



Safeguarding and Child Protection Policy

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Produced by the Head of Centre and Deputy Head of Centre

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Signed:		Signed:	
Date:	August 2024	Date:	August 2024

Record of Changes:

Version	Issue Date	Changes	Initials
V1	July 2021	Initial issue	SS
V2	July 2022	Annual Review – Key safeguarding Personnel checked and updated, format changed and reviewed	SS
V3	September 2023	Annual Review – KCSIE information updated. Updated with Wigan Adult Safeguarding Board number	SS
V4	August 2024	Annual Review – KCSIE information updated.	SS

Date of Next Review: August 2025

Key Safeguarding Personnel			
Role:	Name:	Tel:	Email:
Head of Centre Designated Safeguarding Lead (DSL)	Steven Speed	07828182820	Steven.speed@thearkwigan.com
Deputy Head of Centre Designated Safeguarding Lead (DSL)	Katie Davies	07488397639	Katie.davies@thearkwigan.com

The key safeguarding responsibilities within each of the roles above are set out in Keeping Children Safe in Education 2021.

Useful Telephone contact Numbers	
Children’s Social Care: Child Protection Unit:	01942 481147
Referral and Assessment Team (EHH):	01942 486213
Local Authority Designated Officer (LADO):	01942 828300
Safeguarding in Education Team:	01942 486025
Wigan Adult Safeguarding Board	01942 828777
Wigan Safeguarding Children Board	01942 486025
Emergency Duty Team – Out of Hours:	01942 8342436
Police – Safeguarding Vulnerable Persons Unit:	0161 8566411

If you believe the child to be at immediate risk of significant harm or injury, you must call the Police on 999.

Mission Statement

The Ark Wigan is an education centre that is here to inspire our students by empowering their independence, aiding their growth and developing them academically, technically and emotionally, through a holistic approach.

To achieve this community, we will:

- Welcome all students to provide equal opportunities and encouragement.
- Deliver high standards of teaching and learning for all abilities.
- Teach industry recognised qualifications, to a high standard, with input from local business leaders and suppliers, so that we can contribute to local and regional economic development.
- Provide both relevant and accessible, industry standard equipment.
- Uphold an environment built on mutual respect, positivity and inclusivity.

- Support and educate on the importance of mental health and well-being.
- Deliver a tailored program to develop students physical, social, health, citizenship and economic education.

Core values in daily life at The Ark Wigan are expressed as:

- Independence
- Resilience
- Empathy
- Inclusivity
- Integrity
- Collaboration
- Innovation

Child Protection and Safeguarding Policy Statement

The Ark is committed to safeguarding children and promoting children’s welfare and expects all staff, governors, volunteers and visitors to share this commitment and maintain a vigilant and safe environment.

Everyone has a responsibility to act, without delay, to protect children by reporting anything that might suggest a child is being abused or neglected. It is our willingness to work safely and challenge inappropriate behaviours that underpins this commitment. It is recognised that Colleges and their staff are an important part of the wider safeguarding system for children and The Ark is committed to playing a full and active part in the Multi-Agency response to Child Protection concerns.

‘Safeguarding and promoting the welfare of children is everyone’s responsibility. Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child centred. This means that they should consider, at all times, what is in the best interests of the child.’ (KCSiE 2024)

1. Definitions

Throughout this policy document The Ark Wigan Ltd is referred to as ‘The Ark’.

Child: The Children Acts 1989 and 2004, states a child is anyone who has not reached their 18th birthday. The commitment to safeguarding and promoting the welfare of children however will extend to all children who visit The Ark as well as all learners enrolled on courses.

Safeguarding and promoting the welfare of children is everyone’s responsibility. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child- centred. This means that they should consider, at all times, what is in the best interests of the child.

The Department for Education (DfE) ‘Keeping Children Safe in Education 2022’ states safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- 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 have the best outcomes

Safeguarding children’s welfare encompasses matters such as bullying and Health and Safety, (about which there are specific statutory requirements) together with a range of other issues, for example, arrangements for meeting the medical needs of children with Medical Conditions, providing First Aid, School Security, Drugs, Alcohol and Substance Misuse, Attendance, Admissions, Exclusions, Preventing Extremism and Radicalisation, CSE, CCE, EHA, Managing Allegations, Whistle-blowing, Mandatory reporting duty for FGM, Valuing Equality, Racist Incidents, Harassment & Discrimination, School Security & Physical Environment, ICT / E-safety, Safe Recruitment and Selection or any other safeguarding which the DfE have issued guidance on. Details of TMP’s policies in these areas are contained in other documents.

