

# Child Protection /Safeguarding Children and Vulnerable Adults Policy

Academic Year 2011/2012

*This policy should be read in conjunction with Safeguarding Children and Safer Recruitment in Education (Jan 2007) (link can be found in Appendix C)*

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## 1 General Policy Statement

1.1 South Devon College has a statutory and moral duty to ensure that the College functions with a view to safeguarding and promoting the welfare of children, young people and vulnerable adults receiving education and training at the College. This policy has been written incorporating legislation “Safeguarding children and safer recruitment in education” 2007

1.2 This policy has been written jointly with the Torbay Safeguarding Children Board, in the context of ensuring recognition of Child Protection, Safeguarding and the protection of vulnerable adults.

1.3 Throughout these policies and procedures, reference is made to “children and young people” (Section 175 of the Education Act, 2002). This term is used to mean “those under the age of 18”. The safeguarding of children and young persons under 18 in the UK is normally referred to as ‘Child Protection’ and will be used in this policy document. The Governing Body recognise that some adults (over 18) are also vulnerable to abuse; accordingly, the procedures will be applied to allegations of abuse and the protection of vulnerable adults (POVA). From a definitional viewpoint, this document treats “child protection” as inclusive of the protection of vulnerable adults.

1.4 Definitions:

1.4.1 **Child protection** looks at recognising abuse and neglect and acting on it, whereas **safeguarding** looks at keeping children, young people and vulnerable adults safe from a much wider range of potential harm, and delivers preventative action, not just reaction.

1.4.2 **Child:** up to their 18th birthday (UN convention of the Rights of the Child)

1.4.3 **Vulnerable adult:** a person who has attained the age of 18, and:

- Is receiving any form of health care
- Is receiving a service or participating in an activity which is specifically targeted at people with age-related needs, disabilities or prescribed physical or mental health conditions or expectant or nursing mothers living in residential care
- Age-related needs includes needs associated with frailty, illness, disability or mental capacity

- For more details see Section 59 of Safeguarding Vulnerable Groups Act 2006.

1.5 The Governing Body is committed to ensuring that the College:

- takes reasonable care to adhere wherever practically possible to the relevant UK child protection legislation and the guidance provided by Government Departments and relevant funding bodies ([www.teachernet.gov.uk](http://www.teachernet.gov.uk))
- provides a safe environment for children, young people and vulnerable adults to learn in;
- identifies children, young people and vulnerable adults who are suffering, or likely to suffer, significant harm; and
- takes appropriate action to see that such children, young people and vulnerable adults are kept safe, both at home and at the College.

1.6 In pursuit of these aims, the Governing Body will approve and annually review policies and procedures with the aim of:

- *protecting* children, young persons and vulnerable adults from maltreatment;
- *preventing* impairment of children's and young persons health or development;
- *ensuring* that children and young persons are growing up in circumstances consistent with the provision of safe and effective care; and
- *undertaking* that role so as to enable those children and young persons to have optimum life chances and to enter adulthood successfully.

(Safeguarding Children and Safer Recruitment in Education 2007)

1.7 In developing the policies and procedures, the Governing Body will consult with and take account of guidance issued by the Department for Education and other relevant bodies and groups. The procedures have been developed in cooperation with the Torbay Safeguarding Children Board (TSCB).

1.8 The College will refer concerns that a child or vulnerable adult might be at risk of significant harm to Children's Services or the Police, as appropriate.

## **1.9 Responsibilities:**

- 1.9.1 The Governing Body has nominated **Antje Cooley** as Governor with special responsibility for child protection issues (including protection of vulnerable adults). The Governor will undertake appropriate training.
- 1.9.2 The Principal and all staff working with children and vulnerable adults will receive training adequate to familiarise them with child protection issues and responsibilities and the College procedures and policies, with refresher training at least every 3 years.
- 1.9.3 There will be a designated senior member of the College Management Team with special responsibility for safeguarding young people. (See Section 2.)
- 1.9.4 The Governing Body will receive from the designated senior member of staff with lead responsibility for safeguarding children and young people an annual report which reviews how the duties have been discharged.

## **1.10 Procedural:**

- 1.10.1 The Governing Body recognises the definitions of abuse as used in the college document 'Procedural Guidelines for Staff'.
- 1.10.2 The procedures for safeguarding and child protection are publicised on parents pages, the internet and the intranet.

## **1.11 Scope:**

- 1.11.1 As well as its commitment to protecting the health, safety and welfare of all volunteers, staff and students, South Devon College now has a number of partnerships which include a much wider range of young students for which child protection legislation and guidance applies, including:

- students from local secondary and special schools who are under the minimum school leaving age (MSLA), between the ages of 14 and 16 years ten months, on courses including Increased Flexibility Programmes (IFP), Young Apprenticeship Programmes and Torbay Link programmes.
- work experience placements for students under 18 organised by the college

- enrolled full-time and part-time students under the age of 18
- short foreign exchange students, taster programmes
- franchised provision
- teen parents programme and their children
- students under 18 attending the college as part of 'employed status' apprenticeships

1.12 It should be noted that that apprenticeships are not subject to the Department for Education guidance on child protection once they have an 'employed status' contract. However, South Devon College considers that the child protection principles contained in the DFE guidance for those under 18 on school roles should be observed whenever practically possible.

