



SAFEGUARDING POLICY

INTRODUCTION

There is a wide range of adults to whom pupils can turn for help. These include Teaching staff, House staff, the Chaplain, who are independent and confidential listeners, the College Medical staff, the College Safeguarding Officer, College Counsellors and the College Independent Listeners.

The College aims to raise pupil's awareness of Safeguarding issues through the Curriculum and Personal, Social and Health Education lessons as well as through the tutorial system and within the Houses. Pastoral care and College Policies ensure that pupils have a range of contacts and strategies for their own protection and an understanding of the importance of protecting others, through INSET to senior pupils.

1 Policy Statement

1.1 This policy applies to teaching staff at Malvern College, and to all support staff, and *hard copies* will be supplied to parents and pupils on request. The Safeguarding Policy is also available on the College website, as are other policies relating to aspects of Safeguarding, such as our Anti-Bullying and Eating Disorders Policies. (Please note that a slightly different Safeguarding Policy operates for teaching staff in the Prep and Pre-prep Schools).

1.2 Our policy in line with the Children Act 2004 Section 10, is to take all reasonable measures to improve the well-being of each child and young person (pupil) in our care. It is also closely in line with our Local Safeguarding Children's Board guidelines.

1.3 The Senior Tutor, Mrs Sandy Schott, is the Designated Senior Member of Staff (*DSMS*) for Safeguarding, and the Deputy Head, Dr Robin Lister, is her deputy. The *DSMS* has regular contact and works closely with the Worcestershire Safeguarding Children Board, adhering to their guidelines.

1.4 The Manual of Procedures, A Guide to Inter-Agency Working produced by the Worcestershire Local Safeguarding Children Board is kept in both the Deputy Head's and the *DSMS's* Office. A number of other important publications pertaining to Safeguarding are also available to parents, students and staff from the *DSMS*. Mrs Schott and the College Counsellors, Mrs Caroll Murphy, Ms Carmel Callaghan and Mrs Lorraine Page, are the members of staff nominated to liaise with the Social Services Department over welfare matters.

1.5 All appointments to the staff are checked in the following ways:

1.5.1 Written references are obtained for all staff. Those references will include specific comment about the suitability of the applicant to work with children in a residential school. Gaps in CVs are investigated. The identity and qualifications of the applicant are checked. The Headmaster has completed the online training through the NCSL on Safer Recruitment

and the whole application and interview process is underpinned by the guidance offered by NCSL. All applicants are made aware of the emphasis the College places on safeguarding. It is made clear during the application process that all staff are expected to play a full and active part in safeguarding and promoting the welfare of our students and that the College takes this aspect of school life very seriously.

1.5.2 All members of staff, both academic and non-academic, who will have unsupervised access to the children, will be checked at the enhanced level for criminal records via the Police and the Criminal Records Bureau.

1.6 All young people under the age of 18 are subject to the Children Act 1989 and therefore Safeguarding procedures apply to them.

2 Aims

2.1 The College aims, in compliance with Section 10 of the Children Act 2004 to:

2.1.1 Improve the physical and mental health and the emotional well-being of the young people in its care; to protect them from harm and neglect and to keep them safe from maltreatment;

2.1.2 to provide pupils with relevant information, skills and attitudes to help them resist abuse and prepare for the responsibilities of adult life including home and family; Access to information concerning external, as well as internal agencies, who are able to offer help and advice on a wide range of personal issues, is permanently available to the students. E-Safety is taught to all students on a regular basis, in the Houses and is reinforced via the tutor system. The College has a robust Anti-Bullying Policy (available on the College website) which aims to support victims as well as helping perpetrators modify their behaviour. Building resilience and coping strategies are seen as part of this process.

2.1.3 to allow staff to be familiar with, and confident of, the appropriate Safeguarding procedures and issues. This policy is intended to give clear guidance to all staff, teaching and support staff, on signs that may indicate the possibility of abuse and the procedure to follow if a young person discloses or a member of staff suspects abuse; Regular Safeguarding training is provided for all members of the College staff.

