

Quality System

Policy Number

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Policy Title

Safeguarding Allegations against a Member of Staff Policy

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Safeguarding Allegations against a member of staff Policy

1.0 Introduction

Bishop Auckland College Group comprises of Bishop Auckland College, Durham Gateway, the Nursery and South West Durham Training (thereafter to be termed 'the Group'). Safeguarding Allegations Against a member of staff Policy has been developed in line with the Group's Child Protection/Safeguarding Policy and Safer Recruitment Policy to protect, safeguard and promote the welfare of its students, whether children, young people or adults as well as staff.

As this policy can involve processing of personal data, data protection regulations will be adhered to. Please refer to the General Data Protection Policy (ref: POL-DP-01) for further information.

2.0 Policy Statement

The Group recognises that it has a statutory and moral duty to promote and safeguard the welfare of its students and ensure that appropriate action is taken to prevent any learner against the risk of suffering significant harm.

All students, regardless of gender, ability, culture, race, language, religion, sexual identity or socio-economic factors have equal rights to protection.

All staff have equal responsibility to act on any suspicion or disclosure that may suggest a student is at risk of harm (this includes students/staff who may be at risk at being radicalised/extremist behaviour).

Students and staff involved in protection issues will receive appropriate support.

The policy aims to:

- Ensure that all members of the Group understand how to raise an alert if there is an allegation against a member of staff
- Ensure that where allegations indicate a person would pose a risk of harm if they continue to work in regular or close contact with children/learners in their present position or in any capacity, the situation is dealt with effectively, efficiently and in line with relevant guidance
- Ensure that where necessary, information is shared with relevant agencies as quickly as possible
- Deal with allegations whether, or not they took place within the Group premises

3.0 Designated Safeguarding Team

For the Designated safeguarding team, please refer to the Group's Safeguarding/Child Protection Policy (ref: POL-CP-01)

4.0 Allegations against a member of staff

This guidance will be used in conjunction with the Group's Safeguarding/Child Protection Policy (ref: POL-CP-01) and the DSCP procedures.

This policy outlines how the Group will 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 children in their present position, or in any capacity with children in a school or college.

This policy will be used where it is alleged that anyone working in the Group that provides education for children under 18 years of age, including supply teachers and volunteers has:

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

This policy relates to members of staff, supply staff and volunteers who are currently working in any school or college regardless of whether the school or college is where the alleged abuse took place. Allegations against a teacher who is no longer teaching should be referred to the police. Historical allegations of abuse should also be referred to the police.

Where there is concern about an agency/subcontracted member of staff, an alert should be raised in the same way and the Designated Safeguarding Lead/Designate will ensure that this information is reported through the relevant channels.

Where there is a concern about a member of staff employed by another organisation who is based at, or frequently visiting the Organisation's premises, then an alert should still be raised.

4.1 What to do if you become aware of an allegation against a staff member

The member of staff alerted to the allegation must record in full, the nature of the allegation and any other relevant information, and they must do this as soon as possible using the Organisation's Referral form – Reporting an allegation against a member of staff' (ref: HR-SG-01). This can be found on the staff portal / SWDT's QMS folder or can be obtained from the Quality Office or Human Resources Office.

They must report the allegation/incident to the Designated Lead or Head of HR as soon as practicable and in any event within 24 hours of the initial concern arising.

If the Designated Lead and the Head of HR are not available, the staff member must inform the Duty Safeguarding Officer (Duty Manager/Officer).

The Designated Lead/Head of HR will collate the details and make some initial considerations.

5.0 Supply Teachers

In some circumstances the Group will have to consider an allegation against an individual not directly employed by us, where the Group's disciplinary procedures do not full apply, for example supply teachers provided by an agency.

Whilst the Group is not the employer of supply teachers, it is essential that the Group ensures that allegations are dealt with properly. In no circumstances should a decision be made to cease to use a supply teacher due to safeguarding concerns, without finding out the facts and liaising with the local authority designated officer (LADO) to determine a suitable outcome. The Governing body/designate should discuss with the agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the Group, whilst the investigation is carried out.