## **2 Designated Staff with Responsibility for Safeguarding Young People**

### **2.1 Senior Staff Member with Lead Responsibility**

2.1.1 The designated senior member of staff with lead responsibility for safeguarding issues is **Elizabeth Lawrence**, Head of Department for Health, Community and Foundation Learning (office 3.068, mobile number 07739 171352, external number 01803 540359 or extension 359).

2.1.2 This person is a senior member of the College Management Team. She has a key duty to take lead responsibility for raising awareness within the staff of issues relating to the welfare of children, young people, and vulnerable adults, the promotion of a safe environment for those people learning within the College.

2.1.3 She has received training in child protection issues and inter-agency working, as required by the Torbay Safeguarding Children Board (TSCB), and will receive refresher training at least every 2 years. She will keep up to date with developments in safeguarding issues.

2.1.4 The designated senior member of staff is responsible for:

- overseeing the referral of cases of suspected abuse or allegations to the relevant investigating agencies as agreed with the TSCB;
- providing advice and support to other staff on issues relating to child protection;
- maintaining a proper record of any child protection referral, complaint or concern (even where that concern does not lead to a referral);
- ensuring that parents of children and young people within the College are aware of the College child protection policy;
- liaising with the Local Authority and TSCB and other appropriate agencies;
- liaising with secondary and special schools that send pupils to the College to ensure that appropriate arrangements are made for the pupils;
- liaising with employers and training organisations that receive children or young people from the College on short or long term placements to ensure that appropriate safeguards are put in place;

- ensuring that staff receive basic training in child protection issues and are aware of the College child protection procedures.

2.1.5 The designated senior member of staff will provide an annual report to the Governing Body of the College setting out how the College has discharged its duties. She is responsible for reporting deficiencies in procedure or policy identified by the TSCB (or others) to the Governing Body at the earliest opportunity.

## **2.2 Designated Staff Member for safeguarding young people**

### **2.2.1 Child Protection Co-ordinator**

2.2.2 The other designated member of staff with responsibility for safeguarding young people is **Raff Sirletti** (contact number 01803 540418).

2.2.3 This person has received training in child protection issues and inter-agency working, as required by the Torbay Safeguarding Children Board (TSCB), and will receive refresher training at least every 2 years. She will keep up to date with developments in safeguarding issues.

2.2.4 The Child Protection Co-ordinator:

- receives referrals of cases of suspected abuse or allegations and reports to the relevant investigating agencies as agreed with TSCB;
- reports to the senior member of staff with lead responsibility;
- provides advice and support to other staff on issues relating to child protection;
- deals with individual cases, including attending case conferences and review meetings as appropriate;
- maintains a proper record of any child protection referral, and safe guarding issue or concern (even where that concern does not lead to a referral);
- will attend training in child protection issues and inter-agency working, as required by the TSCB, and will receive refresher training at least every 2 years;

- delivers training on the College child protection procedures and safeguarding issues.

## 2.3 Designated Governor

2.3.1 The designated member of the Governing Body with responsibility for child protection issues is **Antje Cooley**, contactable through the Principal's Office.

2.3.2 The Designated Governor is responsible for liaising with the Principal and Senior Staff Member with Lead Responsibility over matters regarding child protection, including:

- ensuring that the College has procedures and policies which are consistent with those of Torbay Safeguarding Children Board;
- ensuring that the Governing Body considers the College policy on safeguarding young people each year;
- ensuring that each year the Governing Body is informed of how the College and its staff have complied with the policy, including but not limited to a report on the training that staff have undertaken.

2.3.3 The Designated Governor is responsible for overseeing the liaison between the agencies, such as the police, social services, in connection with allegations against the Principal or the Senior Staff Member with Lead Responsibility. This will not involve undertaking any form of investigation, but will ensure good communication between the parties and provide information to assist enquiries.

2.3.4 To assist in these duties, the Designated Governor shall receive appropriate training [as directed by the Torbay Safeguarding Children Board].

### 2.3.5 All Staff:

All Staff have a responsibility for Safeguarding and Child Protection.

All staff have a responsibility to actively make the learning environment safe and secure for all. All staff must attend the appropriate mandatory training offered by the college and attend re training every 3 years (or 2 years if they are designated safeguarding staff) to ensure their knowledge is current. Staff must be familiar with all related policies and procedures as outlined in the Child Protection Policy. Staff must follow the safer recruitment practices embedded in the Human Resource recruitment procedures (see page 18).

### 3 Disclosure of Abuse and Procedure for Reporting Concerns (General)

3.1 The procedure will be determined primarily by the Torbay Safeguarding Children Board and the South West Child Protection Procedures.

3.2 If a child or young person tells a member of staff about possible abuse, the member of staff should inform the student that there may be consequences as a result of her/his disclosure, and that this information may be passed on to the **Child Protection Co-ordinator**.

3.3 The member of staff should:

- Listen to the student. Do not directly question the student or ask leading questions. Do not stop a student who is freely recalling significant events - just listen
- Make a note of the account using the **Incident Record Form** (Appendix H). Take care to record the time and setting as well as what was actually said. Record the student's own words wherever possible. Be objective and precise
- Explain to the student what is going to happen next. Ensure that the student is supported and kept informed
- Praise the student for telling you
- Notify the **Child Protection Co-ordinator** without delay. It is advisable to stay with the student until the referral has been completed
- Inform the Section Head that you have concerns and that you have referred the matter to the Child Protection Co-ordinator. (It is important that you do not disclose the name of the student or details of the disclosure unless it is absolutely necessary.)

3.4 Procedures for reporting and recording must be followed and confidentiality adhered to at all times. Lines of communication with regard to child protection issues must be limited to those directly involved on a '**need to know**' basis.

