



Coleg Gŵyr Abertawe  
Gower College Swansea

## Safeguarding Children and Vulnerable Adults Policy

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## **1. Context**

Gower College Swansea has a statutory and moral duty to promote and safeguard the welfare of all our students under the age of 18 and our vulnerable adults.

## **2. Scope**

The Policy applies to all students under the age of 18 years of age, all vulnerable adults, all students over the age of 18 where there are minors or vulnerable adults in the household and abuse is alleged and all staff without exception.

The policy ensures all allegations are referred to one of the Designated Safeguarding Officers, where they will be acted upon accordingly.

## **3. Statement of Purpose**

The purpose of the Safeguarding Children and Vulnerable Adults Policy, Procedures and Training are to ensure the college provides a safe environment for children, young people and vulnerable adults to learn. The College is committed to:

- a. Raising the awareness to enable staff to identify children or vulnerable adults at risk of significant harm
- b. Raising the awareness of domestic abuse and relationships with young people
- c. Raising the awareness of young people and vulnerable adults to the importance of staying safe on-line
- d. Raising the awareness of the impact drugs and alcohol can have and support available to young people
- e. Raising awareness to staff and students about the impact of bullying
- f. Raising awareness of the PREVENT Strategy
- g. Providing clear procedures for reporting concerns
- h. Establishing procedures for reporting and dealing with allegations of abuse against members of staff
- i. The safe recruitment of staff

#### 4. Body of Policy

Throughout the Safeguarding Children and Vulnerable Adults Policy and Procedures, references are made to 'children and young people', this term is used to mean 'those under the age of 18'. The college recognises that some adults are also vulnerable to abuse, hence this policy will also refer to Vulnerable Adults. The safeguarding policy additionally raises awareness around young people's behaviour. The College is committed to ensuring that it:

- a. Provides a safe environment for children, young people and vulnerable adults to learn.
- b. Identifies children, young people and vulnerable adults who are suffering, or likely to suffer significant harm, and take appropriate action.
- c. Establishes clear procedures for reporting and dealing with allegations of abuse.
- d. Establishes a clear training schedule to ensure all staff are trained and familiar with the Safeguarding Children and Vulnerable Adults Policy and Procedures.
- e. Provides appropriate support to students who have been abused. For example offering them the services of an in house counsellor/Student Support Officer or a referral to Sexual Assault Referral Centre (SARC).
- f. Provide young people and vulnerable adults with the opportunity to attend tutorial sessions on drugs, alcohol, cyber bullying, domestic abuse and relationships
- g. Establishes the safe recruitment of staff built around the DBS checks, obtaining and checking of references and identity checks.
- h. Ensures all staff that work for Gower College Swansea are aware during main induction, of the Sexual Offences Act 2003 and that it is an offence for a person over the age of 18 to have a relationship with a child under the age of 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies where the child is in full-time education and the person works at the same establishment as the child, even if he/she does not teach the child.

In developing the Safeguarding Children and Vulnerable Adults Policy, the College has taken into account, guidance issued by Welsh Government and Social Services.

The College will refer concerns that a child, young person or vulnerable adult is at risk of significant harm to Social Services and/or the Police.

## 4.1 Designated Staff with Responsibility for Safeguarding

The governing body have appointed:

- Carol Green
- Chantal Patel
- Ray Singh

As governors with special responsibility for safeguarding children and vulnerable adult issues, they will take appropriate training with Social Services and other external agencies as appropriate. All safeguarding children and vulnerable adult issues will be reported to the appointed governors on a termly basis.

There will be a member of the College Management Team, with lead responsibility for safeguarding children and vulnerable adults. They will be supported by designated Safeguarding Officers.