Agencies should be fully involved and co-operate in any enquiries from the LADO, police and/or children's services. The Group will usually take the lead because agencies do not have direct access to the learners and other staff, so they will not be able to collect the facts when an allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process. Supply teachers, whilst not employed by the Group, are under the supervision, direction and control of the governing body when working for the Group. They can be advised to contact their union representative if they have one, or a colleague for support. The allegations management meeting which is often arranged by the LADO should address issues such as information sharing, to ensure that any previous concerns or allegations known to the agency are taken into account by the Group during the investigation.

When using an agency, the Group should inform the agency of its process for managing allegations. This should include inviting the agency's human resources manager or equivalent to meetings and keeping them up to date with information about its policies.

5.2 Initial Considerations for Safeguarding Lead/ Designate dealing with allegation:

Some common sense and judgement need to be applied as some cases may well not meet the criteria set out above or may do so without warranting consideration of either a police investigation or enquiries by local authority children's social care services. In these cases, the HR department will follow internal procedures to resolve the case without delay.

Some rare allegations will be so serious they require immediate intervention by children's social care services and/or police. The Designated Officer/Designate should be informed of all allegations that come to the College's attention and appear to meet the criteria so they can consult police and children's social care services as appropriate.

It is important to note that suspension will not necessarily be an automatic response to an allegation.

Allegations which are made against a member of staff who is no longer working at the Organisation will be automatically referred to the police.

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

- **Substantiated** (there is sufficient evidence to prove the allegation),
- **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.),
- **Malicious** (there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive).
- **Unfounded** (to reflect cases where there is no evidence or proper basis which supports the allegation being made)

Where the allegation is regarding radicalisation or extremism, consideration should be given as to whether there is a duty to refer this under the Prevent duty. If this is the case, the designated officer(s) should still be contacted. However, the Organisation should also make a referral to the Prevent team within the police.

Consideration should then be given as to whether intervention is necessary, including contact CHANNEL.

The Safeguarding Lead/Designate or the Principal/Chief Executive/Designate will also be responsible for reporting any such incidents to the Safeguarding lead for the Group's Corporate Board where this is required.

In the first instance, the Principal/Chief Executive/Designate (or where the Principal is the subject of an allegation, the chair of governors), (case manager) should immediately discuss the allegation with the designated officer(s). The purpose of an initial discussion is for the designated officer(s) and the case manager to consider the nature, content and context of the allegation and agree a course of action. The designated officer(s) may ask the case manager to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations previously and the individual's current contact with children. There may be situations when the case manager 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 case manager should discuss the allegations with the designated officer(s), in order to 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 case manager and the designated officer(s), and agreement reached on what information should be put in writing to the individual concerned and by whom. The case manager should then consider with the designated officer(s) what action should follow both in respect of the individual and those who made the allegation.

The case manager should inform the accused person about the allegation as soon as possible after consulting the designated officer(s). It is extremely important that the case manager provides them with as much information as possible at that time. However, where a strategy discussion is required, or police or children's social care services need to be involved, the case manager will not do that until those agencies have been consulted, and have agreed what information can be disclosed to the accused

Consideration will also be given as to whether the member of staff should be suspended from contact with learners on full pay pending the investigation or whether other arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension will be considered prior to taking that step. See more details under section 5.3.

If there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion will be convened in accordance with the statutory guidance 'Working together to safeguard children'. If the allegation is about physical contact, the strategy discussion or initial evaluation with the police will consider that teachers and other Organisational staff are entitled to use reasonable force to control or restrain children/students in certain exceptional circumstances.

Where it is clear that an investigation by the police or social care services is unnecessary, or a strategy discussion or initial evaluation decides that is the case, the designated officer(s) will discuss the next steps with the case manager. In those circumstances, the options open to the Organisation 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 persons services in future. Suspension will not be the default position; an individual will only be suspended if there is no reasonable alternative.

In some cases, further enquires will be needed to enable a decision about how to proceed. If so, the designated officer(s) will discuss with the case manager how and by whom the investigation will be undertaken. In straightforward cases, the investigation will normally be undertaken by a senior member of the Group's staff (Investigating Officer).

