

Safeguarding including Prevent Policy

Safeguarding is everyone's responsibility

Petroc has a statutory and moral duty to ensure that it safeguards and promotes the welfare of all learners receiving education and training at, and through, the College.

Throughout these policies and procedures, reference is made to "children and young persons, or young people". This term is used to mean "those under the age of 18 years". The Governing Body recognises that some adults are also vulnerable to abuse. Accordingly, the procedures may be applied (with appropriate adaptations) to seek to ensure their protection as well.

The procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers. The word "staff" is used for ease of description.

Safeguarding is taken to mean 'All agencies working with children, young people and adults at risk of, or experiencing harm and their families taking all reasonable measures to ensure that the risk of harm to children's welfare are minimised and where there are concerns about children, young people and vulnerable adult's welfare, all agencies working together to take all appropriate actions to address those concerns, working to agree local policies and procedures in full partnership with each other. .

1. Introduction

1.1. This policy has been developed in accordance with the principles established by the Children Act 1989, Children Act 2004 and in line with government publications:

- Keeping children safe in education (KCSiE) : statutory guidance for schools and colleges DfE September 2018 and the updated guidance planned for September 2019
- All staff must read section 1 of KCSiE guidance.
- PREVENT Duty Guidance (for England and Wales July 2015)
- CONTEST Strategy 2018 (September)
- 'Working Together to Safeguard Children' 2015
- 'Framework for the Assessment of Children in Need and their Families 2000

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- 'What To Do If You Are Worried A Child Is Being Abused' March 2015
- Sexual violence and sexual harassment between children in schools and colleges
- 'Safeguarding Children in Education', DfS Guidance, September 2004
- 'Safeguarding Children and Safer recruitment in Education' DfES Guidance 2007
- Devon Safeguarding Children Board (DSCB) Online Multi Agency Child Protection Procedures
- Section 11 Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Petroc works closely with the DCFP Devon Children and Families Partnership www.devonchildrenandfamiliespartnership.org.uk/
- Early Help Process
- The Care Act 2014

1.2. Petroc takes seriously its responsibility under section 175 of the Education Act 2002 and section 11 of the Children Act 2004, alongside other Government guidance referenced in 1.1, to safeguard and promote the welfare of children and to work together with other agencies to ensure adequate arrangements are in place to identify, assess and support those children who are suffering harm.

1.3. We recognise that all staff have a full and active part to play in protecting children, young people and adults at risk of or experiencing harm and that the child's and adults welfare is our paramount concern.

The term Adults at Risk of Harm (Adults at Risk), replaces the previous term of vulnerable adults. The Care Act 2014 makes it clear that abuse of adults' links to circumstances rather than the characteristics of the people experiencing them. Labelling groups of people as inherently 'vulnerable' is seen to be disempowering.

1.4. The main aims of this policy are for the Safeguarding Committee:

- 1.4.1. To have a safeguarding policy in place; this includes safer recruitment and the Prevent Duty.
- 1.4.2. To oversee the College's safeguarding policy and review it annually
- 1.4.3. To advise the College on all matters of Safeguarding that might affect the organisation and to deliver information, training and guidance as appropriate.
- 1.4.4. To be aware of, and responsive to, relevant developments in the field of Safeguarding locally, nationally and globally and to attend and formally report back to the committee on relevant meetings that have been attended.

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- 1.4.5. To gather, monitor and report on Safeguarding data and activity relating to employment and services in accordance with the College's Safeguarding Policy and propose relevant adjustments where necessary.
- 1.4.6. To act as Safeguarding Champions in recognising that members of staff and learners have an important role to play in safeguarding the welfare of children and Adults at Risk in preventing their abuse.
- 1.4.7. Raise awareness of all staff of the need to safeguard children, young people and Adults at Risk and of their responsibilities in identifying and reporting possible cases of abuse.
- 1.4.8. Contribute to assessments of need and support plans for children, young people and Adults at Risk, who are thought to be at risk of harm.
- 1.4.9. Acknowledge the need for effective and appropriate communication between all members of staff in relation to safeguarding students.
- 1.4.10. Develop a structured procedure within Petroc which will be followed by all members of staff in cases of suspected abuse.
- 1.4.11. Develop effective working relationships with all other agencies involved in safeguarding children and adults.
- 1.4.12. Ensure that all Petroc staff who have access to children, young people and Adults at Risk, have been checked as to their suitability in accordance with Devon County Council policy and procedures and the Safeguarding Children and Safer Recruitment in Education Guidance 2007.

2. Procedures

- 2.1. Petroc procedures for safeguarding children, young people and Adults at Risk, will be in line with the Devon Children and Families Partnership (DCFP) Child Protection procedures and DfE Safeguarding procedures. We will ensure that:
 - 2.1.1. The Executive and wider Senior Management Team understands and fulfils its safeguarding and Prevent responsibilities.
 - 2.1.2. We have a Designated Safeguarding Lead, a Deputy Designated Safeguarding Lead and members of a solely dedicated safeguarding team for Child Protection who have undertaken child protection training delivered through the DCFP Devon Children and Families or suitable alternative training providers.

