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# MPCT<sup>TM</sup>

Motivational Preparation College for Training

## S001 - Safeguarding of Learners Policy



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S001 - Version 2.0

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## Learner Safeguarding Policy

### 5 Contents

<b>List</b>	<b>Page</b>
5.1 Introduction	3
5.2 Determination	4
5.3 Scope	4
5.4 Aims	5
5.5 Procedure	6
5.6 Safe Recruitment	9
5.7 Referrals to Statutory Agencies	9
5.8 Partnership with Parents	10
5.9 Responsibilities of all MPCT Staff	10
5.10 Confidentiality	11
5.11 Allegations against a Learner	12
5.12 Allegations against Staff and Volunteers	12
5.13 Whistleblowing	13
5.14 Equality & Diversity	13
5.15 Transition	13
5.16 The use of reasonable force	13
5.17 Safeguarding Learners On & Off college site	14
5.18 Domestic Abuse	15
5.19 Implementation of Policy	15
5.20 Related Policies	15
5.21 Other Policies	16
5.22 App A Referral Flowchart	17
5.23 App B Definition of Abuse	18
5.24 App C Categories of Abuse	19
5.25 App D Staying Safe Online	26
5.26 App E Staff Support	27
5.27 App F Photographing, Video & Filming of Learners	28
5.28 App G Private Fostering	30

### 6 Introduction.

MPCT is committed to providing a safe and secure environment in which both Learners and Staff can flourish. This policy has been written to provide sufficient guidance to ensure that this commitment is embedded into the culture and ethos of the company. It is thus essential that all staff are aware of their duties with regard safeguarding and report any concerns promptly.

Within MPCT the term Learner will relate to all individuals undertaking a course of study irrespective of whether they are a child or adult.

MPCT recognise that 'Safeguarding' is equally applicable to both children and adult and unless specifically indicated makes no differentiation between them.

### 7 Determination.

#### 7.1 The Education (Independent School Standards) Regulations 2014 and the Non-

Maintained Special Schools (England) Regulations 2015 requires MPCT to have arrangements in place to safeguard and promote the welfare of children.

- 7.2 All MPCT Staff must have regard for this guidance when fulfilling their responsibilities for safeguarding and promoting the welfare of all Learners.
- 7.3 As included in the Social Services and Wellbeing Act (Wales) 2014 and Working Together to Safeguard Children 2018 (England) there is a duty to report all safeguarding concerns to the Local Authority.
- 7.4 The Directors and staff of MPCT fully recognise the contribution it makes towards safeguarding Learners. We recognise that all staff, including volunteers and visitors, have a full and active part to play in protecting our learners from harm.
- 7.5 All staff and Directors believe that the college should provide a caring, positive, safe and stimulating environment, which promotes the social, physical and moral development of the individual learner. This Policy incorporates five main elements:
1. Protection through teaching and pastoral support offered to learners;
  2. Procedures for identifying and reporting cases, or suspected cases of abuse;
  3. The day to day contact with learners mean college staff are uniquely placed to observe signs of abuse;
  4. Provide support to learners who may be at risk of abuse or neglect;
  5. Ability to identify concerns in relation to MPCT staff who may abuse positions of trust;
- 7.6 The welfare of children and vulnerable adults is everyone's responsibility, particularly when it comes to protecting them from abuse and this ethos is paramount within all activity associated with MPCT.

## 8 Scope

- 8.1 This Policy applies to all staff and volunteers working within MPCT. It recognises that any member of staff irrespective of role can be the first point of disclosure for a Learner. As a consequence, all staff should:
- a. Be aware of the signs that a learner has been neglected or abused;
  - b. Listen to learners who tell them about abuse;
  - c. Report concerns effectively and in line with procedure.
- 8.2 MPCT acknowledges that children are amongst the most vulnerable in society. Therefore, adults in positions of trust have a duty to ensure that the rights of children and young people to protection from abuse are taken seriously and effective action is taken in response to any signs or abuse or neglect.

- 8.3 MPCT has a legal duty of care for the health, safety, security and wellbeing of their Learners and staff at all times. This duty of care incorporates the duty to safeguard all Learners from subjection to any form of harm, abuse or nuisance. It is the responsibility of the Directorate and Senior Management to ensure that this duty is discharged at all times.

## 9 Aims

This policy aims to:

- 9.1 Promote an understanding that a Learner who is abused or who witnesses violence may be deeply affected and this may manifest itself in a number of ways;
- 9.2 Recognise that each college may provide the only stability in the lives of Learners who have been abused, or who are at risk of harm;
- 9.3 Establish and maintain an ethos where Learners feel secure and are encouraged to talk and are listened to;
- 9.4 Promote a Learner centred and outcome focused approach;
- 9.5 Provide a nurturing environment where self-esteem and self-assertiveness are promoted for all Learners including those that are vulnerable;
- 9.6 Ensure that Learners know there are Responsible Adults in the **college** whom they can approach if they are worried or in difficulty;
- 9.7 To include in the curriculum, activities and opportunities for personal development which equip Learners with the skills they need to stay safe from abuse and to know to whom to turn for help;
- 9.8 Support the Learner's development in ways that will foster security, confidence and independence;
- 9.9 To include in the curriculum, material which will help the Learner develop realistic attitudes to the responsibilities of adult life, particularly with regard to child care and parenting;
- 9.10 Raise the awareness of both teaching and non-teaching staff of the need to safeguard Learners and of their responsibilities in identifying and reporting possible cases of abuse;
- 9.11 Provide a systematic means of monitoring Learners known, or thought, to be at risk;
- 9.12 Emphasise the need for good levels of communication between all members of staff;
- 9.13 Develop a structured procedure within MPCT, that will be followed by all members in cases of suspected abuse;

- 9.14 Develop and promote effective working relationships with other agencies, especially the Police and Children's Services;
- 9.15 Ensure that all adults within the college, who have access to children, have been checked as to their suitability in line with statutory guidance.