However, in other circumstances, such as lack of appropriate resources within the Group or the nature or complexity of the allegation may require an independent investigator.

5.3 Suspension

The Group will consider carefully whether the circumstances of a case warrant a person being suspended from contact with children/students at the Organisation or whether alternative arrangements can be put in place until the allegation or concerns is resolved. All options to avoid suspension will be considered prior to taking that step.

The possible risk of harm to children/students by an accused person will be evaluated and managed in respect of the child/ren/student/s involved in the allegations. Some rare cases will require consideration to be given to suspension, however this will not be the automatic response when an allegation is reported. If the case manager is concerned about the welfare of other children/students in the community or the accused's family, those concerns should be reported to the designated officer(s), children's social care or police. 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 child/student/s at the Group are at risk of harm or the case is so serious that it might be grounds for dismissal. Before suspension, the case manager must consider carefully whether the circumstances warrant a suspension from contact with children/students at the Organisation or until the allegation is resolved, and may wish to seek advice from the HR department and the designated officer(s). In cases where the Group is made aware that the Secretary of State has made an interim prohibition order in respect of an individual employed at the Organisation, Immediate action will be taken to ensure the individual does not carry out work in contravention of the order, i.e. pending the findings of the TRA investigation, the individual must not carry out teaching work.

The case manager 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 designated officer(s), police and children's social care services have no objections to the member of staff continuing to work during the investigation, the case manager should be as inventive as possible to avoid suspension. Based on assessment of risk, the following alternatives should be considered by the case manager:

- Redeployment within the Organisation so that the individual does not have direct contact with the child/student/s concerned
- Providing an assistant to be present when the individual has contact with children/students
- Redeploying to alternative work in the Organisation so that individual does not have unsupervised access to children/students
- Moving the child/student/s 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
- Temporarily redeploying the member of staff to another role in a different location, for example to an alternative location.

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 case manager should consider the potential permanent professional reputational damage to the staff

member 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 case manager and the designated officer(s). This should also include what alternatives to suspension have been considered and why they were rejected.

Where it has been deemed appropriate to suspend a staff member, written confirmation should be despatched as soon as possible, normally within one working day, giving as much detail as appropriate for the reasons for the suspension. The person at this point will be informed who their named contact is within the Group and provided with their contact details.

Children's social care services or the police cannot require the case manager to suspend a member of staff or a volunteer, although a discussion may take place and the Organisation will give weight to advice given. The power to suspend lies with the Group. 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(s) 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 Group. Police involvement does not make it mandatory to suspend a member of staff, this decision will be taken on a case-by-case basis having undertaken a risk assessment.

5.4 Supporting those involved

The Group has a duty of care to staff and will ensure that effective support is provided for anyone facing an allegation. The Group will act to manager and minimise the stress inherent in the allegations process. Individuals will 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 or the police. The individual will be advised to contact their trade union representative if they have one, or a colleague for support. The member of staff will also have access to welfare counselling or medical advice where required.

Any member of staff who is facing an allegation will be provided with a named contact who will 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 will be taken when an employee is suspended to ensure that they are kept informed of both progress of their case and current work-related issues. Social contact with colleagues and friends will not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presenting of evidence.

Where the Group are not the employer of an individual, we have responsibility to ensure that allegations are dealt with appropriately and they we liaise with relevant parties.

It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and, at the same time supports the person who is the subject of the allegation.

Parents or carers of a child or children involved should be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or police or children's social care services need to be involved, the case manager should not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers. Parents or carers 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 considered in reaching a decision, cannot normally be disclosed, but the parents or carers of the child should be told the outcome in confidence.

Parents and carers 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 163). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

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

5.5 Confidentiality

It is extremely important that when an allegation is made, any member of the Group's staff who is aware of the allegation or any details, makes every effort to maintain confidentiality and guard against unwanted publicity while the 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 pupil from the same school (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 or the General Teaching Council for Wales 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 the restrictions in response to a request to do so.