3.5 Staff should not investigate concerns or allegations themselves, but should report them immediately to the Child Protection Coordinator or Designated Senior Manager (see Appendix C).

## 4 Reporting Allegations of Abuse against Members of Staff

4.1 This procedure should be drawn up and reviewed in consultation with staff, unions and the local Safeguarding Children Board.

4.2 The procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers. They should be used in respect of all cases in which it is alleged that a teacher or member of staff has:

- behaved in a way that has harmed a young person, or may have harmed a young person;
- possibly committed a criminal offence against or related to a young person; or
- behaved towards a young person or persons in a way that indicates that he/she is unsuitable to work with young people.

(Safeguarding Children and Safer Recruitment in Education, 2007, 5.1)

4.3 Every effort should be made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

(Safeguarding Children and Safer Recruitment in Education, 2007, 5.7)

### 4.4 Introduction

4.4.1 It is essential that any allegation of abuse made against a teacher or other member of staff is dealt with fairly, quickly and consistently, in a way that provides effective protection for the young person and at the same time supports the person who is the subject of the allegation. It is imperative that those dealing with an allegation within the college will act with sensitivity and remain impartial.

4.4.2 The framework for managing cases of allegation of abuse against people who work with young people is set out in *Safeguarding Children and Safer Recruitment in Education (Jan 2007)* which provides an overview. Chapter 5 of this guidance document provides detailed procedures on how allegations should be handled (Appendix C).

## 4.5 Receiving an Allegation from a Young Person

4.5.1 A member of staff who receives an allegation about another member of staff from a young person should follow the guidelines in Part C for dealing with disclosure

4.5.2 The allegation should be reported immediately to the Principal, unless the Principal is the person against whom the allegation is made, in which case the report should be made to the Senior Staff Member with Lead Responsibility or the Designated Governor. The Principal (or designated person if the allegation is against the Principal) should:

- Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the Principal (or *designated person*).
- Record information about times, dates, locations and names of potential witnesses.

## 4.6 Initial Assessment by the Principal (or designated person)

4.6.1 The Principal (or designated person) should make an initial assessment of the allegation, consulting with the Senior Staff Member with Lead Responsibility, the Designated Governor and Torbay Safeguarding Children Board as appropriate. **Where the allegation is considered to be either a potential criminal act or indicates that the young person has suffered, is suffering or is likely to suffer significant harm, the matter should be reported within a maximum of two working days to the TSCB.**

4.6.2 It is important that the Principal (or designated person) does not investigate the allegation. The initial assessment should be on the basis of the information received and is a decision about whether or not the allegation warrants further investigation.

4.6.3 Other potential outcomes are:

- 4.6.3.1 The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the child. The matter should be addressed in accordance with the College disciplinary procedures.

4.6.3.2 The allegation can be shown to be false because the facts alleged could not possibly be true.

## **4.7 Enquiries and Investigations**

4.7.1 Child protection enquiries by social services or the police are not to be confused with internal disciplinary enquiries by the College. The College may be able to use the outcome of external agency enquiries as part of its own procedures. The child protection agencies, including the police, have no power to direct the College to act in a particular way; however, the College should assist the agencies with their enquiries.

4.7.2 The College shall hold in abeyance its internal enquiries while the formal police or social services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform with the existing staff disciplinary procedures.

4.7.3 If there is an investigation by an external agency, for example the police, the Principal (or designated person) should normally be involved in, and contribute to, the inter-agency strategy discussions. The Principal (or designated person) is responsible for ensuring that the College gives every assistance with the agency's enquiries. He/she will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The Principal (or designated person) shall advise the member of staff that he/she should consult with a representative, for example, a trade union.

4.7.4 Subject to objections from the police or other investigating agency, the Principal (or designated person) shall:

4.7.4.1 inform the child/children or parent/carer making the allegation that the investigation is taking place and what the likely process will involve.

4.7.4.2 ensure that the parents/carers of the child making the allegation have been informed that the allegation has been made and what the likely process will involve.

- 4.7.4.3 inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve.
- 4.7.4.4 inform the Chair of the Governing Body and/or the Designated Governor of the allegation and the investigation.
- 4.7.5 The Principal (or designated person) shall keep a written record of the action taken in connection with the allegation.

## **4.8 Suspension of Staff**

- 4.8.1 Suspension should not be automatic. In respect of staff other than Senior Postholder, suspension can only be carried out by Senior Postholder. In respect of the Senior Postholder, suspension can only be carried out by the Chair of the Governing Body (or in his/her absence, the Vice Chair).
- 4.8.2 Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary act and shall be on full pay. Consideration should be given to alternatives: eg paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.
- 4.8.3 Suspension should only occur for a good reason. For example:
  - 4.8.3.1 where a child is at risk of significant harm;
  - 4.8.3.2 where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct;
  - 4.8.3.3 where necessary for the good and efficient conduct of the investigation;
  - 4.8.3.4 where the allegation warrants investigation by the police (Safeguarding Children and Safer Recruitment in Education, 2007, 5.23)
- 4.8.4 Prior to making the decision to suspend, the Principal (or Chair, or Vice Chair of the Governing Body) should interview the member of staff. This should occur with the approval of the appropriate agency from the TSCB. In particular, if the police are engaged in an investigation the officer in charge of the case should be consulted.