Child protection: ‘Part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.’ (KCSiE 2024). Child Protection is one part of safeguarding and promoting the welfare of children and refers to the activity that is undertaken to protect children who are suffering, or at risk of suffering significant harm.

The definitions of physical abuse, emotional abuse, sexual abuse and neglect are set out in the DfE guidance, Keeping Children Safe in Education (DfE, 2023).

2. The Ark’s Aims and Objectives

The aim of this policy is to safeguard and promote the welfare of any potential young person in our care and we do this by ensuring:

- To ensure The Ark takes appropriate action, in a timely manner, to safeguard and promote the welfare of all children.
- To ensure responsibilities and procedures are fully understood and that everyone can recognise signs and indicators of abuse or neglect and respond to them appropriately.
- To ensure that The Ark’s practice meets local and national guidance and all statutory requirements are in place.

3. Policy

This policy has been developed in accordance with the principles established by

- The Children Act 1989 (as amended).
- The Children and Social Work Act 2017.
- The Safeguarding Vulnerable Groups Act 2006.
- Working Together to Safeguard Children 2018.
- Keeping Children Safe in Education 2020

4. Key Principles

- The child's needs and welfare are paramount.
- All children have a right to be protected from abuse and neglect and have their welfare safeguarded.
- Keeping Children Safe in Education (DfE, 2022) reminds us that all staff should maintain an attitude of 'it could happen here' where safeguarding is concerned.
- Children should be listened to and their views and wishes should inform any assessment and provision for them. Staff should always act in the best interests of the child, in order to protect them.
- The Ark recognises that scrutiny, challenge and supervision are key to safeguarding children.
- Children have a right to learn ways to keep themselves safe from harm and exploitation.
- The Ark is committed to working with other agencies to provide early help for children before they become at risk of harm or require a 'child in need' statutory assessment. 'Early Help means providing support as soon as a problem emerges, at any point in a child's life.' (KCSiE, DfE 2024)
- All staff should be aware of the early help process and understand their role in it. This includes identifying emerging problems, liaising with the Safeguarding Lead (or deputy), sharing information with other professionals to support early identification and assessment and, in some cases, acting as the lead professional in undertaking an early help assessment.
- 'All staff should be aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989², especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments.' (KCSiE 2024)
- All staff have a responsibility to report their concerns about a child without delay to The Ark's Safeguarding Lead (or deputy). Whilst the Safeguarding Lead (or deputy) will normally make referrals to Children's Services, anyone can refer their concerns to children's social care directly in emergencies or if they feel they need to do so.
- Everyone has a responsibility to escalate their concerns and 'press for reconsideration' if they believe a child's needs remain unmet or if the child is failing to thrive and in need or if the child is at risk of harm. Concerns about a child should always lead to help for a child at some point and the child's situation should improve.
- The Ark will work in partnership with other agencies to promote the welfare of children and protect them from harm, including the need to share information about a child in order to safeguard them. 'Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety of children.' (KCSiE 2024)
- The Ark will work with other agencies to ensure any actions that are part of a multiagency coordinated plan are completed in a timely way.
- The Ark will follow the Local Authority and the Local Safeguarding Children Partnership procedures and provide them with information as required.

5. DfE Statutory Guidance

The Children Act 2004³ requires each person or organisation to which the duties apply to have regard to any guidance given to them by the Secretary of State; specifically:

- Section 10: Co-operation to improve well-being
- Section 11: Arrangements to safeguard and promote welfare

- Section 16k: Guidance by Secretary of State relating to sections 16E-16J

Section 175 (3) of the Education Act 2002 places a duty on the governing body of an institution within the further education sector to ‘make arrangements for ensuring that their functions relating to the conduct of the institution are exercised with a view to safeguarding and promoting the welfare of children receiving education or training at the institution.’

Colleges must have regard for DfE statutory guidance. This child protection policy should be read alongside Working Together to Safeguard Children (2018) and ‘Keeping Children Safe in Education (DfE, 2023) and **all staff must read and understand Part 1 and Annex A of KCSiE (DfE, 2024).**

Working Together to Safeguard Children (DfE 2018) makes it clear that protecting children from harm and promoting their welfare depends upon a share responsibility and effective joint working between different agencies:

‘Everyone who works with children has a responsibility for keeping them safe. No single practitioner can have a full picture of a child’s needs and circumstances and, if children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.’