The legislation imposing restrictions makes clear the 'publication' of material that may lead to the identification of the teacher who is 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 Authorised Professional Practice published by the College of Policing in May 2017, 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 case manager should take advice from the designated officer(s), police and 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
- How to manage press interest if, and when it should arise

5.6 Managing the situation and exit arrangements

If the accused person resigns, or ceases to provide their services, this will not prevent an allegation being followed up in accordance with the guidance. A referral to the Disclosure and Barring Service

(DBS) will be made where appropriate. Consideration will also be given to whether a referral to the Secretary of State is appropriate. A settlement agreement will not be an option where this would prevent the Group from making a referral to the DBS if this was required.

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/compromise agreement, which prevents the Group from making DBS referral when the criteria are met would likely result in a criminal offence being committed as the Group 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 children/learners, including any in which the person concerned refuses to cooperate with the process. Wherever possible, the accused staff member 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 based on all the information available, will continue even if that cannot be done or the accused staff member 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 the Group will endeavour to reach and record a conclusion wherever possible.

'Settlement agreements' will 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.

5.7 Record Keeping

Details of allegations that are found to have been malicious will be removed from personnel records. However, for all other allegations, 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, will be kept on the confidential personnel file of the accused staff member, and a copy provided to the staff member.

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. 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.

The Group has an obligation to preserve records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry (further information can be found on the IICSA website). All other records will 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.

5.8 References

Cases in which an allegation was proven to be false, unsubstantiated or malicious will not be included in employer references. A history of repeated concerns or allegations which have been found to be false, unsubstantiated or malicious will not be included in any reference. For further information on references, please see the Safer Recruitment Policy (ref: POL-HR-05).

5.9 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. 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 the following targets should be achieved in all but truly exceptional cases: It is expected that 80% of cases should be resolved within one month, 90% within three months and all but the exceptional cases should be completed within 12 months.

For those cases where it is clear immediately that the allegation is unsubstantiated or malicious, they should be resolved within one week. Where the initial consideration decides that the allegation does not involve a possible criminal offence, this will be dealt with within internal procedures, although if there are concerns about child protection, the Group will discuss them with the LADO. In such cases, if the nature of the allegation does not require formal disciplinary action, the Group will endeavour to take appropriate action within three working days. If a disciplinary hearing is required and can be held without further investigation, the Group will endeavour to conduct the hearing within fifteen working days.

5.10 Oversight and monitoring

The designated officer(s) has overall responsibility for oversight of the procedures for dealing with allegations, for resolving any inter-agency issues, and for liaison with the Durham Safeguarding Children Partnership (DSCP) on the subject. The designated officer(s) will provide advice and guidance to the case manager, in addition to liaising with the 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 will be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

Police forces will also identify officers who will be responsible for:

- Liaising with the designated officer(s)
- Taking part in strategy discussions and evaluations
- Subsequently reviewing the progress of those cases in which there is a police investigation; and
- Sharing information on completion of the investigation or any prosecution

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

5.11 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/s.

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

Children's social care services will adopt a similar procedure when making enquiries to determine whether the child/student/s 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 Organisation without delay.

6.0 Specific actions

6.1 Following a criminal investigation

The police should inform the Group and designated officer(s) 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 the person has been charged. In those circumstances the designated officer(s) should discuss with the Group whether any further action, including disciplinary action, is required. The options will depend on the circumstances of the case and the consideration will 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.

6.2 On conclusion of the case

If the allegation is substantiated and the person is dismissed or the Group ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, the designated officer(s) should discuss with the Group whether they will decide to make a referral to 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 TRA to consider prohibiting the individual from teaching.

There is a legal requirement for the Group 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 child, or if a person otherwise poses a risk of harm to a child.

Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the case manager along with HR will consider how best to facilitate that. Support will be available to the staff member in this situation. Depending on the individual's circumstances, assistance and support in the short term may be appropriate such as a phased return/mentor. The case manager will also consider how the person's contact with the child/student/s who made the allegation can be best managed if they are still employed with the Group.

6.3 Malicious or unsubstantiated allegations

If an allegation made by a child/student is determined to be unsubstantiated or malicious, the designated officer(s) should refer the matter to the children's social care services to determine whether the child 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 Group will consider whether any disciplinary action is appropriate against the person who made it, or whether the police should be asked to consider if action might be appropriate against the person responsible.