## 10 Procedure

- 10.1 MPCT will follow the All Wales Child Protection Procedures (Wales) and Working Together to Safeguard Children (England) working with all statutory partners to ensure the safeguarding of Learners under their control.
- 10.2 MPCT will ensure a senior member of staff is appropriately trained and charged with the responsibility for co-ordinating child protection matters.
- 10.3 Each region will have a Regional Designated Safeguarding Lead (RDSL), and that all staff, both teaching and non-teaching, are aware of who that person is.
- 10.4 The RDSL will be supported in each centre by Nominated Safeguarding Person (NSP), this person will normally be the Centre Manager/Lead Instructor.
- 10.5 Both English and Welsh guidance refers to a designated senior role who has responsibility for safeguarding. This function is fulfilled within MPCT by the Lead Safeguarding Officer (LSO).

### 10.6 The Regional Dedicated Safeguarding Lead (RDSL) will:

1. Refer cases of suspected abuse to the local authority children's social care as directed by the LSO;
2. Support staff who make referrals to statutory agencies
3. Refer cases to the Channel programme where there is a radicalisation concern as required;
4. Bring to the attention of the LSO any professional engaged with young persons who may pose a harm to them
5. Refer cases of where a crime has been committed promptly to the Police as required
6. Liaise with the head teacher (MPS Learners) to inform him or her of any issues especially ongoing enquiries under Section 47 of the Children Act 1989 and police.
7. Liaise with staff on matters of safety and safeguarding and when deciding whether to make a referral and act as a source of support, advice and expertise for all staff.

### **10.7 The Nominated Safeguarding Person**

1. Will act as a deputy DSL in the absence of the RDSL
2. Will support and advice college work colleagues
3. Will be the point of contact following referral for Statutory Agencies within the college area
4. Ensure that all records are maintained with regard to any safeguarding concerns.

### **10.8 The Lead Safeguarding Officer (LSO) will:**

1. Provide professional support and guidance to the RDSL's
2. Ensure that in the absence of the RDSL, all staff are aware of how to forward any Child Protection concerns.
3. Liaise and work with all other support services and agencies involved in the safeguarding of Learners;
4. Receive concerns and disclosures made to staff with regard to abuse, health and wellbeing and complaints made against staff.
5. Act as a source of advice and support within the college and provide the point of contact for staff who have concerns or information that a Learner may be suffering from abuse;
6. Understand their individual responsibility to make any necessary reports to Children's Services within proper channels and timescales;
7. Ensure the college contributes fully to the child protection process e.g. by the provision of reports and attendance at conferences, core groups or meetings when needed;
8. Ensure that all staff, both teaching and non-teaching, are aware of their personal responsibility to report concerns and of the need to be vigilant in identifying potential abuse and neglect;
9. Ensure that all staff, including those newly appointed are aware of their child protection responsibilities, act in compliance with, and have access to the college's Learner Safeguarding Policy and the relevant Child Protection Procedures;

10. Ensure that all staff have signed to say that they have received, read and understood the Learner Safeguarding Policy;
11. Ensure that all staff are trained and aware of the indicators of abuse and how to respond and support a learner who discloses it. This should be reviewed as a minimum annually;
12. Disseminate child protection information gained from training and other sources to all staff in the college;
13. Ensure an understanding that it is not the role of college staff to investigate reported abuse;
14. Feedback appropriate information to staff on a 'need to know' basis;
15. Ensure that the identity of the LSO and Director responsible for Safeguarding is known across the college community;
16. Consult with Children's Services where there is uncertainty about the need to make a referral;
17. Ensure parents are given access to the Learner Safeguarding Policy as part of their Learner's induction into the college and that learners are made aware of the existence of this policy;
18. Ensure a clear record of concerns about a Learner is maintained even if there is no need to make an immediate report;
19. Keep all records including copies of child protection referrals and child protection conference minutes are kept confidentially and securely and are separate from learner records;
20. Ensure that when a learner whose name appears on the Child Protection Register transfers to another school or educational provider, the learner records, including information about registration is transferred without delay. Records should be sent electronically to coincide with the day the learner commences on roll at the new educational setting; and Children's Services should be informed;
21. Act as the first point of contact for any concerns about violence against women, domestic abuse and sexual violence regarding children and young people. A child or a young person's development and education can be compromised as a result of domestic violence and abuse.



### 10.3 Role of the Nominated Director for Safeguarding

This Director will:

1. Ensure that MPCT has a robust Learner Safeguarding Policy in place which is consistent with the relevant Child Protection Procedures, and is readily accessible to all members of staff, both teaching and non-teaching;
2. Ensure that the implementation and effectiveness of the policy and any associated policies are reviewed at a minimum annually by ensuring its inclusion as a standard item on the Senior Leadership Team (SLT) agenda. This will also ensure that account is taken of new guidance;
3. Ensure that the MPCT Induction booklet contains a section on the Child Safeguarding Policy in order to make parents aware of the school's responsibilities and duties;
4. Ensure, in conjunction with the Managing Director and LSO, that Safeguarding retains a position of prominence within the MPCT agenda/ curriculum;
5. Ensure that designated, and other, staff attend appropriate training;
6. Ensure that they are trained for the role of Director to Level 3 with responsibility for child protection and understand their role in relation to any referral of abuse in relation to the Managing or Senior Director;
7. Liaise with the Local Authority Safeguarding Coordinator for Education in relation to any allegations of child abuse made against any member of the Senior Management Team (SMT) which may include attendance at any Professional Abuse Strategy meetings
8. Have an understanding that it is not the role of the Safeguarding Director to receive and act upon child abuse referrals other than in specific circumstances outlined in point 7.