2.1.4 to monitor children who have been identified as 'at risk';

2.1.5 to support children who have been abused, in accordance with their agreed Safeguarding plans.

3 Objectives

3.1 Skills and information will be delivered through the curriculum and especially through the PSHE programme.

3.2 We try to create an environment and ethos in which young people feel secure and their points of view valued. They are encouraged to talk and they are listened to. We want our students to feel their voices are heard.

3.3 We provide a range of appropriate adults whom they may approach if they are in difficulties. Information is widely disseminated around the College in the form of posters, Chapel presentations, tutorials and through the Houses, about the wide range of adults available to offer help and support. As well as College staff there are a number of external, independent adults available to the students. Our own Medical Centre is staffed by qualified and experienced doctors and nurses and the team are readily available to students every day of the term. We also provide a "Drop In Centre" staffed by independent psychotherapists that

is freely available twice a week and private counseling sessions may be booked easily by the students.

3.4 Staff treat pupils with respect and pupils are expected to treat each other and staff with respect.

3.5 We try to impress upon pupils the importance of rejecting violence as a means of resolving conflict. Our aim is to provide students with other strategies to help them deal with the inevitable areas of difficulty presented by living in boarding houses, in close proximity to each other.

3.6 We give pupils opportunities to understand stress and strategies for coping with it.

3.7 We include in the curriculum information on personal safety, both online as well as in the real world.

3.8 We operate clear policies on drugs, alcohol and substance misuse. We also provided regular educational input on these issues through PHSE and tutorials.

3.9 We provide Safeguarding training regularly to College staff. All staff undergo some initial training during the induction programme for new teachers.

3.10 Each member of staff must sign a specific register to say that they have read and understood the policy and accept their duty to co-operate with the College management in promoting Safeguarding practices.

3.11 We inform parents/guardians in the introductory guide that staff are required by law to follow the Local Safeguarding Children Board procedures if they suspect that a pupil is a victim of abuse. Our Safeguarding policy is available on the College website, as are policies relating to other pastoral issues, including Anti-bullying and Eating Disorders.

4 What is Child Abuse?

4.1 A child/young person who is suffering or likely to suffer significant harm. A person may abuse or neglect a child/young person by inflicting harm or failing to act to prevent harm. There are four categories of child abuse in the Children Act. These are: Physical Abuse; Neglect; Emotional Abuse and Sexual Abuse

4.2 Physical Abuse

Involves hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child including by fabricating the symptoms of, or deliberately causing ill health to a child.

4.3 Neglect

The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of the child/young person's health or development, such as failing to provide adequate food, shelter and clothing or neglect of, or unresponsiveness to a child's basic emotional needs.

4.4 Emotional Abuse

The persistent emotional ill-treatment of a child/young person such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to the child that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person, age or developmentally inappropriate expectations being imposed on children, causing them frequently to feel frightened, or the exploitations or corruption of children.

4.5 Sexual Abuse

Involves forcing or enticing a child/young person to take part in sexual activities, whether or not the child/young person is aware of what is happening. These may involve physical contact, including penetrative (rape or buggery) or non-penetrative act. It may include involving children in looking at, or in the production of pornographic material, or encouraging children to behave in sexually inappropriate ways.

5 Definition of harm and significant harm from Adoption & Children Act 2002 Section 10:

Ill treatment or the impairment of health or development (impairment suffered from seeing or hearing the ill treatment of another).

‘Development’ means physical, intellectual, emotional, social or behavioural development;

‘Health’ means physical or mental health;

‘Ill treatment’ includes sexual abuse and forms of ill-treatment which are not physical

NB: The Adoption & Children Act 2002 s120 amended the definition of HARM to include those instances where a child may witness domestic violence.

