed, updated links to advisory documents	15.06.16
16	Reviewed, added staff contact details	01.02.17
17	Updated reference to regulated activity relating to children information. Added a reference to staff feeling comfortable to raise safeguarding concerns. Added a reference to our safeguarding policy being in line with those from Gateshead LSCB for dealing with allegations against people who work with children.	20.02.18
18	Added reference to Keeping Children safe in Education (update 2018)  Added reference to the Student Code of Conduct and the Staff Behavioural Framework in section 3.1.2 to support the statutory responsibilities met by Gateshead College for the effective safeguarding of children.  Added reference and link to Working Together to Safeguard Children, and link to Keeping Children Safe in Education.	01.09.18
19.	Updated version titles of 'Working Together to safeguard Children', 'Keeping Children Safe in Education'. 'Working together to safeguard children' – amended February 2019. Highlighted that the Gateshead 'Local Safeguarding Board' was replaced, by 'Gateshead safeguarding children partnership' with effect from September 2019. Updated version title of 'Prevent Duty guidance for England and Wales': on the duty in the Counter-Terrorism and Security Act 2015 (amended 10 <sup>th</sup> April 2019). 3.1.4 b – updated reference to local safeguarding children partnership.	01.09.19
20.	Added details of escalation in respect of a staff concern that child safeguarding is not being addressed correctly within the college or by other agencies.	27.11.19
21.	Updated reference to Keeping Children Safe in Education to ensure that most current copy of this document is accessed.	23.01.20
22.	Added reference to WBL Prevent Duty. Updated links to government documents. Referenced that concerns raised under this policy will be addressed as Prevent/Safeguarding concerns and not a disciplinary concern. A Safeguarding Children Addendum (active during lockdown) to reflect advice from UK Government has been produced and published on Gateshead College website and is active during lockdown.	15.05.20  15.05.20
23.	Reviewed by college solicitors and updated to reflect current legislation and guidance.	21.09.21

24.	Updated to include reference to KCSIE 2022, termly reports to Governors and the safeguarding assurance framework for Governors.	01.09.22
25.	Updates following review from solicitors to section 1.3, 2.1, 3.2.1, 3.2.2, 3.2.3,	24.08.23

<b>Key search words for this document</b>
<u>Safeguarding, children, child protection, welfare, Education Act 2002</u>

Page 2 is for monitoring and dissemination purposes only. It does not form part of this Policy document.

**Monitor Changes – staff are reminded that due to Covid -19 lockdowns an addendum has been produced to meet the requirements of staff and students who are working/studying from either College or home. A copy of the addendum is accessible in document management or on the College website.**

## 1 Aims and Objectives

- 1.1 This policy has been developed to ensure that the Governing Body of the College complies with the statutory duty under Section 175 of the Education Act 2002 – ‘The governing body of an institution within the further education sector shall make arrangements for ensuring that their functions relating to the conduct of the institution are exercised with a view to safeguarding and promoting the welfare of children receiving education or training at the institution.’

The Children Acts 1989 and 2004 established the basic principle for those involved in working with children, that the welfare of the child is the over-riding consideration. The regulatory framework is contained in the Safeguarding Vulnerable Groups Act 2006 and the Protection of Freedoms Act 2012.

The Safeguarding Vulnerable Groups Act 2006 provided the legislative framework for the creation of the Independent Safeguarding Authority (ISA). The ISA was replaced by The Disclosure and Barring Service (*DBS*) which was formed by merging together the functions of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) under the Protection of Freedoms Act 2012. It started functioning on 1 December 2012

The main aim of the Disclosure and Barring Service (DBS) is to help employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. Staff recruitment procedures must comply with the DBS and the College must pass on information to the DBS when an individual is dismissed, or an individual resigns, because they harmed or may harm a child or a vulnerable adult.

Regulated Activity with children can broadly be defined as any of the following carried out “regularly” (as defined in each case):

- i. unsupervised activities: teaching, training, instructing, caring for or supervising children, or providing advice/ guidance on well-being, or driving a vehicle only for children;
- ii. work for a limited range of establishments (‘specified places’), with opportunity for contact with children: e.g. schools, children’s homes, childcare premises. **Not** work by supervised volunteers.