- 4.8.5 If suspension is being considered, the member of staff should be encouraged to seek the advice and/or assistance of a trade union.
- 4.8.6 The member of staff should be advised to seek the advice of his/her trade union and should be informed that they have the right to be accompanied by a friend. The member of staff should be informed that an allegation has been made and that consideration is being given to suspension. It should be made clear that the interview is not a formal disciplinary hearing, but solely for raising a serious matter which may lead to suspension and further investigation. Consideration should be given to how this fits with other college disciplinary procedures.
- 4.8.7 During the interview, the member of staff should be given as much information as possible, in particular the reasons for any proposed suspension, provided that doing so would not interfere with the investigation into the allegation. The interview is not intended to establish the member of staff's innocence or guilt, but give the opportunity for the member of staff to make representations about possible suspension. The member of staff should be given the opportunity to consider any information given to him/her at the meeting and prepare a response, although that adjournment may be brief.
- 4.8.8 If the Principal (or Chair or Vice Chair of the Governing Body) considers that suspension is necessary, the member of staff shall be informed that he/she is suspended from duty. Written confirmation of the suspension, with reasons, shall be despatched as soon as possible and ideally within one working day. The hearing should be held within fifteen working days.
- 4.8.9 Where a member of staff is suspended, the Principal (or Chair or Vice Chair of the Governing Body) should address the following issues:
- 4.8.9.1 the Chair of the Governing Body should be informed of the suspension in writing;
  - 4.8.9.2 the Governing Body should receive a report that a member of staff has been suspended pending investigation. The detail given to the Governing Body should be minimal;
  - 4.8.9.3 where the Principal has been suspended, the Chair or Vice Chair of the Governing Body will need to take action to address the management of the College;

- 4.8.9.4 the parents/carers of the young person making the allegation should be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the young person making the allegation of the suspension;
  - 4.8.9.5 senior staff who need to know of the reason for the suspension should be informed;
  - 4.8.9.6 depending on the nature of the allegation, the Principal should consider with the nominated Governor whether a statement to the students of the College and/or parents/carers should be made, taking due regard of the need to avoid unwelcome publicity.
- 4.8.10 The Principal shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The TSCB and external investigating authorities should be consulted.
- 4.8.11 The suspended member of staff should be given appropriate support during the period of suspension. He/she should also be provided with information on progress and developments in the case at regular intervals.
- 4.8.12 The suspension should remain under review in accordance with the College *disciplinary procedures*.

## **4.9 The Disciplinary Investigation**

- 4.9.1 The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures.
- 4.9.2 The member of staff should be informed of:
- 4.9.2.1 the disciplinary charge against him/her.
  - 4.9.2.2 his/her entitlement to be accompanied or represented by a trade union representative or friend.
- 4.9.3 Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension should be lifted immediately and arrangements made for the member of staff to return to work. It may be appropriate to offer counselling.

- 4.9.4 The child, children or young person making the allegation and/or their parents should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to College of the member of staff (if suspended).
- 4.9.5 The Principal (or designated person) should give consideration to what information should be made available to the general population of the College.
- 4.9.6 If on conclusion of the case the college ceases to use the person's services, or the person ceases to provide his or her services, the college should consult the local authority designated officer about whether a referral to Department for Education / Independent Safeguarding Authority is required. If a referral is appropriate the report should be made within one month. See **Appendix B** (Safeguarding Children and Safer Recruitment in Education, 2007) for guidance on reporting individuals to the Secretary of State.

#### **4.10 Allegations without foundation**

- 4.10.1 Obviously false allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given regarding referral to the Torbay Safeguarding Children Board in order that other agencies may act upon the information.
- 4.10.2 In consultation with the designated senior member of staff and/or the Designated Governor, the Principal shall:
- 4.10.2.1 inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or child protection action will be taken. Consideration should be given to offering counselling/support;
  - 4.10.2.2 inform the parents/carers of the alleged victim that the allegation has been made and of the outcome;
  - 4.10.2.3 where the allegation was made by a young person other than the alleged victim, consideration to be given to informing the parents/carers of that young person;
  - 4.10.2.4 prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.

## **4.11 Records**

- 4.11.1 It is important that a clear and comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on a person's confidential personnel file, and a copy provided to the person concerned. The purpose of the record is to enable accurate information to be given in response to any future request for a reference if the person has moved on. It will provide clarification in cases where a future CRB disclosure reveals information from the police about an allegation that did not result in a criminal conviction. And it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.
- 4.11.2 If a member of staff is dismissed or resigns before the disciplinary process is completed, he/she should be informed about the College's statutory duty to inform the Secretary of State for Education under the "List 99" procedures.

## **4.12 Monitoring Effectiveness**

- 4.12.1 Where an allegation has been made against a member of staff, the Designated Governor, together with the senior staff member with lead responsibility, should, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of the College's procedures and/or policies, and/or which should be drawn to the attention of the Torbay Safeguarding Children's Board. Consideration should also be given to the training needs of staff.
- 4.12.2 The procedures need to be applied with common sense and judgement. It is important to ensure that even allegations that appear less serious are seen to be followed up and taken seriously, and that they are examined objectively by someone independent of the college. The local authority designated officer should be informed of all allegations that come to the college's attention and appear to meet the criteria in paragraph 5.1, so that he or she can consult police and social services as appropriate. Detailed procedures can be found in Sections 5.15 - 5.21 (Safeguarding Children and Safer Recruitment in Education, 2007).