5.1 Recognition of Significant Harm

Any allegation of a sexual nature, or parents whose behaviour may present risk because of:

Domestic violence, drug & alcohol abuse and mental health problems; any physical injury caused by assault or neglect which requires medical attention. Repeated incidents of physical harm. Any contact with a person assessed as presenting a risk to children, or children who live in low warmth, high criticism environments, and children who suffer from persistent neglect; children who may be involved in prostitution. Other circumstances where professional judgement and/or evidence suggest a child’s health, development or welfare may be significantly harmed.

5.2 Indicators of Abuse

Physical

Unexplained injuries or burns, bruises, finger marks, fear of undressing or medical help. Improbable explanations for injuries, fear of returning home or parents being contacted, and unexplained absence from school.

Neglect

Constant hunger, poor personal hygiene, inappropriate clothing, frequent lateness, and non-attendance. Poor social relationships, constant tiredness, independent, streetwise, no parental support for education and compulsive stealing or scrounging.

Emotional Abuse

Fear of new situations, inappropriate emotional responses, self harm, eating disorders (see the College Eating Disorders Policy, available on the website) can’t accept praise, and low self esteem. Lack of home support, depression, withdrawn, social isolation – don’t join in, and few friends. *Emotional abuse may occur in its own right, but is always seen, to varying degrees, in all other forms of abuse.*

Sexual Abuse

Bruises, scratches, bite marks on the body, persistent infections in the anal or genital area. Any sexual awareness inappropriate to child’s age – shown in drawings, play, vocabulary.

Frequent masturbation, changes in behaviour, refusal to stay with certain people. Self-harm, eating disorders (see the College Eating Disorders Policy), depression, low self-esteem and pregnancy

Recognition of Abuse

Be open to possibilities; be aware – if you don't believe it is possible you will never see it, don't jump to conclusions and look for credible non-abusive explanations, but recognise you may need to seek advice to evaluate the facts. BUT don't let your preconceptions of the family skew your judgement.

5.3 The Symptoms of Stress and Distress

An abused child will usually show signs of stress and distress. Possible signs of abuse include, but are not limited to, those listed below. Many of these may of course have nothing to do with abuse, but are worth consideration in trying to understand the child's behaviour.

5.3.1 A fall-off in school performance.

5.3.2 Aggressive or hostile behaviour.

5.3.3 Difficulties in relationships with peers.

5.3.4 Excessively affectionate or sexual behaviour towards adults or other children.

5.3.5 Regression to more immature forms of behaviour.

5.3.6 Self-harming (*including eating disorders*) or suicidal behaviour.

5.3.7 No reasonable or consistent explanation for a pupil's injuries, or a pattern of injuries

5.3.8 Disturbed sleep.

5.3.9 NB. Bullying is considered to be abusive and the College has clear guidelines on this subject, which may be seen in the Anti-Bullying Policy on the College website. Hard copies of this policy are available on request.

6 The Role of Teachers

6.1 The Designated Senior Member of Staff ("Designated Person")

The Designated Person, Mrs Sandy Schott (01684 581543) is responsible for contacting the Children's Services to register concern about a child's welfare and

6.1.1 implementing measures relating to Safeguarding. She is the first point of contact for parents, pupils, all staff and external agencies in matters of Safeguarding. Her responsibilities are to:

(i) Be conversant with Local Safeguarding Children Board procedures.

(ii) Consult and refer cases under Local Safeguarding Children Board procedures. Referral must be done within 24 hours of receiving a report .

(iii) Consult the Children's Services department on issues such as informing parents, informing other children or staff, seeking medical help, if an allegation or suspicion occurs.

(iv) Organise training on Safeguarding within the School.

(v) Attend training every 2 years

(vi) Keep the Head informed if appropriate.

(vii) Be aware of the role of other agencies.

(viii) Co-operate as fully as possible with Police and Children's Services investigations – and ask to participate in their planning meetings if appropriate.

(ix) Keep appropriate records.

(x) Support staff.

(xi) Monitor and evaluate the effectiveness and implementation of the

College's Safeguarding Policy and other related policies, including the Anti-Bullying and the Eating Disorders Policies.