Work under (i) or (ii) is Regulated Activity only if done regularly (carried out by the same person once a week or more often or on 4 or more days in 1 30-day period);

- iii. Relevant personal care, for example washing or dressing; or health care by or supervised by a professional;
- iv. Registered child-minding; and foster-carers.

Regulated activity includes the supervision of any person carrying out regulated activity.

The definition does not include work by supervised volunteers nor does it cover activities carried out in the course of family relationships, and personal, non-commercial relationships.

- 1.2 In writing this policy, the College has considered:

- the statutory guidance published by the Department for Education (DfE) –‘Working Together to Safeguard Children’ latest update July 2022;
- ‘Keeping children safe in education – Statutory Guidance for Schools and Colleges’ amended September 2023.
- the most recent child protection procedures published by Gateshead Safeguarding Children Partnership. Please note that the Gateshead LSCB has recently been replaced and is now known as the Gateshead Safeguarding Children Partnership.;
- the *Prevent* Duty guidance for England and Wales: on the duty in the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism.
- Work based learners and the *Prevent* statutory duty
- <https://www.officeforstudents.org.uk/advice-and-guidance/student-wellbeing-and-protection/prevent-and-address-harassment-and-sexual-misconduct/statement-of-expectations/>

1.3 Safeguarding and promoting the welfare of children is defined for the purposes of this policy as:

- protecting children from maltreatment;
- preventing impairment of children’s health or development;
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care;
- taking action to enable all children to have the best outcomes
- undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully
- preventing young people from being drawn into radicalisation and extremism

## **2 Scope**

2.1 All young people under 18 years of age who undertake employment, work placement, training or education directly or indirectly with Gateshead College are covered by the Safeguarding Children and Child Protection Policy. However there are special circumstances where the age is extended beyond this as for example children with disabilities and Looked After children.

2.2 It is a mandatory requirement that all staff and volunteers follow the policy and comply with associated procedures. (Refer to section 4 Related Documents).

## **3 Policy**

### **3.1 Policy Statement**

3.1.1 To fulfil statutory responsibilities the Governing Body of Gateshead College will ensure that arrangements are in place to create and maintain a safe learning environment. An environment where all reasonable measures are taken to ensure that risks of harm to children and young people are minimised and, where child

welfare concerns are identified, actions are taken to address them, in partnership with other organisations, where appropriate.

3.1.2 The statutory responsibilities will be met by Gateshead College having:

- a. Clear priorities for safeguarding and promoting the welfare of children explicitly stated in key policy documents and commissioning strategies. Key policies are in line with those from the Gateshead Safeguarding Children's Partnership for dealing with allegations against people who work with children;
- b. The College and our staff are an important part of the wider safeguarding system for children. This system is described in statutory guidance [Working Together to Safeguard Children](#);
- c. A clear commitment by senior management to the importance of safeguarding and promoting children's welfare through both the commissioning and the provision of services;
- d. A culture of listening to and engaging in dialogue with children both in individual decisions and the establishment or development and improvement of services as described in statutory guidance Keeping Children Safe in Education

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1161273/Keeping children safe in education 2023 - statutory guidance for schools and colleges.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1161273/Keeping_children_safe_in_education_2023_-_statutory_guidance_for_schools_and_colleges.pdf)

- e. A clear line of accountability and governance within and across the organisation for the commissioning and provision of services designed to safeguard and promote the welfare of children and young people;
- f. Recruitment and human resources management procedures and processes, including contractual arrangements, that take account of the need to safeguard and promote the welfare of children and young people;
- g. A clear understanding of how to work together to help keep children and young people safe online, and creating an environment where all staff feel able to raise concerns and feel supported in their safeguarding role;
- h. Procedures for dealing with allegations of abuse against members of staff and volunteers or when commissioning services, contractual arrangements with providers that ensure these procedures are in place;
- i. Arrangements to ensure that all staff undertake appropriate mandatory training to equip them to carry out their responsibilities effectively, and keep this up to date by regular mandatory refresher training;
- j. Arrangements so that all staff, including temporary staff, including volunteers who work with children are made aware of the College procedures and their responsibilities for safeguarding and promoting the welfare of children;
- k. Policies for safeguarding and promoting the welfare of children, including a child protection policy, code of conduct (students), behavioural framework (staff), effective complaints procedures and procedures that are in accordance with guidance from the local authority and locally agreed inter-agency working;

