

# Child Protection & Safeguarding Policy

West End Excess is committed to protecting children from maltreatment, preventing impairment of children's health or development, ensuring that children are growing up in circumstances consistent with the provision of safe and effective care and taking action to enable all children to have the best outcomes. (Working Together to Safeguard Children, DfE, 2018, pg.6)

## 1. Aims

West End Excess' child protection policy is enforced to ensure every member of our organisation is safe and protected from harm.

West End Excess aims to:

- Establish and maintain an ethos and culture where children feel secure, are encouraged to talk, and are listened and responded to when they have a worry or concern.
- Establish and maintain an ethos and culture where West End Excess staff and volunteers feel safe, are encouraged to talk and are listened to and responded to when they have concerns about the safety and well-being of a child.
- Ensure children know that there are adults in the school whom they can approach if they are worried.
- Ensure that children, who have additional/unmet needs are supported appropriately. This could include referral to early help services or specialist services if they are a child in need or have been / are at risk of being abused and neglected.

Staff members working with children are advised to maintain an attitude of 'it could happen here' and 'it could

be happening to this child', where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the interests of the child.

To ensure that West End Excess effectively manages any suspicions of potential harm that may come to children, staff members will be trained on how to:

- Follow the correct procedures put in place to ensure the safety and wellbeing of all children under the care of West End Excess.
- Handle any incident or potential situation involving a child's welfare.
- Establish and maintain an environment where children are secure, encouraged to talk and are listened to when there are any worries or concerns.
- Ensure children know there are adults at West End Excess whom they can approach.
- Ensure that child protection and safeguarding laws are followed.

This policy will give direction to staff, volunteers, visitors, members and parents/legal guardians about the expected behaviour and our legal responsibility to safeguard and promote the welfare of all children at West End Excess.

## 2. Statutory & Legal Framework

EDSA will act in accordance with the following legislation and guidance:

- The Children Act 1989
- The Children Act 2004
- HM Government 'Working Together to Safeguard Children' (2018)

Emil Dale recognises the intentions of the Modern Slavery Act (2015). While West End Excess is not required by law to comply with the Act, it is nevertheless committed to acting ethically and ensuring that there is no modern slavery or human trafficking in its supply chains. Through its existing policies on safeguarding, West End Excess is also committed to identifying and protecting young people who are subject to, or are at risk of, modern slavery.

### **3. Scope**

This policy is applicable to all students of West End Excess.

Note, some requirements for safeguarding change depending on the age of the student. Those under 18 are subject to different laws and safeguarding procedures than those over the age of 18.

Anyone over the age of 18 is legally seen as an adult, and therefore West End Excess will deal specifically with the student or a nominee (given by written consent of the student).

*This policy must also be read in conjunction with Emil Dale Academy's Anti-bullying, Cyberbullying and Harassment Policy.*

### **4. Policy**

West End Excess recognises the contribution it can make to protecting children from harm and supporting and promoting the welfare of children. West End Excess have put this policy in place to ensure that all members' safety and welfare are protected, and any incidents (potential or actual) are managed to ensure prevention of any future issues.

In order to encourage effective prevention of any incidents of harm coming to any child, West End Excess aim to:

- Have positive links with parents, legal guardians, carers and professionals within our industry
- Communicate readily with parents, legal guardians and carers
- Offer opportunities to discuss emotions, relationships, good and bad secrets, bullying and general wellbeing with all students/members
- Support all students/members, regardless of race, gender, colour or creed
- Ensure all required checks are made when hiring staff and that those in contact with children hold a current DBS check (or non-UK equivalent)
- Provide appropriate training and support to all staff
- Seek permission from parents/legal guardians before taking images (photographs or film) of members and inform them how and where the images may be used
- Regularly review and update this policy

### **5. Definitions**

**"Emotional abuse"** is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development.

“**Neglect**” is the persistent failure to meet a child’s basic physical or psychological needs, likely to result in the serious impairment of the child’s health or development.

“**Physical abuse**” may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child.

“**Sexual abuse**” involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening.

## **6. Designated Roles**

### **Designated Senior Person for Child Protection (DSP)**

Sarah Beale and Victoria Hammond

### **Deputy Designated Senior Person**

Debbie Steer

### **6.1 Responsibilities of the DSP & Deputy DSP**

To ensure:

- All new members of staff are aware of the responsibilities for child protection and are aware of West End Excess’ Child Protection procedures.
- Liaise with the Children, Schools and Families (CSF), the NSPCC or the police over suspected cases of child abuse.
- Ensure that accurate records relating to individual children are kept separate from standard school files about those children, and marked as confidential. These will be kept in the main EDSA office, which is either manned at all times or is locked.