### 10.4 Record Keeping

1. A hard copy of the relevant Child Protection Procedures for either England or Wales must be kept on the college site and be accessible to all staff.
2. All records pertaining to child protection must be securely kept.
3. Concerns will be shared with relevant professionals involved with the child, but records will not be available without the authority of the LSO.

4. All documents in relation to Child Protection will be retained for 35 years and those for Children in Need of Care and Support for 10 years.
5. All records will be recorded using the 'My Concern' reporting system.

## 11 Safe Recruitment

11.1 The college will ensure that safe recruitment procedures are in place and that all appropriate checks, including the Disclosure and Barring Service checks are undertaken in respect of all staff who work with Learners. Please refer to the MPCT Safer Recruitment Policy.

[MPCT Safer Recruitment Policy](#)

## 12 Referral to Statutory Agencies

12.1 All referrals to Statutory Agencies, including verbal referrals should be followed up with a completed **referral form** within 24hrs of the original contact. **Please also refer to flow charts at Appendix 1**

12.2 The RDSL must be informed immediately by an employee, volunteer or other persons which includes the parents, child or members of the public, in the following circumstances if:

- a) Suspicion that a learner is being harmed.
- b) There is evidence that a learner is being harmed.

12.3 The RDSL will ensure record of concerns raised are recorded and supervise and support any referrals to Children's Services Social Care/Police if necessary.

12.4 Any member of staff or anyone who has knowledge of, or a suspicion that a learner is or has been suffering significant harm, or is at risk of significant harm, should discuss their concern with their RDSL or the LSO. There should be no delay in communication once suspicion arises. The sharing of relevant information at the earliest opportunity within an environment of strict confidentiality is essential. All information from parents, members of the public and any of an anonymous nature must be acted upon.

12.5 Whenever possible the issue should be discussed with parents/carers except where to do so would jeopardise future enquiry or would not be conducive to the learners' welfare.

12.6 If it is agreed that the issue puts the student at risk of significant harm it must be reported directly to the LSO or in the case of an emergency to the Police. This referral would normally be made by your RDSL.

12.7 The learner should be kept informed of actions taken at all stages of the procedure and maximum support offered/provided to them. Where the learner is competent to give consent, their agreement to the referral should be sought.

12.8 If consent is refused the referral should still be made if it is considered necessary to protect the learner from significant harm.

12.9 A written report of all discussions and action must be recorded via the 'My Concern' reporting mechanism and all referrals and subsequent documents/files will be retained securely by the RDSL on this system.

Report, record, and inform if the following occur:

- a) If you accidentally hurt a learner.
- b) If a learner seems distressed in any manner.
- c) If a learner misunderstands or misinterprets something you have said or done.
- d) If a learner needs to be restrained.

### **13 Partnership with Parents**

13.1 The college supports parents to educate and keep children safe from harm, to support their welfare and is committed to working with parents positively, openly and honestly.

13.2 The college will ensure that all parents are treated with respect, dignity and courtesy.

13.3 Parents' rights to privacy and confidentiality are respected and sensitive information will not be shared without permission, unless it is necessary to do so in order to protect a child.

In order to promote this ethos:

13.4 Parents are encouraged to discuss any concerns they may have with class instructors or the Centre Manager;

13.5 Parents are made aware of the Learner Safeguarding Policy in the college Handbook and at the start of their child's education within the college. It is vital that parents understand the role of the college in relation to its safeguarding responsibilities from the outset of the Learner's time at the college;

13.6 Parents are made aware that they can view this policy on request. This policy will be made available on the MPCT website.

### **14 Responsibilities of all MPCT Staff**

14.1 Any concerns - whether about a child, young person, family, colleague or another professional, must be shared with the LSO.

14.2 All staff have a duty to assist in the assessment of possible child abuse by sharing information and reporting concerns as outlined in this policy. Staff may have the one key piece of information that will help Children's Services make the best decision about a child.

14.3 Doing nothing is not an option.

14.4 In the event of a disclosure being made an immediate verbal referral to relevant Children Service. This will then be followed by a written referral within 24 hours.

14.5 Never promise a Learner you will keep a secret, explain that if they tell you something you think may put them at risk of harm you will have to tell someone who can help keep them safe.

14.6 It may be difficult or upsetting to report a concern and it is sometimes hard to accept that a child is being harmed, particularly if there is an existing relationship with the family or professional concerned. However, the needs of the child must always come first. It is the role of the RDSL to support and listen to concerns.

**14.7 If a child tells you something that causes you concern:**

1. Listen to the child;
2. Never promise a child you will keep a secret, explain that if they tell you something you think may put them at risk of harm you will have to tell someone who can help keep them safe;
3. Encourage the child to talk, but don't prompt, or put words into their mouths, and do not ask leading questions;
4. Do not ask the child to repeat again and again;
5. Explain what action you must take in a way that is age appropriate;
6. As soon as you are able, write down what the child has told you. Use the child's exact words if possible. Record the date, time and place and any other people present at the time;
7. Report concerns without delay to the RDSL;
8. Do not worry you may be mistaken, it is better to discuss your concerns with someone who has the experience and the responsibility to make an assessment;
9. Do not confront an alleged abuser;
10. Try to remain calm and not to appear shocked by what they are telling you;
11. A child, parent, caregiver or member of the public who tells staff their concerns about a child's welfare must never be expected to be asked to make a self-referral to social services or police;
12. If you have concerns about the behaviour of another colleague, do not dismiss these concerns. Action should be taken in accordance with the appropriate MPCT policies. It is very important not to ignore or dismiss suspicions about another professional or colleague but approach the LSO with your concerns;
13. If a child discloses a matter of concern to you it can be very upsetting, try not to take these feelings home with you. Talk to the LSO it is important not to ignore these feelings.

