

## Policy & Procedure



## Child Protection Policy

### Purpose of Policy

The purpose of the policy is to ensure the safety of any children attending centres on any of the Adult Education for Bexley's sites or delivery locations.

The procedures to be followed in suspected/reported cases of child abuse are in line with the procedures adopted by the Department of Children's and Young People's Services in Bexley and will co-ordinate action by all the agencies involved in responding to allegations of child abuse.

The College instigates police checks for all staff who may be in contact with learners under 16, or special needs learners under 21 years old.

### Invoking Procedures

The processes should be used

- a) If or when suspected or reported child abuse has taken place
- b) If signs and symptoms as outlined in Appendix 2 are displayed by a child.

The opinion of children as to the way that incidents are dealt with should be carefully listened to and the age and ability of the child to understand should be taken into account, when making decisions. The ability to understand the child's cultural, religious and linguistic needs and ensure that they are met in a supportive way is very important. Similar expectations apply to parents who may need extra support.

### Significant Harm

The local council has a basic duty to investigate where there is reasonable cause to suspect that a child is suffering or is likely to suffer significant harm. An assessment of the degree of that harm determines whether the use of Child Protection Procedures are necessary.

## Confidentiality

It is extremely important that details of allegations and the names of those involved should be kept confidential. Information may only be shared with those people who have responsibilities in the process of referral and investigation.

## Procedure

1. Staff must report any suspicion of child abuse to the Strategic Manager Student & College Services or the Principal immediately. A written report of the concern should be composed with a copy given to the Strategic Manager Student & College Services or Principal. The report could be used as evidence in any subsequent court proceedings or disciplinary proceedings.
2. Professional workers visiting the College must notify the Strategic Manager Student & College Services of any concerns they have and follow their own agency procedure, in consultation with the Strategic Manager Student & College Services
3. The Strategic Manager Student & College Services must attend to urgent medical treatment if required and arrange for a suitable escort to accompany the child to hospital by ambulance if necessary. The Paediatric Senior House Officer should be alerted to the imminent arrival of a suspected child abuse case.
4. The Strategic Manager Student & College Services must collate available information relevant to the case.
5. If parents are on the premises when abuse is suspected, they should be told of the concern unless this would endanger or silence the child. When sexual abuse is alleged by the child or suspected, Social Services must be consulted before discussing with a parent. If their response, which should be noted, is not consistent with the child's explanation, they should be told that a referral to Social Services will be made. If they are not present, efforts must be made to contact them to advise of concern and the action taken except in circumstances identified above. Their response should be noted.
6. The Strategic Manager Student & College Services should telephone the Duty Social Worker at the relevant District Office to refer the concern. If the parents have not been contacted, this information must be given to the Duty Social Worker and a decision taken as to who will contact parents in this case. This will usually be done by Social Services. The Strategic Manager Student & College Services or Principal should advise the Duty Social Worker of the time the College closes so action can be planned while staff are available to contribute.

7. The Strategic Manager Student & College Services must immediately compile a written record of events and actions taken, sending a copy to Social Services. The Principal or Strategic Manager Student & College Services is the person responsible for liaison between the College and other agencies.

### **The Investigation**

1. Where a child has been referred to Social Services, the initiator of the concern and the Strategic Manager Student & College Services will be interviewed as part of their investigation process. If there are indications that an initial Child Protection Case Conference is necessary, both people will be invited to attend and to submit a report. In the interests of the child the College must submit a report as a minimum.
2. The report, which should be shared with the family before the conference, should cover the broadest range of the child's life, including details of relationships with other children and members of staff, dress, contact with parents and knowledge of siblings, if known.
3. The conference may decide to enter the child's name on the Child Protection Register and will produce a plan which may contain tasks for College staff. Education staff have a duty to inform the key worker or Duty Social Worker immediately of further concerns which may arise about the child, regardless of whether he or she is on the Child Protection Register.

### **Guidance on allegations against members of staff**

1. One of the most difficult areas in child protection for a Principal to deal with is that around an allegation against a member of staff or voluntary worker. People who have charge of children are responsible for the safety and welfare of the children. If they are accused of abuse it is clearly potentially an offence of similar or greater gravity to that of one made against a parent.
2. The effects of an allegation against members of staff could be severe. The consequence of such an allegation, when holding a position of trust, could be disastrous to a person's career and reputation.
3. The procedures adopted by the Department of Children's and Young People's Services are designed to co-ordinate action by all the agencies, including the voluntary sector, in guarding against and responding to incidents of child abuse.
4. If an allegation is made against a staff member, OFSTED must be informed on 0845 601 4772.