In addition, Working Together to Safeguard Children also reinforces the need to take action to provide early help before statutory services are required:

‘Providing early help is more effective in promoting the welfare of children than reacting later. Early Help means providing support as soon as a problem emerges, at any point in child’s life, from the foundation years through to the teenage years.’

Links:

<http://www.legislation.gov.uk/ukpga/2004/31/contents>

<http://www.legislation.gov.uk/ukpga/2002/32/contents>

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

The Teaching Standards (DfE 2013) also requires all tutors to ‘uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside The Ark, including:

- treating learners with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a tutor’s professional position
- having regard for the need to safeguard learners’ wellbeing, in accordance with statutory provisions
- showing tolerance of and respect for the rights of others.

The Ark therefore understands its responsibility to engage with other professionals in Early Help Assessments when a child’s needs according to the Local Safeguarding Children Partnership’s Responding to Need and Level of Needs framework sit below the requirement for a statutory assessment.

6. Staff and Student safety

The Ark will ensure student and staff safety by;

- There is a Safeguarding, Child Protection policy together with a Staff Code of Conduct policy.
- The Ark operates safer recruitment procedures by ensuring that there is at least one person on every recruitment panel that has completed Safer Recruitment training.
- The education setting has procedures for dealing with allegations of abuse against staff and volunteers and to make a referral to the DBS if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have, had they not resigned.
- A senior leader has Designated Safeguarding Lead (DSL) responsibility.
- On appointment, the DSL undertakes interagency training and also undertakes DSL “new to role” training and an “update” course every 2 years.
- All other staff have access to safeguarding training as appropriate.
- Any weaknesses in Child Protection processes and procedures are remedied immediately.
- A member of the board of governors, usually the Chair, is nominated to liaise with the LA on safeguarding issues and in the event of an allegation of abuse made against the Head of Centre.
- Safeguarding and Child Protection policies and procedures are reviewed annually.
- That enhanced DBS checks are in place for all staff.

The two lead DSL have undertaken the relevant training, and, upon appointment will undertake DSL new to role training followed by biannual updates.

The DSL involved in recruitment and at least one member of the governing board will also complete safer recruitment training, to be renewed every 2 years.

The name of the designated members of staff for Child Protection (DSLs) will be clearly visible in the Learning Centre, with a statement explaining the referral process.

All members of staff are trained in, and receive, regular updates in e-safety and reporting concerns.

All new members of staff will have access to our Safeguarding and Child Protection Policy on our secure server, with the DSL’s names clearly displayed, as part of their induction.

All other staff, volunteers and governors, have child protection awareness training, updated by the DSL as appropriate, to maintain their understanding of the signs and indicators of abuse.

Child protection and safeguarding concerns or allegations against adults working in the Ark are referred to LADO for advice and any member of staff found not suitable to work with children or young people including when a transferable risk is identified will be notified to the Disclosure and Barring Service (DBS) for consideration for barring, following resignation, dismissal, or when The Ark ceases to use their service as a result of a substantiated allegation, in the case of a volunteer.

All parents/carers are made aware of the staff members responsible for safeguarding and how to contact them, as well as a link to the Safeguarding and Child Protection Policy via the website.

The Policy is available publicly either on the website or by other means. Parents/ Carers are made aware of this policy and their entitlement to have a copy of it via the website.

All visitors complete a sign in / out form, wear a visitor's lanyard and are provided with safeguarding information including the contact details of safeguarding personnel.

Visitors of a professional role are asked to provide evidence of their role and employment details (usually an identity badge) upon arrival at the Centre.

Any unauthorised visitors will be refused entry into the Learning Centre and/or the secured student areas.

Our procedures will be reviewed and updated regularly.

Safe Centre, Safe Staff

Our E-Safety Policy reflects the consideration The Ark gives to the protection of our young people, both physically within the education setting environment and, for example, in relation to internet use and when away from Learning Centre, undertaking off site trips and visits.

Lockdown Procedures

The purpose of this procedure is to provide emergency preparedness and general direction to The Ark community on how to respond during an incident in which a lockdown might reduce damage, injury or death and during which the site cannot be safely evacuated. It is based on the National Counter Terrorism Security Office (NaCTSO) Guidance Note 1/2015 – Developing Dynamic Lockdown Procedures.

Each member of staff will, to the best of their ability, have to manage the situation they find themselves in as best they can but there is no expectation that anyone should act in a manner which is detrimental to their well-being.

