



## HABERDASHERS' ASKE'S FEDERATION

### CHILD PROTECTION AND CONFIDENTIALITY

#### A INTRODUCTION

- 1 All children deserve the opportunity to achieve their full potential. They are only able to achieve this if they live in a safe environment and are protected from harm. In recognising this the Federation has procedures of which all staff should be aware for the protection of students and the handling of suspected cases of the abuse of students. These include procedures to be followed if a member of staff is accused of abuse.
- 2 In recognising the duties placed upon it the Federation seeks to positively promote the welfare of the students through the topics presented to students in the PSHCE curriculum and policies in other areas such as bullying. The Federation seeks to play a preventive role in developing awareness and resilience and in preparing young people for their future responsibilities as adults, parents and citizens.
- 3 All staff of the Federation have a duty to be aware of possible abuse of students, the procedures to be followed and to whom they should report any suspicions. All staff have a duty to promote the welfare of the students. This document promotes the duty laid upon the Governors of the College pursuant to Section 175 Education Act 2002, that is; ..[the]governing bodies...shall make arrangements for ensuring that the functions conferred on them are exercised with a view to safeguarding and promoting the welfare of children [s.175(1)].
- 4 **In Haberdashers' Aske's Hatcham College the 'Designated Senior Person' [Safeguarding Children in Education – DfES 09/04] is the College Welfare Co-ordinator, [CWC], Yasmin Nariman, and at Haberdashers' Aske's Knights Academy it is John Clarke, [Vice Principal], who are directly responsible in these matters to the Principal, the CEO and the Chairman of Governors in exceptional cases.**

The Safeguarding Vulnerable Groups Act 2006 has introduced a new vetting and barring scheme for all those for all those working with children and young people from 2008.

## B STUDENTS' WELFARE AND STAFF DUTIES

All staff of the Federation have a professional duty to take action on suspicions of abuse, or reported allegations of abuse concerning students, by following the procedure laid down in Section C. Staff are under no duty to become involved directly in such cases and should confine themselves to reporting their concerns or allegations made to them, as required by the procedure.

Staff should be aware that abuse can take many forms and guidance is set out below on possible warning signs and the definition of abuse being adopted by the Federation. In cases of doubt, best policy is to follow the procedure in preference to harbouring concerns.

### 1 Signs of abuse

The following list is not prescriptive as many signs listed are not necessarily indicators of abuse and others have been omitted for the sake of clarity. These act as a guide:

- Unexplained injuries, bruising etc.
- Absences from school that do not have a reasonable explanation or exhibit a suspicious pattern
- Significant change of behaviour
- Watchful cautious response to adults
- Inability to be spontaneous
- Aggressive or abusive
- Bullying other children or being bullied
- Underachieving, unable to concentrate
- Avoiding the removal of clothing in PE etc
- Truancing, lying, stealing
- Unable to trust others and make friends

Specific to sexual abuse also:

- Loss of self esteem
- Significant lack of self-care i.e. dirty clothing
- Inappropriate use of sexual talk or sexualised behaviour
- Wetting/soiling
- Fearful of physical contact
- Eating disorders, substance/drug use, cutting etc

### 2. What is abuse?

The Federation has adopted the definition of 'abuse' as described in The Children Act 1989 under the term '**Significant Harm**'. Staff should be aware that this definition is wide-ranging and covers a number of areas as outlined below:

**Harm** is defined under S.31 (9) as:

'the ill treatment or impairment of health and development'

**Health** means physical or mental health

**Development** means physical, intellectual, emotional, social, or behavioural

**Ill-treatment** includes sexual abuse and forms of ill treatment which are not physical such as:

- neglect
- emotional abuse
- bullying – specifically highlighted in 6.8 of 'Working Together'

## C PROCEDURE

All cases of possible abuse must be treated sensitively and only be disclosed to those who need to know about it as outlined below.

1. If a member of staff becomes aware of suspected abuse or neglect affecting a student they must immediately inform Yasmin Nariman, College Welfare Co-ordinator [CWC], or John Clarke [Vice Principal] - the designated senior members of staff. Staff must not attempt to conduct a disclosure interview.
2. **Staff cannot promise confidentiality to the student.** N.B. Should the matter proceed to a Local Authority investigation the alleged perpetrator and the child's family may well be informed of the source of the complaint. Staff must explain to the child that the allegation will be passed to the CWC/VP and the appropriate authorities. It is essential that the child be reassured that the information will only be disclosed to those who need to know about it.
3. Any discussion of such matters must be handled with tact and sympathy and an awareness that the way in which they talk to a child may affect the evidence should the matter proceed to any subsequent court proceedings.
4. Any allegations must be listened to without leading questions being made and the information must be immediately passed to the College Welfare Co-ordinator/ Vice Principal.
5. Suspicions must be recorded in writing immediately and retained by the member of staff until they have spoken to the CWC/VP. Records may be required to be disclosed in court proceedings and must include the date, time, place of discussion and the names of others who are present. Records relating to child protection must be kept secure and in such a way that protects their confidential nature.
6. In the case of an allegation against a member of staff the CWC/VP must be informed. The exception being in the case of an allegation against the CWC/VP this should be made to the Principal.
7. In the case of an allegation against the Principal, only the CWC/VP should be informed and he will then inform the CEO and the Chairman of Governors. In the case of an allegation against the CEO, only the CWC/VP should be informed and he will then inform the Chairman of Governors.
8. The CWC/VP will investigate and assess. If appropriate a referral will be made to the Local Authority Social Services Department or the police. When such a referral is made the CWC/VP will inform the parent/carer of the child and seek their agreement. 'Working Together' requires this to be done and it is good practice unless any such discussion will place the child at increased risk of significant harm. Serious and urgent matters will be referred immediately, others by the appropriate referral form. The CWC/VP will keep the informant apprised of action taken.
9. Governors will actively monitor the implementation of the Child Protection policy and child protection issues will be regularly reported at the Governors' Finance and General Purposes Committee by the CEO.