## **7. Guidance for Staff - Child Protection Procedures**

Main categories of abuse are\*:

- Physical
- Emotional
- Sexual
- Neglect

*\*See Definitions*

### **7.1 Confidentiality**

Child Protection raises issues of confidentiality that must be clearly understood and procedures followed by all staff.

Staff who receive or are told information about children and their families should share that information, but only to those who must know about the situation/ incident(s) and only within a professional context.

### **7.2 In case of a disclosure from a student/member to a member of staff**

A student/member may disclose an incident(s) of physical, emotional, sexual or neglect to any member of staff. All staff must follow the guidelines below:

**Things you must do:**

- Treat the matter seriously
- Reassure the child (but do not make any promises that you might not be possible to keep)
- Make the child aware that you will have to inform others
- Be impartial and accept what is being said
- Allow the person to talk freely
- Inform the DSP or Deputy **immediately**; tell only those that need to know
- Seek advice if in doubt
- Keep a careful watch on the child
- Keep an accurate written record of what you have been told **immediately** at the point of disclosure, what you have noticed and what action you have taken
- Tell the child what actions you must and will be taking

**Things you must not do:**

- Do not ask leading questions
- Do not interrogate the child
- Do not promise confidentiality
- Do not contact parents (this is the job of the Social Services Department)
- Do not criticise or pass comment on the alleged perpetrator
- Do not speak to the person about whom the allegations are made, even if they are another member of staff, colleague or adult
- Do not display shock or disbelief

**8. Record Keeping**

When a member of staff has been disclosed to or observed a situation/ issue/ incident, they must:

- Make a written record as soon as possible after the conversation/ observation, using the exact words of the child if you have spoken to them
- Record the date, time and any facts that are relevant
- Record any noticeable, non-verbal behaviour as well as the words used by the child
- Draw a diagram to indicate the position of any bruising, injury or markings on the child (if applicable)
- Do not destroy original notes, in case they are needed as evidence in future, including for court cases
- Record statements and observations, not interpretations or assumptions. Your thoughts/ feelings on any situation should not influence your handling of the situation

**9. Allegations involving other staff members**

If an allegation is reported to a member of staff that is made against a member of staff such as:

- They have behaved in a way that has or may harm a child
- They have possibly committed a criminal offence against/related to a child
- Behaved towards a child in a way which indicates he/she is unsuitable to work with children

Then you must inform the DSP or Deputy DSP. Do not speak to the other member of staff directly.

Do not speak to any other colleague about what you have been told or observed, other than the DSP or Deputy DSP.

## **10. Peer on peer abuse**

If an allegation is raised between students regarding an incident that ***has or has not occurred on school grounds*** that warrants criminal investigation, it is the duty of West End Excess to report this to the police.

The police will then follow this allegation with the student(s) concerned.

If a criminal investigation is undertaken regarding current students, both students will be recommended to take a leave of absence from West End Excess whilst the investigation is undertaken for the safety and protection of those parties in terms of safeguarding and mental well-being.

West End Excess will support students through this process, with regular check-ins.

In the event that a criminal investigation finds a student guilty, that student will be dismissed from West End Excess with immediate effect.

In the event that a criminal investigation finds a student not guilty, West End Excess is under no obligation to take any further action with any student.

Reintegration into West End Excess following a leave of absence will be discussed with the student(s) involved, with a clear action plan and regular support/ check ins.

If an allegation is raised between students regarding an incident that ***has or has not occurred on school grounds*** that ***does not*** warrant criminal investigation, West End Excess will only instigate an internal investigation and take action on an incident that has occurred on school grounds.

The internal investigation process is described in the Student Complaints Policy.

In this scenario, both parties will be supported through this process, with regular check-ins and to ensure both students can achieve their qualification.

In order to minimise peer on peer abuse, West End Excess will:

- Have systems in place for any student to raise concerns with staff, knowing that they will be listened to, taken seriously and valued.
- Ensure all parties, including any other student affected by peer on peer abuse will be supported.
- Develop robust risk assessments where appropriate.
- Have relevant policies in place (e.g. behaviour policy).

## **11. Staff safeguarding**

All staff must take care at all times to safeguard themselves; do not allow yourself to be in a situation that can be misinterpreted by any child or adult.

If a student requests to speak to you privately, ensure that you are in view of CCTV cameras, and ensure that someone else knows who you are talking to/ when.

Do not engage in communications online with students. Communications with students outside of professional working communication (including but not limited to social media, email, Whatsapp and so on) are strictly prohibited.