## 15 Confidentiality

- 15.1 Staff cannot keep a disclosure of abuse confidential and must refer the matter on to the LSO via their RDSL.
- 15.2 Educational staff have a legal responsibility to share relevant information about the protection of children with the designated statutory agencies.
- 15.3 All referrals should be made with the knowledge that during any subsequent investigation, the source (i.e. the College) will be made known to the family.
- 15.4 Any disclosure should be dealt with sensitively and the child must be helped to understand that there is a need to inform the appropriate people who can help. Staff should be aware that any disclosure may have taken significant courage to voice and that there may be a variety of accompanying emotion such as guilt, embarrassment, disloyalty and hurt.
- 15.5 Other staff may need to be alerted to concerns about a child or young person, possibly in order to monitor the concern or to gather further evidence prior to a referral being made, or to assist in providing appropriate support to a child or young person once a referral has been made. Information should only be shared on a strict need to know basis.
- 15.6 Ensure that only those with a professional involvement e.g. the RDSL, LSO have access to the child protection records. At all other times they should be kept securely and separate from the learner's main file.

## 16 Allegations against a learner

- 16.1 The MPCT learner Disciplinary Procedures may be invoked as well as reporting the case to Social Services and/or the Police. The outcome of a learner Disciplinary Hearing may be exclusion from MPCT. That decision may not necessarily be bound by the outcome of a Police investigation.

## 17 Allegations against staff and volunteers

- 17.1 The college acknowledges that a Learner may make an allegation against a member of staff;
- 17.2 Any allegation against any Senior Management Team should be directly referred to the designated Director. It is the responsibility of this Director to make the appropriate referral;
- 17.3 When an allegation is made, against a member of staff, the member of staff to whom the allegation has been made known will immediately inform the RDSL, or

in absence of the RDSL the LSO;

17.4 The actions that will be taken to safeguard children in the college will be in line with guidance contained in the relevant Child Protection Procedures;

17.5 Any allegations against staff should be taken directly and as a matter of urgency to the LSO, who will seek advice from the Director of HR.

17.6 The LSO should discuss the content of the allegation with the Local Authority Safeguarding Coordinator for Schools (Wales), Local Authority Designated Officer (England). This discussion will consider the nature, content and context of the allegation and agree a course of action;

17.7 The initial enquires should establish

- That an allegation has been made
- What is alleged to have occurred
- When and where the incident/s are alleged to have occurred
- Any other parties who may have been involved
- Any other persons present

17.8 It is important to establish as much of the above information as practical in order to assist with on-going enquires;

17.9 False or malicious allegations will be dealt with in line with MPCT Discipline Policy.

## 18 Whistle-blowing

18.1 There is a recognition that learners cannot be expected to raise concerns in an environment where staff fail to do so.

18.2 If concerns exist in relation to attitude or actions of colleagues, staff should be aware of their duty to raise these issues.

### **MPCT Whistleblowing Policy**

## 19 Equality & Diversity

19.1 MPCT is committed to ensuring that all learners gain maximum benefit from their education regardless of ethnic origin, sex, age, sexual orientation, disability, religious belief or non-belief, use of Welsh language, BSL or other languages, nationality, responsibility for any dependents' or any other reason which cannot be shown to be justified. For more detail refer to MPCT Equal Opportunities Policy.

## 20 Transition

- 20.1 'Transition is the period when young people develop from children to young adults. This is not a single event, such as leaving school, but a growing-up process that unfolds over several years and involves significant emotional, physical, intellectual and physiological changes. During this period, young people progressively assume greater autonomy in many different areas of their lives and are required to adjust to different experiences, expectations, processes, places and routines. Transitions also impact on the family or on those who care for the young person/young adult.'
- 20.2 Adolescence and the move to becoming a young adult are increasingly being recognised as a distinct developmental phase, much as children under five or older people are well-established with care needs adapted appropriately. Yet young people often do not have the same recognition of any specific requirements when it comes to the provision of services. There is a general lack of provision for, and knowledge of, the specific needs of the young adulthood developmental phase.
- 20.3 MPCT recognise that 'transition' is a significant phase within a young persons development and are committed to recognising and supporting them through this difficult period.

## 21 The use of 'reasonable force'

- 21.1 There are circumstances when it is appropriate for staff to use reasonable force to safeguard children and young people. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury to themselves or others. 'Reasonable' in these circumstances means 'using no more force than is necessary'. The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom.
- 21.2 MPCT believes that the adoption of a 'no contact' policy at college can leave staff unable to fully support and protect their pupils and students.
- 21.3 The decision on whether or not to use reasonable force to control or restrain a child is down to the professional judgement of the staff concerned and should always depend on individual circumstances.
- 21.4 When using reasonable force in response to risks presented by incidents involving children with SEN or disabilities or with medical conditions, the college should in considering the risks carefully recognise the additional vulnerability of these groups. They should also consider their duties under the Equality Act 2010 in relation to making reasonable adjustments and non-discriminatory.



- 21.5 MPCT will encourage the planning of positive and proactive behaviour support, for instance through drawing up individual behaviour plans for more vulnerable children, and agreeing them with parents and carers, each college can reduce the occurrence of challenging behaviour and the need to use reasonable force.
- 21.6 MPCT policy on physical intervention is set out in the relevant Local Authority Policy on The Use of Physical Intervention and is adopted and reviewed annually by MPCT Safeguarding Board.
- 21.7 MPCT will ensure that every physical restraint is recorded appropriately and sent to the relevant Local Authority as required. This will ensure an audit overview can be maintained centrally. Records of physical interventions are kept on pupil files and on MPCT 'My Concern' system and can be made available to parents on request.

