

Safeguarding Children/Young People and Vulnerable Adults

Policy and Procedures

1. Policy Statement

1.1 There is recognition that everyone at Interactive Business Ltd has a role to play in safeguarding the welfare of children/young people (people under the age of eighteen) and vulnerable adults and preventing their bullying, harassment and abuse. As such Interactive will raise awareness of child and adult protection issues and ensure that staff and learners follow appropriate procedures should abuse be suspected.

(See Appendix 1 Definitions - Persons)

1.2 Interactive will: -

- i. At all times, and by all means, seek to create a safe environment for learners.
- ii. Operate the policy to encompass children, vulnerable adults and adults who may be temporarily vulnerable.
- iii. Acknowledge that abuse may take many forms: physical abuse, sexual abuse, emotional abuse, neglect and risk to self and/or others.
- iv. Work with external agencies, whilst always placing the welfare of the individual at the centre of any action taken.
- v. Comply with the regulations and guidance provided on the vetting of staff and volunteers to minimise the risk of recruiting unsuitable people.
- vi. Undertake regular checks against an individual's criminal record, to ensure that all employees and workers under terms of engagement are suitable to work at Interactive.
- vii. Develop and implement procedures for identifying, reporting cases or suspected cases of abuse.

2. Procedures (see Appendix 2: Child Protection and Vulnerable Adults policy and procedures to be followed for learners)

2.1 This procedure is designed to advise tutors and other staff on how to report concerns relating to the abuse of children, young people and vulnerable adults.

2.2 All members of staff have responsibility for reporting concerns related to abuse of young people and vulnerable adults.

2.3 This procedure applies

- ☞ If you have cause for concern that a learner may be at risk of significant harm
- ☞ If a learner discloses abuse to you

☞ If abuse is reported to you by a third person eg a friend or colleague

(see Appendix 3: Definitions – Abuse/Neglect/Harm)

3. What to do if a learner discloses abuse:

3.1 Do:

- If a learner discloses significant personal problems to a member of staff, they should be acknowledged and taken seriously.
- Stay calm.
- Believe the person.
- Listen patiently; try not to ask any questions.
- Let them take their time.
- Reassure them that they are doing the right thing in telling you
- Write down the details, using their own words as far as possible. If appropriate ask the student to write it down. Please see the attached form.

(see Appendix 4)

- Explain to the learner that you may have a **legal** obligation to pass this information on, to protect both them and possibly other members of the family and the public.
- Contact the Directors of Interactive and pass on all your records and notes. No duplicates of these should exist, all disclosures must be referred.
- The information must be treated with the strictest confidence – the ‘need to know’ principle must be employed. A Director of Interactive has the responsibility to decide what further action should be taken.

3.2 Do not:

- Make promises you cannot keep.
- Promise confidentiality.
- Appear shocked, horrified, disgusted or angry.
- Make comments or judgements, other than to show sympathy and concern.
- Ask leading questions.
- Give sweeping reassurances.
- Take the matter further your self.
- Contact any other agencies.

4. Abuse of Trust - Allegations against staff

4.1 If allegations are made against a member of staff which involve a learner the same procedures as outlined above must be followed. The matter will be investigated in accordance with the Staff Disciplinary procedure and depending on the severity of the allegations, outside agencies may be informed. Following the investigation the formal Disciplinary procedure may be invoked.

4.2 If allegations are made which do not involve a student, the member must inform the Director of Interactive. The matter will be investigated in accordance with the Staff Disciplinary procedure and depending on the severity of the allegations, outside agencies may be informed. Following the investigation the

formal Disciplinary procedure may be invoked.

4.3 Effective procedures should protect staff from malicious allegations as well as protecting individuals from abuse. If you feel upset by any disclosure please discuss this with the Director of Interactive. If the employee has a grievance this should be pursued in accordance with the Grievance procedure.

5. Responsibilities/designated persons

5.1 The designated Senior Person responsible for child and adult protection is Steven Mort, Director of Interactive Business Ltd.

6. Evening Duty/out of hours/trips etc

6.1 If staff need to contact someone to help with a disclosure during the evening, contact Steven Mort on 07540 418599.

6.2 If staff are away on a trip or a residential contact Steven Mort on the above number.

6.3 The appropriate person must contact Steven Mort, Director.

6.4 Steven Mort, Director will advise on what steps have been taken and the outcome when known. Staff can contact Steven Mort, Director for support on any of the issues connected to the disclosure.