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- 2.1.3. We have a team of identified staff who will act as safeguarding support staff across all sites and in some instances are the first point of contact for learners or staff; they will liaise closely with the lead safeguarding staff. Safeguarding team members will meet monthly (term time) to update on emerging concerns, training requirements and to discuss trends, this meeting is referred to as the Safeguarding Practitioners meeting.
- 2.1.4. All members of staff will receive mandatory training that complies with a DCFP Devon Children and Families Partnership and Department for Education (DfE) standards, in order to develop their understanding of the signs and indicators of abuse with refresher training every three years. Failure to complete initial training will be deemed as not completing their probation period satisfactorily.
- 2.1.5. All members of staff know how to respond to a child, young person or Adult at Risk, who discloses abuse and the procedure to be followed in appropriately sharing a concern of possible abuse or a disclosure of abuse.
- 2.1.6. Governors – all Governors at the College will receive Safeguarding training on a 3 year basis. The Governing Body can take collective Responsibility or identify an individual who is responsible for Child Protection and Safeguarding within the College. This will be decided on an annual basis.
- 2.1.7. All parents/carers are made aware of Petroc’s responsibilities with regard to child protection through the publication of our Safeguarding Policy on our website.
- 2.1.8. Selection and recruitment includes all appropriate checks on staff suitability including DBS (Disclosure and Barring Services) checks and is compliant with the legal requirements. The HR team holds this information as part of the Single Central Record.
- 2.1.9. Our policy and procedures will be reviewed annually and appropriately updated.
- 2.1.10. All staff new to Petroc will be made aware of the Safeguarding Policy and its importance. New staff will receive safeguarding training as part of their initial staff induction programme.
- 2.1.11. The Safeguarding Committee meets twice a term, with an annual report presented to the Governing Body. Membership of the Safeguarding Committee includes the Lead Safeguarding Senior Manager and Deputy, as well as the lead Safeguarding and Prevent Governing body member and Deputy Safeguarding and Prevent Governing body member.

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3. Responsibilities

- 3.1. We understand that our responsibility to safeguard children, young people and Adults at Risk, requires that we all appropriately share any concerns that we may have about them.
- 3.2. We have a Deputy Designated Safeguarding Lead supported by a Safeguarding Team who are responsible for the monitoring of child protection and safeguarding of students within the college and:
 - 3.2.1. Acting as a focal point for staff to discuss concerns and liaising with other agencies and professionals.
 - 3.2.2. Ensuring that all staff are aware of the Safeguarding policy and know how to recognise and refer any concerns.
 - 3.2.3. Keeping themselves up to date with knowledge to enable them to fulfil their role, including attending relevant training provided by Petroc and the Local Designated Authority.
 - 3.2.4. Record keeping – Safeguarding records are kept centrally and securely by the Safeguarding Team

4. Confidentiality

- 4.1. We recognise that all matters relating to safeguarding children, young people and adults at risk are sensitive, but cannot be treated as confidential, by the person to whom any disclosure is made. All staff who receive a disclosure are under a duty to share this information with the safeguarding team, who may need to contact other agencies. This should be explained to the person about to disclose and reassurance given about how this will be handled with discretion.
- 4.2. All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children, young people and adults at risk
- 4.3. All staff must be aware that they cannot promise a child, young person or Adult at Risk, to keep secrets which might compromise the child's, young persons or Adult at Risks safety or well-being, or that of another.
 - 4.3.1. Staff are made aware that they must make a record of safeguarding issues as soon as possible and at least before the end of the working day. These records must be signed and dated. Staff should use the appropriate referral documentation, this is on the College intranet.

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- 4.4. We will always (if appropriate) endeavour to seek permission from the young person (or Adult at Risk if appropriate) before sharing sensitive information with their parents/carers.
- 4.5. Safe recruitment practice means scrutinising applicants, verifying identity and qualifications, obtaining character and professional references, checking previous employment history.

5. Supporting Staff

- 5.1. We recognise that staff who have become involved with a child or Adult at Risk, who has suffered harm, or appears to be likely to suffer harm, may find the situation stressful or upsetting.
- 5.2. We will support such staff by providing an opportunity to talk through their anxieties and to seek further support. This could be provided by the college safeguarding team.
- 5.3. We understand that staff should have access to advice on the boundaries of appropriate behaviour. The document 'Guidance for Safe Working Practices for the Protection of Children and Staff in Education settings' produced by The National Network of Investigation and Referral Support coordinators in February 2005 provides advice on this and the circumstances which should be avoided in order to limit complaints against staff of abuse of trust and/or allegations of physical or sexual abuse. Safeguarding in education is a part of the staff development programme.

6. Allegations Against Staff

- 6.1. All staff should take care not to place themselves in a vulnerable position with a child, young person or Adult at Risk. It is always advisable for interviews or work with individual children, Adults at Risk or parents to be conducted in view of other adults or with another member of staff present.

We understand that a child, young person or adult may make an allegation against a member of staff. If such an allegation is made, please refer immediately to the Allegations against Staff Guidance Flowchart and follow the procedure.

- 6.2. The Designated Safeguarding Lead or the Deputy Designated Safeguarding Lead on all such occasions will discuss the content of the allegation with the Local Authority Designated Officer (LADO) as part of the Devon safer recruitment and employment strategy October 2009.
- 6.3. Suspension of the member of staff against whom an allegation has been made needs careful consideration and the decision will be passed to the Director for HR and Organisational Development in consultation with the Lead Designated Senior Manager and the LADO where appropriate.