## Procedures for allegations against members of staff (excluding Principals)

1. Concerns or allegations should be reported immediately to the Strategic Manager Student & College Services. The Principal should be informed immediately as the Principal is normally the only person who has the authority to suspend staff should it become necessary.
2. An allegation of suspected child abuse should be followed by an immediate consideration of the child's welfare and attention given to the child's medical needs, if any. This may include persistent and extreme forms of bullying. (The booklet *Bullying: Information and Guidance for Schools* provides advice and support on tackling bullying).
3. An urgent initial assessment by the Principal should follow. This is to establish that the incident reported was possible, that the named people were in work, that proximity was possible and any witnesses are named. This stage should be completed quickly. Parents should be present when and if their child's allegation is to be clarified if this can be done without introducing delay of more than an hour.

NB. It is extremely important that there should be no cross-examination of the information offered. Care should be taken to listen to the child without offering comment and without pressure to reconsider any part of his/her report. Clarification of any points should be sought gently. If it proves necessary to suspend (without prejudice) a member of staff, care must be taken to ensure that any subsequent action by the Police has not been prejudiced by close questioning in these very early stages.

4. The Principal must then decide if it is felt that possible significant harm to the child could result from the alleged incident.

An Initial Enquiry may be necessary before a decision can be made to refer to Social Services or, at a slightly later stage, to suspend a tutor or staff member. Great care must be taken not to lead or challenge the child questioned. It would be most wise to address 'open' questions only, and to accept the answers without the need for repetition. Questions beginning with 'how, when, who or what' are the most likely ones to elicit important information. This should be recorded, signed and dated by the Principal or Strategic Manager Student & College Services, whichever has been seen as the most appropriate.

Complying with this guidance can be very difficult for any member of staff. Please remember that a just outcome to the situation may depend on this initial interview.

There are four possible decisions:

- (a) Decide that it does meet the criteria of significant harm and should be referred as an alleged incident to child abuse;
  - (b) Inconclusive results, possible abuse requires further investigation which may lead to referral under Child Protection or internal disciplinary procedures;
  - (c) Nothing happened, no further action, or
  - (d) Not child abuse. The Principal would then deal with the matter under disciplinary procedures if appropriate.
5. To (a) and (b) above, the response must be to refer to one of the Child Protection Co-ordinator in Social Services or initially discuss with the designated officer in the Department of Children's and Young People's Services. The number is:

**Bexley 020 8303 7777**

An appropriate response to the allegation will be made, details of which agency will be in contact with parents and what information may be given to alleged perpetrator will be agreed. All discussions should be carefully recorded.

NB. An allegation of apparent sexual abuse must be referred to Social Services immediately before making an investigation. The Police and Social Services will then advise what information, if any may be given to the alleged perpetrator.

- 6. At this point the Department of Children's and Young People's Services must be informed. If it is to be a child protection investigation, information should go to the designated officer in the Department of Children's and Young People's Services. If it is a disciplinary matter, information should be given to Education Personnel Service. A Planning Meeting of Senior Officer(s) of Education, Social Services and the Principal will advise on the next steps to be taken.
- 7. People involved should be reminded at this time of the need for absolute confidentiality, which is the right of the child, the parents and the alleged perpetrator.
- 8. The Principal must ensure that the Education Personnel Service for the College is informed to the alleged incident.
- 9. Subsequent action and decisions taken by the Principal will take account of advice from the lead agencies of Social Services and/or the Police or Personnel provider.

