



Safeguarding Webinar December 2017

Objectives of the seminar



- To give delegates a full understanding of the safeguarding issues and the impact on the organisation
- To develop a full understanding of the potential issues surrounding safeguarding
- To provide a basis for designing and implementing a safeguarding policy

Contents



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- The role of the organisation and its staff in safeguarding
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- Supervision of volunteers
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Definitions



- A child is defined as anyone who is under the age of 18
- A vulnerable adult is described as a person aged 18 years or over, who is in receipt of 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 or herself, or unable to protect him or herself against significant harm or exploitation.

The role of the School and Staff



- The institution should have a designated Safeguarding Lead
- Often a senior member of staff
- Responsible for co-ordinating a response to protect the child and being the single point of contact
- All staff are responsible for safeguarding – this means being aware of safeguarding concerns, being vigilant and reporting concerns
- Volunteers and occasional workers are part of the safeguarding environment

Types of abuse



ABUSE – someone can abuse a child by abusing them or failing to act to prevent abuse – don't forget that the abuse may be another child

Physical Abuse – hitting, shaking, throwing, poisoning, burning and scalding of a child.

Emotional Abuse – the persistent emotional maltreatment of a child. It includes making a child feel worthless, unloved or inadequate

Sexual Abuse – can include physical contact or non physical contact e.g children being forced to watch pornographic acts, videos etc. It must be remembered that sexual abuse can be committed by woman and children and is not specific to men

Neglect – the persistent failure to meet a child's basic physical and/or psychological needs. This extends to lack of medical care

The Prevent Strategy



- All education and training providers are required to implement the Prevent strategy
- There are many excellent online resources and I recommend the new government package. Its free, very good and is adaptable to your position and level of experience.
- Its also very good for anyone involved in education – a great introduction to Prevent

Female Genital Mutilation



- FGM is illegal in the UK
- Serious Crime Act of 2015 now requires mandatory reporting of FGM of girls under 18
- If suspected staff must report it to the safeguarding lead

Management of Safeguarding



- Proprietors have a responsibility to ensure that safeguarding procedures are in place and reflect the current legal requirements
- Proprietors should nominate one person to liaise with designated officers in the event of allegations being made against the Principal, etc.
- Proprietors should ensure that there is an effective child protection policy in place together with a staff behaviour policy
- Proprietors must ensure the designated safeguarding lead has the explicit authority, time and funding to take part in strategy discussions and implement policy

DBS Checks and Regulated Activity



- If staff are engaging in a 'regulated activity' they will need an Enhanced DBS check
- **Regulated activity means staff:**
 - 1) Who will be responsible on a regular basis, for teaching, training, instructing or caring for children
 - 2) Who will carry out paid, or unsupervised unpaid work, which brings them into contact with children
 - 3) Who engage in intimate or personal care or overnight activity EVEN if this happens once
 - 4) **Supervised** volunteers do not require an enhanced DBSbut I would recommend they do

Types of DBS check



- **Standard** – a check of the Police National Computer records of convictions, reprimands and warnings
- **Enhanced** - a check of the PNC records plus information held by police that is considered relevant by the police
- **Enhanced with lists checked** – as above **BUT** includes Children's Barred List - required for staff coming into contact with children
- DBS certificate is sent to the applicant but **MUST** be shown the employer
- Whilst waiting for a DBS certificate the individual must be supervised

Pre Employment Checks



- Any offer of employment should be conditional on the pre employment checks
- Verify the candidates identity
- Obtain an enhanced DBS certificate
- Verify the applicants mental and physical health
- Verify they have the right to work in the UK
- If they have lived outside of the UK carry out checks with employers
- Verify qualifications
- Do get references

****DBS Update Service

Who should be checked?



- All employed staff
- Agency staff
- Trainees
- Volunteers **UNLESS** they are fully supervised
- Contractors who come into regular contact
- Visitors do not need a DBS but should not be left unsupervised – ‘best practice’
- Adults supervising work experience
- Host families

Allegations of abuse against staff



- Use common sense and judgement
- Serious allegations will require immediate intervention and the involvement of police/ social services
- Employers outcomes:
 - 1) **Substantiation** – there is sufficient evidence to prove the allegation
 - 2) **Malicious intent** – is there sufficient evidence to disprove the allegation and has there been a deliberate act to deceive
 - 3) **False** – there is sufficient evidence to disprove the allegation
 - 4) **Unsubstantiated** – There is insufficient evidence to prove or disprove the allegation - more investigation is needed and a record of the allegations kept

Supporting those involved



- Employers have a duty of care to their employees
- The individual should have access to support from a colleague or trade union representative
- Parents should be told that an allegation has been made and that an investigation is underway. They should not be given details of the investigation but should be kept informed of progress and outcomes
- **Confidentiality** – when an allegation is made confidentiality to protect the student and alleged perpetrator must be implemented. Neither should be publicly identified

Managing the situation and exit strategy



- If the person resigns this will not stop the process – DBS should be informed. Failure to do so is a criminal offence
- The accused should be given the full opportunity to answer allegations
- Settlement agreements can be used but will not stop a police investigation
- Record keeping is extremely important for both the alleged victim, the accused and the institution. Remember an employee can take legal action
- References – references can only include confirmed allegations
- Time is important - government recommends that 80% of cases are resolved in one month
- Suspension should not be a first response to an allegation BUT if the allegation implies physical or mental harm to a child then it must be considered.
- You will need to show that all courses of action have been considered before suspension
- There is a legal requirement on employers to make a referral to the DBS when they think a person has engaged in conduct that harmed, or is likely to harm, a child

The role of the designated safeguarding lead



- Managing Referrals to:
 - a) The local authority designated officer
 - b) DBS
 - c) Police
 - d) Senior Management
- They provide training and advice to staff and senior management
- They conduct training and ensure that the safeguarding policy is fully understood
- Keep detailed and accurate records of allegations and outcomes
- Raise awareness

Training



- The safeguarding lead should receive training every two years to make sure they:
 - a) Understand the assessment process for helping early intervention
 - b) Have a working knowledge of local authority processes
 - c) Ensure each member of staff has access to and understands the institutions child protection policy and procedures – especially new and part time staff
 - d) Keep relevant and detailed records
 - e) Obtain access to supporting resources

Raising Awareness



- The designated lead should
 - a) Make sure the policy is updated each year
 - b) Make sure the policy is available and understood by staff and students
 - c) Establish and maintain links with local authorities

Home stay arrangements

for students between 16 - 18



- Where the child is under 18 and the person who provides the care and accommodation is paid, if the school or college has made the arrangement or a third party has done so then the organiser **MUST** insist on an Enhanced DBS check.
- If the parents make the arrangements directly then it is a private matter between the parents and host
- Overseas host arrangements need to be subjected to thorough checks

Home Stay arrangements under 16's



- DBS checks must be in place (unless organised by parents)
- Any stay over 28 days constitutes private fostering and falls under the Children's Act of 1989. This means the premises are regulated by the local authority
- Stays of 28 days or less are not subject to local authority regulation
- What about host family children?

Supervision of voluntary staff



- There must be supervision of volunteers
- Supervision must be continuous e.g. supervision must not tail off because the person is trusted or known
- The supervision must be regular and day to day
- The supervision must be reasonable in all circumstances to ensure the protection of children

Reasonable?



A reasonable level of supervision is discretionary but takes account of:

- The age group
- The number of children involved
- Who else is helping
- The nature of the work
- How vulnerable the children are
- How many volunteers are under one persons control