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7. Whistle blowing

- 7.1. We recognise that children, young people and Adults at Risk, cannot be expected to raise concerns in an environment where staff fail to do so.
- 7.2. All staff should be aware of their duty to raise concerns about the attitude or actions of colleagues. If necessary, they should speak to HR and/or the Designated Safeguarding Lead and/or the Deputy Designated Safeguarding Lead.

8. Implementation

- 8.1. This policy supersedes all existing Safeguarding policies.

9. Policy Review

- 9.1. The Designated Safeguarding Lead, in conjunction with the Safeguarding Committee, is responsible for ensuring the annual review of this policy and informing the Senior Management Team and Governors of Petroc of any suggested amendments or updates.
- 9.2. Cross reference to:
- Allegations Against Staff Flowchart (Appendix 5)
 - Equality Policy
 - Prevent Duty Guidance
 - Learner Rights and Responsibilities Policy
 - Looked After Children and Care Leavers Policy
 - Safer Recruitment Policy
 - Learner Wellbeing Policy (FE)
 - Fitness to Study Policy (HE)
 - Whistle blowing Policy
 - Recruitment and Selection Policy
 - Health and Safety
 - Induction of staff process
 - Code of Conduct
 - Safeguarding including PREVENT external speakers policy
 - Safety and Security policy

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General Policy Statement

The Governing Body is committed to ensuring that the College:

- provides a safe environment in which children, young people and Adults at Risk can learn;
- identifies children, young people and Adults at Risk who are suffering, or are likely to suffer, significant harm, and takes appropriate action to see that such children, young people and Adults at Risk are kept safe, both at home and at the College.

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

- raising awareness of issues relating to the welfare of children, young people and Adults at Risk, and the promotion of a safe environment for children, young people and Adults at Risk learning within, and through, the College;
- aiding the identification of children, young people and Adults at Risk, who are at risk of significant harm, and providing procedures for reporting concerns;
- establishing procedures for reporting and dealing with allegations of abuse against members of staff;
- ensuring the safe recruitment of staff.

In developing these policies and procedures, the Governing Body will consult with/ take account of guidance issued by the Department for Education (DfE) and other relevant bodies and groups. In particular, the procedures have been developed in co-operation with the Devon Children and Families Partnership (DCFP).

The College will refer concerns that a child, young person or Adult at Risk, who might be at risk of, or experiencing significant harm to the MASH (Multi Agency Safeguarding Hub) or Care Direct, and where appropriate, to the Police.

All staff working with children, young people and Adults at Risk, will receive training adequate to familiarise them with safeguarding issues and responsibilities and the College policies and procedures, with refresher training at least every 2 years. There will be a senior member of the College management team with special responsibility for safeguarding issues (the "senior staff member with lead responsibility for safeguarding"). He/she shall be assisted by other members of staff with responsibility for safeguarding children, young people and adults.

Types of abuse and neglect

All college staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

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Abuse: a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, by others (e.g. via the internet). They may be abused by an adult or adults or by another child or children.

The Governing Body recognises the following as definitions of abuse.

Physical Abuse

Physical abuse causes harm to a child's person. It may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning or suffocating. It may be done deliberately or recklessly, or be the result of a deliberate failure to prevent injury occurring.

Neglect

Neglect is the persistent or severe failure to meet a child or young person's basic physical and/or psychological needs. It will result in serious impairment of the child's health or development.

Sexual Abuse

Sexual abuse involves a child, young person or vulnerable adult being forced or coerced into participating in, or watching, sexual activity. It is not necessary for the child to be aware that the activity is sexual, and the apparent consent of the child is irrelevant.

Child Sexual Exploitation

Child sexual exploitation (CSE) is a form of child abuse which involves children and young people (male and female, of a range of ethnic origins and ages, in some cases as young as 10) receiving something in exchange for sexual activity. Perpetrators of child sexual exploitation are found in all parts of the country and are not restricted to particular ethnic groups.

Emotional Abuse

Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the child's, young person's or vulnerable adult's behaviour and emotional development, resulting in low self-worth. Some level of emotional abuse is present in all forms of abuse.

An additional Duty came into force in July 2015

FGM (Female Genital Mutilation)

Legal Duty FGM is illegal in the U.K and is child abuse. The mandatory reporting duty is a legal duty provided for in the FGM Act 2003 (as amended by the Serious Crime Act 2015).The duty requires regulated health and social care professionals and teachers in England and Wales to report known cases of FGM in under 18-year-olds to the police. It came into force on 31 October 2015.

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'Known' cases are those where either a girl informs the person that an act of FGM – however described – has been carried out on her, or where there are physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and there is no reason to believe that the act was necessary for the girl's physical or mental health or for the purposes connected with labour or birth.

All staff have an awareness of safeguarding issues, some of which are listed below. Staff should be aware that behaviours linked to the likes of drug taking, alcohol abuse, truanting and sexting put children in danger.

All staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to, bullying (including cyberbullying), gender based violence/sexual assaults and sexting. Staff should be clear as to the school or college's policy and procedures with regards to peer on peer abuse.

- bullying including cyberbullying
- children missing education
- child missing from home or care
- child sexual exploitation (CSE)
- domestic abuse
- drugs
- fabricated or induced illness
- faith abuse
- female genital mutilation (FGM)
- forced marriage-
- gangs and youth violence
- gender-based violence/violence against women and girls (VAWG)
- hate
- mental health
- missing children and adults
- private fostering
- preventing radicalisation – and Annex A
- relationship abuse
- sexting
- trafficking

If you are concerned about a child, young person or Adult at Risk's safety, please speak to a safeguarding officer for advice on what to do next. Alternatively, use the college safeguarding reporting mechanism as specified earlier in the document.