## **22 Safeguarding Learners On and Off the college site**

- 22.1 Each Centre is considered a safe and secure place in which to learn and develop.
- 22.2 Access to each centre and building should be strictly monitored, and reviewed in line with the MPCT policy and guidance in relation to the Health and Safety of MPCT premises.
- 22.3 Visitors to any of the colleges premises will be subject to robust and relevant Risk Management processes. This will include anybody, who are not subject to DBS checks, unless working with pupils under supervised conditions.

### **Visits outside of school premises (including Foreign visits)**

- 22.4 It is recognised that there will be occasions when there will be opportunity to expand educational and social development by learner participation in college activities that take place away from the usual educational setting.
- 22.5 There may or may not be a residential component to the activity.
- 22.6 Schools should carry out all necessary Disclosure and Barring checks on adults providing care and accommodation. These visits differ to usual school trips as learners spend less time under the direct supervision of instructors.
- 22.7 Whenever a trip is organised it is important that there is close communication over the arrangements to enable clarity as to the organisation of the learners time
- 22.8 Appropriate Risk Assessment should be carried out in conjunction with the proposed activity/event.

## **23 Domestic Abuse**

- 23.1 Violence against women, domestic abuse and sexual violence can have a huge

impact on children and young people. It can affect their safety, health and wellbeing, educational attainment, family and peer relationships, and their ability to enjoy healthy, happy, respectful relationships in the future.

23.2 In each centre there will be young people and staff who are experiencing or perpetrating violence against women, domestic abuse or sexual violence. (VAWDASV)

23.3 Therefore, every centre is responsible for making sure its learners and staff are safe and healthy.

## **24 Implementation of Policy**

24.1 Overall responsibility for policy implementation rests with the Director or Risk Management. Designated Safeguarding Leads will be responsible for cascading the policy into operational action. All staff have a responsibility for the implementation of this Policy.

24.2 This policy is contained within the following documents and libraries.

- a) Induction handbook.
- b) Inspire
- c) HR system
- d) MPCT external website

## **25 Related Policies and procedures**

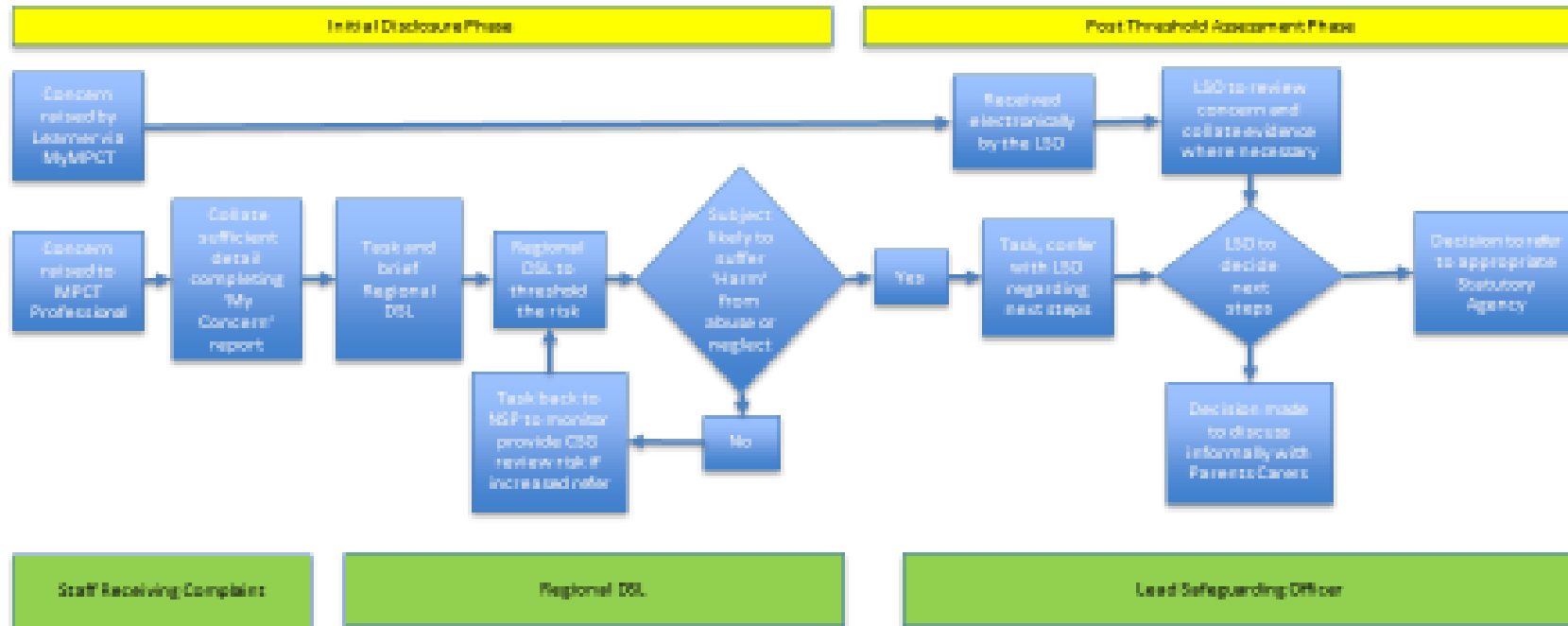
- a. Health and Safety Policies
- b. Safer Recruitment Policy
- c. IT /Media Policies
- d. Bullying and Harassment Policy.
- e. Performance Management Policy
- f. Disciplinary policy.
- g. Preventing Radicalisation and Extremism Policy.
- h. FGM Policy.
- i. Whistleblowing Policy.

