



**Health  
Futures**  
UTC

## **Safeguarding Policy**

<b>Designated Safeguarding Lead</b>	<b>Matthew Bradley</b>
<b>Deputy Designated Safeguarding Lead</b>	<b>Zarah Cleary</b>
<b>Safeguarding Governor</b>	<b>Cheryl Etches</b>

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# HEALTH FUTURES UTC

## SAFEGUARDING POLICY

**“Safeguarding is everyone’s responsibility. If children are to receive the right help at the right time everyone is responsible for identifying concerns, sharing information and taking action.”**

Through their day-to-day contact with learners and direct work with families staff at Health Futures UTC have a crucial role to play in noticing indicators of possible abuse or neglect and referring them to the appropriate agency, normally the appropriate Children’s Team (Social Care) for the Local Authority that the learner resides in.

This Policy sets out how Health Futures UTC Governing Body discharges its statutory responsibilities relating to safeguarding and promoting the welfare of children who are learners at the academy.

### 1. Introduction

Health Futures UTC (the UTC) fully recognises the contribution it can make to protect and support young people in its care. The learners’ welfare is of paramount importance. This policy is consistent with:

- The legal duty to safeguard and promote the welfare of children, as described in the Education Act 2006, the DfES guidance Safeguarding Children in Education September 2004 and more recently, ‘Working Together to Safeguard Children’ July 2018 and ‘Keeping Children Safe’ – Statutory Guidance for Schools and Colleges September 2018.
- Local Safeguarding Children Board Procedures, which contain the inter-agency processes, protocols and expectations for safeguarding children.

This document provides the basis for good practice within the academy for child protection work. It should be read in conjunction with Sandwell and other relevant Safeguarding Children Board Inter- Agency Child Protection Policies and Procedures. This document is also in keeping with relevant national procedures and reflects what the UTC considers to be safe and professional practice in this context. Child protection has to be considered within professionals’ wider ‘safeguarding’ responsibilities that include a duty to co-operate under the Children Act 2006.

The procedures in this policy aim to provide a framework which ensures that all practice in the area of child protection is consistent with stated values and processes that underpin all work with children and young people.

This document also seeks to make their professional responsibilities clear to all staff to ensure that statutory and other duties are met in accordance with the relevant Safeguarding Children Board requirements and procedures (Sandwell SCB requirements are used in the first instance).

The UTC will therefore:

- Establish and maintain an ethos where young people feel secure and are encouraged to talk, and are listened to

- Ensure that young people know that there are adults in the UTC whom they can approach if they are worried or are in difficulty
- Include in the curriculum, company and tutor activities relating to PSHE/Citizenship, opportunities which equip young people with the skills they need to stay safe from abuse, and which will help them to develop realistic attitudes to the responsibilities of adult life, particularly with regard to childcare and parenting skills
- Learners up until the age of 18 years will be subject to the procedures and protocols of this policy. For learners over the age of 18, as good practice, the UTC will follow the non-statutory elements of the policy to provide appropriate support. For vulnerable learners over the age of 18 such as statemented learners, the protocols and procedures will be followed but will include a referral if necessary to the Adult Safe Guarding Board of the relevant Local Authority.

There are five main objectives to this policy and its appendices:

- Ensuring we practice safe recruitment in checking the suitability of staff, business partners and volunteers to work with children
- Raising awareness of child protection issues and equipping children with the skills needed to keep them safe
- Developing and then implementing procedures for identifying and reporting cases, or suspected cases of abuse
- Supporting children who have been abused in accordance with his/her agreed child protection plan
- Establishing a safe environment in which children can learn and develop

## **2. Underpinning Values**

Where there is a safeguarding issue, the UTC will work in accordance with the principles outlined in the Sandwell Safeguarding Children Board Inter-agency Child Protection procedures taking note if any differences arise in protocols or procedures of other Local Authority guidelines if the child resides outside of Sandwell.

Health Futures UTC believes:

- Students are best protected when professionals are clear about their individual responsibilities and how they can work together with others
- A child's welfare is paramount. Each child has a right to be protected from harm and exploitation and to have their welfare safeguarded
- Each child is unique. Action taken by child welfare organisations should be child-centred, taking account of a child's cultural, ethnic and religious background, their gender, their sexual orientation, their individual ability and any additional educational/ special needs
- Children, parents and other carers should be made aware of their responsibilities and their rights, together with advice about the power of professionals to intervene in their family circumstances
- Each child has a right to be consulted about actions taken by others on his/her behalf. The concerns of children and their families should be listened to and due consideration given to their understanding, wishes and feelings
- Individual family members must be involved in decisions affecting them. They must be treated with courtesy and respect and with due regard given to working with them in a spirit of partnership in safeguarding children's welfare
- Open-mindedness and honesty must guide each stage of assessment and of operational practice.
- The strengths of individual family members, as well as their needs, should be given due consideration

- Personal information is usually confidential. It should only be shared with the permission of the individual concerned, or unless the disclosure of confidential personal information is necessary in order to protect a child. In all circumstances, information must be confined to those people directly involved in the professional network of each individual child and on a strict “need to know” basis
- Professionals should be aware of the effects of outside intervention upon children, upon family life and the impact and implications of what they say and do in line with contextual safeguarding needs
- Explanations by professionals to children, their families and other carers should be plainly stated and jargon-free. Unavoidable technical and professional terminology should be explained in simple terms
- Sound professional practice is based upon positive inter-agency collaboration, evidence-based research and effective supervision and evaluation
- Early intervention in providing support services in line with DfE Guidance on ‘Keeping Children Safe In Education’ September 2018, is an important principle of practice in inter-agency arrangements for safeguarding the welfare of children

### **3. Roles and Responsibilities**

#### **Governing Body Responsibilities**

The Governing Body fully recognises its responsibilities with regard to child protection and to safeguarding and promoting the welfare of children.