The designated members of staff are:

1. **Anne Pitman** (Lead Safeguarding Children & Vulnerable Adults Officer) – Tel 01792 284223/01792 890700 ex: 4128
2. **Vicky Wannell** (Designated Safeguarding Children & Vulnerable Adults Officer) – Tel 01792 284227
3. **Ceri Lowe** (Designated Safeguarding Children & Vulnerable Adults Officer) – Tel 01792 284237
4. **Chris Williams** (Designated Safeguarding Children & Vulnerable Adults Officer) – Tel 3212
5. **Ian Billington** (Designated Safeguarding Children & Vulnerable Adults Officer) – Tel 01792 890708

All Designated Safeguarding Officers will be required to update their training on an annual basis.

Corporation Board, the Principal and all staff working with children and vulnerable adults will receive training to familiarise themselves with safeguarding children and vulnerable adults issues and responsibilities in line with the College policy and procedures. Corporation Board, the Principal and all staff will be updated at least every 3 years.

The Governing Body and Senior Management Group will receive on an annual basis, a report on Safeguarding issues and duties discharged.

The designated members of staff will keep a log of all allegations/concerns made whether they come from the students or staff, or other sources. All conversations concerning these allegations/concerns with other external agencies will be recorded.

## 4.2 Definitions of Child or Vulnerable Adult Abuse and Neglect

Somebody may abuse or neglect a child or vulnerable adult by inflicting harm, or by failing to act to prevent harm. Children or vulnerable adults may be abused in a family or in an institutional setting, by those known to them or, more rarely, by a stranger. A child or young person up to the age of 18 years can suffer abuse or neglect and require protection via an inter-agency Child Protection Plan. A vulnerable adult could suffer abuse or neglect and require protection via an inter-agency Vulnerable Adult Plan.

### Definition of a Vulnerable Adult

The Western Bay Safeguarding Board definition of a vulnerable adult:

*A vulnerable adult is a person over 18 years of age who is or may be in "A person who is 18 years of age or over, and who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him/herself, or unable to protect him/herself against significant harm or serious exploitation." (Law Commission - Who Decides?: Making decisions on behalf of mentally incapacitated adults 1997)*

Factors of a Vulnerable Adult:

- Is elderly and frail due to ill health, physical disability or cognitive impairment
- Has a learning disability
- Has a physical disability and / or a sensory impairment
- Has mental health needs including dementia or a personality disorder
- Has a long-term illness / condition
- Misuses substances or alcohol
- Is a carer, where the person meets the definition
- Is unable to demonstrate the capacity to make a decision and is in need of care and support.

A person's vulnerability will depend on his/her circumstances. There are many predisposing factors which may increase the likelihood of abuse occurring.

The College recognises the following as definitions of abuse<sup>1</sup>:

### 4.2.1 Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child or vulnerable adult. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child whom they are looking after. This situation may be described as fabricated or induced illness by carer.

#### 4.2.2 Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child or vulnerable adult such as to cause severe and persistent 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 in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, for example, by witnessing domestic abuse within the home or by being bullied, or, the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone

#### 4.2.3 Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non contact activities, such as involving children in looking at, or in the production of, pornographic material or in watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Sexual abuse towards vulnerable adults includes rape and sexual assault or sexual acts to which the vulnerable adult has not or could not consent and/or was pressured into consenting.

#### 4.2.4 Neglect

Neglect is the persistent failure to meet a child or vulnerable adult basic physical and/or psychological needs, likely to result in the serious impairment of the child or vulnerable adult's health or development. It may involve a parent or caregiver failing to provide adequate food, shelter and clothing, failing to protect a child or vulnerable adult from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child or vulnerable adult basic emotional needs.

#### **Child neglect Definition taken from Keeping Learners Safe 2015**

4.2.4.1 Child neglect falls into **four main categories: physical, educational, emotional and medical neglect**. A prevalence study carried out by the NSPCC in the UK shows that neglect was the most prevalent type of maltreatment in the family for all age groups and child neglect is the main reason why children in Wales were subject to a child protection plan.

Possible consequences include an array of health and mental health problems including developmental delay, emotional and behavioural difficulties, lower IQ and poor school performance and difficulty with friendships and maintaining relationships.