## 26 Other Policies

26.1 MPCT will give regard to safeguarding principles when developing other policies.

26.2 Information in respect of further guidance and policies referred to within this document can be found at the start of this Policy. Further information in relation to Guidance and Circulars can also be accessed as a Useful Document.

## Safeguarding Concern Referral Process



## **App B      Definition of a Child, Young Person Abuse**

Abuse refers to actual or likely significant harm to a learner or young person under the age of 18yrs.

### **Significant Harm.**

Some learners are in need because they are suffering or are likely to suffer significant harm. The Children's Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children. The Local Authority is under a duty to make enquiries, or cause enquiries to be made, where it has reasonable cause to suspect that a CYP is suffering, or likely to suffer, significant harm (Section 47 of the Children's Act 1989).

An amendment was made in January 2005 to the definition of Harm, (Section 120 of the Adoption and Children's Act (2002)). Harm will also include 'the impairment suffered from seeing or hearing the ill-treatment of another'. This will amend section 31 sub-section 9 of the Children's Act 1989.

### **Learners in Need.**

Learners who are defined as being 'in need', under the Children's Act 1989, are those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services (Section 17(10) of the Children's act 1989). The critical factors to be considered in deciding whether a student is in need under the Children's Act 1989 are what will happen to a student's health or development without services, and the likely effect the services will have on the student's standard of health and development.

## App C The categories of abuse

The categories of abuses are usually described in four categories,

- a) **Physical**
- b) **Sexual**
- c) **Emotional**
- d) **Neglect**

however, these can often be described in much wider terminology when you consider the grooming, coercive and domestic elements.

**Physical** abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a learner, including by fabricating the symptoms of, or deliberately causing, ill health to a learner

**Female Genital Mutilation (FGM).** FGM is physical abuse, it has long lasting significant implications for those who have the procedure performed on them and it is illegal. On 12 February 2015, the Government introduced a mandatory reporting duty for FGM. The intention is that the new duty will make professionals' responsibilities in respect of FGM making it clear, and that it will aid police investigations and support an increase in the number of perpetrators caught and prosecuted.

The duty applies to professionals working within healthcare or social care, and teachers/educators. It therefore makes it a duty for all MPCT staff to report as abuse. More detail can be found under the MPCT FGM guidance.

### **Forced marriage**

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

The Forced Marriage Unit has published [statutory guidance](#) and Multi-agency guidelines, with pages 35-36 of which focus on the role of schools and colleges. School and college staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email [fm@fco.gov.uk](mailto:fm@fco.gov.uk).

### **So-called 'honour-based' violence**

So-called 'honour-based' violence (HBV) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the

community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving “honour” often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBV are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

#### Actions

If staff have a concern regarding a child that might be at risk of HBV or who has suffered from HBV, they should speak to the designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multiagency liaison with police and children’s social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on teachers<sup>99</sup> that requires a different approach (see following section).

**Emotional abuse** is the persistent emotional ill treatment of a learner such as to cause severe and persistent adverse effects on the learner’s emotional development. It may involve conveying to learners that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person, age or developmentally inappropriate expectations being imposed on learners, causing them frequently to feel frightened, or the exploitation or corruption of learners. Negative Discrimination (including racism) would also fall under emotional abuse.

**Sexual abuse** involves forcing or enticing a learner or young person to take part in sexual activities, whether the learner is aware of what is happening. Including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non- contact activities, such as involving children in looking at, or in the production of, pornographic material, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

**Sexual Exploitation.** Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact: it can also occur through the use of technology. Like all forms of child sex abuse, child sexual exploitation:

- can affect any child or young person (male or female) under the age of

18 years, including 16 and 17 year olds who can legally consent to have sex;

- can still be abuse even if the sexual activity appears consensual;
- can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity;
- can take place in person or via technology, or a combination of both;
- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence;
- may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media);
- can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse; and
- is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

Some of the following signs may be indicators of child sexual exploitation:

- children who appear with unexplained gifts or new possessions;
- children who associate with other young people involved in exploitation;
- children who have older boyfriends or girlfriends;
- children who suffer from sexually transmitted infections or become pregnant;
- children who suffer from changes in emotional well-being;
- children who misuse drugs and alcohol;
- children who go missing for periods of time or regularly come home late; and
- children who regularly miss school or education or do not take part in education.

**Neglect** is the persistent failure to meet a learner's basic physical and/or psychological needs, likely to result in the serious impairment of the learner's health or development. Neglect may involve a parent or carer failing to:

- a. Provide adequate food, clothing and shelter (including exclusion from home or abandonment).
- b. Or neglect of, or unresponsiveness to, a learner's basic physical and emotional needs.
- c. Ensure adequate supervision (including the use of inadequate care-



givers).

- d. Ensure access to appropriate medical care or treatment.
- e. It may also include neglect of, or unresponsiveness to, a learner's basic emotional needs.

**Bullying** (includes bullying by gangs; bullying by family members; physical bullying; verbal bullying; teasing; and harassment)

Signs and indicators of possible abuse. The recognition that a learner may be being abused can be very difficult. For staff involved this may be even more so. This is because indicators of possible abuse will come to your attention through emotional/behavioural signs from the learner. Remember it is not your responsibility to decide if a learner has been abused; it is your responsibility to raise cause for concern and to refer on.

Recognising signs of abuse or how abuse may come to the attention of staff. The harm or possible harm of a learner is most likely to come to the attention of the staff member by:

- a. The learner divulging to someone about the allegation.
- b. The learner's behaviour.
- c. An injury which aroused cause for concern.
- d. Cause for concern being raised (when several factors occurred over time).
- e. It is essential that any suspicions of risk of significant harm are acted on.
- f. Any information about the possible abuse of a learner received by staff regardless of the source or any indication that action has already been undertaken, by whoever, must be acted upon without delay.