## 5 Recruitment and Selection Procedures

5.1 The College already has recruitment and selection procedures. These should be reviewed by the HR Manager and should ensure that they take account of the following:

- They should apply to staff and volunteers who may work with children, young people or vulnerable adults.
- The post or role should be clearly defined.
- The key selection criteria for the post or role should be identified.
- Vacancies should be advertised widely in order to ensure a diversity of applicants.
- Require documentary evidence of academic/vocational qualifications.
- Obtain professional and character references.
- Verify previous employment history.
- Criminal Records Bureau disclosure/List 99 checks (maintain sensitive and confidential use of the applicant's disclosure) and use of the Vetting and Barring Scheme (VBS).
- Use a variety of selection techniques (eg qualifications, previous experience, interview, reference checks, teaching session).
- The application form includes an explanation that the post is exempt from the Rehabilitation of Offenders act and therefore all convictions cautions and bind overs including those regarded as "spent" must be declared. Providing false information or failing to declare convictions, bind overs and cautions is an offence and could result in summary dismissal if the applicant was selected for the post.
- Ask specific safeguarding and child protection questions at interview.

- Have clear Child protection and safeguarding statement of commitment on all recruitment advertisements.

## **5.2 In relation to students**

- Ask applicants on the College application form if they have relevant previous convictions.
- Refer any learner to the College Risk Assessment Panel (chaired by the Designated Senior Manager - Elizabeth Lawrence) who has relevant convictions and make decisions on their admission to the college with advice from Torbay Safeguarding Children Board and Public Protection Team.

## Appendix A

### Safeguarding Young People on Work-related Learning including Work Experience (DCSF 2008)

#### Criminal Records Bureau Checks (Subject to legislation changes)

##### What is the role of the Criminal Records Bureau?

The Criminal Records Bureau (CRB) provides access to criminal record information through its Disclosure Service. This service enables organisations in the public, private and voluntary sectors to make safer recruitment decisions by identifying candidates who may be unsuitable for certain work, especially that involves children or vulnerable adults.

##### Do you or your people need to have been CRB checked if you offer work experience to young people?

In the vast majority of placements - as the employer / employees involved will not have regular unsupervised access to young people at work - there is no need for CRB checks to take place. Around 550,000 work experience placements take place each year and we estimate that CRB checks take place for just 1% of these.

However, CRB checks must be **considered** in all of the following cases:

- 1) students identified by the school as vulnerable for educational, medical, behavioural or home circumstance reasons
- 2) students on placements lasting more than 15 days over an extended time-frame, especially where these involve -
  - regular lone working with an employer over long periods (rule of thumb would suggest anything over half a day at a time)
  - placements located in particularly isolated environments with 1:1 working
  - placements involving a high degree of travelling on a 1:1 basis
- 3) placements which include a residential element.

The fact that a particular placement falls into one of the above categories does not necessarily mean that a CRB check will be required. Such a decision will depend on an assessment of the overall potential risks posed to a young person and will take into account any systems in place to minimise these risks.

##### Where a CRB check is required, does each member of an employer's staff involved in the work experience have to have a CRB check?

There is no requirement to CRB vet all staff who may come into contact with a student on placement. The only person who should ever be considered as requiring a CRB check is the person having day-to-day responsibility for the student - this could be the manager, a supervisor or a mentoring employee.

##### Who will advise an employer whether or not a check is required?

Most schools now use Education Business Partnership Organisations (EBPOs) or other specialist third party organisations to arrange placements with employers. EBPOs and

school work experience organisers are able to advise on individual placements and help risk assess the situation in order to determine whether or not a CRB check is required on behalf of the student.

#### **How much does a check cost and who will pay for it?**

Where a check is required and a cost is involved, this may be met either by the employer or by the school. The CRB website states that the current cost of a standard check is £26 (enhanced check £44.00 March 2011) In cases where someone is already employed by a company and has a contractual responsibility for training young people, then this cost would be the responsibility of the company concerned. In all cases where no such contractual responsibility exists, it is possible to have the CRB check carried out for free on the basis that the staff member concerned is acting in an essentially voluntary capacity and is therefore carrying out what might be described as a volunteer mentoring role. Advice on this, and on the processes involved, should be sought from the EBPO or an equivalent specialist organisation.

#### **Vetting and Barring Scheme Membership (subject to change. Please see Appendix E)**

##### **What is the aim of the Vetting and Barring Scheme?**

The main aim of the Vetting and Barring Scheme (VBS) is to prevent people who pose a known risk of harm from working with children and vulnerable adults. The Independent Safeguarding Authority (ISA) will do this by assessing all relevant information including data held on the Police National Computer, disciplinary action taken by employers, and social services records. Anyone deemed unsuitable will be placed on one of two (ISA) Barred Lists. The ISA will work closely in partnership with the CRB to deliver the new scheme.

##### **Do you or your people need to register if you offer work experience to young people?**

No. There will be no mandatory requirement to register with the ISA when you offer work experience placements for young people. However, employers will commit an offence if they knowingly used a person barred for working with children into such a position when offering work experience. We would recommend that employers use a risk-based approach when considering the appropriate safeguards to put into place for those supervising or training young people.

##### **Is the list updated as new information becomes available?**

ISA records will be constantly updated as fresh information is gathered. If new data indicates that an individual poses a risk to children or vulnerable adults, they will be put on one of the ISA Barred Lists and their current employer will be informed immediately.

##### **What happens when an individual moves employment?**

Once an individual is barred -subsequent employers can check their status online free of charge, although some employers will retain a duty to also apply for an Enhanced CRB check as part of the recruitment process.