It will:

- Designate a Governor for child protection who will oversee the academy’s Child Protection Policy and practice and champion child protection issues
- Ensure an annual report is made to the Governing Body, and copied to the relevant Local Authority Safeguarding Children Board (Education Child Protection Service), on child protection matters to include changes affecting Child Protection policy and procedures, child protection training received, the number of incidents/cases (no names) and child protection in the curriculum
- Ensure that this policy is annually reviewed, updated and copied to the Education Child Protection Service

#### **Health Futures UTC Procedural Responsibilities**

The UTC will follow the procedures set out in the Sandwell Local Safeguarding Children Board as a template but consult local procedures in addition for learners that reside outside of Sandwell.

In addition, staff and leaders in our academy must have regard to the guidance issued in “Keeping children safe in education: information for all school and college staff” (September 2018).

#### **The Designated Safeguarding Lead (DSL)**

The UTC will:

- Ensure it has a Designated Safeguarding Lead (DSL) and Deputy Designated Safeguarding Lead (DDSL) who has undertaken as a minimum, a two day child protection training course, accredited by an appropriate Local Safeguarding Children Board

- Ensure this training is updated every two years in accordance with Government guidance
- Recognise the importance of the role of the Designated Safeguarding Lead and ensure they have the time and training to undertake their duties
- Ensure there are contingency arrangements should the Designated Safeguarding Lead not be available
- Ensure that the Designated Safeguarding Lead will take advice from a child protection specialist when managing complex cases (e.g. relevant Local Authority Education Safeguarding Children Manager)
- Ensure that the Designated Safeguarding Lead is responsible for coordinating action where it is suspected that a child is in need, has been harmed, or is at risk of significant harm
- Ensure they are familiar with Local Safeguarding Children Board procedures and DFE guidance
- Ensure child protection records are maintained

## **The Role of UTC staff**

The UTC will ensure every member of staff knows:

- The name of the Designated Safeguarding Lead and their role
- That they have an individual responsibility for referring child protection concerns using the proper channels (academy/education support service procedure) and within the timescales set out in the relevant Local Authority Inter-Agency procedures
- Where the Inter-Agency procedures and academy/education support service Child Protection procedures are located
- Provide training for all staff from the point of their induction, and updated every two years (minimum half day/3 hours), so that they know their personal responsibility, the local procedures, the need to be vigilant in identifying cases of abuse and how to support and to respond to a child who tells of abuse – regular refresher training will take place throughout the year to ensure all staff are fully aware of their duty to safeguard students and how to fulfil this.
- Ensure that all staff, business partner companies and volunteers recognise their duty and feel able to raise concerns about poor or unsafe practice in regard to children and that such concerns are addressed sensitively and effectively in a timely manner in accordance with agreed policies

## **Liaison with Other Agencies**

The UTC will:

- Work to develop effective links with relevant agencies and cooperate as required with their enquiries regarding child protection matters including attendance and written reports at initial case conferences, core groups and child protection review conferences
- Notify the local Children’s Team (see Appendix 5) if:
  1. It should have to exclude a learner with a Child Protection Plan (whether fixed term or permanently).
  2. There is an unexplained absence of a pupil with a Child Protection Plan of more than two days duration from the academy (or one day following a weekend); or as agreed as part of any child protection or core group plan.
  3. They are concerned about the welfare of any learner with a Child Protection Plan.

#### 4. Guidance On What Constitutes A 'Child Protection' Matter

If a member of staff has significant concerns about any child they should make them known to the school's Designated Safeguarding Lead **Mr Matthew Bradley** or deputy **Miss Zarah Cleary** through the Concern Form in Appendix 3. The Concern Form should be handed to the Designated Safeguarding Lead or Deputy Designated Safeguarding Lead in person within 1 hour of taking the disclosure.

These concerns may include:

- **Physical abuse**

This may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, biting (including dog bites) or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of or deliberately induces illness in a child.

- **Emotional abuse**

This involves the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as over protection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying, causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

- **Neglect**

This involves the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Neglect may involve a parent or carer failing to:

- a) provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- b) protect a child from physical and emotional harm or danger;
- 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 child's basic emotional needs.

- **Sexual abuse**

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (e.g. rape, oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may include non-contact activities, such as involving children in looking at, or in the production of, sexual online images, watching sexual activities, or 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.

- **Peer on Peer abuse**

Staff should recognise that children are capable of abusing their peers. The different forms of abuse can include:

- Sexting
- Inappropriate sexual touching/assault from a peer
- Initiation/ hazing
  - Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as a private school, sports team etc. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies.
  - The idea behind this practice is that it welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite of passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.
- Teenage relationship abuse
  - Teenage relationship abuse is defined as a pattern of actual or threatened acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive teen uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner.

Under changes in 'Keeping Children Safe' – Statutory Guidance for Schools and Colleges September 2018, staff will report Peer on Peer abuse differently, this will be either done on a blue form for bullying, or a red form for racist incidents. This will be reported within the hour.