### **Domestic abuse**

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; and
- emotional

Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the

abuse or may have had to leave the family home as a result. Domestic abuse affecting young people can also occur within their personal relationships, as well as in the context of their home life.

Advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

[NSPCC- UK domestic-abuse signs symptoms effects](#)

[Refuge what is domestic violence/effects of domestic violence on children](#)

[Safelives: young people and domestic abuse](#)

## Radicalisation

1.1 New Guidance from the Prevent Counter Terrorism Strategy which came into effect from July 1st 2018 sets out the responsibilities for 'specified authorities' which includes all educational establishments, to have 'due regard to the need to prevent people from being drawn into terrorism'. Due regard is defined as giving appropriate weight to the new duty taking into account the context of the college and its community. In fulfilling the new duty, the college is required to demonstrate clear protocols for ensuring that any visiting speakers – whether invited by staff or by children themselves – are suitable and appropriately supervised.

1.2 The school will fulfil its Prevent duty as per its Prevent Policy and will have due regard to the need to prevent people from being drawn into terrorism. Any immediate concerns will be reported to the LSO who will make the appropriate referral to the Police Extremism and Counter Terrorism Unit, a referral should also be made to the relevant Children Services, identifying on the form that this is a Prevent concern, where any immediate child protection concerns can be assessed and a decision will be made as to whether to refer to the Channel Panel.

1.3 The E-safety policy will ensure that children are unable to access unsuitable material on college premises.

1.4 MPCT will counter extremism and promote community cohesion by teaching a broad and balanced curriculum which promotes the spiritual, cultural, physical and mental development of pupils and prepares them for the opportunities, responsibilities and experiences of life.

1.5 Any visiting speakers will be assessed for suitability and will be appropriately supervised.

1.6 The college will ensure that all safeguards are appropriate and proportionate. There is a need for balance as it is important to allow learners the freedom to be different, experimental and have strong views and to challenge ideas with healthy debate. It is also important to keep learners safe from all forms of abuse and neglect, including exploitation, bullying, grooming, radicalisation, violent extremism, harassment, hate crime and violence.

1.7 Each Centre should be safe spaces in which children and young people can understand and discuss sensitive topics, including terrorism and the extremist ideas that are part of terrorist ideology, and learn how to challenge these ideas. The Prevent duty is not intended to limit discussion of these issues. Each Centre should, however, be mindful of their existing duties to forbid political indoctrination and secure a balanced presentation of political issues. (see Appendix ? Visitors and External Speakers Policy and Appendix 6 Prevent Policy)

## County Lines

1.1 County lines is the police term for urban gangs supplying drugs to suburban areas and market and coastal towns using dedicated mobile phone lines or “deal lines”. It involves child criminal exploitation (CCE) as gangs use children and vulnerable people to move drugs and money. Gangs establish a base in the market location, typically by taking over the homes of local vulnerable adults by force or coercion in a practice referred to as ‘cuckooing’.

1.2 County lines is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons; and the response to tackle it involves the police, the National Crime Agency, a wide range of Government departments, local government agencies and VCS (voluntary and community sector) organisations.

1.3 County lines activity and the associated violence, drug dealing and exploitation has a devastating impact on young people, vulnerable adults and local communities.

1.4 Some indicators of county lines involvement and exploitation are listed below, with those at the top of particular concern:

- Persistently going missing from school or home and / or being found out-of-area;
- Unexplained acquisition of money, clothes, or mobile phones
- Excessive receipt of texts / phone calls
- Relationships with controlling / older individuals or groups
- Leaving home / care without explanation
- Suspicion of physical assault / unexplained injuries
- Parental concerns
- Carrying weapons
- Significant decline in school results / performance
- Gang association or isolation from peers or social networks
- Self-harm or significant changes in emotional well-being

1.5 The college is committed to identify, support and where necessary refer instances where Learners are suspected in involvement in ‘County Lines’ activities.

1.6 All referrals will be made via the LSO.

## Modern Slavery and Human Trafficking

Modern Slavery is the term used within the UK and is defined within the Modern Slavery Act 2015. The Act categorises offences of Slavery, Servitude and Forced or Compulsory Labour and Human Trafficking (the of which comes from the Palermo Protocol).

These crimes include holding a person in a position of slavery, servitude forced or compulsory labour, or facilitating their travel with the intention of exploiting them soon after.

Although human trafficking often involves an international cross-border element, it is also possible to be a victim of modern slavery within your own country.

It is possible to be a victim even if consent has been given to be moved.

Children cannot give consent to being exploited therefore the element of coercion or deception does not need to be present to prove an offence.

### Types of Human trafficking

There are several broad categories of exploitation linked to human trafficking, including:

- Sexual exploitation
- Forced labour
- Domestic servitude
- Organ harvesting
- Child related crimes such as child sexual exploitation, forced begging, illegal drug cultivation, organised theft, related benefit frauds etc
- Forced marriage and illegal adoption (if other constituent elements are present)

### [Types of modern slavery crime](#)

## App D Staying Safe Online

The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm. An effective approach to online safety empowers the college to protect and educate the whole college community in their use of technology and establishes mechanisms to identify, intervene in and escalate any incident where appropriate.