Part 1 of "Keeping Children Safe in Education" contains important additional information about specific forms of abuse and safeguarding issues. All staff must read this part of the document.

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DESIGNATED STAFF WITH RESPONSIBILITY FOR CHILD PROTECTION

Designated Senior Manager with Lead Responsibility

The designated senior member of staff with lead responsibility for child, young people or Adults at Risk, safeguarding issues is:-

Jane Hanson, Vice Principal Quality, Curriculum and Learners
tel 01271 852522, email jane.hanson@petroc.ac.uk

This person is a senior post holder and member of the Senior Leadership team who has a key duty to take lead responsibility for raising awareness within the staff of issues relating to the welfare of children, young persons and Adults at Risk, and the promotion of a safe environment for the children, young persons and Adults at Risk within the College and has received training in child protection issues and inter-agency working, as required by the Devon Children and Families Partnership (DCFP) , and will receive refresher training at least every 2 years. They will keep up to date with developments in child protection issues.

The Lead Designated Senior Manager is responsible for:

- overseeing the referral of cases of suspected abuse or allegations to the relevant investigating agencies;
- providing advice and support to other staff on issues relating to safeguarding;
- maintaining a proper record of any safeguarding referral, complaint or concern (even where that concern does not lead to a referral);
- ensuring that parent/guardian of children, young people and where appropriate Adults at Risk, within the College are aware of the College’s safeguarding policy;
- liaising with the Local Authority (LA) and DCFP and other appropriate agencies;
- liaising with secondary schools which send pupils to the College to ensure that appropriate arrangements are made for those pupils when within the College;
- ensuring that College departments which place children, young persons or Adults at Risk, on long term work experience placements, or similar, make known to the employers or training organisations concerned the safeguards the College requires them to put in place to ensure the safety and wellbeing of the students whilst placed with them;
- ensuring that all staff receive basic training in child protection issues and are aware of the College child protection procedures;
- providing the Governing Body with an annual report setting out how the College has discharged its responsibilities for child protection and for reporting to the Governing Body, at the earliest opportunity, any deficiencies in the policy or procedures identified by the DCFP (or others).

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Safeguarding Lead Team Member

The other designated member of staff with responsibility for safeguarding issues:-

Pete Gammon, Deputy Designated Safeguarding Lead

tel: 01271 852370, e-mail peter.gammon@petroc.ac.uk

Safeguarding Team email address - safeguarding@petroc.ac.uk

Safeguarding Office tel: 01271 852370

who:

- works closely with the identified safeguarding support staff
- reports to the senior staff member with lead responsibility;
- will know how to make an appropriate referral;
- will be able to provide advice and support to other staff on issues relating to safeguarding children, young people and Adults at Risk.
- has particular responsibility to be available to listen to children, young people and Adults at Risk studying at the College;
- will deal with individual cases, including attending case conferences and review meetings as appropriate;
- will have received training in child protection issues and inter-agency working, as required by the DCFP, and will receive refresher training at least every 2 years.

Chair of Governors

The Chair of Governors is responsible for overseeing the liaison with the appropriate agencies (e.g. Police, LADO) in the event of allegations of child abuse being made against the Principal.

The Governing Body

The Governing Body is responsible for:

- ensuring that the College has procedures and policies which are consistent with the DCFP procedures;
- reviewing the College policy on Safeguarding each year;
- monitoring the effectiveness of the Safeguarding policy and how it has operated, through an annual report from the Designated Senior Manager with Lead Responsibility.
- One appointed member of the Governing Body will be given additional responsibility for Safeguarding and Prevent and another appointed member will be asked to act as their deputy

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DEALING WITH DISCLOSURE OF ABUSE AND PROCEDURE FOR REPORTING CONCERNS

If a child, young person or Adult at Risk tells a member of staff about possible abuse, that member of staff must:

- listen carefully and stay calm;
- not interview the child (young person or Adult at Risk), but allow her/him to convey all the information (s)he wants. (Inappropriate questioning can prevent the presentation of evidence upon which decisions are made about the care of children or the prosecution of offenders.);
- ensure that (s)he understands what the child is telling her/him;
- not put words into the child’s (young person or Adult at Risk) mouth;
- reassure the child (young person or Adult at Risk) that by telling the member of staff, (s)he has done the right thing;
- inform the child (young person or Adult at risk) that (s)he (the member of staff) must pass the information on, but that only those who need to know about it will be told.
- inform the child (young person or Adult at Risk) of to whom the member of staff will report the matter; *NB College Counsellors may, under exceptional circumstances and with guidance afforded by their professional supervisor, continue to work in confidence under their professional code of ethics; (an appropriate risk assessment will be carried out in such circumstances)*
- as soon as possible, (the same day) fill out the Petroc Safeguarding and Prevent disclosure form that is available from MyPetroc and make sure that the Safeguarding team are in possession of it.

Staff should not investigate concerns or allegations themselves, but should report them immediately to the designated staff member or, in their absence, to the senior staff member with lead responsibility. Failure to report such an allegation or concern could lead to action being taken against the member of staff under the College’s staff disciplinary procedures.

