

Child Protection Policy

Policy No.19

Independent Residential Special School Philpots Manor School

March 2011

Approved by College 07/04/2011

Approved and amended by WSCC LSCB – 26/05/2011

1 Policy statement

- 1.1 This policy has been authorised by the Proprietor, is addressed to all members of staff and volunteers, is available to parents on request and is published on the School website. This policy can be made available in large print or other accessible format if required. It applies wherever staff or volunteers are working with pupils even where this is away from the School, for example at an activity centre or on an educational visit.
- 1.2 Every pupil should feel safe and protected from any form of abuse which, in this policy, means any kind of neglect, non-accidental physical injury, sexual exploitation or emotional ill-treatment.
- 1.3 Philpots Manor School (**School**) is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. The School will take all reasonable measures to:
- ensure that we practise safer recruitment in checking the suitability of staff and volunteers (including staff employed by another organisation) to work with children and young people in accordance with the guidance given in *Safeguarding Children and Safer Recruitment in Education*, the Education (Independent School Standards) (England) Regulations 2010 and the National Minimum Standards for Residential Special Schools
 - ensure that we carry out all necessary checks on the suitability of people who serve on the School's Board of Directors in accordance with the above regulations and guidance given in *Safeguarding Children and Safer Recruitment in Education* and the National Minimum Standards for Residential Special Schools
 - ensure that where the School ceases to use the services of any person (whether employed, contracted, a volunteer or student) because that person was considered unsuitable to work with children, a prompt and detailed report is made to the Independent Safeguarding Authority (**ISA**) or other relevant body as determined by future legislation (see section 8.2 Sussex child Protection & Safeguarding Procedures 2011)
 - ensure that where staff from another organisation are working with our pupils on another site, we have received assurances that appropriate child protection checks and procedures apply to those staff
 - follow the local inter-agency procedures of the West Sussex Safeguarding Children Board (www.onlineprocedures.com.pansussex/scb)
 - protect each pupil from any form of abuse, whether from an adult or another pupil
 - be alert to signs of abuse both in the School and from outside
 - deal appropriately with every suspicion or complaint of abuse
 - design and operate procedures which promote this policy
 - design and operate procedures which, so far as possible, ensure that teachers and others who are innocent are not prejudiced by false allegations
 - support children who have been abused in accordance with his / her agreed child protection plan
 - be alert to the medical needs of children with medical conditions
 - operate robust and sensible health and safety procedures
 - take all practicable steps to ensure that School premises are as secure as circumstances permit
 - operate clear and supportive policies on drugs, alcohol and substance misuse

- consider and develop procedures to deal with any other safeguarding issues which may be specific to individual children in our School and
- have regard to guidance issued by the Secretary of State for Education (**DfE**) in accordance with section 157 of the Education Act 2002 and associated regulations.

1.4 Every complaint or suspicion of abuse from within or outside the School will be taken seriously and in all proper circumstances will be referred to an external agency such as the social services department of the local authority, the child protection unit of the police or the NSPCC, without investigation within the School. In each of these cases, the matter will be referred by the Designated Person to the Local Authority Designated Officer (**Local Authority Manager, Safeguarding in Education**), Rosemary Terry, rosemary.terry@westsussex.gov.uk tel: **01243 642962**. Any doubts or concerns over apparently borderline cases will be discussed informally with the LADO, initially on a "no names" basis.

1.5 **Out of authority placements:** where a child has been placed by an authority outside West Sussex, initial contact may be made with the **Local Authority Manager, Safeguarding in Education**, Rosemary Terry. However the Designated Person will contact the Local Authority SEN Officer, Social or Duty Social Worker in the placing authority as soon as possible and will continue to liaise with that person throughout.

2 Designated Person

2.1 The School has appointed a senior member of staff with the necessary status and authority (**Designated Person**) to be responsible for matters relating to child protection and welfare. Parents are welcome to approach the Designated Person if they have any concerns about the welfare of any child in the school, whether these concerns relate to their own child or any other. If preferred, parents may discuss concerns in private with the child's class teacher or the Education Co-ordinator who will notify the Designated Person in accordance with these procedures.