4.2.4.2 **Physical neglect** is the failure to provide for a child's basic physical needs. It usually involves the parent or caregiver not providing adequate quality and quantity of food, correct fit or type of clothing or a safe place to live, play and sleep. It can also include child abandonment and inadequate or inappropriate supervision, which leads to cuts, bruises, burns and other injuries.

4.2.4.3 **Educational neglect** involves the failure to ensure a child receives an adequate and suitable education and failing to support a child in their learning.

4.2.4.4 **Emotional neglect** or psychological neglect can include: ignoring a child's presence or needs consistently failing to stimulate, encourage or protect a child rejecting a child and not showing affection in a timely or consistent manner isolating a child, where the child does not have normal social contact with other children and adults.

4.2.4.5 **Medical neglect** is the failure to provide appropriate health care for a child. A parent may not recognise when a child requires medical attention, may refuse medical care for a child or may not start or administer the recommended treatment as directed by a healthcare professional. This also includes dental neglect, where a child may have severe untreated dental decay.

#### 4.2.5 Cyber Abuse <sup>2</sup>

**Cyber abuse can take on 2 forms:**

##### **1. Sexual Cyber Abuse**

Usually involves the grooming of a young person by chatting in chat rooms on-line.

Internet offenders manipulate young people into criminal sexual relationships by appealing to young people's desire to be appreciated, understood, take risks and find out about sex.

Almost all victims go voluntarily to meet and have sex with Internet offenders, but these are nonetheless sex crimes that take advantage of inexperienced and vulnerable young people.

Internet offenders target teens who are willing to talk on-line about sex. David Finkelhor et al (2008)

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<sup>2</sup> Developed from Plymouth.gov.uk  
Version: V5.0  
Approved: 28/06/18

All images of children in a sexualised condition on the internet and mobile phone technologies represent an actual event of child abuse.

## **2. Bullying**

Using the internet and mobile phone technology to bully someone on-line or using their mobile phone to film teachers for the purpose of bullying.

The perpetrator of bullying would be subject to Gower College Swansea Disciplinary Procedures.

### **4.2.6 Child Sexual Exploitation**

Child sexual exploitation is the coercion or manipulation of children and young people into taking part in sexual activities.

It is a form of sexual abuse involving an exchange of some form of payment which can include money, mobile phones and other items, drugs, alcohol, a place to stay, 'protection' or affection.

The vulnerability of the young person and grooming process employed by perpetrators renders them powerless to recognise the exploitative nature of relationships and unable to give informed consent.

### **4.2.7 Domestic Violence and Abuse: New Definition**

The cross-government definition of domestic violence and abuse is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or 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
- emotional

#### **Controlling Behaviour**

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

#### **Coercive Behaviour**

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

This is not a legal definition.

***The definition has recently been extended to cover 16 & 17 yr old victims and to include controlling and coercive behaviour.***

### **Domestic Violence Disclosure Scheme - Clare's Law**

The Domestic Violence Disclosure Scheme gives members of the public a 'right to ask' Police where they have a concern that their partner may pose a risk to them or where they are concerned that the partner of a member of their family or a friend may pose a risk to that individual.

Clare's Law will give some help to those people who think they have a partner who may be acting in a way which suggests that they are somebody who is violent. That individual can go to the police and know they have the right to ask for information about their partner. The police will give careful consideration to what information they give to the individual, and the support is required for them.

The law enables somebody to know whether their partner has a record of violence and to be able to take a decision as to whether to stay with them or not.

### **Gender Based Violence**

Gender-based violence means:

- a. violence, threats of violence or harassment arising directly or indirectly from values, beliefs or customs relating to gender or sexual orientation
- b. female genital mutilation (FGM)
- c. forcing a person (whether by physical force or coercion by threats or other psychological means) to enter into a religious or civil ceremony of marriage (whether or not legally binding)

### **Link between Domestic Abuse and Child Abuse**

There is a strong link between domestic abuse and the abuse and neglect of children. One in three child protection cases shows a history of domestic violence to the mother. Young people in violent households are three to nine times more likely to be injured and abused, either directly or while trying to protect their parent. One in five child abuse cases dealt with by the NSPCC involves domestic abuse. In ninety percent of those cases, young people are present in the home and are affected while abuse is going on; and in about half the cases, there is abuse to the young person too.