## **5. Talking To and Listening To Children**

The UTC aims to operate a visible culture of listening. If a child chooses to disclose, staff should:

- Be accessible and receptive
- Listen carefully and uncritically at the child's pace
- Take what is said seriously
- Reassure the child that they are right to tell
- Tell the child that the information will be passed on
- Take a careful record of what was said

Staff should never:

- Take photographs or examine an injury
- Investigate or probe aiming to prove or disprove possible abuse – never ask leading questions
- Make promises to children about confidentiality or keeping 'secrets'

- Assume that someone else will take the necessary action
- Jump to conclusions or react with shock, anger or horror
- Speculate or accuse anybody
- Confront another person (adult or child) allegedly involved
- Offer opinions about what is being said or about the persons allegedly involved
- Forget to record what they have been told. Staff must always use the **Safeguarding Concern Form in Appendix 3)**
- Fail to pass the information on to the Designated Safeguarding Lead or their Deputy
- Ask a child to sign a written copy of the disclosure

For children with communication difficulties or who use alternative/ augmented communication systems, extra care must be taken to ensure that signs of abuse and neglect are identified and interpreted correctly, but concerns should be reported in exactly the same manner as for other children. A learner's Personal Provision Plan should be taken into account seeking guidance from the SENCO if necessary without disclosing and details of the Safeguarding issue in hand.

## 6. Record Keeping

Well-kept records are essential in situations where it is suspected or believed that a child may be at risk from harm. Staff should be mindful that records may be used as evidence in Child Protection Conferences and be presented as legal evidence and hence records should:

- Be on the template provided in Appendix 3 and then follow the escalating appropriate Local Authority Safeguarding Children Board referral forms for the area that the learner resides
- State who was present, time, date and place
- Use the child's words wherever possible
- Be factual/state exactly what was said
- Differentiate clearly between fact, opinion, interpretation, observation and/or allegation
- Be written in BLACK ink and signed by the recorder
- Personally handed to the DSL or DDSL within 1 hour of recording the disclosure.

In addition, the UTC will also keep clear detailed written records of concerns about learners (noting the date, event and action taken), even where there is no need to refer the matter to Social Care immediately. Records will be kept in a folder in a meticulous chronological order- model and kept locked in a secure location. All relevant child protection records will be sent to the receiving school/academy, college or other education establishment if a learner moves.

## 7. Communication with Parents

The UTC will:

- Undertake appropriate discussion with parents prior to involvement of another agency unless the circumstances preclude this
- Ensure that parents have an understanding of the responsibility placed on the academy and staff for child protection by setting out its obligations on the academy website



## 8. Supporting the Student at Risk

We recognise that children who are abused or witness violence may find it difficult to develop a sense of self-worth and to view the world as benevolent and meaningful. They may feel helplessness, humiliation and some sense of self-blame.

The UTC may be the only stable, secure and predictable element of the lives of children at risk. Nevertheless, when at the academy their behaviour may be challenging and defiant or they may be withdrawn.

We recognise that some children actually adopt abusive behaviours and that these children must be referred on for appropriate support and intervention.

The UTC will endeavour to support the learner through the content of the curriculum to encourage self-esteem, self-motivation and Safeguarding Awareness. In addition, The UTC's behaviour policy is aimed at supporting vulnerable learners. All staff will agree on a consistent approach, which focuses on the behaviour of the offence committed by the learner but does not damage the learner's sense of self-worth. The academy will also seek to ensure that the learner knows that some behaviour is unacceptable but s/he is valued and is not to be blamed for any abuse which has occurred.

The UTC will liaise with other relevant Local Authority agencies which support the learner such as Social Care, Child and Adolescent Mental Health Services, the Educational Psychology Service, Behaviour Support Service and the Education Social Work Service. It will also ensure: a commitment to develop productive and supportive relationships with parents whenever it is in a learner's best interest to do so; recognition that children living in a home environment where there is a domestic violence, drug or alcohol abuse are vulnerable and in need of support and protection; that it vigilantly monitors children's welfare, keeping records and notifying Social Care **as soon as there is a recurrence of a concern**.

When a learner with a Child Protection Plan leaves, information will be transferred to the new provider immediately. The Independent Reviewing Officers Manager of the relevant Local Authority will also be informed. Where the learner's destination is unknown, the 'Missing Children' procedures for the relevant Local Authority must be followed (Obtained from Principal Education Social Worker, LADO).

## 9. Drug Use and Child Protection

The discovery that a young person is using illegal drugs or reported evidence of their drug use is not necessarily sufficient in itself to initiate child protection proceedings but the UTC will consider such action in the following situations:

When there is evidence or reasonable cause:

- To believe the young person's drug misuse may cause him or her to be vulnerable to other abuse such as sexual abuse
- To believe the learner's drug related behaviour is a result of abusing or endangering pressure or incentives from others, particularly adults
- Where the misuse is suspected of being prompted by serious parent/carer drug misuse

## **10. Children of Drug Using Parents**

Further enquiries and/or further action will be taken when the academy receives reliable information about drug and alcohol abuse by a child's parents/carers in the following circumstances:

- The parental misuse is regarded as problematic (i.e. multiple drug use including injection)
- A chaotic and unpredictable home environment exists which can be attributed to drug or alcohol misuse
- Children are not being provided with acceptable or consistent levels of social and health care
- Children are exposed to criminal behaviour

## **11. Confidentiality**

Confidentiality is an issue that needs to be understood by all those working with children, particularly in the context of child protection. This is a complex area and involves consideration of a number of pieces of legislation.