6.1.2 If the Designated Person is absent for any reason the Deputy Head, *Dr Robin Lister* is her Deputy, and is in charge. The Designated Person or the Deputy Head, will inform the initiating member of staff about the action taken.

6.1.3 Because of their role as School Counsellors, Mrs Caroll Murphy, Carmel Callaghan and Mrs Lorraine Page may also report concerns to the Local Safeguarding Children Board.

6.1.4 . The DSMS meets regularly with Mr Simon Bennet, the nominated member of the College Council responsible for Safeguarding. Mr Bennet is readily available to support and advise on matters pertaining to Safeguarding, in case of need.

6.2 Teaching Staff

6.2.1 Teachers bring a number of advantages to the recognition of child abuse.

(i) They have regular and frequent opportunities to observe children and changes in their behaviour.

(ii) They have an ongoing relationship with children who may confide in them about difficulties.

(iii) They have wide knowledge of the wide range of behaviour likely to be seen in children of a particular age.

(iv) They have opportunities to observe the response of a group of children to particular situations. They will therefore be sensitive to surprising or unusual responses.

6.2.2 Teachers have a statutory duty to pass on any Safeguarding concerns and to follow these College (and local LSCB) procedures (Education Act 2002 & Children Act 2004):

(i) Be alert to signs of abuse. All teachers receive regular Safeguarding training.

(ii) Take immediate action in the child's best interest by reporting any evidence of abuse or non-accidental injury to the Designated Person.

(iii) Know the role of the Designated Person and College procedures.

(iv) Enquire about the progress of individual cases in which they are/have been involved.

(v) Thereafter accept their restricted role as the case becomes the province of other agencies.

(vi) Record accurately in writing information that may be required in Safeguarding procedures. This note should record the time, date, place and people who were present as well as what was said. All evidence, for example scribbled notes, mobile phones with text messages, clothing, and computers, must be safeguarded and preserved. Also make a note of what happened next.

7 All Staff: Helping a child who wants to tell you about his/her abuse

7.1 Staff should remember that the priority is to protect the child. The matter should be taken seriously. React calmly, listen carefully, observe but do not judge. Don't stop the child who is freely recalling significant events. Reassure the child that s/he has done the right thing in telling you. Indicate the action you will take and make it clear that you will have to tell the designated member of staff (no secrets). If the child comes back to talk at a later stage s/he should be told that you cannot comment or advise as that might affect his/her security, but you can listen.

Bear in mind these 'must nots':

7.1.1 Do not drag the child to the designated person – this would be abusive in itself!

7.1.2 Do not yourself contact the parents

7.1.3 Do not interrogate the child or ask leading questions

7.1.4 Do not speak to anyone about whom allegations are made, including colleagues

7.1.5 Do not promise confidentiality

7.1.6 Do not ask a child outright if s/he or others have suffered abuse

7.1.7 Avoid criticising the alleged perpetrator

7.2 The following guidelines may be helpful. They were compiled by Dr Roger Morgan OBE, who is the Children's Rights Director:

TEN KEY POINTS TO FOLLOW IF YOU SUSPECT, OR ARE TOLD OF, ABUSE:

Adults looking after children or young people in schools (or in residential establishments or youth organisations) should be aware of the risks of abuse (by adults or other young people), and take steps to reduce those risks.

Adults (staff or volunteers) in charge of children or young people should know what to do if they suspect that someone is being physically or sexually abused, or if someone tells them that this is happening. The following key points give a guide on what to do and not to do:

1. Always stop and listen straight away to someone who wants to tell you about incidents or suspicions of abuse.

2. If you can, write brief notes of what they are telling you while they are speaking (these may help later if you have to remember exactly what was said) – and keep your original notes, however rough and even if you wrote on the back of something else (it's what you wrote at the time that may be important later – not a tidier and improved version you wrote up afterwards!). If you don't have the means to write at the time, make notes of what was said as soon as possible afterwards.