7. Internet

7.1 The creation, downloading, distribution and copying of pornographic images of children are child abuse and are criminal offences. Such acts are considered to be acts of gross misconduct and any employee alleged to have carried out such an act will be subject to the Staff Disciplinary procedure which may lead to summary dismissal (dismissal without notice for acts of gross misconduct). Students may be subject to expulsion.

7.2 If you become aware of the creation, downloading distribution or copying of pornographic images of children close the file immediately. Do not save or take copies.

• **Contact Steven Mort, Director immediately.**

8. Training

8.1 The Children's Act 2004 makes it a duty of colleges to have a rolling programme of awareness training for all staff.

8.2 Training will be offered to *all* members of staff on a three year rolling programme to make sure that they are aware of the procedures to be followed should they suspect a case of abuse. Specialist training will be provided for the designated members of staff and the designated governor with child and adult protection responsibilities. This training will be updated every 3 years.

Appendix 1

Definitions - Persons

The policy recognises the following definitions with regard to the individual.

(i) **Student** –

the term 'student' for this policy covers students who study with Interactive Business Limited. The policy also covers those students who are on placement as part of their course. In addition it also covers school links students and students on placement.

(ii) **Child** –

in accordance with the Children Act 1989, and therefore in accordance with law, the College shall regard any young person below the age of 18 as a child.

Young people aged 18 and over may in some circumstances be regarded as

vulnerable and may therefore fall within the remit of the Act.

(iii) **Vulnerable Adult** –

may be in need of community care services by reason of mental or other disability, age or illness and who is, or may be unable to take care of himself or herself, or unable to protect himself or herself against significant harm or serious exploitation. Vulnerability can apply to a wide range of disabilities and situations including those adults at risk owing to their caring role or family responsibilities.

(iv) **Other Vulnerable Adult** –

any student displaying signs of significant stress or trauma who may be in need of support.

Appendix 2

Child Protection and Vulnerable Adults Policy Procedures to be followed for students

Student makes a disclosure or allegation to a member of staff.

(see points below)

Member of staff has concerns about a student

Allegation reported to College Child Protection and Vulnerable Adults Officer.

Officer seeks advice if necessary.

Where appropriate makes referral to external agency. Senior Manager informed.

Officer decides what is to happen next. Where appropriate will see student. Student is offered support and is advised of next steps.

Student kept informed.

Member of staff is given some feedback as to outcome.

Appendix 3

Definitions Abuse/Neglect/Harm

A child* maybe abused or neglected by having harm inflicted upon them by a person failing to act to prevent harm. A child may be abused in a family or in an institutional or

community setting by those known to them or, more rarely, by a stranger. The policy recognises the following definitions in regard to abuse, neglect and harm.

(i) **Physical Abuse**

may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer feigns symptoms of, or deliberately causes, ill health to a child they are looking after.

(ii) **Emotional Abuse**

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. It may involve conveying to the child that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. Age or developmentally inappropriate expectations being imposed on children, causing children frequently to feel frightened, or the exploitation or corruption of children.

(iii) **Sexual Abuse**

involving forcing or enticing a child or young person to take part in sexual activities whether or not a child is aware of what is happening. The activities may involve physical contact including penetration or non-penetrative acts. For example it may also include involving the child looking at, or being involved in the production of, pornographic material or watching sexual activities, or encouraging the child to behave in sexually inappropriate ways.

(iv) **Neglect**

neglect is 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 such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to, a child's basic emotional needs.

(v) **Risk to self and/or others**

this may include but is not exclusive to self-harm, suicidal tendencies or potential risk of harming others, which may or may not include children. This may be as a consequence of an individual experiencing a significant level of personal, emotional trauma and/or stress.

(vi) **Financial or Material Abuse**

including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions or the misuse or misappropriation of property, possessions or benefits

(vii) **Forced Marriages** are marriage relationships conducted without the valid consent of both parties, where duress is a factor. If there are concerns that a student is in danger of a forced marriage the Safeguarding Children Officer will follow government guidelines and contact will be made with the 'Forced Marriage Unit' Arranged marriage is an entirely separate issue and must not be confused with forced marriage.