10. Early contact with parents is essential and they should be informed of the alleged incident as soon as possible. They should also be reminded of the need for confidentiality while any investigation is carried out in the interests of their child.
11. If it is decided that no issues around child protection are involved in the alleged incident, but a contravention of the disciplinary code is indicated, the Principal should proceed in accordance with the guidelines in the College's Disciplinary Procedures, and in accordance with the employee's Terms of Employment.
12. Where an allegation is to be investigated by Social Services the alleged perpetrator should be informed of the general nature of the allegation as soon as the initial enquiry in College is complete. The details of the allegation should not be revealed at this time.
13. If the allegation is of a serious nature, the Principal will have to decide whether it is safe to allow the alleged perpetrator to remain on College premises or whether he/she should be suspended in accordance with the disciplinary procedure. Reasons for suspension should be given in writing with the time, date and signature of the Principal.
14. The alleged perpetrator should be advised to seek assistance and support from their union/professional organisation.
15. Arrangements to keep parents and the alleged perpetrator informed of the progress of the investigation should be made at an early stage.
16. Social Services will call a strategy/planning meeting within three days of the allegation being received. Only in the most exceptional circumstances would this be extended to a maximum of one week.
17. Attendance at any strategy meeting is essential for the Principal. If circumstances are such that Principal attendance is impossible, his or her representative must take the place.
18. All incidents should be reported to the designated officer in the Department of Children's and Young People's Services and the College's personnel service. The need for the Principal to consult with them at this point will depend on the nature and seriousness of the allegation.
19. Any further action to be taken by the College would be influenced by the progress or outcome of the Social Services investigation and any criminal proceedings. Advice should be sought from Education Personnel.

## Guidance on Allegations Against the Principal

1. College staff are faced with the greatest difficulty when the Principal is alleged to have been the cause of abuse against a child. In such circumstances, the Strategic Manager Student & College Services must take the lead in referring and consulting with officers, agencies and/or the Chairman or Vice Chairman of Governors. Consideration of the need for confidentiality must be borne in mind at all stages, particularly when first contact is made with the individuals named above.
2. Any report that a child has been abused by a Principal must be listened to carefully. No attempt should be made to 'test' the account or offer alternative explanations. No promise of confidentiality may be given to the informant on so important an issue. The child's wishes as to the action to be followed may be considered insofar as the age and understanding of the child would allow a reasonable judgement to be made. This consideration must take account of the risk to this and other children. A written report of the allegation must be signed and dated by the persons who received the allegation.
3. The member of staff receiving an allegation of abuse against a Principal should report this to the Strategic Manager Student & College Services. The Strategic Manager Student & College Services must inform the Chairman of Governors or the Vice Chairman of Governors, (no other governors should be involved at this stage), and senior LA officer with child protection responsibilities.
4. Consideration and action on the medical needs (if any) of the child and the need to inform/consult the child's parents, must take priority.
5. The Chairman or Vice Chairman of Governors must consult the LA officer and also:
  - (a) Obtain details of the allegation, in writing, signed and dated by the person who first received the allegation, countersigned by the Strategic Manager Student & College Services or alternate; and
  - (b) Record information as to places and times and names of potential witnesses.
6. The Chairman or Vice Chairman of Governors and the LA officer together, must make an urgent initial consideration of the substance of the allegation to establish if an investigation is warranted. The Chairman or Vice Chairman of Governors should consult Social Services Child Protection Co-ordinator and the Personnel Section in the Department of Children's and Young People's Services as part of his or her consideration.

The decision to investigate does not form a view as to the truth of the allegation.

NB. It is extremely important to remember that there must be no cross-examination of the child on the information she/he offers. Care should be taken to listen to the child without offering comment or making requests to reconsider. Clarification should be sought gently. Should there be subsequent action by the Police the case will not have been prejudiced by close questioning in these early stages.

7. The discussion with Social Services will concentrate on the concept of 'Significant Harm'. If it is felt that possible significant harm to the child could result from the alleged incident these would be an investigation under child protection procedures. Social Services advice must be taken account of in determining the outcome of the discussion. There are four possible results.

(a) Immediate referral under local Child Protection procedures.

(b) Inconclusive results, possible abuse requires further investigation which may lead to referral under Child Protection or internal disciplinary procedures.

(c) No foundation for allegation so no action is necessary.

(d) The issue appears to be a disciplinary matter as no significant harm was caused to the child.

8. To (a) and (b) above, the response must be to confirm the referral to Social Services for further action.

The referral should be made by the Strategic Manager Student & College Services or SMT member, in consultation with the Chairman or Vice Chairman of Governors and the LA officer. This would start a child protection investigation by Police, Social Services or the NSPCC. This is the major investigation that would take priority over, and be distinct from, the disciplinary investigation.

9. To (c) and (d) above, the Chairman or Vice Chairman of Governors should consider whether disciplinary action should be taken. If a disciplinary investigation is to proceed, the Governing Body would act according to their policy on such issues including the appointment of an investigating officer. During the course of a disciplinary investigation, further evidence may be discovered which would make a referral to Child Protection Service appropriate.