#### **4.2.8 FGM**

**Definition:** The World Health Organisation (WHO) defines FGM as: all procedures (not operations) which involve partial or total removal of the external female genitalia or injury to the female genital organs whether for cultural or other non-therapeutic reasons (WHO, 1996).

In the UK, all forms of FGM are illegal under the **Female Genital Mutilation Act 2003**. It is an offence (regardless of their nationality and residence status) to:

- perform FGM in the UK
- assist the carrying out of FGM in the UK
- assist a girl to carry out FGM on herself in the UK
- assist from the UK, a non-UK person to carry out FGM outside the UK on a UK national or permanent UK resident.

The Act also makes it an offence, for the first time, for UK nationals or permanent UK residents to:

- perform FGM abroad
- assist FGM carried out abroad by a UK national or permanent UK resident – this includes taking a girl abroad to be subjected to FGM
- assist from outside the UK for FGM to be carried out abroad by a non UK person on a girl or woman who is a UK national or permanent UK resident – this includes taking a girl abroad to be subjected to FGM
- assist a girl to perform FGM on herself outside the UK, even in countries where the practice is legal.

Any information or concern that a child is at immediate risk of, or has undergone, FGM should result in an immediate child protection referral.

#### 4.2.9 Spirit Possession

The term 'belief in spirit possession' is defined here as the belief that an evil force has entered a child and is controlling him or her. Sometimes the term 'witch' is used and is defined here as the belief that a child is able to use an evil force to harm others. There is also a range of other language that is connected to such abuse. This includes:

- **"Kindoki" or "ndoki"** - Allegations of witchcraft in certain African communities result in exorcisms and isolation of those alleged to practice the art. Children are particularly vulnerable to such allegations.
- **"Djinn"** - In Muslim legend, a spirit often capable of assuming human or animal form and exercising supernatural influence over people.
- **"Obeah"** - A system of belief among communities, chiefly of the British West Indies and the Guianas, that is characterised by the use of magic ritual to ward off misfortune or to cause harm.
- **"Voodoo"** - A religion practised chiefly in Caribbean countries, especially Haiti, syncretized from Roman Catholic ritual elements and the animism and magic of slaves from West Africa, in which a supreme God rules a large pantheon of local and tutelary deities, deified ancestors, and saints, who communicate with believers in dreams, trances, and ritual possessions. Also called vodoun.

- **"Black Magic"** - Black Magic's aim is to harm yourself or another either purposely or accidentally. Some magicians feel that it would not be working to hurt someone else, except that they, themselves will suffer as a consequence;
- **Child sorcerers** - Accusations that children, through sorcery, are responsible for the economic and social problems of families. In all of these cases, genuine beliefs can be held by families, carers and the children themselves that evil forces are at work. Families and children can be deeply worried by the evil that they believe is threatening them, and abuse may occur when an attempt is made to 'exorcise' the child. This is defined here as attempting to expel evil spirits from a child.

#### 4.2.10 Prevent

Prevent is a Police initiative that aims to:

- undermine extremist ideology and support mainstream voices
- disrupt those promoting violent extremism and strengthen vulnerable institutions
- identify and support individuals vulnerable to recruitment by violent extremists
- increase the resilience of communities to engage with and resist violent extremists
- effectively address grievances and
- develop intelligence
- improve strategic communications

Staff are required to follow the safeguarding procedures should they notice any behaviour that would give cause for concern among members of the College community or hear any extremist views or comments.