7. Responsibilities

Head of Centre is Steven Speed

Designated Safeguarding Lead is Katie Davies

Deputy Designated Safeguarding Lead is Steven Speed

Head of Centre

- The Ark works with an appropriate agency to carry out DBS checks and will update the Single Central Record. Ensure the safer recruitment practices set out in Keeping Children Safe in Education (KCSiE 2024) are followed in line with The Ark's Safer Recruitment Policy.
- Job descriptions and person specifications for all roles should make specific reference to child protection and safeguarding.

- There is a listening culture within The Ark, where both staff and children are able to raise concerns about poor or unsafe practices.
- Referrals are made to the Disclosure and Barring Service as appropriate.
- They liaise with the Local Authority Designated Officer where an allegation is made against a member of staff.
- The curriculum provides opportunities to help learners stay safe especially when online. Children should be aware of the support available to them.
- In keeping with the Prevent Duty reasonable checks are made on visiting speakers.

The **Head of Centre** will normally be informed of any allegations against staff and will ensure appropriate referrals to the Disclosure and Barring Service or Teaching Regulation Agency are made.

The **Designated Safeguarding Lead** will quality assure The Ark's child protection practices including the auditing of safeguarding records and the supervision of the Deputy Safeguarding Lead and other members of the safeguarding team to ensure that actions and decisions are reviewed appropriately and that staff's emotional needs are met.

The Designated Safeguarding Lead

Keeping Children Safe in Education 2022 sets out the broad areas of responsibility for the **Designated Safeguarding Lead**, which include the following:

- Refer cases of suspected abuse to the local authority children's social care as required;
- Support staff who make referrals to local authority children's social care;
- Refer cases to the Channel programme where there is a radicalisation concern as required;
- Support staff who make referrals to the Channel programme;
- Refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required;
- Refer cases where a crime may have been committed to the Police as required.
- Liaise with the Director to inform him or her of issues – especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- As required, liaise with the "case manager" (as per Part Four of KCSiE 2024) and the designated officer(s) at the local authority for child protection concerns in cases which concern a staff member);
- Liaise with staff (especially support staff, IT technician and the named person with oversight of SEND in college) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies.
- Act as a source of support, advice and expertise for staff.
- Undertake Prevent awareness training.

The **Designated Safeguarding Lead** (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. This training should be updated at least every two years.

In addition to the formal training set out above, their knowledge and skills should be refreshed (this might be via e-bulletins, meeting other Designated Safeguarding Leads, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, but at least annually, to allow them to understand and keep up with any developments relevant to their role so they:

- Understand the assessment process for providing early help and statutory intervention, including local criteria for action and local authority children's social care referral

arrangements.

- Have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so;
- Ensure each member of staff has access to and understands The Ark's child protection policy and procedures, especially new and part time staff;
- Are alert to the specific needs of children in need, those with special educational needs and young carers;
- Understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the General Data Protection Regulation.
- Understand the importance of information sharing, both within The Ark, and with the three safeguarding partners, other agencies, organisations and practitioners.
- Are able to keep detailed, accurate, secure written records of concerns and referrals;
- Understand and support The Ark with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation;
- Are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up-to-date capability required to keep children safe whilst they are online at The Ark;
- Can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online
- Obtain access to resources and attend any relevant or refresher training courses; and
- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, and any measures The Ark may put in place to protect them.

The **Designated Safeguarding Lead** should also:

- Ensure The Ark's child protection policies are known, understood and used appropriately;
- Ensure The Ark's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this;
- Link with the safeguarding partner arrangements to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements.

During term time the Designated Safeguarding Lead (or a deputy) will be available (during college hours) for staff in The Ark to discuss any safeguarding concerns.

The Designated Safeguarding Lead will arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

In addition to the role outlined in Keeping Children Safe in Education (DfE, 2022) the Designated Safeguarding Lead is also expected to ensure that:

- The social worker is informed when a child subject to a child protection plan or a child in need plan moves to a new setting, where college has been made aware.
- A training log is kept of all child protection training including the names of those attending. All staff must have regular training and updates.
- Child protection records are kept securely and separately from the child's normal file.

Records will be transferred and/or retained in keeping with the Local Authority's and NSPCC guidance.

- The Ark attends and contributes to child protection case conferences and child in need meetings, ensuring actions are completed in a timely manner. The Ark will complete the LSCB agency report ahead of each child protection conference.
- The Ark escalates its concerns with other agencies when a child's needs are not being met following the Local Safeguarding Children Board Escalation and Resolution Policy.
- All members of the Safeguarding Team have received appropriate training; that all referrals made are quality assured and the supervision is provided to the Safeguarding Team to monitor all decisions, actions taken and the wellbeing of each team member.
- All staff read and understand part 1 and annex A of the guidance – Keeping Children Safe in Education (DfE, 2022) and make available to them other key documents and guidance.