## Appendix B

### Relevant extract:

*'The requirement for a CRB Enhanced Disclosure for new appointments to FE colleges who are providing education and are regularly caring for, training, supervising or being solely in charge of persons under 18, under the intended Further Education (Providers of Education) (England) Regulations. Within this guidance we have used 'regular' as meaning three or more times in a 30-day period, or once a month or more, or overnight'.*

**Safeguarding Children - safer recruitment in education - DCSF Jan 2007**

## Appendix C - Useful web-links and documents

### Designated Senior Manager:

Elizabeth Lawrence - [elizabeth.lawrence@southdevon.ac.uk](mailto:elizabeth.lawrence@southdevon.ac.uk) tel: 01803 540359

### Child Protection Co-ordinator:

Raffalla Sirletti - [raffaella.sirletti@southdevon.ac.uk](mailto:raffaella.sirletti@southdevon.ac.uk) tel: 01803 540418

### Useful web-sites

Criminal Records Bureau	<a href="http://www.crb.gov.uk">www.crb.gov.uk</a>
Skills Funding Agency	<a href="http://www.skillsfundingagency.bis.gov.uk">www.skillsfundingagency.bis.gov.uk</a>
Teachernet	<a href="http://www.teachernet.gov.uk/childprotection">www.teachernet.gov.uk/childprotection</a>
Independent Safeguarding Authority	<a href="http://www.isa.gov.org.uk">www.isa.gov.org.uk</a>

### Useful documents

The following documents can be ordered and/or downloaded at [www.teachernet.gov.uk/publications](http://www.teachernet.gov.uk/publications)

- Safeguarding Vulnerable Groups Act 2006  
Safeguarding Children and safer recruitment in education, DfES 2007  
(<http://www2.cnwl.ac.uk/UserFiles/File/Safeguarding%20Children%20and%20Safer%20Recruitment%20Practices%20in%20Education.pdf>)
- What to do if you are worried a child is being abused, HM Government 2006
- Work-related Learning and the Law, DfES 2006
- The Work-related Learning Guide, DCFS 2008
- Building on the Best, DCSF 2007

### Useful local child protection contacts

Child Protection Referral Unit (Children's Services) - 01803 208558/208566  
Police Child Protection Team - 08452 777444  
Emergency Duty Social Work Team - 01803 524519  
Torbay LADO/local Safeguarding Board - Anthony Goble - 01803 208569  
Training providers - Torbay Safeguarding Children Board <http://www.torbay.gov.uk/tscb>

Multi-Agency Safeguarding Hub (MASH) - 01803 208100  
Torbay Council, Union House, Union Street, Torquay, TQ1 3YA, [mash@torbay.gov.uk](mailto:mash@torbay.gov.uk)

*The Multi-Agency Safeguarding Hub is a new service developed in conjunction with Devon & Cornwall Constabulary and other key partners and provides a new approach to intelligence and decision making with regards to adult and children safeguarding. MASH will provide the highest level of knowledge and analysis of all known intelligence and information across the safeguarding children and adult's partnerships in Torbay to ensure all safeguarding activity and intervention is timely, proportionate and effective.*

## Appendix D

### College Procedures and Documents

#### College Procedures and Documents (external)

College website Safeguarding Page

<http://www.southdevon.ac.uk/about-us/safeguarding>

Child Protection Policy

<http://www.southdevon.ac.uk/attachments/article/63/Child-protection-policy-2011-12.pdf>

Child Protection Flowchart

<http://www.southdevon.ac.uk/attachments/article/63/Child-protection-Flowchart.pdf>

#### College Procedures and Documents - Internal

(access for staff only via <http://staff.southdevon.ac.uk/pages/696>)

#### **Safeguarding Children: College Procedural Guidelines:**

Safeguarding Record Form (Appendix H)

Safeguarding Team Flowchart (Appendix F)

#### **Child Protection:**

Child Protection Policy 2011-12

Child Protection Procedure

Child Protection Flowchart (Appendix G)

Record Incident Form A (Appendix H)

## Appendix E - Vetting and Barring Scheme Review

On February 11 2011 the Coalition Government published the findings of its Review into the Vetting and Barring Scheme. You can read or download the report at [www.homeoffice.gov.uk/crime/vetting-barring-scheme/](http://www.homeoffice.gov.uk/crime/vetting-barring-scheme/)

Key recommendations from the VBS Review include:

- the merging of the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA) to form a streamlined new body providing a proportionate barring and criminal records checking service;
- a large reduction of the number of positions requiring checks to just those working most closely and regularly with children and vulnerable adults;
- portability of criminal records checks between jobs to cut down on needless bureaucracy;
- an end to a requirement for those working or volunteering with vulnerable groups to register with the VBS; and
- stopping employers who knowingly request criminal records checks on individuals who are not entitled to them.

The ISA are awaiting further details and will be working with the Home Office, the Department for Education, the Department of Health and the CRB to help implement the new arrangements.

The Coalition Government has confirmed that until all the appropriate legislation has been introduced and the new arrangements are established, the existing responsibilities of employers and the ISA will remain.