There is a designated **GCS Prevent Policy**, which is more comprehensive in terms of process to follow, which can be located on BIZ/Intranet/Current Polices

#### 4.2.11 Suicide

On average, 300 people die by suicide each year in Wales. This number is low compared to other causes of death, but **it ranks among the highest in young people, accounting for almost one in five deaths among men aged between 15 and 24 and almost one in ten deaths in women of that age.** Each year, almost double the number of people in Wales die by suicide than in road traffic accidents within all age groups. While the statistics are particularly striking among children and young people, suicide affects people across the whole life-span. Delivering effective interventions for children and young people and for people who are in middle-age and later life are therefore crucial to providing a comprehensive approach. (Talk to me, the National Action Plan to reduce suicide and self harm in Wales).

#### 4.2.12 Forced Marriage

##### **The Difference between an Arranged and a Forced Marriage**

The tradition of arranged marriages has operated successfully within many communities and many countries for a very long time. A clear distinction must be made between a forced marriage and an arranged marriage. In **arranged marriages** the families of both spouses take a leading role in arranging the marriage but the choice whether to accept the arrangement remains with the individuals. In **forced marriage** at least one party does **not consent** to the marriage and some element of duress is involved.

Forced marriage is primarily an issue of violence against women. Most cases involve young women and girls aged between 13 and 30 years, although, there is evidence to suggest that as many as 15% of victims are male.

the offences can include, abduction, physical violence, threatening behaviour. Sexual Intercourse without consent is rape.

##### **Forced Marriage is a criminal offence, under the Anti-social Behaviour, Crime and Policing Act 2014, this includes:**

- taking someone overseas to force them to marry (whether or not the forced marriage takes place)
- marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not)
- breaching a Forced Marriage Protection Order the civil remedy of obtaining a Forced Marriage Protection Order through the family courts will continue to exist alongside the new criminal offence, so victims can choose how they wish to be assisted.

##### **How to proceed if you suspect a student may be forced into a marriage against their will**

If you suspect that one of your students is being forced into a marriage against their will, contact a Designated Safeguarding Officer, who will make an assessment whether to contact Social Services or go directly to the Forced Marriage Unit with the Police.

#### 4.2.13 Youth Produced Sexual Imagery (Sexting)

Sexting is defined as **the production and/or sharing of sexual photos and videos of and by young people who are under the age of 18**. It includes nude or nearly nude images and/or sexual acts. It is also referred to as 'youth produced sexual imagery'.

'Sexting' does not include the sharing of sexual photos and videos of under-18 year olds with or by adults. This is a form of child sexual abuse and must be referred to the police.

#### **4.2.14 County Lines**

County Lines is a new threat to Safeguarding, the following definition is taken from National Crime Agency:

**A typical county lines scenario is defined by the following components:**

- a. A group (not necessarily affiliated as a gang) establishes a network between an urban hub and county location, into which drugs (primarily heroin and crack cocaine) are supplied.
- b. A branded mobile phone line is established in the market, to which orders are placed by introduced customers. The line will commonly (but not exclusively) be controlled by a third party, remote from the market.
- c. The group exploits young or vulnerable persons, to achieve the storage and/or supply of drugs, movement of cash proceeds and to secure the use of dwellings (commonly referred to as cuckooing).
- d. The group or individuals exploited by them regularly travel between the urban hub and the county market, to replenish stock and deliver cash.
- e. The group is inclined to use intimidation, violence and weapons, including knives, corrosives and firearms.
- f. Child sexual exploitation can also be a significant factor

Home Office guidance on Criminal Exploitation of children and vulnerable adults: County

Lines [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/626770/6\\_3505\\_HO\\_Child\\_exploitation\\_FINAL\\_web\\_2.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/626770/6_3505_HO_Child_exploitation_FINAL_web_2.pdf)

#### **Additional Forms of Abuse Relevant to Vulnerable Adults:**

##### **4.2.15 Financial/Material Abuse**

This includes theft, fraud, pressure around wills, property or inheritance or misuse of benefits.

#### **4.3 Responding to an Allegation – Guidelines for Staff and Students**

If a student states to a member of staff that abuse has taken place, they should be listened to carefully. The following points give guidance on how to proceed with a student who makes an allegation.

The member of staff receiving the allegation should remain calm.