2.2 The main responsibilities of the Designated Person are:

- to be the first point of contact for parents, pupils, teaching and non-teaching staff and external agencies in all matters of child protection
- to co-ordinate the child protection procedures in the School
- to read, understand and be knowledgeable about the Local Safeguarding Children Board procedures
- to maintain an ongoing Child Protection training programme for all School employees on induction and tri-annually thereafter.
- to ensure that their own and any deputy designated persons training is renewed bi-annually
- to monitor the keeping, confidentiality and storage of records in relation to child protection
- to liaise with the child protection officer appointed by West Sussex County Council (LADO)
- to keep parents informed of action to be taken under these procedures in relation to their child in accordance with paragraph 6.17
- to monitor records of pupils in the School who are subject to a child protection plan to ensure that this is maintained and updated as notification is received

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- to liaise with other professionals to ensure that children who are subject to child protection plans are monitored
 - where appropriate, to take part in child protection conferences or reviews
 - to inform social services in writing when a child who is subject to a child protection plan moves to another school and to inform the new school of the child protection plan as advised by social services and
 - to ensure records of staff training on child protection and safer recruitment procedures are kept and maintained.

2.3 The Designated Person for the School site is **Garry Norwood, Child protection Co-ordinator** who may be contacted on:

Office: 01342 810 268, Ext. 226

Direct dial: 01342 813733

Mobile: 07528034149

He will:

- advise and act upon all suspicion, belief and evidence of abuse reported to him
- keep the Education Coordinator informed of all actions unless the Education Coordinator is the subject of a complaint. In this situation, the Designated Person should consult with Steven Ogilvie, Proprietor, without notifying the Education Coordinator first and
- liaise with social services, the placing authorities, Ofsted, the Department for Education (DFE) and other agencies on behalf of the School.

2.4 If the Designated Person is unavailable his duties will be carried out by one of the Deputy Designated Persons, who have received appropriate training. The Deputy Designated Persons are Beatriz Unda, Class Teacher, who may be contacted on 01342 810268; and Linda Churnside, Education Co-ordinator who may be contacted on 01342 810268.

2.5 The Designated Person and the Deputy Designated Persons have undertaken basic child protection training and training in inter-agency working and will attend refresher training at two-yearly intervals.

3 Types of abuse

3.1 **Abuse** can be:

- physical abuse, for example beating or punching
- emotional abuse, for example rejection and denial of affection
- sexual abuse, for example sexual assault or encouraging a child to view pornographic material and
- neglect, for example failure to provide appropriate care including warmth or medical attention.

4 Signs of abuse

4.1 Possible signs of abuse include (but are not limited to):

- the pupil says he / she has been abused or asks a question which gives rise to that inference

- there is no reasonable or consistent explanation for a pupil's injury; the injury is unusual in kind or location; there have been a number of injuries; there is a pattern to the injuries
- the pupil's behaviour stands out from the group as either being extreme model behaviour or extremely challenging behaviour; or there is a sudden change in the pupil's behaviour
- the pupil asks to drop subjects with a particular teacher and seems reluctant to discuss the reasons
- the pupil's development is delayed
- the pupil loses or gains weight
- the pupil appears neglected, e.g. dirty, hungry, inadequately clothed and
- the pupil is reluctant to go home, or has been openly rejected by his / her parents or carers.

5 Duty of employees and volunteers

5.1 The Proprietor, every employee of the School as well as every volunteer who assists the School is under a general legal duty:

- to protect children from abuse
- to be aware of the School's child protection procedures and to follow them
- to know how to access and implement the procedures, independently if necessary
- to keep a sufficient record of any significant complaint, conversation or event and
- to report any matters of concern to the Designated Person.

Every employee is under a legal duty to undertake appropriate training including refresher training at three-yearly intervals. Proprietor training on child protection issues will be arranged, as appropriate.

5.2 **Whistleblowing:** All staff are required to report to the Education Co-Ordinator, or the Proprietor in **her** absence, any concern or allegations about school practices or the behaviour of colleagues which are likely to put pupils at risk of abuse or other serious harm. In exceptional cases such reports should be made to the LADO directly. If the concern still exists after a report has been made, staff can contact Ofsted directly on 0300 123 3155. There will be no retribution or disciplinary action taken against a member of staff for making such a report provided that it is done in good faith

6 Procedures

6.1 **Initial complaint:** A member of staff suspecting or hearing a complaint of abuse:

- must listen carefully to the child and keep an open mind. Staff should not take a decision as to whether or not the abuse has taken place
- must not ask leading questions, that is, a question which suggests its own answer
- must reassure the child but not give a guarantee of absolute confidentiality. The member of staff should explain that they need to pass the information to the Designated Person who will ensure that the correct action is taken and
- must keep a sufficient written record of the conversation. The record should include the date, time and place of the conversation and the essence of what was said and

done by whom and in whose presence. The record should be signed by the person making it and should use names, not initials. The record must be kept securely and handed to the Designated Person as soon as possible.