Any Higher Education learner(s) involved in a PREVENT incident or activity will need to be reported to The Office for Students (OfS), in addition to following Petroc’s normal PREVENT reporting procedure. The Deputy Designated Safeguarding Officer will be responsible for reporting incidents to the OfS

What to report

OfS guidance requires providers to identify whether an incident is Prevent-related and reportable to the OfS as monitor. A provider should report to the OfS any incidents or developments which:

- have led to the review and substantive revision of Prevent-related policies
- have caused harm to staff and students or reputational harm
- could be reasonably perceived as being related to Prevent.

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What not to report

Provider's are not expected to report 'business as usual' events linked to responsibilities under Prevent – for example, formal Channel referrals, or informal contact with the police or local Prevent partners.

How to report

All actual or potential Prevent-related serious incidents should be reported to the OfS either by:

- email at prevent@officeforstudents.org.uk
- phone on 0117 9317079

For more information/full guidance:

<https://www.officeforstudents.org.uk/media/29154421-d3e7-4989-9e53-94413fd013f9/ofs-prevent-related-serious-incident-guidance.pdf>

REPORTING AND DEALING WITH ALLEGATIONS OF ABUSE AGAINST MEMBERS OF STAFF

As previously stated, the procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers. The word "staff" is used for ease of description.

1. Introduction

- 1.1. In rare instances, staff of educational institutions have been found responsible for child abuse. Because of their frequent contact with children and young people, staff may have allegations of child abuse made against them. 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. It is imperative that those dealing with an allegation maintain an open mind and that investigations are thorough and not subject to delay.
- 1.2. The College recognises that the Children Act 1989 states that the welfare of the child is the paramount concern. It is also recognised 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.

2. Receiving an Allegation from a Child against a member of staff. For allegations against the Executive Management Team see paragraph 4.

- 2.1. A member of staff who receives an allegation about another member of staff from a child should follow the guidelines in Part C for dealing with disclosure.

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- 2.2. The allegation should be reported immediately to the Vice Principal Quality, Curriculum and Learners (Designated Safeguarding Lead) or Deputy Designated Safeguarding Lead if the Vice Principal Quality, Curriculum and Learners is not available, a decision will be made as to who will case manage the allegation, and should:
- 2.2.1. in conjunction with a representative of the College’s Human Resources office, obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the Vice Principal Quality Curriculum and Learners (Designated Safeguarding Lead) or Deputy Designated Safeguarding Lead in the Vice Principal’s absence. If the Deputy Designated Safeguarding Lead is overseeing the incident in the absence of the Vice Principal Quality, Curriculum and Learners, they must ensure the Vice Principal Quality, Curriculum and Learners is informed of all actions.
 - 2.2.2. record information about times, dates, locations and names of potential witnesses.

3. Initial Assessment by the Vice Principal Quality Curriculum and Learners (Designated Safeguarding Lead)

- 3.1. The Vice Principal Quality, Curriculum and Learners should make an initial assessment of the allegation, consulting with the Deputy Designated Safeguarding Lead. Where the allegation is considered to be either a potential criminal act or indicates that the child has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the relevant investigating agencies.
- 3.2. It is important that the Vice Principal Quality, Curriculum and Learners does not investigate the allegation further. The initial assessment should

be on the basis of the information received and requires a decision on whether or not the allegation warrants further investigation by the relevant investigating agencies.

- 3.3. Other potential outcomes are the allegation:
- 3.3.1. represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime, nor a cause of significant harm to the child. The matter should be addressed in accordance with the College disciplinary procedures;
 - 3.3.2. can be shown to be false because the facts alleged could not possibly be true.

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4. Receiving an Allegation from a Child against any Senior Post Holders

- 4.1. A member of staff who receives an allegation about a member of the Executive Management Team from a child should follow the guidelines in Part C for dealing with disclosure.
- 4.2. The allegation should be reported immediately to the Chair of Governors who should:-
 - 4.2.1. in conjunction with a representative of the College's Human Resources office, obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the Chair of Governors;
 - 4.2.2. record information about times, dates, locations and names of potential witnesses.

5. Initial Assessment by the Chair of Governors

- 5.1. The Chair of Governors, if the allegation is against the Executive Management Team, should make an initial assessment of the allegation, consulting with the Designated Safeguarding Lead. Where the allegation is considered to be either a potential criminal act or indicates that the child has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the relevant investigating agencies.
- 5.2. It is important that the Chair of Governors does not investigate the allegation further. The initial assessment should be on the basis of the information received and requires a decision on whether or not the allegation warrants further investigation by the relevant investigating agencies.
- 5.3. Other potential outcomes are the allegation:
 - 5.3.1. represents inappropriate behaviour or poor practice by the Executive Management Team and is neither potentially a crime, nor a cause of significant harm to the child. The matter should be addressed in accordance with the College disciplinary procedures;
 - 5.3.2. can be shown to be false because the facts alleged could not possibly be true due to evidence of physical location or other substantial evidence.

6. Enquiries and Investigations

- 6.1. Child protection enquiries by LADO (Local Authority Designated Officer) or the Police are not to be confused with internal, disciplinary enquiries by the College. The College may be able to use the outcome of external

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agency enquiries as part of its own procedures. The child protection agencies, including the Police, have no power to direct the College to act in a particular way. The College, however, will assist the agencies with their enquiries.