6.4 Learning lessons

At the conclusion of a case in which an allegation is substantiated, the designated officer(s) should review the circumstances of the case with the case manager to determine whether there are any improvements to be made to the Group's procedures or practice to help prevent similar events in the future. This should include issues arising from the decision whether or not to suspend the member of staff, the duration of the suspension and whether or not the suspension was justified. Lessons will also be learnt from the use of suspension when the individual is subsequently reinstated. The designated officer(s) and the case manager should consider how future investigations of a similar nature could be carried out without suspending the individual.

6.5 Further information

For further information, please see the 'Keeping Children Safe in Education guidance' link to the College of Policing: Engagement, Communication and Media relations

7.0 Related documents

Equality and Diversity Policy	POL-ED-01 / POL 44
Anti-Bullying and Harassment Policy	POL-SS-01
Student Disciplinary Procedure	BAC-SS-01
Student Handbook	
Parent/Carer Handbook	
Student Code of Conduct	
Off Site Visit Procedure	BAC-SS-03
Staff Code of Conduct	HR-DP-01
Inappropriate Behaviour Policy	POL-HR-01 / POL 39
Inappropriate Behaviour Procedure	BAC-HR-1-05 / SWDP 43
Public Interest Disclosure Policy	POL-HR-11
Recruitment and Selection of Staff Procedure	BAC-HR-3-01
Safer Recruitment Policy	POL-HR-05
Safeguarding/Child Protection Policy	POL-CP-01

For further information, contact:

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Clare Wray
Director of Service Standards/Designated Safeguarding Lead

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Appendix 1

Safeguarding: Recognising a Safeguarding Concern

The following information is provided on the specific safeguarding issues, types of abuse and neglect and radicalisation to support staff in recognising and raising a safeguarding concern. If any staff members require any additional support in order to deal with any of the above issues please contact a member of the Designated Safeguarding team. There is also further information available in the Safeguarding/Child Protection Policy as well as Keeping Children Safe in Education Guidance.

Abuse

A form of maltreatment of an individual. Somebody may abuse an individual by inflicting harm, or by failing to act to prevent harm. They may be abused by an adult or adults or another child or children.

Types of abuse include

- Physical
- Emotional
- Sexual
- Neglect

Physical abuse

A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Recognising Physical Abuse

The following are often regarded as indicators of concern:

- An explanation which is inconsistent with an injury
- Several different explanations provided for an injury
- Unexplained delay in seeking treatment
- The parents/carers are uninterested or undisturbed by an accident or injury
- Parents are absent without good reason when their child is presented for treatment
- Repeated presentation of minor injuries (which may represent a “cry for help” and if ignored could lead to a more serious injury)
- Family use of different doctors and A&E departments
- Reluctance to give information or mention previous injuries

Emotional abuse

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.

Recognising Emotional Abuse

Emotional abuse may be difficult to recognise, as the signs are usually behavioural rather than physical. The manifestations of emotional abuse might also indicate the presence of other kinds of abuse.

The indicators of emotional abuse are often also associated with other forms of abuse. The following may be indicators of emotional abuse:

- Developmental delay
- Abnormal attachment e.g. anxious, indiscriminate or not attachment
- Aggressive behaviour towards others
- Low self-esteem and lack of confidence
- Withdrawn or seen as a “loner” – difficulty relating to others

Sexual abuse

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.

Recognising Sexual Abuse

A person may be sexually abused and be scared to say anything due to guilt and/or fear. This is particularly difficult for a child to talk about and full account should be taken of the cultural sensitivities of any individual child/family.

Recognition can be difficult, unless the child discloses and is believed. There may be no physical signs and indications are likely to be emotional/behavioural.

Some behavioural indicators associated with this form of abuse are:

- Inappropriate sexualised conduct
- Sexually explicit behaviour, play or conversation, inappropriate to age
- Continual and inappropriate or excessive masturbation
- Self-harm (including eating disorder), self-mutilation and suicide attempts
- Involvement in prostitution or indiscriminate choice of sexual partners
- An anxious unwillingness to remove clothes e.g. for sports events (but this may be related to cultural norms or physical difficulties)

Neglect

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.