- l. Arrangements to work effectively with other organisations, including arrangements for sharing information;
  - m. Appropriate whistle blowing procedures and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed.
- 3.1.3 The Governing Body recognises it is best practice to identify a Governor with specific responsibility for safeguarding children and adults at risk.
- 3.1.4 The Governing body will ensure that:
- a) a senior member of staff is designated to take lead responsibility for dealing with safeguarding and child protection issues, providing advice and support to other staff, liaising with the LEA and working with other agencies. The safeguarding lead person must have the status and authority within the institution's management structure to carry out the duties of the post, including committing resources to child protection matters and, where appropriate, directing other staff.
  - b) in addition to basic child protection training, the safeguarding lead and deputies undertakes training in inter-agency working that is provided by or to standards agreed by the Gateshead Safeguarding Partnership and refresher training at two yearly intervals to keep their knowledge and skills up-to-date.
  - c) The Governing Body will also ensure that the college meets the guidance set in the Equality Act 2010. The guidance states that schools and colleges:
    - must not unlawfully discriminate against pupils because of their protected characteristics
    - must consider how they are supporting pupils with protected characteristics
    - must take positive action, where proportionate, to deal with the disadvantages these pupils face.

For example, by making reasonable adjustments for disabled children and supporting girls if there is evidence they are being disproportionately subjected to sexual violence or harassment. It also looks at the implications of the Public Sector Equality Duty (PSED) for education settings. This includes a need to be conscious that pupils with protected characteristics may be more at risk of harm and integrate this into safeguarding policies and procedures.
  - d) The Governing body will also regularly review the effectiveness of college IT filters and monitoring systems. They should ensure that the leadership team and relevant staff are:
    - aware of and understand the systems in place
    - manage them effectively
    - know how to escalate concerns when identified.

3.1.5 The Principal will ensure that:

- a) the policies and procedures adopted by the Governing Body are fully implemented and followed by staff;
- b) all staff (including the Principal) who work with children undertake training to equip them to carry out their responsibilities for safeguarding and child protection effectively and are kept up-to-date by refresher training at one yearly intervals;
- c) temporary staff and volunteers who work with children are made aware of the institutions' arrangements for safeguarding and child protection and their responsibilities;
- d) sufficient time and resources are allocated to enable the safeguarding lead and deputies to fulfil their responsibilities, including attending any interagency meetings;
- e) all staff and volunteers feel able to raise concerns about poor or unsafe practice in accordance with an agreed whistle blowing policy and procedure.
- f) where staff have concerns that their child safeguarding concerns are not being addressed correctly within the organisation or by other agencies these concerns can be raised with the Head of Student Services who operates as Designated Lead Safeguarding Officer. If there are circumstances where the member of staff believes that the DLSO is not addressing these concerns correctly the Head of People and Organisational Development will respond to these concerns.

3.1.6 Corporal punishment is outlawed for all students.

3.1.7 The College will remedy any deficiencies or weaknesses with regard to safeguarding children and promoting the welfare of children without delay.

3.1.8 The Governing Body will undertake an annual review of its policies and procedures and how the above duties have been discharged.

## **3.2 Principles Underpinning the Policy**

3.2.1 The following principles underpin the policy:

- The welfare of the child/young person is paramount;
- Delay in taking action will often be prejudicial to the child/young person's welfare;
- The duty of confidentiality is secondary to the duty to protect the child/young person from abuse. Learners should be advised that staff cannot guarantee confidentiality and may need to share information with others. If a learner confides in a member of staff and requests that the information is kept secret, it is important the member of staff tells the student that he or she has a responsibility to refer cases of alleged abuse to the designated person for the learner's own safety. The learner should be assured that the matter will be disclosed only to people who need to know about it, and will be kept confidential as far as is possible.;
- Primary responsibility and investigation for child protection is the duty of children's social care services and the Police. The role of the College is to identify, refer and support the child/young person and the agencies, as appropriate;
- Accurate recording is essential in dealing with child protection issues. Records



- must be dated and fully reflect the situation at the time;
  - All staff and volunteers have a responsibility to follow the policy and related procedures.
- 3.2.2 It is important to recognise that any concerns regarding a learner being at risk of radicalisation and/or extremism or because of any other safeguarding concern will be managed as a Prevent/Safeguarding matter rather than a disciplinary concern. Staff must be sensitive and respectful of ethnic and cultural backgrounds but these factors must not be used as a reason for non-intervention.
- 3.2.3 Parents should normally be involved in any decision making process. It is important to be open and honest with parents and carers, particularly if there are concerns over the learner's welfare and there is an intention to share this with other professionals. However, there may be circumstances where a professional assessment of the situation indicates that it is not in the learner's best interest to inform the parents because of immediate risks and safety issues for the learner, or the professional is concerned for their own safety.

