

**THE BOULTERS  
LEARNING  
&  
SKILLS CENTRE**

**SAFEGUARDING  
PROCEDURES**

The Boulders recognise that young people who are looked after are particularly vulnerable to abuse both within and outside of the care and education system. It is the duty of all those employed within the school to protect young people from abuse and to promote their welfare.

The issue of what constitutes child protection is defined in the Children Act 1989; "Where there is reason to believe that a child is suffering, or is likely to suffer significant harm as a result of the care given" (i.e. acts of omission or commission).

Significant harm in child protection terms relates to four types of harm; these are:

- ➡ Physical
- ➡ Sexual
- ➡ Emotional
- ➡ Neglect

Significant harm is further defined in the Children Act 1989 S31 (9) as:

- ➡ Ill treatment: physical, sexual abuse
- ➡ The impairment of health: physical or mental health
- ➡ The impairment of development: physical, intellectual, emotional, social or behavioural development. The harm must be "significant". In relation to impairment of health or development, the significance of harm will turn on the comparison of the child's health or development that could reasonably be expected of a similar child.

Whilst the list below is not exhaustive it is intended to define some types of abuse and abusive behaviours.

Examples of abuse and harm are:

- ➡ Where a young person has made an allegation of sexual abuse.
- ➡ Where it is believed that an adult, who presents a risk, or potential risk of harm, to children is in regular contact with a young person.
- ➡ Where there are allegations of child on child sexual abuse where the age difference or other indicators of power imbalance between the alleged victim and perpetrator is such that there is reasonable cause for concern or if there are clear indications of learnt behaviour.
- ➡ Allegations/reasonable suspicion of serious physical assault. This includes violence to a young child constituting an assault, actual or grievous bodily harm.

Where young people are making allegations of emotional abuse (and ongoing).

- ➡ Allegations of stranger abuse or organised abuse.

- Where exposure to a parent(s)/carer(s) substance misuse lead to concerns for a child's/young person's safety or well being
- Where there are allegations of neglect.
- Abandonment of young people requiring parental supervision.
- Where there is concern that a child is being cared for by a parent with mental health problems who have the potential to cause the child significant harm.
- Where there is concern in relation to young people being exposed to overtly sexualised behaviour.

When a staff member becomes aware of any information that suggests concern in relation to a child protection issue, or that a young person is at risk of significant harm it is their duty to immediately report this to the Education Manager/Director and the recording process must commence.

All young people have the right to expect that information they share will be treated with sensitivity and responsibility. However, the child protection process cannot be kept confidential to the young person.

If a young person discloses information that alleges they have been or are being abused, staff should listen carefully to what is being said and take it seriously. The initial response to the information can have an emotional impact on the young person and listening attentively and sensitively will assist in making them feel safe.

The following guidelines should be adhered to:

- React calmly so as not to frighten the young person
- Reassure the young person that you are listening and want to help
- Let the young person talk freely and do not interrupt what is being said
- Keep questions to an absolute minimum, asking questions only to ensure accurate understanding and clarity of what is being said.
- Do not probe or lead and do not interpret what is being said.
- Confirm that you have listened and have taken what is being said seriously.
- Acknowledge how difficult it must have been for the child to confide in you.
- Reassure the young person that they are not to blame and were right to tell.
- Be honest, and don't make promises.
- Clearly explain that you will have to share what has been said to help the young person.
- Tell the young person what action you are taking.

In addition:

- Staff will need to make an accurate record of what they have been told.
- Staff should never collude in withholding information with another staff member.
- Staff should never act unilaterally.
- In the event of physical injury where the young person requires immediate medical attention, it may be necessary to take the young person to the local hospital informing the Education Manager/Director first.

When recording an allegation of physical or sexual abuse, staff should do the following:

- Record the date and time of the allegation putting into context how the young person came to relate this.
- Record exactly what the young person has said accurately.
- Record what was said to the young person.
- If there is any visible sign of injury describe this in the recording.
- Describe observations of the young person's behaviour and emotional state.
- Record any action taken as a result of staff concerns and who was informed, medical treatment accessed etc.
- Name, Sign and date what has been recorded

### **Child on child abuse within the school .**

Given the historical backgrounds of some young people within the school, it is recognised that this can lead to child on child abuse either in the form of bullying or emotional/physical/sexual abuse. If an allegation of this type is disclosed or witnessed the staff member must immediately report the concern to the Education Manager/Director.

Immediate steps must be taken to protect the alleged victim and other young people attending the school which may include removing the alleged abuser from the premises. It is the responsibility of the Director to make this decision. They will do this in light of the history and context of the alleged abuse, age of the young people (victim and perpetrator), associated risks if nothing is done, and the young people's level of understanding.

The safety of young people is paramount at all times.

### **Allegations/suspicions of abuse by staff**

All allegations or concerns of abuse involving staff need to be referred to the Education Manager/Director immediately. Because of the sensitivity and

confidential nature of the information it should be shared on a 'need to know' basis only.

All allegations or concerns that go beyond routine child care management issues or matters that would be routinely picked up within a management and supervisory relationship should be referred as above.

**When a young person makes a specific allegation against a member of staff, this must always be reported.**

When a serious injury has been sustained or where the allegations are extremely serious, a decision will need to be taken in relation to immediate action to remove a child to safety, whether immediate medical attention is necessary and whether any legal action/police involvement is necessary.