The student should be listened to carefully, but not interviewed or asked to repeat the account. As soon as it becomes clear that the student is making an allegation of abuse, it is important that the student is gently informed, that you cannot keep this information to yourself, that you have a legal duty to pass it on to the Designated Child Protection Officer. **You cannot offer confidentiality to the student.**

Do not interview the student, you can question the student without pressure to ensure you understand fully what the student is telling you. Make sure the questions are simple and not leading. For example, if a student informs you they have been hurt, ask 'How were they hurt' as opposed to 'Did someone hit you'. Care should be taken to ensure assumptions are not made about what a student is saying

As soon as possible note down all the details, including timing, setting, who was present, what was said on the CP1 form (available in Student Services). Make sure the account reported is verbatim to the students own words or as close as is possible.

The completed CP1 form must be given to a Safeguarding Children & Vulnerable Adults Officer. No other paper or electronic copies should be kept.

The Designated Safeguarding Children & Vulnerable Adults Officer will talk you through the line of action they have to take, so that you can inform the student of the next stage. It may be appropriate for the Designated Safeguarding Officer to meet with the student.

**In the event that a Designated Safeguarding Officer is not available, advice should be sought from Social Services on how to proceed.**

The main number for referral to **Social Services is 01792 635700.**

In this situation, the Designated Safeguarding Officer must be contacted and updated of any actions taken/concerns raised at the earliest opportunity.

Some students with learning difficulties and/or disabilities may need additional support. The student's nominated carer or teacher may need to be present to act as a facilitator or in a support role.

If the student is on a 14-16 programme, the Designated Safeguarding Officer, will contact the School's Designated Safeguarding Officer to liaise with them on referral. The conversation held with the school will be documented on the College's CP1 form.

If the student is over the age of 18, is suffering a form of abuse, but is not deemed a vulnerable adult, but as a college we are aware that there may be other siblings under the age of 18 in the environment, then a Designated Safeguarding Officer must be informed, using the CP1 form.

Support with an internal Student Counsellor/Student Support Officer will be offered to learners where a disclosure has been made. Where sexual abuse/rape has been present, then a referral to the Sexual Assault Referral Centre (SARC) should be offered as a matter of course.

#### **4.4 Reporting on Allegations of a Student Abusing Another Student**

Should an allegation of child abuse or vulnerable adult abuse be made against a student by another student, the Designated Safeguarding Officer needs to be contacted immediately. The Designated Safeguarding Officer will inform Social Services to determine if the police should be contacted as a matter of course.

Both sets of parents or carers will be informed, if under the age of 18 years and a decision will be made whether to suspend the accused student, pending outcome of any investigation by Social Services and the Police.

#### **4.5 Reporting and Dealing with Allegations of Abuse against Members of Staff**

##### **4.5.1 Introduction**

In rare instances, staff of education institutions have been found responsible for child abuse. Because of their frequent contact with children and young people in a variety of situations, including the wider caring role, staff may have allegations of abuse made against them. Staff relationships with students may lead to allegations against them being made by students or parents. The College recognises that an allegation of child abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. The College therefore needs policies and procedures on the management of situations where there are allegations of abuse.

These procedures that follow have been drawn up in consultation with staff, unions and the Local Safeguarding Children's Board (LSCB). They outline the steps to be followed and considerations to be made for the reporting and subsequent management of an allegation of abuse against a member or members of staff.

It is imperative that those dealing with an allegation maintain an open mind and those that investigations are thorough and not subject to delay.

The College recognises that the Children Act 1989 states that the welfare of the child is the paramount concern. It also recognises that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence and career. Therefore, those dealing with such allegations within the College will do so with sensitivity and will act in a careful, measured way.

#### **4.5.2 Scope**

These procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers. The word "staff" is used to denote all these groups.

#### **4.5.3 Procedures; Making an Allegation Regarding Concerns over Another Staff Member**

There are two ways to raise concerns regarding the conduct of another staff member. Staff can either report the allegation directly to the Principal or they may use the Whistleblowing Procedure.