3. Do not give a guarantee that you will keep what is said confidential or secret – if you are told about abuse you have the responsibility to tell the right people to get something done about it (see below). If asked, explain that if you are going to tell the people who can sort it out, but that you will only tell people who absolutely have to know.

4. Don't ask leading questions that might give your own ideas of what might have happened (e.g. "did he do X to you?") – just ask "what do you want to tell me?" or "is there anything else you want to say".

5. Immediately tell the person in charge of the school or group (unless they are themselves accused or suspected or abusing) – don't tell other adults or young people what you have been told.

6. Discuss with the person in charge whether any steps need to be taken to protect the person who has told you about the abuse (this may need to be discussed with the person who told you).
7. Never attempt to carry out an investigation of suspected or alleged abuse by interviewing people etc – social services and police staff are the people trained to do this – you could cause more damage and spoil possible criminal proceedings.
8. As soon as possible (and certainly the same day) the person in charge should refer the matter to the local social services department (helped by your notes) – they will be in the telephone directory. Follow their requests about what to do next. They will set up any necessary investigations, and can advise you – that is their statutory job. (If someone has made an allegation about the adult in charge of the school or group, YOU should contact the local social services department yourself, and ask them what to do next.)
9. Never think abuse is impossible in your school or group, or that an accusation against someone you know well and trust is bound to be wrong.
10. Children and young people often tell other young people, rather than staff or other adults, about abuse – make sure that your senior young people know the points on this sheet as well as the responsible adults (e.g. prefects, cadet NCOs, young people leading activities for others).

7.3 Reporting Procedure

A member of staff needs only reasonable cause for concern in order to act. One sentence from the child indicating abuse or non-accidental injury provides you with reasonable grounds and is sufficient for you to act. This may also apply if clear information comes from a sibling or another adult. However as many of the signs of child abuse are also commonly associated with other medical, social or psychological problems, a member of staff may naturally wish to discuss some initial concerns with other staff.

8 Allegations against School staff

These relate to: a member of staff who has behaved in a way that has harmed a child, or may have harmed a child; possibly committed a criminal offence against or related to a child, behaved towards a child/children in a way that indicates he/she is unsuitable to work with children.

8.1 Teachers and all School staff must protect themselves, and staff should bear in mind that even perfectly innocent actions can sometimes be misconstrued. Children may find being touched uncomfortable or distressing for a variety of reasons. It is also important not to touch pupils, however casually, in ways or on parts of the body that might be considered indecent. See also Staff Handbook: Appropriate physical contact and the use of force to restrain pupils.

8.2 The Sexual Offences Act (Amended) 2004 states that it is a criminal offence for a person aged 18 or over in a position of trust in a school to engage in any sexual activity with a person under the age of 18 (in that school) irrespective of the age of consent, even if the basis of their relationship is consensual.

8.3 In circumstances which involve an allegation against a member of staff, the responsibility for dealing with the matter lies with the Head.

8.4 Staff who hear an allegation of abuse against another member of staff should report the matter immediately to the Head, unless the Head is the person against whom the allegation is made. In that case the allegation must be reported to the Designated Person who will inform the nominated member of the College Council, Mr Simon Bennet.

8.5 Immediate suspension of the member of staff is only one of a number of options, which will be considered. Others include leave of absence, or providing a classroom assistant or colleague to be present in contact time. A member of staff in such circumstances will be advised of appropriate support, for example from his/her trades union, or a colleague contact.

8.6 In the event of an allegation being made against a teacher, the Head will consider immediately whether or not there is sufficient substance in the allegation to warrant an investigation. If there is reason to suppose abuse could have occurred he will refer the matter to the Local Authority Designated Officers (LADO) Mr Stewart Richardson or Mr Peter Morris (01905 752800). There are three instances only where allegations against staff do not need to be referred to Children's Services: where the allegation relates to the use of reasonable force; where the allegation is demonstrably false; or where the allegation represents inappropriate behaviour and/or poor practice.

8.7 If the Head is wholly satisfied that the child or children is/are not at risk of significant harm and that a reportable criminal offence has not been committed he will consider the separate need for disciplinary action. In that case an investigation at College level would be necessary.