The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

- **content:** being exposed to illegal, inappropriate or harmful material; for example pornography, fake news, racist or radical and extremist views;
  - **contact:** being subjected to harmful online interaction with other users; for example commercial advertising as well as adults posing as children or young adults; and
  - **conduct:** personal online behaviour that increases the likelihood of, or causes, harm; for example making, sending and receiving explicit images, or online bullying.
1. MPCT adheres to the IT Security and Internet Usage Policy, which has been written in consideration of learners on the MPCT programmes/courses and is aligned with national, regional and safeguarding policies.
  2. Learners are made aware of e-safety issues and are empowered to stay safe. MPCT actively encourages safe practice online. If you are worried about how someone is behaving towards you or someone else online, information on what to do can be found through CEOPS Link.
  3. If you as a learner at MPCT have any concern about your wellbeing, safety or rights, you should talk to your instructor or a member of staff you trust, or contact our Safeguarding Team via the Head Office 0330 111 3939 or email [keepmesafe@mpct.co.uk](mailto:keepmesafe@mpct.co.uk).

## App E Staff support

1. We recognise the stressful and traumatic nature of Safeguarding. We will support staff by providing an opportunity to talk through their anxieties with the RDSL or LSO and to seek further support as appropriate.
2. MPCT Staff with Specific Responsibility for the Safeguarding/Protection of Children and Vulnerable Adults. Training and Support
  - a. MPCT ensures that the Senior Manager, Designated Person, Nominated Deputy and RDSLs' receive training relevant to their role. The organisation must also ensure that all its employees/volunteers are kept informed about Safeguarding issues through a programme of staff information.
  - b. MPCT Lead Safeguarding Officer (LSO) Person for Children and Young People has the main responsibility for managing child and vulnerable adult protection issues within MPCT. The role and responsibilities are detailed as per policy.
  - c. Specific responsibilities in relation to allegations against MPCT Staff members are detailed in the MPCT Disciplinary Procedure and Whistleblowing Policy.

## App F Photographing, Videoing and Filming of Learners

All MPCT learners will have consent forms completed where NOK/Carers sign to confirm they are happy for photographs to be taken to support learners course work as evidence and happy for the photographs to be used in helping promote MPCT activities:

- a. Where appropriate all materials promoting MPCT events or activities shall be monitored and accredited photographers may be used.
- b. Where possible consent from the parent/guardian for photographing, videoing and/or filming of a child or vulnerable adult must be obtained prior to the event or activity if not covered by initial consent forms completed.
- c. Where possible anyone wishing to use photographic/film/video equipment at a venue must obtain the approval of MPCT.
- d. MPCT reserves the right always to prohibit the use of photography, film or video at any event or activity with which it is associated.
- e. The requirements above are publicly promoted to ensure all people present at the event or activity understand the procedure and are aware of whom to contact if concerned.

Concerns about Photographers, Video or Film Operators. Any concerns with photographers or video or film operators are to be reported to MPCT Director of Risk Management and where relevant, the Police.

Children or Vulnerable Adults in Publications and on the Internet. Sport websites and publications provide excellent opportunities to broadcast achievements of individuals to the world and to provide a showcase for the activities of young people or vulnerable adults. In some cases, however, displaying certain information about children and vulnerable adults could place them at risk. The following procedure must be followed to ensure MPCT publications and information on the Internet do not place learners and vulnerable adults at risk. MPCT publications and information on the Internet must adhere to the following:

Publications or information on an Internet site must never include personal information that could identify a learner e.g. home address, e-mail address, telephone number of a child or vulnerable adult.

Any contact information must be directed to either MPCT or another relevant organisation's address.

Before publishing any information learner, written consent must be obtained from the learners' parent/guardian. If the material is changed from the time of consent, the parents/guardians must be informed and consent provided for the changes.

The content of photographs or videos must not depict a learner in a provocative pose or in a state of partial undress. Learners must never be portrayed in a demeaning or tasteless manner.

For photographs or videos of groups or teams of children or vulnerable adults ensure that only the group or team is referred to, not individual members. Credit for achievements by a learner or vulnerable adult are to be restricted to names known to the college e.g. Mr M Jones.

All published events involving learners must be reviewed to ensure the information will not put learners at risk.

Care must be taken in publishing photographs, film or videos of learners who are considered particularly vulnerable e.g. the subject of a child or vulnerable adult protection issue or a custody dispute.

Care is to be taken in publishing photographs, films or videos of learners with physical, learning and/or communication or language disabilities, as they could be particularly vulnerable to abuse.

Any concerns or enquiries about publications or Internet information should be reported to MPCTs' Safeguarding Officer Steve Williams [stevewilliams@mpct.co.uk](mailto:stevewilliams@mpct.co.uk).

The MPCT At Risk Register must be completed by the staff member raising the issue. This will record the date and type of information received, what action was agreed with the Line Manager, the action taken and any follow up. This will be checked and monitored by the Director of Risk Management.



## App G Private Fostering

A private foster carer is someone other than a parent or a close relative who cares for a child for a period of 28 days or more, in agreement with the child's parent.

It applies only to children under 16 years, or under 18 if they are disabled.

Private foster carers can be part of the child's wider family, a friend of the family, the parents of the child's boyfriend or girlfriend or someone unknown but willing to foster the child.

Close relatives - a grandparent, a brother or sister, an aunt or an uncle, a step parent - are not private foster carers.

Some of the common situations where children are privately fostered are:

- a. Where parents are unable to care for their children, for example if they have chronic ill health or are in prison.
- b. Where children from abroad are sent to stay with relatives, often to improve their education.
- c. Teenagers who have broken ties with their parents and are staying in the short term with friends.
- d. Those living with host families whilst taking courses of study.
  - o Children's Social Care is not involved in making private fostering arrangements but is responsible for checking that the arrangements are suitable for the child.
  - o As a professional it is our mandatory duty to notify Children's Social Care if you are in contact with a child or young person who is being privately fostered. This will help protect the child against abuse or neglect and provide some reassurance that the child is being looked after properly



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