If they choose to use the Whistleblowing Procedure then the staff member must be made aware that anonymity cannot be guaranteed if the matter is subsequently dealt with by the Police or other external organisation. The Discloser should contact the Clerk to the Governors (Tel: 01792 414222), who will arrange contact between one of the Designated Assessors and the Discloser. The designated assessor will make a recommendation to the Principal on how to proceed with the allegation. The Principal will then decide on how to deal with the matter in conjunction with the Child Protection Officer who will then follow the normal procedure.

#### **4.5.4 Procedures: Receiving an Allegation from a Child**

A member of staff who receives an allegation about another member of staff from a child should follow the guidelines in Appendix 5.2.1 for dealing with disclosure.

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 directly to the designated Governor.

Immediately an allegation is made, as well as consulting with the Social Services and/or the Police, the Principal (or designated person if the allegation is against the Principal) should:

- i) Obtain written details of the allegation, signed and dated from the person who received the allegation. (Not from the student who made and/or was the subject of the allegation) The written details should be countersigned and dated by the Principal (or designated person).
- ii) Record information about times, dates, locations and names of potential witnesses.

#### **4.5.5 Initial Procedure to be Followed by the Principal (or designated person) of an Allegation of Abuse / Assault being made Against any Member of College Staff**

1. When a member of staff becomes aware of an allegation made by a student that they have been abused / assaulted by a member of staff, then the matter must be reported to the Principal immediately.
2. As soon as the Principal has received this allegation then the he **must** telephone the Principal Officer within Social Services with responsibility for Safeguarding (01792 637522) in order to discuss the allegation. No internal investigation can be commenced until the matter has been discussed with the Principal Officer.

**It is immaterial whether the allegation is considered as being one of low level inappropriate physical contact (or any other form of low level abuse) that in the opinion of the College can be resolved by an internal investigation. Once the allegation is made then the matter must be reported to the above named individual.**

3. The purpose of this Strategy Discussion is to decide whether the allegation is of such a serious nature that a Senior Strategy Meeting will need to be held, or to decide whether the allegation does not meet the threshold for such a meeting and can therefore be handed back to the College to investigate and conclude as an internal matter.
4. The criteria that will decide whether that threshold has been met are as follows:
  1. that there is cause to suspect a child is suffering or likely to suffer significant harm **and/or**
  2. a criminal offence against a child has been committed **and/or**
  3. the individual employee has behaved towards a child in a way that indicates he/she is unsuitable to work with children.
5. In addition to the above, a further consideration will be whether the Police have received or are likely to receive a complaint regarding the allegation.
6. In the event of one or more of those criteria being met then a Senior Strategy Meeting will in all likelihood be held. However, all situations are different and all circumstances will be taken into account before a final decision as to whether to hold a meeting is reached.

7. When the meeting is called it will be held within 2 working days of the discussion and details of the composition, purpose and outcome of the meeting can be found commencing at Paragraph 4.3.6.2 of the All Wales Child Protection Procedures 2008 (pages 309 to 313).
8. In summary, the meeting will be chaired by the Principal Officer from Social Services and the attendees will normally comprise of the Principal, the Police, Health Service (and possibly a College HR representative). The meeting will be minuted and treated as confidential.
9. The meeting will discuss the allegation and agree the next steps forward in respect of any investigation and how to deal with the member of staff during that investigation period.
10. If deemed applicable, then a follow up meeting(s) is likely to be held in order to properly conclude the process.

#### **4.5.5 Enquiries and Investigations**

Child protection enquiries by Social Services or the Police are not to be confused with internal, disciplinary enquiries by the College. (Which would only commence following procedure 4.6.4). The College may be able to use the outcome of external agency enquiries as part of its own procedures.

The College shall hold in abeyance its own 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.

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.

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

- i) Inform the child/children/parent/carer making the allegation that the investigation is taking place and what the likely process will involve
- ii) Ensure that the parents/carers of the child making the allegation that the investigation is taking place and what the likely process will involve

- iii) Inform the member of staff against whom the allegation was made that the investigation is taking place and what the likely process will involve
- iv) Inform the Chair of Governor and/or the designated Governor of the allegation and the investigation

The Principal (or designated person) shall keep a written record of the action taken in connection with the allegation.