Confidentiality should never be guaranteed to a child as some kinds of information may need to be shared with others. A suggested form of words that may help when talking to children is as follows:

*"I will keep our conversation confidential and agree with you that information I can share, unless you tell me something that will affect your personal safety or that is illegal, but I will tell you if I am going to pass information on and to whom."*

Professionals can only work together to safeguard children if there is an exchange of relevant information between them. This has been recognised in principle by the courts. However, any disclosure of personal information to others, including social service departments, must always have regard to both common and statute law.

Normally, personal information should only be disclosed to third parties (including other agencies) with the consent of the subject of that information (Data Protection Act 2003 and The European Convention on Human Rights, Article 8). Wherever possible, consent should be obtained before sharing personal information with third parties. In some circumstances, however, consent may not be possible or desirable but the safety and welfare of the child dictate that the information should be shared.

The law requires the disclosure of confidential information necessary to safeguard a child or children. Under Section 47 of the Children Act 1989 statutory agencies have a duty to co-operate. Therefore, if the police or social care/services are conducting a Section 47 investigation under the 1989 Children Act, staff must share requested information relevant to the investigation. Legal advice should be sought if in doubt.

## **12. Referrals**

Referrals should initially be raised as a Safeguarding Concern via Appendix 3 and then followed via the relevant Local Authority procedures detailed in Appendix 5.

## **13. Thresholds and Types of Referral**

There are three thresholds for and types of referral that need to be considered:

## 1) Common Assessment Framework (CAF)

The 2014 guidance from the Sandwell Safeguarding Children Boards outlines that the Common Assessment Framework (CAF) is considered for when:

- There are concerns about how well a child is progressing in terms of their health, welfare, behaviour, progress in learning or any other aspect of their well-being
- The child's needs are unclear or broader than a single service can address

A common assessment should be completed when a professional in any agency has concerns that a child will not progress/develop without additional services. Completing a common assessment should:

- Enable the professional to identify the child's need
- Provide a structure for systematic gathering and recording of information
- Record evidence of concerns and a base-line for measuring progress in addressing them
- Provide a framework for a referral discussion to Children's Social Care for a Children and Family assessment or to another service for a specialist assessment

The guidance further outline that completing a Common Assessment Framework also provides a standardised pro-forma to support a telephone referral to the appropriate Safeguarding Children Board should it be necessary at a future stage. However, the guidance emphasises the need to take all disclosures as potentially serious and state that **'where there is an immediate need to protect a child, professionals must contact Children's Social Care and/or the police directly and make a referral, rather than completing a common assessment in line with the interagency procedures'** (See Appendix 5).

## 2) Children in Need

According to Section 17 of the Children Act 1989 a child is in need if:

- They are unlikely to achieve or maintain, or to have opportunity to achieve or maintain, a reasonable standard of health or development, without the provision of services by a local authority
- Their health or development is likely to be impaired, or further impaired without the provision of such services
- They are disabled

If this is a child in need, the issues must be discussed with the Designated Safeguarding Lead and then with parents/carers. The DSL will seek advice from the relevant Safeguarding Body that the child resides or any other agency.

## 3) Children at Risk

If this is a child protection matter, this should be discussed with the Designated Safeguarding Lead or his deputy and a safeguarding referral made as soon as possible.

According to Section 47 of the Children Act 1989 it is a child protection matter where:

- Children are at risk or are suffering significant harm
- Children are suffering the effects of significant harm
- Children are suffering serious health problems

It is the ‘**significant harm**’ threshold that justifies statutory intervention into family life. A professional making a child protection referral under S.47 must therefore provide information which clearly outlines that a child is suffering or likely to suffer significant harm.

It is not possible to rely on one absolute criterion when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the extent of the harm suffered, the context within which it occurred and its duration.

Significant harm may also arise from a combination of significant events which are both acute and long standing and which may impair the child’s physical, psychological and social development. In order to both understand and establish significant harm, it is necessary to consider the family context, together with the child’s development within their wider social and cultural environment. It is also necessary to consider any special needs, e.g. medical condition, communication difficulties or disability that may affect the child’s development and care within the family. The nature of harm, in terms of ill-treatment or failure to provide adequate care also needs consideration alongside the impact on the child’s health and development and the adequacy of care provided.

#### **14. Making a Children in Need/Children at Risk Referral**

Where a child is registered at the UTC a written record of concerns should be made using the academy’s internal recording form (see Appendix 3). This should then be given to the Designated Safeguarding Lead or deputy (see Appendix 1 and 2) who will then normally make the decision about whether a referral needs to be made.

The agency to whom a referral is made is dependent upon where the learner resides (See Appendix 5).

Contact with these agencies will normally be made by the Designated Safeguarding Lead or deputy. However, everybody has a responsibility for safeguarding learners and the right to make a referral but all should, as a matter of protocol, discuss concerns with the Designated Safeguarding Lead at the UTC in the first instance.

Therefore, if the advice of the Designated Safeguarding Lead or deputy has been sought, and that advice is that a referral is not necessary, the person with the original concern may, if they deem it necessary, make a referral themselves.

Telephone referrals will need to be followed up with a multi-agency referral form. These forms can be downloaded from the appropriate Safeguarding Children Board website. (See Appendix 5).

#### **15. Attendance at Child Protection Conferences**

The Designated Person for Child Protection or his deputy will be expected to attend the initial Child Protection Conference. If a child is made subject to a Child Protection Plan it may be more relevant for the child’s mentor to attend the subsequent core group meetings.