All staff (and volunteers) should:

- Contribute to ensuring learners learn in a safe environment.
- Read and understand as a minimum Part 1 and Annex A of Keeping Children Safe in Education (DfE, 2022) and engage in training which enables them to identify children who may need additional help or who are suffering or likely to suffer significant harm and take appropriate action. Staff should have an understanding of the specific safeguarding issues outlined in Part 1; e.g. fabricated or induced illnesses, faith abuse. Staff should be aware that behaviours linked to drug taking, alcohol abuse, truancy and sexting can put children in danger. Staff should be alert to the signs of child-on-child abuse and take appropriate action.
- Recognise that any child may benefit from early help, but all college staff should be particularly alert to the potential need for early help for a child who:
 - o is disabled and has specific additional needs
 - o has Learning Support needs or special educational needs
 - o has special educational needs (whether or not they have a statutory Education, Health and Care Plan)
 - o is a young carer
 - o is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups
 - o is frequently missing/goes missing from care or from home
 - o is at risk of modern slavery, trafficking or exploitation
 - o is at risk of being radicalised or exploited
 - o is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse
 - o is misusing drugs or alcohol themselves
 - o has returned home to their family from care or is in care
 - o is showing early signs of abuse and/or neglect
 - o is a privately fostered child
 - o is experiencing housing issues
 - o are young parents (or about to become young parents)
 - o has been excluded from school
- Report any concerns about a child's welfare without delay to the Safeguarding Lead, or Deputy.
- Understand that any member of staff can make a referral to children's services should that be required, informing the Safeguarding Team of any action taken.
- Report any concerns without delay about the behaviour of a worker towards a child to the Head of Centre, Designated Safeguarding Lead, or if required the Local Authority Designated Officer for Allegations against Staff.

- Understand their responsibility to escalate their concerns and ‘press for reconsideration’ if a child remains at risk or their needs are not met. This includes the understanding that any member of staff can make a referral to Children’s Services if required to do so.
- Tutors and those providing teaching must personally report to the police cases where they discover that an act of FGM appears to have been carried out on someone under 18.
- Follow The Ark’s policies including this child protection policy and the ‘Guidance for safer working practice for those working with children and young people in education settings’ (Safer Recruitment Consortium, 2022)
- Be aware safeguarding issues can manifest themselves via child-on-child abuse
- Understand that some children, including those with Special Educational Needs or those Looked after, may be more vulnerable to abuse. The DfE has recommended additional practice guidance ‘Safeguarding Disabled Children’ (The Children’s Society, 2009)
- Understand that children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. These can include:
 - assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability without further exploration;
 - being more prone to peer group isolation than other children
 - the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying - without outwardly showing any signs; and
 - ‘communication barriers and difficulties in overcoming these barriers.’ (KCSiE DfE 2024)
- Have access to The Ark’s Code of Conduct and Whistleblowing policy. The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285
- Have access to ‘What to do if you are worried a child is being abused 2015 – Advice for practitioners’ (DfE, 2015)

Links:

<https://www.gov.uk/government/publications/safeguarding-disabled-children-practice-guidance>
<https://www.gov.uk/government/publications/safeguarding-disabled-children-practice-guidance>

8. Safeguarding Framework

In addition to this Child Protection Policy The Ark has procedures or policies in relation to other areas for safeguarding children and adults at risk, including as examples:

- attendance
- anti-bullying including cyber bullying
- behaviour for learning
- code of conduct for staff and volunteers (guidance on safer working practices)
- children in Care (Looked After Children)
- data protection
- emergency planning
- Emergency Evacuation Procedures
- First Aid
- safe recruitment practices
- whistleblowing

9. Key Organisations

Key organisations who have a duty under section 11 of the Children Act 2004 to have arrangements in place to safeguard and promote the welfare of young people are:

- The local authority;
- NHS England;
- Clinical commissioning groups;
- NHS Trusts, NHS Foundation Trusts;
- The local policing body;
- British Transport Police Authority;
- Prisons;
- National Probation Service and Community Rehabilitation Companies
- Youth offending teams and
- Bodies within the education and /or voluntary sectors, and any individual to the extent that they are providing services in pursuance of section 74 of the Education and Skills Act 2008.