- 6.2. The College will usually hold in abeyance its own internal enquiries while the formal Police or LADO investigations proceed. To do otherwise may prejudice the investigation. Any internal enquiries thereafter shall conform with existing staff disciplinary procedures.
- 6.3. If there is an investigation by an external agency, for example the Police, the Designated Safeguarding Lead (or Chair of Governors, if the allegation is against the Executive Management Team) should normally be involved in, and contribute to, the inter-agency strategy discussions. Designated Safeguarding Lead (or Chair of Governors if the allegation is against the Executive Management Team) is responsible for ensuring that the College gives every assistance with the agency's enquiries. (S)he 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.
- 6.4. Subject to objections from the Police, or other investigating agency, the Designated Safeguarding Lead (or Chair of Governors, if the allegation is against the Executive Management Team) shall:
 - 6.4.1. inform the child/children making the allegation that an investigation is taking place and what the likely process will involve;
 - 6.4.2. ensure that the parents/carers of the child making the allegation have been informed that the allegation has been made and what the likely process will involve;
 - 6.4.3. inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve, and advise that (s)he should consult with a representative of, for example, a trade union;
 - 6.4.4. inform the Chair of Governors (or the Governing Body, if the allegation is against the Principal) of the allegation and the investigation as soon as external agencies are informed.
 - 6.4.5. keep a written record of the action taken in connection with the allegation.

7. Suspension of Staff

- 7.1. Suspension should not be automatic. If an allegation is made against a staff member and it is appropriate to suspend them from work, pending an investigation, only a senior post holder has the authority to suspend them from their duties. If an allegation is made against a member of

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Executive Management Team, suspension can only be carried out by the Chair of Governors (or, in his/her absence, the Vice Chair).

- 7.2. Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary act and shall be on full pay. Consideration can be given to alternatives: e.g. paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.
- 7.3. Suspension should only occur for a good reason. For example where:-
 - 7.3.1. any child is at risk;
 - 7.3.2. the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct;
 - 7.3.3. necessary for the good and efficient conduct of the investigation, both external or internal.
- 7.4. If suspension is being considered, the member of staff should be encouraged to seek advice, for example from a trade union.
- 7.5. If a senior post holder (or Chair of Governors, if the allegation is against the Executive Management Team) considers that suspension is necessary, the member of staff shall be informed that (s)he is suspended from duty. Written confirmation of the suspension on full pay, with reasons, shall be dispatched as soon as possible, and ideally within one working day.
- 7.6. Where a member of staff is suspended, a senior post holder (or Chair of Governors, if it is an Executive Management Team member who has been suspended) shall:
 - 7.6.1. Inform the Chair of Governors of the suspension in writing within two working days.
 - 7.6.2. Consider the need for the Governing Body to receive a report that a member of staff has been suspended, pending investigation. The detail given to the Governing Body should be minimal.
 - 7.6.3. Where the Principal has been suspended, the need for the Chair of Governors to take action to address the management of the College.
 - 7.6.4. The need for the parents/carers of the child making the allegation to be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the child making the allegation of the suspension.
 - 7.6.5. The need to inform those senior staff who need to know of the reason for the suspension.
 - 7.6.6. Depending on the nature of the allegation, the need to consider whether a statement to the students of the College and/or parents/carers should be made.

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- 7.7. The senior post holder (or the Chair of Governors, if it is the Principal who has been suspended) shall consider carefully, and review, the decisions as to who is informed of the suspension and investigation. The LADO and external investigating authorities will be consulted.
- 7.8. The suspended member of staff will be given appropriate support during the period of suspension. (S)he will also be provided with information on progress and developments in the case at regular intervals.
- 7.9. The suspension will remain under review in accordance with the College disciplinary procedures.

8. The Disciplinary Investigation

- 8.1. A disciplinary investigation can be undertaken by the College irrespective of whether or not the external bodies decide to take any further action in relation to the allegation.
- 8.2. The disciplinary investigation will be conducted in accordance with the existing staff disciplinary procedures.
- 8.3. The member of staff will be informed of:
 - 8.3.1. the disciplinary charge against him/her;
 - 8.3.2. his/her entitlement to be accompanied or represented by a trade union representative or work colleague.
- 8.4. Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension will be lifted immediately and arrangements made for the member of staff to return to work. It may be appropriate to offer counselling.
- 8.5. The child or children making the allegation and their parents/carers will be informed of the outcome of the investigation and proceedings. This will occur prior to the return to College of the member of staff (if suspended).
- 8.6. The Vice Principal Quality, Curriculum and Learners (or Chair of Governors, if the person who was the subject of the investigation was a member of the Executive Management Team) will give consideration to what information should be made available to the general population of the College.

9. Allegations without foundation

- 9.1. False allegations may be indicative of problems of abuse elsewhere. A record will be kept and consideration given to a referral to the Local Safeguarding Children Board in order that other agencies may act upon the information.

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- 9.2. In consultation with the senior staff member with lead responsibility and/or the Chair of Governors, the Vice Principal Quality, Curriculum and Learners shall:
- 9.2.1. inform the member of staff against whom the allegation is made, orally and in writing, that no further disciplinary or child protection action will be taken. Consideration will be given to offering counselling/support;
 - 9.2.2. inform the parents/carers of the alleged victim of the outcome;
 - 9.2.3. where the allegation was made by a child other than the alleged victim, give consideration to informing the parents/carers of that child;
 - 9.2.4. prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action has been taken.
- 9.3. If the allegation was against the Principal/Vice Principal Quality, Curriculum and Learners, steps 7.1 to 7.2 above will be undertaken by the Chair of Governors.