#### **16. E-Safety**

The UTC allows learners to bring personal mobile devices into the academy to support their learning and the acceptable usage of devices is outlined in the Behaviour Policy and E-Safety Policy. Our E-Safety Policy is set out in a separate document and is reviewed regularly by the governing body. It reflects that e-safety is not an

ICT issue but a safeguarding issue and that we need to balance keeping children safe with allowing them the freedom to explore new technologies. Through our policy we intend limiting the risks that young people are subject to. Because it is a rapidly developing and moving issue the governors will review this policy on a regular basis.

The growth of different electronic media in everyday life and an ever developing variety of devices including personal computers, laptops, mobile phones, webcams and so on place an additional risk on our learners.

Internet chat rooms, discussion forums or social networks can all be used as a means of contacting children and young people with a view to grooming them for inappropriate or abusive relationships. The anonymity of the Internet allows adults, often pretending to be children, to have conversations with children and in some cases arrange to meet them.

Access to abusive images is not a 'victimless' act as it has already involved the abuse of children. The internet has become a significant tool in the distribution of indecent photographs of children and should be a concern to all those working with learners at the UTC.

### **Sexting Guidance**

Although there is no clear definition of sexting many professionals consider this to be 'sending or posting sexually suggestive images, including nude or semi-nude photographs via mobiles or over the internet.' Yet when young people are asked what sexting means to you they are more likely to interpret sexting as 'writing and sharing explicit messages with people they know'.

The types of incidents which this advice covers are:

- A person under the age of 18 creates and shares sexual imagery of themselves with a peer under the age of 18.
- A person under the age of 18 shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult.
- A person under the age of 18 is in possession of sexual imagery created by another person under the age of 18.

This advice does NOT cover:

- The sharing of sexual imagery of people under 18 by adults as this constitutes child sexual abuse and schools should always inform the police.
- Young people under the age of 18 sharing adult pornography or exchanging sexual texts which don't contain imagery.

The relevant legislation is contained in the Protection of Children Act 1978 (England and Wales) as amended in the sexual offences act 2003 (England and Wales).

Specifically:

- It is an offence to possess, distribute, show and make indecent images of children.
- The Sexual Offences Act 2003 (England and Wales) defines a child for the purpose of indecent images as anyone under the age of 18, this includes nude and semi-nude (Inc. in underwear)

The Education Act 2011 amended the power in The Education Act 1996 to provide that when an electronic device, such as a mobile phone, has been seized, a teacher has been formally authorised by the headteacher can examine data or files, and delete these where there is good reason to do so. This power applies to all

schools and there is no need to have parental consent to search through a young person's mobile phone. (Sexting in Schools and Colleges, UKCIS)

If any member of staff is exposed to an image or images of a student from the UTC in any form of media, this must be reported immediately to a member of the SLT. If the image is on portable equipment it must be confiscated from the student and taken immediately to the DSL or DDSL. **Under no circumstances must any member of staff give or receive any such images, even for opinion. In doing so there is a potential criminal offence of 'distribution'.**

Learners can engage in or be a target of bullying using a range of methods including text and instant messaging to reach their target. Mobile devices can also be used to capture violent assaults of other children for circulation.

Learners will be made aware of the dangers through the curriculum, particularly in PSHE, assemblies and tutor/company time.

Additional protection will be provided through:

- Software in place to minimise access and to highlight any person accessing inappropriate sites or information
- The encouragement of learners to discuss openly their use of technology and anything which makes them feel uncomfortable. (If this results in child protection concerns the Designated Safeguarding Lead should be informed immediately)
- Learners being encouraged not to give out their personal details, telephone numbers, home address, computer passwords, etc.
- Learners receive education on how to keep themselves safe online and to report concerns to: CEOP, NSPCC or through the Sharp reporting system available on the homepage of Health Futures UTC website.

The police will be involved if there is any criminal element to misuse of the internet, telephones or any other form of electronic media. The threshold for involving the Police will be judged by the Designated Safeguarding Lead in consultation with the Principal or other member of The Senior Leadership Team.

## **17. Preventing Unsuitable People from Working With Children**

The UTC will operate safer recruitment practices (please see Appointments Procedure) including ensuring appropriate DBS, prohibition and reference checks are undertaken according to the DFE document 'Safeguarding Children and Safer Recruitment in Education, January 2007'.

Newly appointed staff will have initial training in child protection as part of their induction programme. They will be made aware of the Local Authority Safeguarding Children Board procedures as part of that induction programme, and be given a copy of the UTC's Safeguarding Policy and "What to do if you are worried a child is being abused".

All staff will also attend the Level 1 Safeguarding and Promoting the Welfare of Children and Young People training provided by senior practitioners in the locality. The initial child protection training given to each member of staff will be updated every three years and recorded.

The Designated Safeguarding Lead and deputy will attend level two training through a relevant Local Authority Safeguarding Children Board Training Programme. This training will be renewed every two years.

The UTC will ensure that all staff, business partners and volunteers are aware of the need for maintaining appropriate and professional boundaries in their relationships with learners and parents as advised by the relevant Local Authority's Code of Conduct (Sandwell as the initial points of reference for the UTC).

Business partners will not work with learners without another DBS checked adult in attendance.

The UTC will also ensure that staff, business partners and volunteers are aware that sexual relationships with pupils aged under 18 are unlawful and could result in legal proceedings taken against them under the Sexual Offences Act 2003 (Abuse of position of trust).

The UTC will consult with the relevant Education Safeguarding Children Manager in the event of an allegation being made against a member of staff and adhere to the relevant procedures set out in Safeguarding Children and Safer Recruitment in Education. (Appendix 2)

## **18. Allegations of Abuse Against Staff and Adults**

(See Appendix 2) Further guidance is contained within the UTC Behaviour Policy.