We will always undertake to share our intention to refer a young person to Social Care with their parents/carers unless to do so could put the young person at greater risk of harm or impede a criminal investigation.

10. Supporting Staff

Staff Wellbeing

The Centre will work with partners in the safeguarding partnership to ensure positive outcomes for young people.

We recognise that staff working in the Centre who have become involved with a young person who has suffered harm, or appears to be likely to suffer harm, may find the situation stressful and upsetting.

We will support such staff by providing an opportunity to talk through their anxieties with the DSL and to seek further support as appropriate. Centre also has a Head of Student Wellbeing that is considering ways on how to best support staff who are working alongside young people who have complex safeguarding needs.

The DSL has monthly supervision sessions with an external consultant to discuss serious Safeguarding cases as they occur.

Managing allegations against staff and volunteers

When an allegation is made against a member of staff, set procedures must be followed. It is rare for a child to make an entirely false or malicious allegation, although misunderstandings and misinterpretations of events can and do happen. A child may also make an allegation against an innocent party because they are too afraid to name the real perpetrator. Even so, we must accept that some adults do pose a serious risk to children's welfare and safety, and

we must act on every allegation made. Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly and consistently and to be kept informed of its progress. Suspension is not mandatory, nor is it automatic but, in some cases, staff may be suspended where this is deemed to be the best way to ensure that children are protected.

All staff and volunteers must report any concerns about a member of staff's behaviour towards children to the Head of Centre. Concerns can also be discussed with the Designated Safeguarding Lead.

Concerns can also be taken directly to the Local Authority Designated Officer (L.A.D.O.), if needed, via Children's Services. Section 4 of the DfE guidance Keeping Children Safe in Education (DfE, 2022) provides further guidance.

In addition, the Sexual Offences Act 2003 makes it clear that all members of staff are in a position of trust and would therefore be committing a criminal offence to have a sexual relationship with a young person below the age of 18, even if that student is over the age of consent. In addition, it would be a breach of trust to have a relationship with any student over the age of 18. This would result in the issue being addressed under the formal disciplinary procedure and may constitute gross misconduct.

11. Published Guidance

Prevent Duties

The Counter-Terrorism and Security Act 2015 places a duty upon local authorities and educational providers to '*have due regard to the need to prevent people from being drawn into terrorism*' (CTSA 2015). 'The fundamental aims of Prevent, as part of the revised 2018 Contest Strategy are, "*to safeguard vulnerable people to stop them becoming terrorists or supporting terrorism.*" (Work Based Learners and the Prevent Statutory Duty 2018).

The DfE has provided statutory guidance for colleges and childcare providers: 'Revised Prevent Duty Guidance: England and Wales' (DfE 2015). The guidance summarises the requirements in terms of four general themes:

- risk assessment
- working in partnership
- staff training
- IT policies.

The Ark will ensure that staff are aware of the indicators of extremism and radicalisation and know how to respond in keeping with local and national guidance. Staff will use their judgment in identifying children who might be at risk of radicalisation and act proportionately, which may include making a referral to the Channel programme. Equally, children will be made aware of the risks and support available to them. We will ensure that children are safe from terrorist and extremist material when accessing the internet at The Ark. The Government has developed an 'educate against hate' website providing information and resources for colleges and parents to support them to recognise and address extremism and radicalisation in young people.

Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

Both CSE and CCE involves exploitative situations, contexts and relationships where young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) as a result of engaging in sexual activities. Sexual exploitation can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks out exploitation is an imbalance of power in the relationship. The perpetrator always holds some kind of power over the victim which increases as the exploitative relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming. However, it's also important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

One specific type of criminal exploitation is also known as 'county lines' and is when gangs and organised crime networks groom and exploit children to sell drugs. Often these children are made to travel across counties, and they use dedicated mobile phone 'lines' to supply drugs.

Female Genital Mutilation (FGM)

'Section 5B of the Female Genital Mutilation Act 2003¹¹ (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon tutors along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. It will be rare for tutors to see visual evidence, and they should not be examining students, but the same definition of what is meant by "to discover that an act of FGM appears to have been carried out" is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at:

<https://www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilationprocedural-information>

Tutors must personally report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the tutor has a good reason not to, they should also still consider and discuss any such case with The Ark's Designated Safeguarding Lead and involve children's social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the tutor does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, tutors should follow local safeguarding procedures.

Additional information and resources relating to FGM can be found in the Female Genital Mutilation: Resource Pack, published by the Home office in 2020.