10. Records

- 10.1. 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.
- 10.2. If a member of staff is dismissed, or resigns before the disciplinary process is completed, (s)he will be informed about the College's statutory duty to inform the Secretary of State for Education under the Children's Barred List procedures.
- 10.3. If, as a result of the investigation, a member of staff resigns or is dismissed then the Designated Safeguarding Lead (in their absence the Deputy Designated Safeguarding Lead), in conjunction with the Director of HR and Organisational Development will make a decision as to whether the ISA, or any other agency should be informed. That decision will be implemented by the Director of HR and Organisational Development.

11. Monitoring Effectiveness

- 11.1. Where an allegation has been made against a member of staff, the Vice Principal Quality, Curriculum and Learners (Designated Safeguarding Lead), the Chair of Governors and the senior staff member with lead responsibility will, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising which need:

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- 11.1.1. to be taken into account when reviewing the College's policies/ procedures, or;
- 11.1.2. to be drawn to the attention of the LADO.

12. Allegation(s) Made Against a Student or a Number of Students

- 12.1 We have a Duty of Care for all students who attend Petroc and where an allegation has been made against, or where allegations are being exchanged between students the Deputy Designated Safeguarding Lead or the Designated Safeguarding Lead (or representative) will make a decision as to whether the student(s) will be asked not to return to college until it is considered safe to do so.
- 12.2 The Safeguarding team will notify the students(s) and where appropriate the parent/carers in writing of the decision and will work with any relevant agencies, acting as quickly as possible in seeking an appropriate, safe conclusion to the investigation.

13. Learners or Staff Taking Photographic Images, Making Films or Sound Recordings whilst in College

- 13.1. In order to safeguard students and staff whilst they are engaged in any college activities on or offsite, whether classroom based, work based, on enrichment trips/visits, social activity or any other activities linked to college, students are not allowed to take photographic images, make films or sound recordings or record teaching sessions in any way or at any time whilst enrolled at Petroc unless under the direct instruction and with the express permission from the member of staff in charge of the teaching and learning activity.
- 13.2. To comply with Petroc Safeguarding protocols, staff and students are not allowed to take photographic images, make films or sound recordings of fellow students or Petroc staff and upload them to any website without their prior written consent. If the photographic images, films or sound recordings are being taken by any Petroc staff member they should seek written approval from their line manager before any photographic images, films or sound recordings are uploaded to the public domain.

14. Prevention of Violent Extremism – The 'Prevent' Agenda

- 14.1. In February 2008 the Government published guidance to local partners including colleges on preventing violent extremism. While the guidance was prompted following examples of Al Qaida behaviour, it is also aimed at reducing the risk of radicalisation of vulnerable people by other groups, including some Animal Rights Groups and Far Right Groups.
- 14.2. Young people and vulnerable groups are particularly targeted by groups who may promote violent extremist activity.

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- 14.3. College staff should be aware of signs of radicalisation and receive appropriate training. They will have the confidence to report their concerns to the Safeguarding and Prevent Team.
- 14.4. Any such concerns should be recorded in writing and reported to the Safeguarding Team. They will liaise with the contact at Devon and Cornwall Police following the procedures in the joint protocol.
- 14.5. The College will also promote the ethos of the 'Prevent' agenda by encouraging free and open debate but challenging extreme views. It will encourage through its classroom practice, theme weeks and induction activities, a belief in Equality of Opportunity and the celebration of Diversity. Petroc encourages all staff and learners to accept and abide by the British/Petroc fundamental values
- 14.6. The College will not host or allow its premises to be used by extreme groups and will seek to prevent the distribution of extreme literature.
- 14.7. The College has a legal responsibility to forbid the promotion of partisan political views in the teaching of any subject in the college and must take such steps as are reasonably practicable to secure that where political issues are brought to the attention of students they are offered a balanced presentation of opposing views. Promotion of any organisations linked to violent extremism is contrary to the values of the college and could constitute misconduct.
- 14.8. The College will provide appropriate support through its own staff or by referral to external agencies, for any student in danger of radicalisation. However, all concerns must be reported to the Safeguarding Team to make a decision of what action to take

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Work Experience / Work Placements

Learners out on work experience

Guidance from the DfE indicates that providers do not generally need to ask Employers to undertake a basic, standard or enhanced Disclosure and Barring Service (DBS) check on members of staff supervising young people aged 16 or 17 years (this includes freelancers).

However, where a student has a need for personal or health care due to a disability, the person providing that personal or healthcare should be asked to obtain an enhanced DBS check.

A line manager or supervisor of a learner should be asked to undergo a basic DBS check if a provider feels this is necessary, in situations such as:

1. The learner is identified by the college as being at risk of harm or may be vulnerable/at risk
2. Regular lone working or isolated environments with 1:1 working
3. Placements involve a residential element

A learner will require an enhanced DBS check if they are undertaking an industrial placement/work experience in certain sectors – Health Care and Early Years.