- 6.2 **Preserving evidence:** All evidence, (for example, scribbled notes, mobile phones containing text messages, clothing, computers), must be safeguarded and preserved.
- 6.3 **Reporting:** All suspicion or complaints of abuse must be reported to the Designated Person or a Deputy Designated Person, or if the complaint involves the Designated Person, to the Education Coordinator. Details of procedures for reporting allegations against members of staff are given in paragraph 6.8 below and in the flow chart to be found in the Staff Handbook. The failure of a member of staff to report a suspicion or complaint of abuse of a child is a disciplinary offence.
- 6.4 Members of staff must, as soon as reasonably practicable after making a report, complete the Reporting Form which can be found at **Error! Reference source not found..**
- 6.5 **Action by the Designated Person:** The action to be taken will take into account:
- the local inter-agency procedures of the West Sussex Local Safeguarding Children Board
 - the nature and seriousness of the suspicion or complaint. A complaint involving a serious criminal offence will always be referred to social services or the police
 - the wishes of the pupil who has complained, provided that the pupil is of sufficient understanding and maturity and properly informed. However, there may be times when the situation is so serious that decisions may need to be taken, after all appropriate consultation, that override a pupil's wishes
 - the wishes of the complainant's parents, provided they have no interest which is in conflict with the pupil's best interests and that they are properly informed. Again, it may be necessary, after all appropriate consultation, to override parental wishes in some circumstances. If the Designated Person is concerned that disclosing information to parents would put a child at risk, he or she will take further advice from the relevant professionals before making a decision to disclose
 - duties of confidentiality, so far as applicable.

If there is room for doubt as to whether a referral should be made, the Designated Person will consult with the **Local Authority Manager, Safeguarding in Education** on a no names basis without identifying the family. However, as soon as sufficient concern exists that a child may be at risk of significant harm, a referral will be made to social services without delay (and in any event within 24 hours). If the initial referral is made by telephone, the Designated Person will confirm the referral in writing to social services within 24 hours. If no response or acknowledgment is received within 24 hours, the Designated Person will contact social services again.

Where there is sufficient concern that a child may be at risk of significant harm, the Designated Person will also promptly report the concern, and the outcome of any child protection enquiries, to the DFE, the relevant placing authority and Ofsted.

- 6.6 **Prostitution:** The Designated person will report to the police any evidence of a child becoming involved in prostitution and any evidence of unauthorised persons picking children up or trying to contact children in and outside the school.

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- 6.7 **External agencies:** Whether or not the School decides to refer a particular complaint to social services or the police, the parents and pupil will be informed in writing of their right to make their own complaint or referral to social services or the police and will be provided with contact names, addresses and telephone numbers, as appropriate. Boarders and their parents have access to a complaints procedure in relation to issues affecting their welfare which provides contact details for Ofsted and the **Local Authority Manager, Safeguarding in Education**.
- 6.8 **Allegations against staff:** The School has procedures for dealing with allegations against staff (and volunteers who work with children) that aim to strike a balance between the need to protect children from abuse and the need to protect staff and volunteers from false or unfounded allegations. These procedures follow the guidance in chapter 5 of *Safeguarding Children and Safer Recruitment in Education* and appendix 5 of Working Together to Safeguard Children 2010. Where an allegation or complaint is made against the Designated Person or any other member of staff or a volunteer, the matter should be reported immediately to the Education Coordinator. Where appropriate, the Education Coordinator will consult with the Designated Person or a Deputy Designated Person and all allegations will be discussed with the LADO before further action is taken.
- 6.9 **Allegations against the Education Coordinator or Proprietor:** Where an allegation or complaint is made against the Education Coordinator, the person receiving the allegation should immediately inform the Proprietor, without first notifying the Education Coordinator. Similarly, if an allegation is made against the Proprietor, the allegation should be reported to the Education Coordinator. Again, any such allegations will be discussed with the LADO before further action is taken.
- 6.10 **Suspension:** Suspension will not be an automatic response to an allegation. Full consideration will be given to all the options, subject to the need to ensure:
- the safety and welfare of the pupils or pupil concerned and
 - the need for a full and fair investigation.
- If a member of boarding staff is suspended pending a child protection investigation, arrangements will be made for alternative accommodation away from children.
- 6.11 **Staff Guidance:** Detailed guidance is given to staff to ensure that their behaviour and actions do not place pupils or themselves at risk of harm or of allegations of harm to a pupil. This guidance is contained in the Staff handbook. The School's policy on physical restraint is included in the behaviour policy.
- 6.12 **Ceasing to use staff:** If the School ceases to use the services of a member of staff (or a governor or volunteer) because they are unsuitable to work with children, a compromise agreement will not be used and there will be a prompt and detailed report to the Independent Safeguarding Authority or other relevant body as determined by subsequent legislation. Any such incidents will be followed by a review of the safeguarding procedures within the School, with a report being presented to the Proprietor without delay.
- 6.13 **Resignation:** If a member of staff (or the Proprietor or volunteer) tenders his or her resignation, or ceases to provide his or her services, any child protection allegations will still be followed up by the School. Resignation will not prevent a prompt and detailed report being made to the Independent Safeguarding Authority, or other relevant body as determined by future legislation, in appropriate circumstances.
- 6.14 **Allegations against pupils:** A pupil against whom an allegation of abuse has been made may be suspended from the School during the investigation and the School's policy on behaviour,