## **12. Recruitment and vetting of staff**

### **12.1 Vetting**

West End Excess has a commitment to safer recruitment of staff working with children. It is written to complement the recruitment and selection code of practice and ensures that our recruitment and

management practices comply with current safeguarding legislation and regulations including the Disclosure & Barring Service (DBS).

The school is committed to safeguarding and promoting the welfare of children and young persons and we expect all staff and volunteers to share that commitment. Fair and thorough recruitment and selection processes are in place throughout West End Excess.

### **12.2 Safer Recruitment and Vetting**

To fulfil West End Excess' commitment to safeguarding in recruitment and employment we will, under the terms of this policy:

- Ensure all prospective employees (both resident and guest) have a valid DBS, and preferably also have a chaperone license
- Ensure that, when a positive DBS check is received, the appointment decision is made by the Principal and Co-Deputy Principal
- Ensure that prospective employees (both resident and guest) do not normally commence working at the school until a signed contract and DBS/licenses have been received. Any decision for employment to commence prior to receipt of these can only be taken by the Co-Deputy Principal
- Require all staff to disclose any convictions, cautions, reprimands or warnings that arise during the course of employment, in order that we can put any appropriate safeguards in place, according to the nature of job they do

This policy complements the schools recruitment and selection code of practice and ensures that the schools recruitment practices comply with recognised safer recruitment standards.

All recruitment to posts that involve working with vulnerable people must require the successful applicant to:

- Provide at least one piece of identification, that should be photographic, which should identify name, current address and date of birth.
  - Normally for proof of identification the individual should present their photo driving license and/or passport
- Be aware that they have a responsibility to disclose any subsequent convictions, cautions etc.
- Overseas staff should be checked in the same way as for all other staff but should additionally endeavour to provide a certificate of good conduct from their home police force or embassy, as well as from other countries where they have worked, where this is available. DBS disclosures do not detail offences committed abroad.

### **12.3 The applicant / employee's duty to disclose information**

West End Excess requires:

- All applicants to disclose any convictions/cautions and existing employees to disclose any convictions and cautions that arise during the course of their employment, to the West End Excess Manager.
- Any failure to disclose relevant information will be regarded as a potentially serious breach of trust and confidence and may result in disciplinary action, potentially leading to dismissal of existing staff or non-appointment of applicants.

#### **12.4 Positive Disclosure**

The term “positive disclosure” refers to a disclosure containing information relating to convictions, cautions, reprimands and so on, plus “soft information” relating to non convictions but which the police deem as relevant.

Positive disclosures concerning either job applicants or employed staff will be referred to the Co-Deputy Principal who will be responsible for completing a risk assessment of whether the offence(s) listed is/are sufficiently serious to cause concern.

To aid the decision making process it may be appropriate for the recruiting manager to interview the applicant to verify the information received, prior to any judgements being made.

The assessment of the positive disclosure will be in accordance with the following checklist:

- The likely impact that the positive disclosure could have on the individual’s ability to carry out the job role
- The seriousness and nature of the offence(s)
- The nature of the appointment
- The length of time since the offence(s) occurred
- The number and pattern of offences
- The applicant’s age at the time
- Any explanation of the circumstances of the offence(s) that may already have been given
- Concealment of the offence(s) at the application stage/non-disclosure of offences that occurred during employment

Where appointment or continued employment of an individual with positive disclosures proceeds, the record of decision will be retained permanently on the individual’s personnel file and the DBS disclosure information will be retained securely for 6 months from the decision being made, in accordance with this policy.

#### **12.5 Appointment without full DBS clearance**

Any decision for employment to commence prior to receipt of full pre-employment checks can only be taken by the Co-Deputy Principal, following a risk assessment based on the nature of work, the level of exposure to children/young people and the information provided on the application form.

The contract of any employee appointed prior to receiving clearance should remain subject to this condition being met. Until such time as the DBS clearance is received, the employee will remain subject to robust control measures of which they will be notified. The Co-Deputy is responsible for monitoring the individual until clearance is received and ensuring progress on the DBS check is pursued at least every 14 days.

#### **12.6 Barring**

West End Excess aims to prevent unsuitable people from working with children and vulnerable adults.

Referrals are made to the DBS when an employer or organisation, such as a regulatory body, has concerns that a person has caused harm, or poses a future risk of harm, to children or vulnerable adults.

The DBS maintains the lists of people who are barred from working with children and/or vulnerable adults. This work was previously undertaken by the Independent Safeguarding Authority, prior to its merger with the CRB.

### **Review**

This policy will be reviewed and updated on an annual basis.