Recognising Neglect

Evidence of neglect is built up over a period of time and can cover different aspects of parenting. Indicators include:

- Failure by parents or carers to meet the basic essential needs e.g. adequate food, clothes, warmth, hygiene and medical care
- A person seen to be listless, apathetic and irresponsive with no apparent medical cause
- Failure of child to grow within normal expected pattern, with accompanying weight loss
- Thrives away from home environment
- Frequently absent from school
- Child left with adults who are intoxicated or violent
- Child abandoned or left alone for excessive periods

Specific Safeguarding issues

There are also specific safeguarding issues detailed below and for which further information is provided:

- Child sexual exploitation (CSE)
- Bullying, including cyberbullying
- Domestic violence
- Drugs
- Fabricated or induced illness
- Faith abuse
- Female genital mutilation (FGM)
- Forced marriage
- Gangs and youth violence
- Gender based violence/violence against woman and girls (VAWG)
- Mental health
- Private fostering
- Radicalisation
- Sexting
- Teenage relationship abuse
- Trafficking

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.

Bullying including cyberbullying

Bullying is behaviour by an individual or group, repeated over time that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages or the internet), and is often motivated by prejudice against particular groups. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online.

Domestic violence

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 and over who are, or have been intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to psychological, physical, sexual, financial or emotional.

Drugs

Drugs include alcohol, tobacco, illegal drugs, medicines, new psychoactive substances (legal highs) and volatile substances unless otherwise specified.

Fabricated or induced illness

There are three main ways for a carer to fabricate or induce an illness. These are not mutually exclusive and include fabrication of signs and symptoms and may include fabrication of past history; fabrication of signs and symptoms and falsification of hospital records and specimens of bodily fluids; induction of an illness by a variety of means

Faith abuse

This includes: belief in concepts of witchcraft and spirit possession, demons or the devil acting through children or leading them astray; ritual murders; use of belief in witchcraft or magic to create fear to make children more compliant when they are being trafficked for domestic slavery or sexual exploitation.

Female Genital Mutilation

(FGM): 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. 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

Forced marriage

A marriage in which one, or both spouses do not consent to the marriage.

Gangs and youth violence

'Street gangs' for whom crime and violence are a core part of their identity.

Gender based violence/violence against women and girls (VAWG)

The violence, physical, sexual or otherwise, stalking and harassment and female genital mutilation

Mental Health

Good or positive is more than the absence or management of mental health problems; it is the foundation for wellbeing and effective functioning both for individuals and their communities

Private Fostering

A private fostering arrangement is one that does not involve the local authority for the care of a child under 16 by someone other than a parent or close relative with the intention that it should last 28 days or more.

Radicalisation

Radicalisation can be defined as 'the process through which an individual changes from passiveness or activism to become more revolutionary, militant or extremist, especially where there is an intent towards, or support for violence.

Driving factors behind radicalisation can include:

- Lack of integration
- Identify crisis and/or isolation
- Discrimination
- Foreign policy and/or internal crises or disputes
- Political movements
- Ideologies and faiths

Often it is vulnerable people who are targeted for radicalisation and can include those that:

- Have low self esteem
- Feel isolated
- Experience pressure from peers
- Have a lack of direction or purpose
- Feel guilt, loss, isolation, anger or fear
- Have suffered a family breakdown

Signs of radicalisation can manifest itself in several ways including

- Mood swings
- Anger
- Physical appearance
- Verbally expressing opinions, different to generally accepted values

There is no stereotype for people who hold extremist views and the above are only examples or circumstances that can drive someone to terrorism but the often lead is a sense of injustice – be that on a personal or more far reaching scale. Their vulnerabilities or susceptibilities are then exploited towards crime or terrorism by people who have their own agenda.

Sexting

The exchange of self-generated explicit images, through mobile picture messages or webcams over the internet.

Teenage relationship abuse

This can include, emotional abuse, physical abuse, sexual abuse or financial abuse (taking control of money and/or forcing a teenager to buy things or work/not work)

Trafficking

The recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat of the use of force or other forms of coercion, of abduction, of fraud, or deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments of benefits to achieve the consent of a person having control over another person for the purpose of exploitation.