8.8 Occasionally false allegations of abuse are made. To avoid as far as possible such an allegation, and situations which may give rise to misinterpretation, Staff should be guided by the following advice:

8.8.1 Avoid whenever possible unobserved situations of one-to-one contact with a child. If they are unavoidable, always keep a door open and try to ensure you are within the hearing of others.

8.8.2 Do not offer to transport children alone in your car without seeking advice and telling another colleague that this is what you propose to do.

8.8.3 Do not engage in or allow any sexually provocative games whether based on talking or touching or engage in 'horseplay' involving children.

8.8.4 Never make suggestive remarks or discriminatory comments to a child.

8.8.5 Do not enter a room where a child may be changing his/her clothes or not be fully dressed without first getting his/her clear consent to enter.

8.8.6 Avoid 'favouritism' and singling out 'troublemakers'.

8.8.7 Never trivialise child abuse.

Also see Staff Handbook: Conduct and Appropriate physical contact and the Use of Force to Restrain Pupils.

9 Whistleblowing

9.1 Staff should familiarise themselves with the College's Whistleblowing Policy. It is particularly important in the context of Safeguarding. Staff have a statutory duty to report concerns that a child is at risk of abuse, is being, or has been abused, to the Designated Person. This is because the interests of the child are paramount. However, fear of reprisal is a real issue for staff in reporting abuse by colleagues. The Public Interest Disclosure Act 1998 provides protection against victimisation for persons who, acting in good faith, raise concerns about a wide variety of malpractices in the public interest.

9.2 When establishing the validity of any cause for concern care will be taken

9.2.1 to protect the whistleblower;

9.2.2 to avoid alerting anyone about whom a concern has been raised;

9.2.3 to avoid alerting other colleagues who may warn the subject of the concern;

9.2.4 to record the information;

9.2.5 to keep all records secure and confidential.

10 Consultation/Referrals

10.1 If the Designated Person receives allegations or has suspicions of abuse, or needs advice, she will inform the Children's Services department, within 24 hours, of her concerns. If the consultation/referral is by telephone a written confirmation will be made. If the case meets the criteria for eligibility, the Children's Services department will make background enquiries, including with the police. If the concerns appear well founded, a strategy discussion will follow, normally within two working days. At this point a decision will be taken either to proceed with an S47 enquiry/criminal investigation or not. If the concerns are substantiated and the child is deemed at continuing risk of significant harm, a Child Protection Conference will be convened.

11 Record keeping and storage

11.1 Safeguarding records are kept securely, in a locked filing cabinet, by the Designated Person, separately from other pupil records.

12 Compliance

12.1 The School policy is regularly updated in order that we comply with new legislation and good practice. Currently the College policy for Safeguarding is consistent with, and so reinforces:

12.1.1 The Children Act 1989 & 2004

12.1.2 The Education Act 1996 S549 banning corporal punishment

12.1.3 The Education Act 2002 S157

12.1.4 Working Together to Safeguard Children 2006

12.1.5 Safeguarding Children and Safer Recruitment In Education January 2007

12.1.6 Boarding Schools National Minimum Standards Regulations

12.1.7 the specific procedure for Safeguarding as prescribed by the county Local Safeguarding Children Board;

12.1.8 the U.N. Convention on the Rights of the Child which contends that all children have an inalienable right to protection from harm.

12.1.9 Human Rights Act 1998

12.1.10 Freedom of Information Act 2000

12.1.11 OFSTED (from April 2007)

12.1.12 Sexual Offences Act (Amend) 2003 (Abuse of Trust)

12.1.13 Education and Inspections Act 2006 (from 1st April 2007) SS88-95 (School Discipline & Pupil Restraint)

12.1.14 Safeguarding Vulnerable Groups Act 2006 (in force from 2008) Vetting and barring, November 2008

12.1.15 "Keeping our School Safe" Sir Roger Singleton, March 2009

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