These include:

*A person who is barred from working with children or vulnerable adults will be breaking the law if they work or volunteer, or try to work or volunteer with those groups.*

*An organisation which knowingly employs someone who is barred to work with those groups will also be breaking the law.*

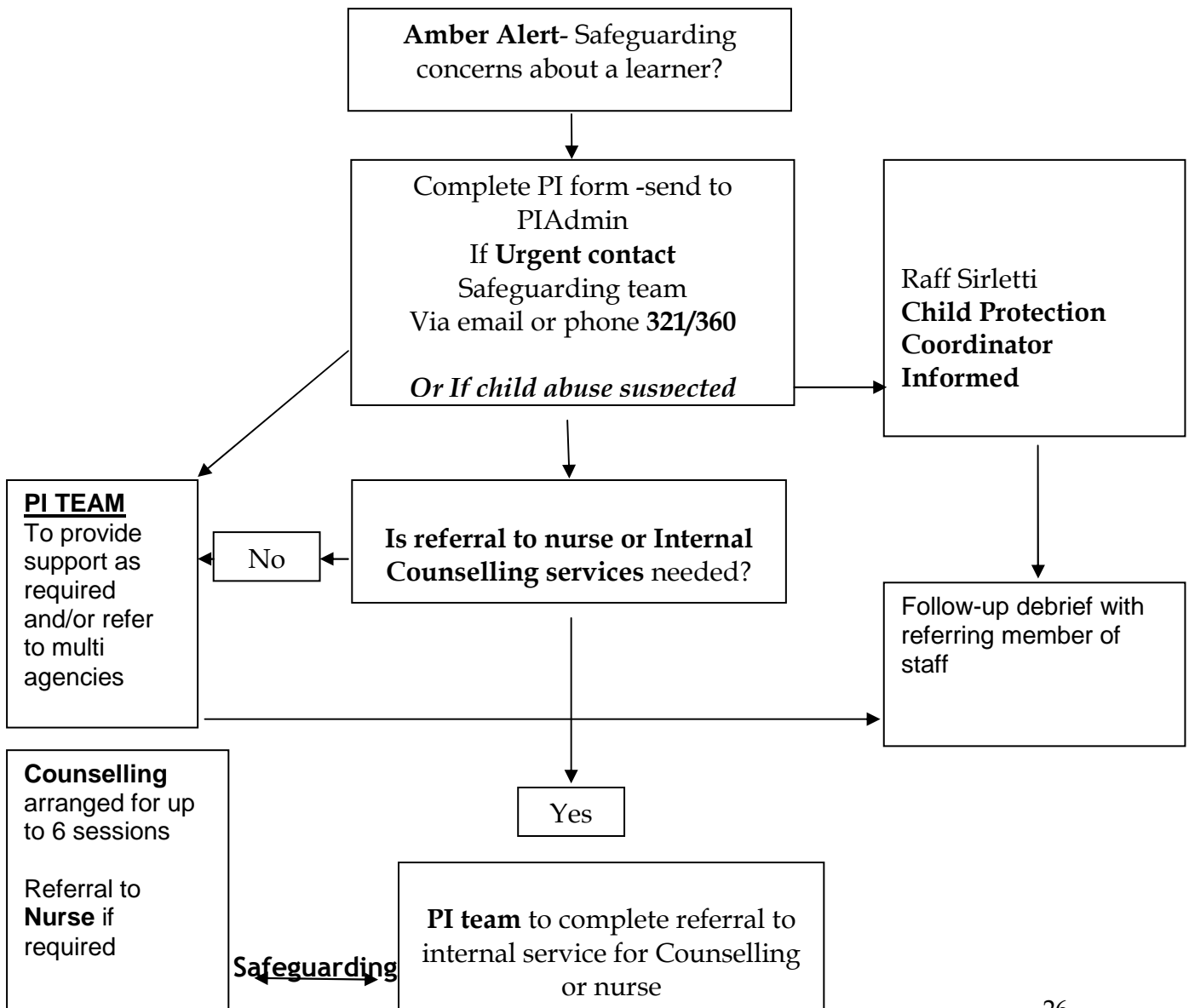
*If your organisation works with children or vulnerable adults and you dismiss or remove a member of staff or a volunteer because they have harmed a child or vulnerable adult, or you would have done so if they had not left, you must tell the Independent Safeguarding Authority.*