discipline and sanctions will apply. The School will take advice from the **Local Authority Manager, Safeguarding in Education** on the investigation of such allegations and will take all appropriate action to ensure the safety and welfare of all pupils involved including the pupil or pupils accused of abuse. If it is necessary for a pupil to be interviewed by the police in relation to allegations of abuse, the School will ensure that, subject to the advice of the **Local Authority Manager, Safeguarding in Education, and Children's Social Care** parents are informed as soon as possible and that the pupil is supported during the interview by an appropriate adult. In the case of pupils whose parents are abroad, the pupil's Education Guardian will be requested to provide support to the pupil and to accommodate him / her if it is necessary to suspend him / her during the investigation.

- 6.15 **Suspected harm from outside the School:** A member of staff who suspects that a pupil is suffering harm from outside the School should seek information from the child with tact and sympathy using "open" and not leading questions. A sufficient record should be made of the conversation which should be referred to the Designated Person as soon as possible.
- 6.16 **Missing child procedures:** All staff are informed of the separate procedure to be used for searching for, and if necessary, reporting, any student missing from school. The procedure includes the requirement to record any incident, the action taken and the reasons given by the pupil for being missing.
- 6.17 **Informing parents:** Parents will normally be kept informed as appropriate of any action to be taken under these procedures. However, there may be circumstances when the Designated Person will need to consult the **Local Authority Manager, Safeguarding in Education**, the police and / or the Education Coordinator before discussing details with parents.

7 **Secure school premises**

- 7.1 **School premises:** The School will take all practicable steps to ensure that School premises are as secure as circumstances permit.
- 7.2 **Visitors book:** The School keeps a visitors book at Reception. All visitors (which includes family and friends invited onto the School site) must sign in on arrival and sign out on departure and are escorted whilst on School premises by a member of staff or appropriately vetted volunteer. All visitors will be given a name badge with the title 'Visitor' which must be clearly displayed and worn at all times whilst on the School premises.
- 7.3 **Boarding Houses:** All visitors to the Residential Units must report to the Senior Houseparent immediately on arrival, and sign the unit's visitors book on arrival and departure and must observe the necessity to be kept under sufficient staff supervision during their visit.

8 **Confidentiality and information sharing**

- 8.1 **Confidentiality and information sharing:** The School will keep all child protection records confidential, allowing disclosure only to those who need the information in order to safeguard and promote the welfare of children. The School will co-operate with police and social services to ensure that all relevant information is shared for the purposes of child protection investigations under section 47 of the Children Act 1989 in accordance with the requirements of *Working Together to Safeguard Children 2010*..

9 **Monitoring**

- 9.1 Any child protection incidents at the school will be followed by a review of the safeguarding procedures within the School and a prompt report to the Proprietor.

- 9.2 In addition, the Designated Person will monitor the operation of this policy and its procedures and will make an annual report to the Proprietor.
- 9.3 The Proprietor will undertake an annual review of this policy and how their duties under it have been discharged.
- 9.4 The Proprietor will ensure that any deficiencies or weaknesses in regard to child protection arrangements at any time are remedied without delay.

10 Contact numbers

- 10.1 The telephone numbers of the West Sussex County Council Children and Young People's Service Duty and Assessment Team are as follows:

01243 642555 - Office hours

01903 694422 - 5pm – 9am

- 10.2 The following telephone numbers may be useful:

Childline	0800 1111
NSPCC	0808 800 5000
Ofsted's Whistleblower Hotline	0300 123 3155

Authorised by

Steven Ogilvie

Chairman of the Board [The Proprietor]

Date

07.04.2011

Effective date of the policy

07.04.2011

Circulation

Proprietor / all staff / volunteers automatically

Parents on admission and subsequently on request

Published on the School's website

Status

Complies with paragraph 7 of Schedule 1 to the Education (Independent School Standards) (England) Regulations 2010, DfE guidance *Safeguarding Children and Safer Recruitment in Education* (DFES-04217-2006) and the National Minimum

Standards for Residential Special Schools (DoH 2002)