10. If the Police have no objections, the Chairman or Vice Chairman of Governors should inform the child, children and the parents making the allegation or are the subject of the allegation, the Principal and the Chairman of Governors of the likely course of action. A written record of these actions should be made. If the police object to this, the Chairman or Vice Chairman of Governors should be informed of progress of the case.
11. When an allegation is to be investigated by Social Services, the alleged perpetrator should be informed of the nature of the allegation as soon as the initial investigation in College is complete and advised to seek Professional Association advice at this stage. The details of the allegation should not be revealed at this time in accordance with legal requirements.

If the allegation is one of child sexual abuse, an immediate referral to Social Services is required. No details of the allegation should be given to the alleged perpetrator. Social Services and/or the Police, will advise as to what information, if any, should be given to the alleged perpetrator.

12. If the allegation is of a serious nature, the Chairman or Vice Chairman of Governors will have to decide whether it is safe to allow the Principal to remain on College premises and whether she or he should be suspended. All suspensions must be in accordance with the College's Disciplinary Code. Consultation with the LA officer and consideration of the opinion of Social Services should be taken before the decision is made.

Suspension is correct where:

- (a) A child or children are at risk.
- (b) Allegations are so serious that dismissal for gross misconduct is possible.
- (c) Suspension is necessary to allow the conduct of the case to proceed unimpeded.

Reasons for the suspension should be given in writing with the time and date clearly shown, signed by the Chairman or Vice Chairman of Governors. The Principal should be advised to seek assistance and support from their professional association, and arrangements to keep parents and the Principal informed of the progress of the investigation should be made at an early stage.

13. If a Child Protection investigation is to proceed, Social Services will call a strategy meeting within three days of the allegation being received. Only in the most exceptional circumstances should this be extended to a maximum of one week.

Attendance at the strategy meeting is essential for the Chairman or Vice Chairman of Governors, the senior LA officer, and for the Strategic Manager Student & College Services or alternative SMT member.

Strategy meetings will feature throughout the investigation and will be convened and chaired by the Child Protection Co-ordinator (CPC). The agenda will address the following as appropriate:

- (a) To plan the investigation and the manner in which the Principal is informed of progress.
  - (b) To ensure the needs of involved children are addressed.
  - (c) To agree the manner in which the child and family are kept informed. The CPC informs the family in writing of the outcome of the investigation.
  - (d) To consider whether any action is necessary with regard to the Principal's own children.
  - (e) To continue to review the position of the Principal.
  - (f) To review the effectiveness of the confidentiality principle as it applies to everyone involved, keeping the needs and rights to know in line with 'sub judice' requirements.
  - (g) To establish whether the department needs to inform the LSC of events.
  - (h) The Principal Child Protection Co-ordinator will ensure that the outcome of the criminal and/or child protection investigations will be provided in writing to the employer.
14. Depending on the outcome of the Strategy meeting and the investigations, the Chairman or Vice Chairman of Governors, the Strategic Manager Student & College Services and the LA officer, will be involved in actions and processes which go beyond the scope of these procedures.
15. Where the allegation is to be conducted under child protection procedures, the Chairman or Vice Chairman of Governors in consultation with the LA officer and the Strategic Manager Student & College Services or alternative SMT member will:
- (a) Consider whether the child might have been abused by someone else and whether a referral should be made to the Police, the Social Services Department, or the NSPCC under the child protection procedures.

- (b) Inform the Principal of the allegation and the fact that no further action is to be taken under child protection procedures. The Principal may be accompanied by a professional association representative or friend.
  - (c) Consider whether counselling and/or informal professional advice to the Principal is appropriate and the form either might take.
  - (d) Inform the parents of the child or children of the allegation and the outcome of the investigation.
  - (e) Consider appropriate counselling and support for the child or children who made the allegation(s) and, where appropriate, their parents; in particular, take into account a child's special needs where a false or malicious allegation seems to have been made.
  - (f) Prepare a report embodying (a) to (e) above and giving reasons for the conclusion that the allegation is without foundations; and
  - (g) Consideration will need to be given to the future relationship between the child and the Principal. The LA will set up a meeting with the Principal and the parent/s to look at the options which could include the child's transfer to an alternative College.
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