Appendix 4

Safeguarding Children and Vulnerable Adults Initial Contact Report

Date

Time

Name of student/person
making disclosure

DOB

Address

Tel number

Name of the member of
staff

Dept

Ext number

Brief summary of
disclosure
Staff signature

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Appendix 5

Child Protection and Vulnerable Adults Policy Procedures to be followed if allegations are made against a member of the College staff.

Student makes a disclosure or
allegation to a member of staff
involving another member of
staff

Member of staff makes an allegation
about another member of staff in
respect of a student at the College
Allegation reported to College Child
Protection and Vulnerable Adults Officer.
Officer seeks advice if necessary. Where
appropriate makes referral to external
agency.

Officer decides what is to happen next.
Where appropriate will see student. Student
is offered support and is advised of next
steps.

Member of staff makes an allegation
about another member of staff not
involving a student at the College
Allegation reported to line manager.
Investigation carried out in accordance with
the staff disciplinary procedure.
Support offered where appropriate.
Investigation carried out
Consideration given as to whether to invoke
the staff disciplinary procedure.
Further support offered where appropriate.
Investigating Officer seeks advice if
necessary. Where appropriate makes
referral to external agency.

Appendix 6

Investigating Allegations of Child Pornography on Computers

The purpose of this memorandum is to provide a guide for support staff, who may
have been called upon to investigate allegations of child pornography on any
computers on the campus.

Staff should be aware of the Legal guidelines that have been set out by **The Crown
Prosecution Service**. This is to protect members of staff from any potential
compromising
situation, and to ensure that any subsequent Police investigation is not inadvertently
jeopardised.

The Crown Prosecution Service have published an official document
**Memorandum of Understanding Between Crown Prosecution Service (CPS)
and the**

Association of Chief Police Officers (ACPO) concerning Section 46 Sexual Offences

Act 2003) which clarifies the position of professionals involved in such tasks. This document outlines how the activities of support staff will be assessed to confirm that they

are acting legitimately, to combat the creation and distribution of images of child abuse,

and not as cover for any other activities.

The taking or making of an indecent photograph of a child is a Criminal offence under **The**

Protection of Children Act 1978. Section 1(1)a and carries a maximum penalty of 10

years incarceration. Making includes not only the process of downloading an image from

the Internet, but also knowingly creating an electronic copy of this file. To be an offence

such 'making' must be a deliberate and intentional act, with the knowledge that the image

made was, or was likely to be, an indecent photograph or pseudo-photograph of a child.

The basic rule is to **NEVER** make a copy, during the course of any investigation and only

ever view such material as a very last resort. The CPS do however recognize that situations do arise where individuals (for example a person to whom the accidental find is

reported) knowingly 'make' another copy of the photograph or pseudo-photograph in order

that it will be reported to the correct authorities.

The CPS have stated that **'it is highly unlikely that it would be in the public interest to**

embark on a prosecution' providing that an individual can prove that a copy was made

for the purposes of the prevention, detection or investigation of crime, or for the purposes

of criminal proceedings.

In order to reassure Support Staff that they will have protection from any subsequent criminal proceedings, which could lead from an internal investigation, the following has

been created as a defence to the charge of making.

The Sexual Offences Act 2003 includes at section 46 an amendment to the 1978 Act

created as a defence to the charge of "making". A defence is available where a person 'making' such a photograph or pseudo-photograph can prove that it was

necessary to do so for the purposes of the prevention, detection or investigation of

crime or for the purposes of criminal proceedings.

Basic Rules

It is the police that should be investigating such material and as soon as it seems

likely that an indecent photograph of a child has been found, they should be contacted

immediately and the investigation handed over to them. The police need to be contacted

by Steven Mort, Director.

The only situation involving child pornography that need not immediately be reported to the

police is where there is an **allegation** that a member of staff has been accessing such material. Unfortunately there have been cases where such allegations have been

made falsely and maliciously. If there is doubt over such an allegation then authorised staff

may need to perform the minimum of investigations necessary to verify it

Guidelines For Preliminary Investigation.

If an allegation of child pornography is made contact Steven Mort, Director immediately. They have the necessary authority to order an investigation.