16 -18 learners in other schools or colleges

The following learners would not require a DBS disclosure:

- learners in connection with short careers or subject placement

Information Sharing

The college will, if they are aware of such information, preferably with the learners consent, share information with a work placement/experience setting where information is held that they are a risk of harm to themselves/to others

Whilst the college would always seek consent from the learner to share this information, there will be occasions where this is not given or sought in the interests of safeguarding the learner themselves and or others.

It will then be the responsibility for the work experience setting/placement, in conjunction with the college to risk assess this information to ensure the setting/placement can meet the needs of our learners and safeguard them based on what's been shared. This assessment will be shared with the learner and retained by both the college and the work experience setting.

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TRIPS AND RESIDENTIALS

Supplementary guidance/procedures for Outdoor Learning Residential Centres

When children, young people or Adults at Risk, are changing and showering staff need to ensure that they do not allow themselves to be compromised.

Staff must always ask for permission to enter the bedrooms of children, young people or Adults at Risk and should be accompanied. Conversations should be conducted from the open doorway. Staff must ensure that they do not enter a bedroom when to do so would mean they would be alone with a child or young person or Adult at Risk.

Children, young people or Adults at Risk should be informed that they are not to enter bedrooms of staff

The relaxed social atmosphere often found in residential centres could lead to a child or young person or Adult at risk making a disclosure to staff regarded as a trusted adult.

The child or young person or Adult at Risk should be listened to and Petroc Safeguarding policy should then be followed.

Outdoor Learning Activities

Many activities encourage and necessitate physical contact — staff need to be aware of anyone taking advantage of these activities or anyone being overtly uncomfortable with what they are being asked to participate in.

Some activities can be emotionally or mentally challenging — staff need to be aware of the varying boundaries and capacity to manage these demands of individual children and young people. Emotional or mental challenges should form part of the risk assessment process for learners identified to be at risk.

There will be times when staff need to make physical contact with children, young people or Adults at Risk, e.g. when supporting during climbing or caving, making adjustments to specialist equipment; staff need to ensure that they do not allow themselves to be compromised.

Guidance relating to physical contact can be found within the following documents: Use of Reasonable Force – advice for headteachers and governing bodies

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

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Apprenticeship Skills, Children and Learning Act 2009, section 242 - Power of members of staff to search pupils for prohibited: items
<http://www.legislation.gov.uk/ukpga/2009/22/notes/division/5/11/1/1>

The relationship between staff, children, young people and Adults at Risk during outdoor learning activities is often an informal one; staff must always ensure that they maintain their professional distance. Learners are also informed of the importance of maintaining appropriate boundaries.

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GUIDANCE FLOWCHART

ALLEGATIONS AGAINST STAFF – risk of harm to Young People and Adults at Risk

Staff must only contact designated Safeguarding staff as listed below with regards to any staff allegations.

If you become aware that a member of staff may have:

- Behaved in a way that may have harmed a young person up to the age of 18 years old or someone you consider to be an adult at risk
- Possibly committed a criminal offence against a young person up to the age of 18 years old or someone you consider to be a vulnerable adult
- If in doubt, contact the Safeguarding team for advice.

The young person up to the age of 18 years old or someone you consider to be a vulnerable adult **SHOULD NOT** be questioned –you must not communicate with the subject of the allegation made, but you should make a basic record of the allegation using the safeguarding disclosure form. You must sign and date this record you have made.

THEN

- **Report immediately** to Jane Hanson, Designated Safeguarding Lead (DSL) or in Jane Hanson's absence to Pete Gammon, Deputy Designated Safeguarding Lead (DDSL)
The DSL/ DDSL will inform the Director of HR and Organisational Development or deputy

If the allegation is about the Principal:

- You must report it immediately to the Chair of Governors, via the Clerk to Governors.
- The Clerk will report this to the Designated Safeguarding Lead (DSL).

SAFEGUARDING TEAM ONLY

The Designated Safeguarding Lead (DSL) and/or the Deputy Designated Safeguarding Lead (DDSL) will make a referral or seek advice to ascertain if there is a safeguarding concern by contacting Multi-Agency Safeguarding Hub ([MASH](#)).

AND

Report the allegation to the Local Authority Designated Officers for Allegations (LADOs) LADO Co-ordinator, or the out of hours contact: Emergency Duty Team.

The Duty LADO will liaise with our DSL or DDSL to:

1. Consider the relevant facts and concerns re the adult and young person including any previous history and/or any criminal offences that may have been committed.
2. Decide on next course of action – usually straight away, sometimes after further consultation with other multi-agency parties such as the Police and HR.

If the DfE multi-agency procedures are NOT indicated, the LADO will agree with our DSL an appropriate response (e.g. for the agency to undertake further enquiries or to make an investigation)

If the DfE procedures ARE indicated, a multi-agency strategy meeting will normally be held either by phone or in person. Normally the SSO, the LADO, HR and the Police are invited. Information is shared confidentially, risk to children and young people are considered and appropriate action agreed – e.g. s.47 Children Act enquiries, further enquiries, disciplinary measures or (unusually) criminal proceedings. A record of the meeting will be made, and further meetings held every 4 weeks until a conclusion.

NB: This document is intended for use as a quick guide only. For more detailed guidance refer to:

1. The Multi-Agency South West Child Protection Procedures at www.swcpp.org.uk
2. The Multi-Agency Child Protection and LADO procedures at www.devon.gov.uk