### **Protecting Academy staff against allegations of abuse**

All staff should seek to keep personal contact with children under review and seek to minimise the risk of any situation arising in which misunderstandings can occur. Further guidance can be found in the DfE publication that is issued to all staff and signed for: "Safer Working Practices for Adults and Young People in Education Settings 2014". The following sensible precautions can be taken when working alone with children:

- Work in a room where there is a glass panel in the door or leave the door open
- Make sure that other adults visit the room occasionally
- Avoid working in isolation with children unless thought has been given to safeguards
- Do not give out personal information or mobile phone numbers or private e-mail addresses
- Do not give learners lifts home in your car
- Do not arrange to meet learners outside of Academy hours
- Do not chat to learners on social websites or befriend them
- Do not put personal information or images on social net-working sites that can be accessed/viewed by learners or their parents/carers

Under the Sexual Offences Act 2003 it is a criminal offence for anyone working in an education setting to have a sexual relationship with a student even when the learner is over the age of consent.

Any use of physical force or restraint against learners will be carried out and documented in accordance with the relevant physical restraint policy. If it is necessary to use physical action to prevent a child from injury to themselves or others parents/carers will be informed.

Students will not be punished by any form of physical contact or other degrading treatment.

## **19. Procedures for Dealing with Allegations of Abuse Against UTC Staff/ Adults**

Children can be the victims of abuse by those who work with them in any setting. All allegations of abuse of children carried out by any member of staff or volunteer should therefore be taken seriously.

If an allegation is received by the Principal or Chair of Governors the following should be considered: Has the member of staff/adult:

- 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 or children in a way that indicates s/he is unsuitable to work with children?

Allegations of abuse made against staff, whether historical or contemporary, will be dealt with by the Principal, not the Designated Safeguarding Lead. If the allegation is against the Principal then it will be dealt with by the Chair of Governors. The Principal/Chair of Governors will contact the Local Authority Designated Officer (LADO), or the Principal Education Welfare Officer, to discuss the allegation.

This initial conversation will establish the validity of any allegation and if a safeguarding referral needs to be made to First Response. If this is the case, a strategy meeting will be called that the Principal/Chair should attend.

The decision of the strategy meeting could be:

- Investigation by children's social Care
- Police investigation if there is a criminal element to the allegation
- Single agency investigation completed by the academy which should involve the academy's external human resources adviser

The fact that a member of staff offers to resign will not prevent the allegation procedure reaching a conclusion.

## **20. Staff Recruitment, Supervision and Training**

When recruiting new staff, the UTC follows the guidance given in the 'Safeguarding Children: Safer Recruitment in Education', and the relevant Local Authority Guidelines, (Sandwell in the first instance). The UTC ensures that enhanced DBS checks are undertaken, prohibition checks are made, that references are taken up and obtained and that qualifications are verified. All members of the Senior Leadership Team and the Chair of Governors will have up to date safer recruitment training.

## **21. Further Advice**

Further advice on safeguarding matters can also be obtained from the Sandwell Safeguarding Officer, Education Welfare Senior Practitioner and relevant Local Authority Referral Teams (See Appendix 5).

## **22. Resources**

Safeguarding is important to all staff. The Governing Body has to ensure that sufficient resources are made available to enable the necessary tasks to be carried out properly under Local Authority Safeguarding Children Board procedures, including the attendance at meetings, collating and writing assessment reports, and staff



training. The Governing Body will also ensure that all governors have an understanding of safeguarding issues and that policy and procedures are in place in the academy to safeguard and promote the welfare of all learners.