Up-skirting

Within KCSIE 2024, 'Upskirting' has been included in the list of examples of forms of child-on-child abuse with its definition as follows "[Upskirting] typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm".

All staff are made aware of the changes to the Voyeurism (Offences) Act 2019 which criminalise the act of 'up skirting'.

The Criminal Prosecution Service (CPS) defines 'up skirting' as a *colloquial term referring to the action of placing equipment such as a camera or mobile phone beneath a person's clothing to take a voyeuristic photograph without their permission. It is not only confined to victims wearing skirts or dresses and equally applies when men or women are wearing kilts, cassocks, short's or trousers. It is often performed in crowded public places, for example on public transport or at music festivals, which can make it difficult to notice offenders.*"

Honour Based Violence

'Honour-based' violence (HBV) encompasses crimes which have been committed to protect or defend the honour of the family and/or the community, including Female Genital Mutilation (FGM), forced marriage, and practices such as breast ironing. All forms of so-called HBV are abuse (regardless of the motivation) and should be handled and escalated as such. If in any doubt staff should speak to the designated safeguarding lead. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

There are a range of potential indicators that a child may be at risk of HBV. Guidance on the warning signs that FGM or forced marriage may be about to take place, or may have already taken place, can be found on pages 38-41 of the Multi agency statutory guidance on FGM (pages 59-61 focus on the role of schools and colleges) and pages 13-14 of the Multi-agency guidelines: Handling case of forced marriage.

If staff have a concern regarding a child that might be at risk of HBV they should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care.

Child on Child Abuse

All concerns must be reported and discussed with the Designated Safeguarding Lead or Duty or a member of the leadership team. This is most likely to include, but not limited to: bullying (including cyber bullying), gender-based violence/sexual assaults and sexting (youth produced sexual imagery).

Staff should recognise that children are capable of abusing their peers. Staff must challenge any form of derogatory and sexualised language or behaviour. Staff should be vigilant to sexualised/aggressive touching/grabbing particularly towards girls. Behaviours by children should never be passed off as 'banter' or 'part of growing up'.

The DfE states 'peer on peer abuse should be taken as seriously as abuse by adults and should be subject to the same child protection procedures. Professionals should not dismiss

abusive behaviour as normal between young people and should not develop high thresholds before taking action.’ (KCSiE 2024).

Children with special educational needs and disabilities are more vulnerable to sexual violence and harassment and staff should be aware that additional barriers can exist when recognising abuse in these children. Children who are LGBT or perceived to be, may also be targeted by their peers and harassed or assaulted.

Victims of child-on-child harm will be supported by The Ark’s pastoral system and referred to specialist agencies including, as examples, ‘CAMHS’, ‘Brook’ and ‘Barnardo’s’. A risk assessment may need to be in place. The The Ark curriculum will support young people to become more resilient to inappropriate behaviours towards them, risk taking behaviours and behaviours that children may be coerced into including ‘sexting’ or ‘initiation/hazing’ behaviours.

Additional guidance on protecting children from online abuse is available on the NSPCC website:

<https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/onlineabuse/legislationpolicy-practice/>

Additional Published Guidance

The Ark will also take account of additional guidance including:

- The Education Inspection Framework (Ofsted, 2019)
- Further Education and Skills Inspection Handbook (Ofsted, 2019)
- Inspecting safeguarding in early years, education and skills settings (Ofsted, 2019)
- Safeguarding disabled children: Practice guidance (The Children’s Society, 2009)
- Revised Prevent Duty Guidance: for England and Wales (Home Office, April 2021)
- Guidance for safer working practice for those working with children and young people in education settings (Safer Recruitment Consortium, 2019)
- Liverpool multi-agency self-harm practice guidance (Liverpool CAMHS, 2021)
- What to do if you are worried a child is being abused: Advice for practitioners (DFE, 2015)
- Criminal Exploitation of children and vulnerable adults: County Lines (DFE, 2020)
- Child Sexual Exploitation: definition and guide for practitioners (DFE, 2017)
- Sexting in schools and colleges (UK Council for Child Internet Safety, 2016)
- Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (HMG, 2018)
- Sexual violence and sexual harassment between children in schools and colleges (DFE, 2018)
- The Right to Choose: Multi-agency statutory guidance for dealing with forced marriage (HMG, 2014)
- Disqualification under the Childcare Act (DfE, 2006, updated 2018)
- Other DFE statutory guidance including: attendance and children who go missing from home or care which is found here: <https://www.gov.uk/topic/colleges-colleges-childrenservices/safeguarding-children>