Do not start an investigation without the authority of Steven Mort, Director and especially do not investigate an allegation on your own.

If you have been authorised to investigate such an allegation, Steven Mort, Director will inform you in writing. The following rules must be adhered to:

- All investigations should be recorded in writing, with every click and URL recorded.
- **Two staff should be present during all such investigations:** both should then sign and date every sheet of the record of the investigation. The result of the investigation should be reported to the senior member who authorised it.
- As soon as evidence of child pornography is found **STOP** any further investigation and report to the senior member who authorised it.
- **Do not show the material to anybody, other than authorized personnel.** It may compromise you and your colleagues and jeopardise any subsequent police investigation.
- **Do not take copies of the material.** Taking a backup copy of an image file as evidence is likely to constitute 'making', and not just possession of child pornography and carries a maximum penalty of 10 years.
- Often checking a list of URLs visited will be sufficient to confirm suspicions, so actually visiting sites should be regarded as an absolute last resort. If it is necessary to visit a suspect web site then they should be viewed with a **text-only browser, or at least with all image downloads turned off.** The text or filenames of a site will often indicate the nature of the content.

The following link, should allow you to view a web page as a Text Only browser.

[Lynx text-only browser demo](#)

The full version of this software can be downloaded from the following site.

[Download lynx text-only browser](#)

This is a very basic MSDOS programme to view Web sites.

To view a normal Internet Explorer site with the images turned off. The Following steps

can be followed.

Open the Web Browser. Click on **Tools-Internet Options-Advanced**

Uncheck all tabs under **Multimedia** and click on **Apply-OK**

Procedure After Indecent Images Are Found On Client Machine

1. Immediately close the file. Do not copy it.
2. Remove the machine to a quarantined area.
3. Report the discovery to the police or to the Internet watch foundation.
4. Do not send copies to anyone.
5. Seek advice from the Police.
6. Have audit trail in place.
7. Consider counselling staff if they have view offending material.

Appendix 7

Child and Adult Protection - Counsellor Procedure

For college counsellors dealing with case of suspected abuse involving young people or vulnerable adults

In the course of their work with clients, counsellors will encounter cases where students

disclose that they are being or have been abused, or that a third party is being or is in

danger of being abused. Such situations highlight a conflict between two key principles.

1. The counsellor and the college hold a responsibility of care. In recognition of this responsibility the college is obliged to formulate a policy and a set of procedures for reporting abuse of young people aged under 18, and vulnerable adults.
2. There is a fiduciary relationship (relationship of trust) between the counsellor and their client, which may be compromised by the automatic reporting of suspected abuse by the Designated Person. This relationship is recognised in law and its nature and limits are guided by the Ethical Framework of the British Association for Counselling and Psychotherapy.

The procedure which should be followed by counsellors in such a situation is as follows.

1. The counsellor must keep a record of disclosures made by their client
2. If the disclosure does not, in their opinion, require immediate referral to the Designated Person, but does cause concerns, the counsellor should discuss with their supervisor and the counselling team leader. They should record any decisions or agreed actions.
3. If the counsellor believes the disclosure is serious enough to require referral to the Designated Person and Social Services, they must seek the clients consent to do so.
4. If the client consents, the counsellor must inform the Designated Person as soon as possible.
5. If the client does not give consent the counsellor must discuss with the counselling team leader or colleagues on the counselling team and also with their supervisor, as soon as possible. A joint decision will then be made regarding disclosure to the

Designated Person/Social Services.

6. All discussions and actions should be recorded and the reasons for decisions reached.

In reaching a decision about disclosure, counsellors should be mindful of the provisions of the Government Guidance “What to do if you’re worried a child is being abused”, which can be summarised as stating that:

“The key factor in deciding whether or not to disclose is proportionality i.e. is the proposed disclosure a proportionate response to the need to protect the welfare of the child? In a situation where a child makes a real threat to commit suicide if information they have given is disclosed to social services, the overriding duty to safeguard the child’s welfare is likely to override the need to involve social services at that stage. However, the counsellor in that situation would be expected to explore other ways of protecting the child’s welfare with them and/or persuade them to consent to the disclosure. The child’s welfare must always be the paramount consideration.”