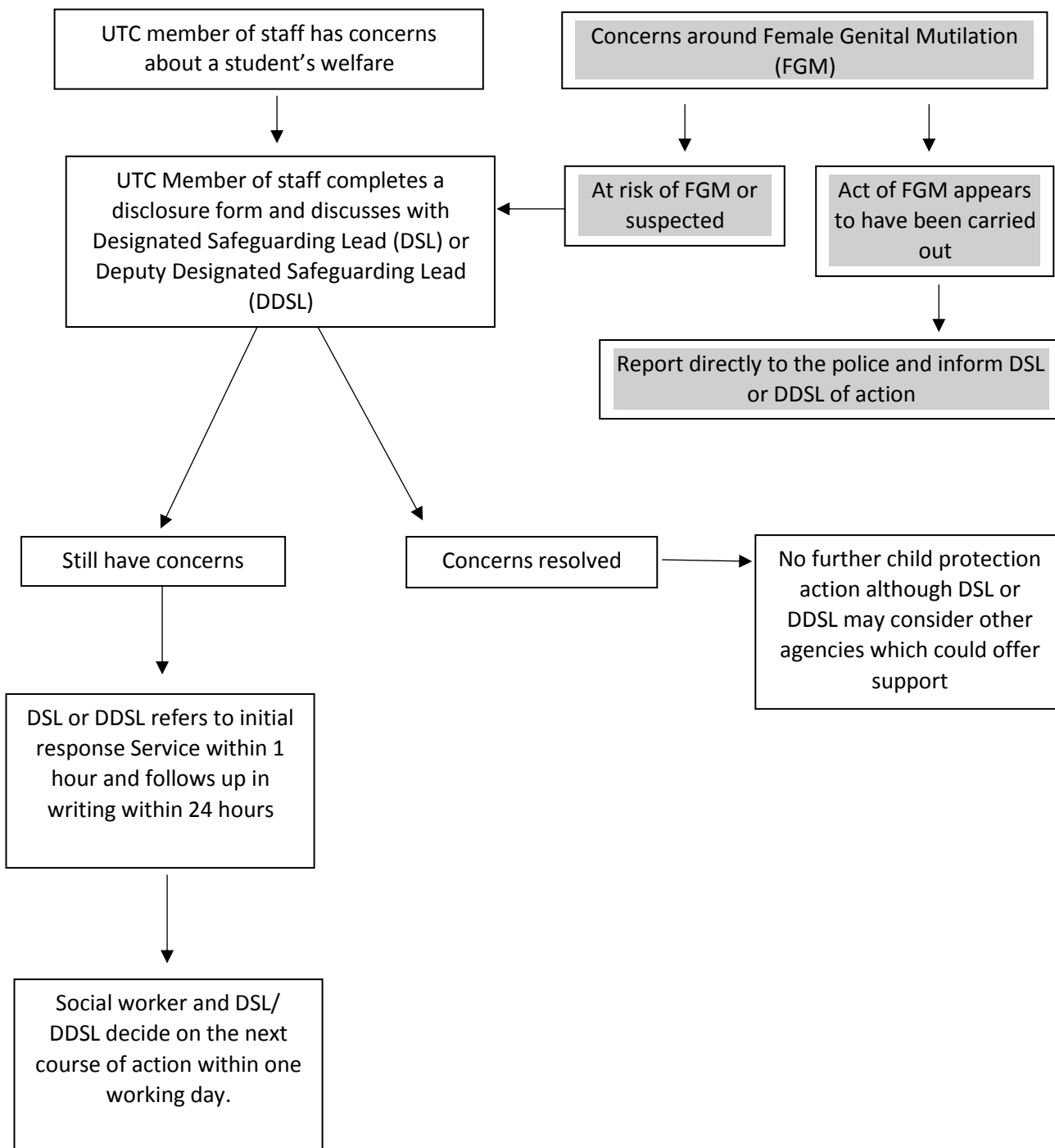
Safeguarding awareness will be addressed through the curriculum as appropriate to ensure all the learners understand what is meant by safeguarding and how they can be safe.

### **23. Monitoring, Review and Evaluation**

In the first year of operation an interim review will be conducted in December 2015 after the first term of the new UTC to review procedures and protocols and take into account stakeholder feedback and opinion.

**Appendix 1:**

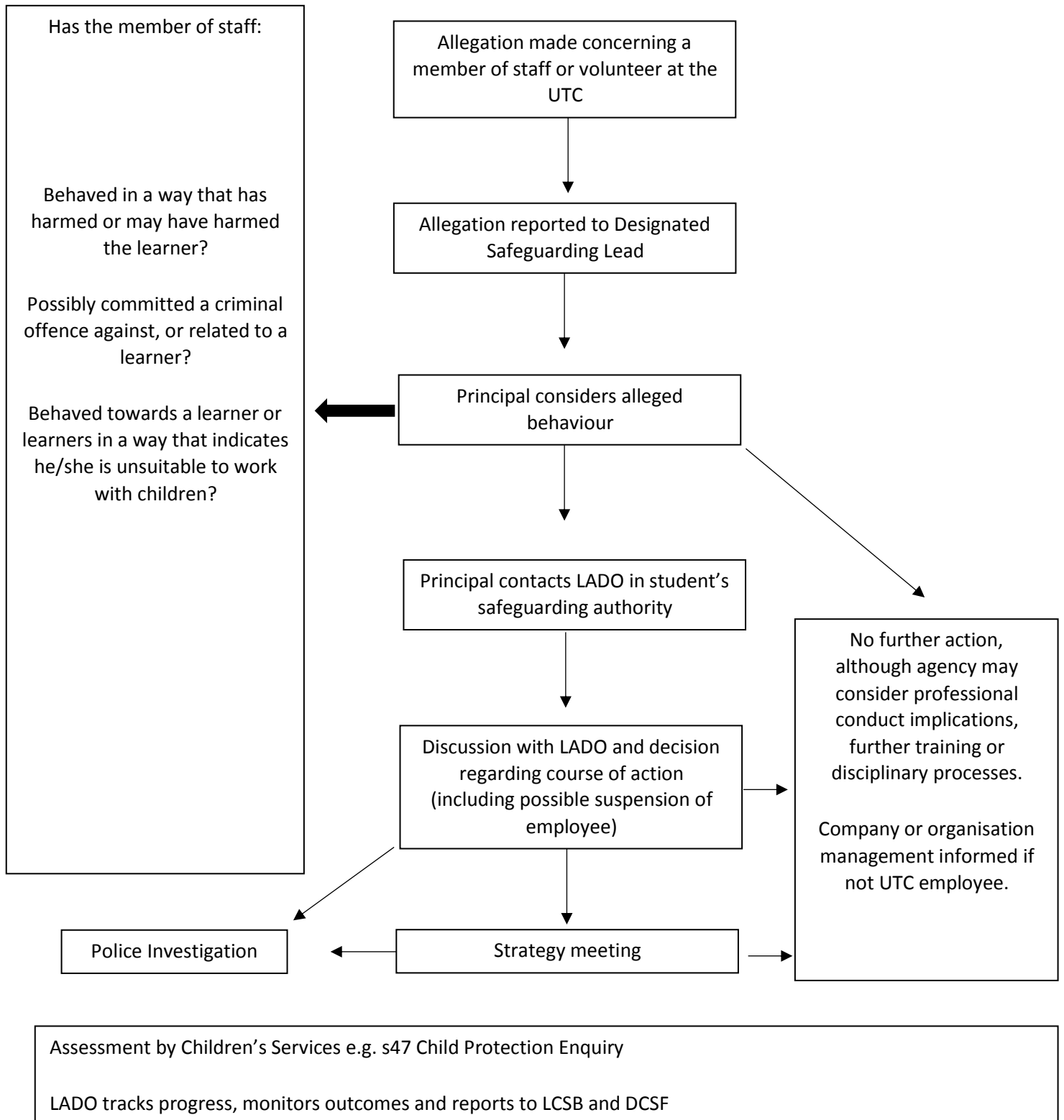
Flow chart – What to do if you have safeguarding concerns about a student