### **3.3 The Strategy for Safeguarding and Protecting Children**

3.3.1 Gateshead College will develop and implement procedures that:

- prevent unsuitable people working with young people;
- comply with the Disclosure and Barring Service scheme;
- promote safe practice and challenge poor and unsafe practice;
- identify instances where there are grounds for concern about a young person's welfare and initiate actions to keep them safe;
- contribute to effective partnership working with all those involved in providing services for young people, including effective information sharing;
- ensure that staff and governors receive appropriate training and support;
- take into account the views of students;
- deal effectively with harassment/ bullying (including cyber bullying via social media and online reputation), security, tackling drugs and substance misuse, the welfare of children on extended vocational placements;
- work effectively with partner organisations to reduce the risk of young people being radicalised and/or being drawn into extremism
- meet the health needs of children with medical conditions, disabled children and the health and safety and first aid needs of all students.

### **3.4 Monitoring and Reporting**

3.4.1 Compliance with procedures will be monitored through the usual management arrangements.

3.4.2 An annual report will be produced for the Board of Governors to include the following:

- Introduction: Purpose – Responsibilities Under Section 175 of the Education Act 2002 – any new legislative change / guidance that is relevant.
- Policy: Outcomes of the policy review (annually). Satisfactory procedures are in place. For example: dealing allegations against staff/whistle blowing/safe recruitment and vetting/student harassment/bullying/ dealing with child protection issues.
- Designated senior member of staff: Who? Has she/he received appropriate training?
- Links with other agencies: Social Services, etc.
- Training: Have all relevant staff received appropriate training within the prescribed time frames. How many?

- CP cases: Number of cases (not detailed or identifying individuals). Were they dealt with appropriately? Are there any high risk groups? Any changes in practice/training needs/procedure identified as a result. If so, what?
- Allegations against staff: As above, including outcomes.
- Summary view of the College's response to safeguarding children requirements: Any recommendations that the Governing Body must endorse.
- The DSL reports to the a Governance sub-committee termly, attended by the Lead Governor for Safeguarding
- The DSL has developed a safeguarding assurance framework to identify all mechanisms related to safeguarding to provide the Board with confidence that all requirements are being met.

### 3.5 Review

3.5.1 This policy and the associated procedures will be reviewed on an annual or bi-annual basis and be amended in accordance with legislative changes, changes to locally agreed inter-agency procedures and best practice in the further education sector.

## 4 Related Documents

STM-PRO-002	Child Protection- dealing with allegations or suspicions of child abuse
STM-PRO-009	Student Harassment/Sexual Harassment/Bullying Procedure HR-PRO -017 Dealing with Allegations of Abuse Against Staff Procedure
GC-PRO-001	Public Interest Disclosure Procedure – Procedure for raising concern at work
GC-POL-007	Prevent Policy
FIN- IT-Pol-001	Information Technology and Communication Policy
HAS-POL- 001	Health and Safety Policy
STM-PRO-008	Supporting students with prescribed medication
HAS-GDE-001	Organisation of trips and visits
HAS- PRO-005	Work based learning (health and safety) Procedure
HR-POL-005	Recruitment and Selection Policy
HR-POL-015	Policy Statement on Recruitment of Ex-offenders
HR-PRO-013	Vetting Procedure for Visitors and New Employees
HR GDE 015	Using Volunteers Guidance Notes

## 5 Useful Contacts

### Designated Safeguarding Lead Officer

Darren Heathcote – Head of Student Services

Email: [darren.heathcote@gateshead.ac.uk](mailto:darren.heathcote@gateshead.ac.uk)

Tel: 0191 490 4611

College Mobile: 07736364425

### Deputy Safeguarding Officer

Chris Toon - Deputy Principal: Curriculum and Quality

Email: [chris.toon@gateshead.ac.uk](mailto:chris.toon@gateshead.ac.uk)

Tel: 0191 490 2211

College Mobile: 07785 624846