12. Communicating with parents and visitors

The Ark is committed to the principles of Working Together to Safeguard Children which states that a *'child centred approach is fundamental to safeguarding and promoting the welfare of every child. A child centred approach means keeping the child in focus when making decisions about their lives and working in partnership with them and their families.'*

The Ark also has a statutory responsibility to share any concerns it might have about a child in need of protection with other agencies and in particular police, health and children's services. Colleges or Training Centres are not able to investigate child protection concerns but have a legal duty to refer them. In most instances The Ark will be able to inform the parents/carers of its need to make a referral; however, sometimes the centre can in certain circumstances share information without the consent of the family and may be advised by children's services or police that the parent/carer cannot be informed whilst they investigate the matter or make enquires. We understand the anxiety parents/carers understandably feel when they are not told about any concerns from the outset.

The Ark follows legislation that aims to act in the interests of the child. The Ark will always seek to work in partnership with parents and other agencies to ensure the best possible outcomes for the child and family.

On-line safety, data protection and the use of mobile phones and digital photographic equipment

Staff should also report any concerns about sexting (youth produced sexual imagery) to the Designated Safeguarding Lead or member of the leadership team who will follow the guidance in: Sexting in schools and colleges: Responding to incidents and safeguarding young people (UK Council for Child Internet Safety).

The following guidance provides clarity as to how staff should respond to these incidents:

<https://www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis>

The Ark's e-safety policy clearly outlines the way in which the centre uses technology and the measures in place to ensure safe and responsible use by all. There is a clear code of conduct for staff and volunteers which sets out the use of new technologies, mobile phones and personal photographic equipment around children. The Ark will consider, in particular, Looked After Children (Children in Care) who might be put at risk by being included in publicity materials or photographs.

The DfE highlights the risks of new technologies:

'The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation – technology often provides the platform that facilitates harm. The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

- *content: being exposed to illegal, inappropriate or harmful material*
- *contact: being subjected to harmful online interaction with other users*
- *conduct: personal online behaviour that increases the likelihood of, or causes, harm*

Staff should bring immediately to the attention of the Designated Safeguarding Lead or Duty or a member of the leadership team any behaviours by adults or children themselves that may be risky or harmful.

Monitoring Attendance

A child missing from an education setting is a potential indicator of abuse or neglect including exploitation. Local Authority guidance and procedures will be followed for dealing with a child who is missing from education, particularly on repeated occasions. Unauthorised attendance will be closely monitored. The attendance of children with known welfare and attendance concerns will be monitored closely, particularly those with chronic poor attendance or persistent absentees. The attendance of children who are vulnerable or with known welfare and safeguarding concerns such as children who have a child protection plan, are children in need, are Children Looked After and/or SEN will be monitored on a regular basis.

The Ark will ensure it has emergency contacts for each family and consider what urgent action it may need to take when a vulnerable child and family are not contactable and the child has not attended.

It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict zones, Female Genital Mutilation and forced marriage.

Safer Recruitment

The Ark will ensure that all appointments follow its recruitment policy and the guidance set out in Keeping Children Safe in Education (DfE, 2023). The Ark will undertake all the required DfE pre-employment checks and where appropriate record these checks on the single central record and retain evidence in personnel files. The Ark will seek written confirmation that third-party organisations including contractors and alternative education providers have undertaken appropriate checks.

The Ark is required to investigate relevant staff who fall within the scope of Disqualification under the Childcare Act 2006¹⁶ and establish they are not disqualified. The criteria for disqualification under the 2006 Act and the 2018 Regulations includes inclusion on the Disclosure and Barring Service (DBS) Children's Barred List or committing a relevant offence.

Complaints

Complaints about safeguarding should follow the procedures set out in The Ark's complaints policy.

The Ark and Local Authority also have whistleblowing procedures. (The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285)

13. Monitoring and Evaluation

Updates

Our child protection policy and procedures will be monitored and updated by:

- Governing Board
- Scrutiny of data
- Logs of bullying / racist / behaviour incidents
- Review of parental concerns
- Review of the use of intervention strategies, support and disciplinary procedures and physical spaces such as the calm room.

14. Related Policies and Procedures:

This policy should be read alongside the following policies relevant to the safety and welfare of our students. Related Policies and Procedures

- e-Safety Policy
- Equality and Diversity Policy
- Safer Recruitment Policy
- Complaints Policy

Signed:

A handwritten signature in black ink, appearing to read 'S Speed', is placed over a light yellow rectangular background.

Head of Centre: Steven Speed