**NB: The Designated Safeguarding Lead (DSL) must contact the Safeguarding Board for the area in which the learner lives – contact details are in Appendix.**

**Appendix 2:**

Allegations against a member of staff/ volunteer



**Logging a concern about a child's safety and welfare**

Recorded and passed to DSL or DDSL with ONE hour of taking the disclosure

<b>Pupil's Name:</b>	<b>Date of Birth:</b>
<b>Date:</b>	<b>Time (of writing this record):</b>
<b>Name:</b>  <b>Print</b>	<b>Signature</b>
<b>Job Title:</b>	
<b>Note the reason(s) for recording the incident:</b>	

**Record the following factually: Who? What (If recording a verbal disclosure by a child use their words)? Where? When (date & time of incident)? Any witnesses?**

**Continued:**

<b>Professional opinion where relevant (how and why might this have happened?)</b>
<b>Note actions, including names of anyone to whom your information was passed:</b>
<b>Any other relevant information (factual):</b>

**PLEASE PASS THIS FORM IMMEDIATELY TO THE DESIGNATED SAFEGUARDING LEAD (DSL) FOR CHILD PROTECTION OR HIS DEPUTY.**

**IF EMAILED, YOU WILL NEED TO INFORM RECEPTION SO THAT THE DSL CAN BE MADE AWARE THAT A CONCERN HAS BEEN RAISED AND NEEDS INVESTIGATING.**

**Appendix 4:**

**DSL record of child protection referral**

Time & date information received by DSL, and from whom	
Any advice sought by DSL (date, time, name, role, organisation & advice given)	

<p>Action taken (referral to children's services/ monitoring advice given to appropriate staff/ CAF etc) If decision not to refer, justify reason.</p> <p>Note time, date, names, who information shared with and when etc.</p>	
<p>Parent's informed? Y/N</p> <p>Reasons:</p>	
<p>Outcome</p>	
<p>Record names of individuals/agencies who have given you information regarding outcome of any referral (if made)</p>	
<p>Where can additional information regarding child/ incident be found? (e.g. pupil file, serious incident book)</p>	

<b>Name</b>		<b>Date</b>	
<b>Signed</b>			



## Appendix 5:

# **Safeguarding and Child Protection Further Guidance and Contact Information**

## **Emergency**

If a child is in immediate danger or left alone, you should contact the **police** by calling 999.

You can also contact Sandwell's Contact Centre on 0845 3510131 at any time.

## **Non-Emergency**

If it is not an emergency then referrals can be made or further support sought from the following:

Childline on 08001111

NSPCC Helpline on 0808 800 5000 **Sandwell**

## **Safeguarding Children Board**

For advice and information:

Sandwell SCB Main Unit Contact No: 0121 569 4800

Email: [lscb\\_sandwell@sandwell.gov.uk](mailto:lscb_sandwell@sandwell.gov.uk)

To make a referral:

Early help Desk: 0845 3521836 or 0845 3522516 or 0845 352 7221 Email:  
[access\\_team@sandwell.gcsx.gov.uk](mailto:access_team@sandwell.gcsx.gov.uk)

## **Wolverhampton SCB**

Duty and Assessment Team based at Wolverhampton Civic Centre: **01902 555392** Outside office hours, contact our emergency service on **01902 552999**

Priory Green Building  
Whitburn Close  
Pendeford  
Wolverhampton WV9  
5NJ.

**Tel:** 01902 550477

**Email:** [wscb@wolverhampton.gov.uk](mailto:wscb@wolverhampton.gov.uk)

The Head of Service (Safeguarding Children and Young People) is Dawn Williams.

The Local Authority Designated Officer is Jayne James.

### **Dudley SCB**

Brierley Hill Area Office: 01384 813000

Dudley, Sedgley and Coseley Area Office: 01384 813200

Halesowen and Stourbridge Area Office: 01384 815902

Out of office hours contact the Emergency Duty Team on: 0300 555 8574

### **Walsall SCB**

The Multi Agency Screening Team (MAST)

The Quest, 2nd floor

139-143 Lichfield Street

Walsall WS1 1SE

Telephone: 01922 658170

Out of office hours contact the Emergency response Team on: 0300 555 2922 or 0300 555 2836.

### **Solihull SCB**

Child Protection and Reviewing Unit,

West Mall,

Chelmsley Wood Town Centre,

North Solihull, B37

5TN

secure email: [cpru@solihullgcx.gov.uk](mailto:cpru@solihullgcx.gov.uk)

Tel : 0121 788 4310

To report suspected abuse please call 0121 788 4333 (outside office hours in an emergency: 0121 605 6060)

### **Birmingham Safeguarding Children's Board**

Contact Telephone: 0121 303 1888

Contact Email: [mash@birmingham.gov.uk](mailto:mash@birmingham.gov.uk)

Outside office hours contact the Emergency Duty Team on 0121 675 4806