**Appendix F - Safeguarding/Positive Intervention Team**



**Reporting and Recording Procedures and Guidelines for safeguarding**

For child protection matters refer to child protection procedures

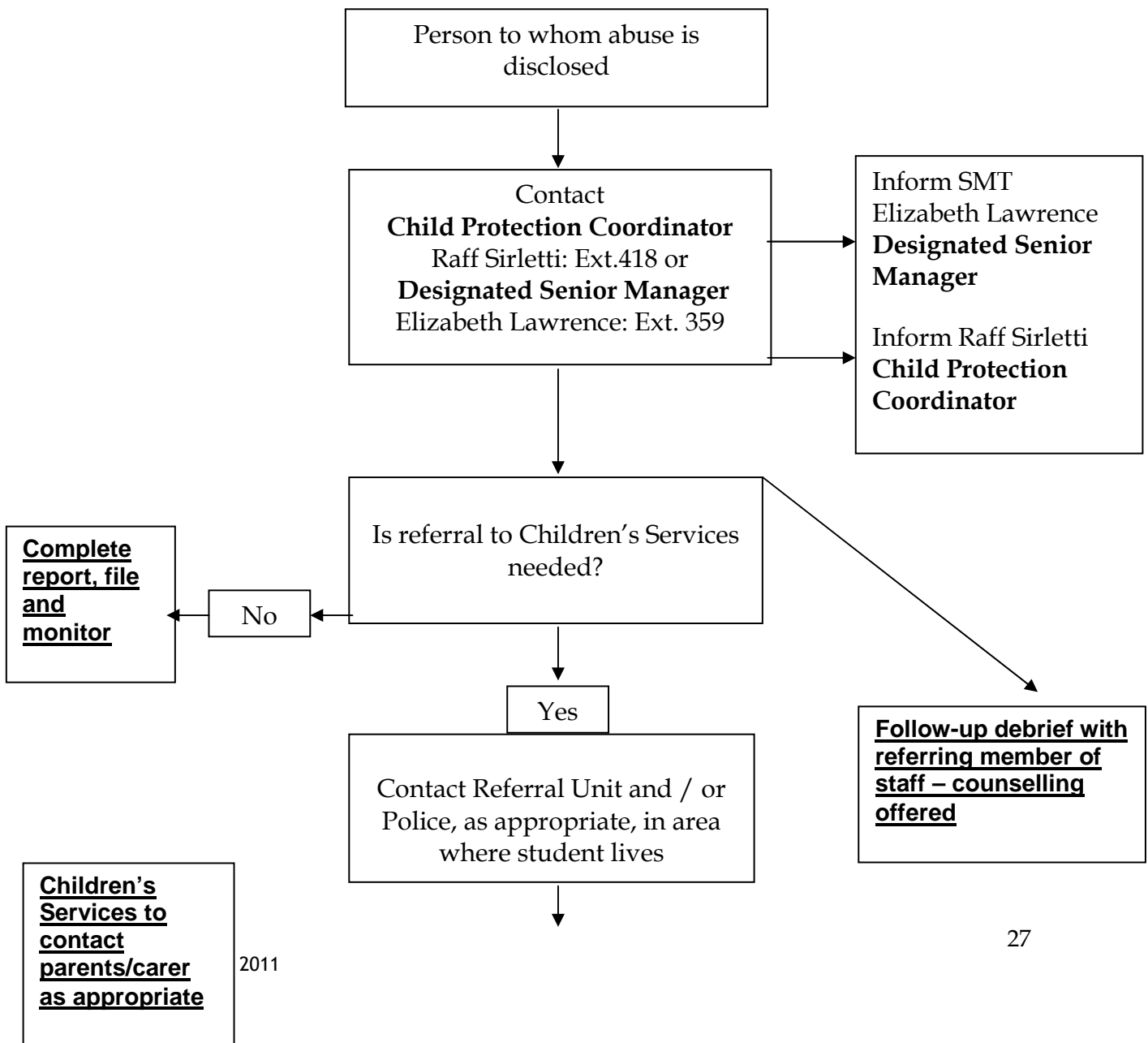


Appendix G - Child Protection Flowchart

## Child Protection Procedures

 <p>Elizabeth Lawrence Designated Senior Manager</p>	 <p>Raff Sirletti Child Protection Coordinator</p>
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### Reporting and Recording Procedures and Guidelines



Send written report to  
Children's Services within 24  
hours

**Safeguarding Re**

**CONFIDENTIAL**

Student number:	
Date:	
Record concern:	
Signature:	

**Please complete the form and send to:**  
<mailto:PIADMIN@southdevon.ac.uk>

Action:	
Date:	
Signature:	

**South Devon College  
Safeguarding Children  
Child Protection Incident Record Form A**

**CONFIDENTIAL**

<b>Your name</b>	
<b>Your position</b>	
<b>Your contact telephone number</b>	<b>Date:</b>
<b>Student's name:</b>	
<b>Age of student:</b>	
<b>Student's address:</b>	
<b>Student's contact telephone number</b>	
<b>Parent/guardians/carers names and address and telephone number</b>	

**Before you begin recording the incident, tell the student that there may be consequences as a result of his/her disclosure and that you may need to pass this information on to the Child Protection Co-ordinator.**

**Recording the Incident**  
(For further guidance, see guidelines in the Equality and Diversity Section on the College Intranet).

**I understand that the information disclosed and recorded will be passed on to the Child Protection Co-ordinator.**

**Student's Signature:**

**Date:**

## Appendix I - Torbay School Contact Numbers

<b>TORBAY SCHOOLS</b>	<b>CONTACT</b>	<b>NUMBER</b>
Brixham College	Claire Terry - CP	01803 858271 / 881227
Coombe Pafford	Mike Lock - Principal	01803 327902
Paignton Community & Sports College	Mark Williams - Assistant Principal	01803 403003
St Cuthbert Mayne School	Eileen Kirby - Assistant Head	01803 328725
Torbay Pupil Referral Unit	Moira Devlin - Head	01803 698018
Torbay School	Mary Bruton - Assistant Head	01803 665522
Torquay Community College	Elaine Whatling - CP	01803 329351
Westlands School	Mrs P Brown - CP	01803 400660
TORBAY 14-19 Partnership	John Davies / Elizabeth Porter	01803 208963
<b>DEVON SCHOOLS</b>	<b>CONTACT</b>	<b>NUMBER</b>
Bridge Centre, Dartington	Sarah Acland - Head	01803 865580
Coombeshead Academy	Serena Evans - Assistant Principal	01626 201800
Dartmouth Academy	Nick Bowles - Vice Principal	01803 839700
Dawlish Community College	Cheryl George: Assistant Principal and Senco	01626 862318
KEVICC	Kathy Rabalh - Assistant Principal	01803 869200
Kingsbridge Community College	Mick Philips - CP	01548 852641
South Dartmoor Community College	Joss Glossop - Assistant Principal	01364 652230
Teign School	Pete Shaw - Assistant Principal	01626 366969