Media attention during an investigation of an allegation can add to the problems for the member of staff and may even hinder an investigation. The College will carefully manage all media relations sensitively and appropriately. Regrettably, it is often the case that the media become aware of allegations through parents or students. Any briefings to staff and governors will emphasise the need to avoid media coverage. Staff have the protection from the Human Rights Act 2000 to protect "privacy". Advising the member of staff of any early indications of media interest and or coverage will be essential.

### **Potential Outcomes from Strategy Meeting**

There are four possible outcomes from a strategy meeting. If the matter is referred to the Police or Social Services the College will be guided by these agencies on how to deal with the matter. It is likely that this will result in an external investigation. Decisions on whether to suspend the member of staff and/or invoke the disciplinary procedure will be done in consultation with these organisations. The strategy meeting may decide that the College can investigate the matter and report back the outcome back to the strategy group. If this is the case then the matter will be dealt with using the College Disciplinary procedure. The fourth outcome could be that the strategy meeting may decide there is no case to investigate.

#### **4.5.6 Suspension of Staff**

Please refer the disciplinary procedure section 12 and 13 for guidance on suspension of staff.

Consideration should be given to alternatives: e.g. paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.

The parents/carers of the child 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 student making the allegation of the suspension

#### **4.5.7 The Disciplinary Investigation**

The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures.

The student/s 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).

The Principal (or designated person) should give consideration to what information should be made available to the general population of the College.

#### **4.5.8 Allegations without Foundation**

Obviously false allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to a referral to the Social Services in order that other agencies may act upon the information.

In consultation with the designated senior member of staff and/or the designated Governor, the Principal shall:

- i) 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.
- ii) inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.
- iii) where the allegation was made by a child other than the alleged victim, consideration to be given to informing the parents/carers of that child.
- iv) 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

#### **4.5.9 Records**

It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the member of staff's personal and confidential file.

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.

#### **4.5.10 Monitoring Effectiveness**

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 Western Bay Safeguarding Board. Consideration should also be given to the training needs of staff.

#### **5. Related Documents**

##### **This Policy should be Read in Conjunction With:**

GCS Student Disciplinary Policy  
GCS Student Drug & Alcohol Policy  
GCS Student Anti Bullying Policy  
GCS Student Ex-Offenders Policy  
GCS Student Self-Harm Protocol  
GCS Prevent Policy  
Staff Whistle Blowing Policy  
Staff Disciplinary Procedures

#### **6. The Welsh Language**

Mae Coleg Gŵyr Abertawe yn ymrwymedig i hyrwyddo'r iaith Gymraeg, yn unol â Safonau'r Iaith Gymraeg a Mesur y Gymraeg (Cymru) 2011.

Gower College Swansea is committed to the promotion of the Welsh language, in accordance with the Welsh Language Standards and the Welsh Language (Wales) Measure 2011.

## Appendix 1

### CHILD PROTECTION (INCLUDING 14-16 STUDENTS AND VULNERABLE ADULTS)

<b>Today's Date:</b>	
<b>Name of person reporting disclosure:</b>	
<b>Position of person reporting disclosure</b>	
<b>Name of Student</b>	
<b>Student's DOB</b>	
<b>Course:</b>	
<b>Tutor:</b>	

<b>Name of suspected abuser:</b>	
<b>Details of alleged abuse: (including dates, time and place of alleged abuse)</b>	
<b>Details of other younger people or vulnerable adults who may have had contact with alleged abuser: (Names and DOB)</b>	
<b>Details and age of who else lives in the household</b>	

<b>Actions taken:</b>	
<b>Signed: (Designated Person)</b>	
<b>Signed: (Reporting Person)</b>	

## APPENDIX 2

### Guidelines for Staff Dealing with an Allegation made by a Student