In the first instance the Education Manager should be informed immediately she will then inform The Director. On receipt of an allegation they will, consider immediate suspension of the member of staff concerned. The Education Manager must also refer the matter immediately to and discuss it with the Local Authority Designated Officer [LADO], Any decision not to suspend will be recorded and steps will be taken to ensure the member of staff is subject to strict oversight and monitoring at least until any investigation is completed.

'Soft' information will be recorded and discussed with the Education Manager (i.e. unspecified concerns, feelings of unease about a relationship between a child and a member of staff, young people avoiding a particular member of staff etc).

In the case of specific allegations the Education Manager/Director will refer the matter to the local Children's Services Department Duty Team, or if the matter occurs out of hours, to the local Children's Services Department Out of Hours Team, once the referral has been made to the LADO, and with the LADO's advice. The Education Manager/Director will discuss with the social worker whether or not the police need to be informed.

In addition, in all cases of allegations of abuse, the Education Manager/Director will refer the matter to the young person's referring Children's Services Department allocated worker and/or the relevant person in that authority i.e.; Team Manager, Child Protection Team, Out of Hours Team. The referral will be by telephone initially with written confirmation following within 24 hours.

In some cases, it may be best to report to the Police first.

It will be the responsibility of the school's local authority duty social worker (and where necessary, the police) to decide who should inform parent(s), carer(s) and/or key kin of the allegation and keep staff in the school informed of any

developments in relation to any investigation or action to be taken. The school should inform Ofsted as soon as possible.

On completion of any investigation, records must be placed on the young person's file. In addition if the allegation pertains to a member of staff, this material will be placed on the staff member's personnel file. Even if the investigation does not come to a definitive conclusion, staff members facing allegations may still be subject to disciplinary.

## **RESPONDING TO ALLEGATIONS OR SUSPICIONS OF ABUSE**

The policy should be read in conjunction with The Boulters' Learning & Skills Centre Child Protection Policy.

In the event of a young person making an allegation of abuse against a member of staff, the following procedure will be followed:

- ➡ All complaints made by young people must be treated as legitimate and, as such, acted upon. The welfare of the young person is the primary concern. The young person will be listened to and made to feel safe and secure. Staff should not 'interrogate' the young person and must not ask leading questions.
- ➡ The member of staff who receives the allegation will contact the Education Manager and the Director(s). They will advise on immediate steps to protect the young person. All actions will be recorded. The paramount concern will be to decide on immediate steps that need to be taken to:
  - ❖ Protect the young person from further abuse
  - ❖ Minimize the risk to other young people from the alleged perpetrator. This will include consideration as to whether and in what capacity the alleged perpetrator can remain in the school /be redeployed within The Boulters, or whether they should be suspended. The Director/Education Manager must also refer the matter immediately to and discuss it with the Local Authority Designated Officer [LADO]. This is standard practice that Ofsted requires to have taken place.

- ❖ The Director, in consultation with the Education Manager, will decide whether the member of staff will be suspended on full pay until the facts are investigated. This decision will be recorded. The member of staff will be told that suspension does not imply guilt but, in fact, protects their own best interests by eliminating any further difficulties at work during the investigation. Having discussed the matter with the Local Authority Designated Officer, the Education Manager will follow the advice given, which is likely to include contacting the local duty social worker and Ofsted to advise them of the allegation(s) and the actions taken thus far.
- ❖ In conjunction with the LADO and where appropriate the duty social work team, decisions will be taken regarding Police involvement, whether a Strategy Meeting should be convened, whether to interview the young person, whether to continue the suspension of the member of staff, and how to proceed with the allegation.
- ❖ The Director and Education Manager will consider how the member of staff can best be managed and supported during and after the investigation. The Education Manager and Director(s) will decide and communicate to the staff team:
  - How the young person can be supported through the investigation.
  - How the member of staff will be managed during the investigation, including who they are permitted to contact.
  - The need for confidentiality. The Boulders has the right to conduct a separate internal investigation into the conduct of the member of staff. This may result in a disciplinary action independently of the outcome of any local authority investigation. Staff who are subject to an investigation by The Boulders are entitled to representation in the form of "workplace colleague" support. The investigation will be carried out according to the organisation's Disciplinary Policy. If a member of staff feels that allegations or suspicions of abuse of a young person have not been adequately reported or managed, it is their responsibility to communicate their feelings to a Director of The Boulders. Any member of staff who interferes in, or obstructs an investigation will be deemed to have committed gross misconduct.

## **THE TREATMENT OF YOUNG PEOPLE WHO HAVE BEEN SEXUALLY ABUSED**

The Boulters recognises that some of the young people who attend the school run by the company may have been sexually abused and so may have a distorted view of adults and their motives. It may be more difficult to build trusting relationships with these young people and so it is essential that staff approach them in an open and honest manner.

- ➔ It is important that staff maintain clear boundaries and ensure that they are reliable, warm and respectful.
- ➔ Staff should be aware at all times of the possibility that any physical affection towards young people could be misconstrued by the individual as a sexual overture, or that it may make them feel uncomfortable. Whilst physical affection is invaluable in boosting a young person's sense of self-esteem, it must never be imposed upon them. The 'lead' should come from the young person.
- ➔ Staff will discuss at staff meetings at regular intervals, what they think is appropriate touching. This will depend upon the age of the young person, their personal history and emotional development. This will also be discussed in induction.

The Boulters Learning & Skills Centre encourage all staff to be vigilant and if they have any concerns no matter how small or insignificant they may seem it is, it still worth reporting to the Education Manager.