## **D ALLEGATIONS MADE AGAINST STAFF MEMBERS**

Because of their daily contact with children in a variety of situations including the caring role, staff are vulnerable to allegations of abuse. Allegations may come from students, parents or another member of staff. They may also come from students, parents or staff who have heard about allegations regarding a member of staff. These allegations may be true, but equally may be false, malicious or misplaced and may be either deliberate or innocent of such intention. In acknowledging the above the following procedures shall be adhered to:

- 1 All reports of abuse must be listened to.
- 2 Such reports must be referred to the College Welfare Co-ordinator/Vice Principal. The College Welfare Co-ordinator/Vice Principal will immediately inform the Principal of the allegation.
- 3 The College Welfare Co-ordinator/Vice Principal shall investigate the matter in consultation with the Principal.
- 4 The CWC/VP will inform the relevant Social Services Department and the police if appropriate and in doing so keep the Principal informed of the actions being pursued. It is for the Principal alone to consider what actions should be taken to protect the students as a body and what disciplinary action is appropriate.
- 5 The exception to the above is in the case of the College Welfare Co-ordinator/Vice Principal being the subject of an allegation. The Principal must then be informed. The Principal must then relieve the CWC/VP of his duties as the 'designated person' and act in his place or delegate the role to another appropriate member of staff.
7. The other exception is in the case of the Principal being the subject of an allegation. Should the complaint be against the Principal then the CWC/VP will consult the CEO and the Chairman of Governors. Should the complaint be against the CEO then the CWC/VP will only consult the Chairman of Governors.
- 6 In these matters the procedures for promoting the welfare of students as outlined in (C) above should be adhered to.

## E GUIDELINES ON PROFESSIONAL BEHAVIOUR

Problems may arise if staff become too closely involved with students, and it is important for all staff to be aware of the professional basis of their relationship with students so that the students' best interests are always promoted and staff members are protected from allegations of inappropriate behaviour.

1. **Staff should not touch students at all** under normal circumstances as this can be misinterpreted. (There are specific exceptions in PE lessons, where the Department has *its own code of conduct*, in the administration of First Aid and in the use of physical restraint, for which there are separate guidelines for staff). To prevent conflict between students, verbal reprimands should be used in the first instance. In cases where students are upset, staff are advised that their presence can be supportive by sitting beside a student, and talking to them, but physical contact (e.g. a hug) should be avoided.
2. **Interviews between staff and students** on a one-to-one basis should always take place in a room which is part of the usual College/Academy area, (accessible to staff and students) and if in an office, the door should be left open whenever possible.
3. **Individual music lessons** should take place in the designated practice rooms.
4. **Other extra tuition** should take place in form-rooms.
5. **Lifts in cars should not be offered by staff to students** unless they are accompanied by another appropriate adult. Students must only travel in vehicles that are specifically insured for business use and the carriage of students.
6. **School journeys** have specific guidance in 2.4.7 of the staff handbook but the preceding notes in this document do not contradict advice given in that document.

The above may seem to encourage distant and impersonal behaviour, but these guidelines will minimise the risk of misunderstandings for students and staff, and staff are advised to adhere to them.

## F CONFIDENTIALITY

In the context of the Federation, there are several areas in which confidentiality is expected.

- 1 personal information about a student's family circumstances which should be kept private except in so far as they may affect the student's work, and in this case, the form tutor should let other members of staff know discreetly e.g. marital problems such as separation, or impending divorce, certain medical problems which may be embarrassing.
- 2 discussions in meetings - Staff Meetings or Briefings - whether regarding students or other members of staff, should be kept private and not disclosed to other students. e.g. information about which staff are leaving or retiring, lists of prefects or officers, or prizes before this is made public.
- 3 staff should not discuss other members of staff with students. If in doubt, disclaim all knowledge. In the case of concern play down a situation in public but pass on details in private to a senior member of staff who can decide whether any further action is needed.

This policy is subject to periodic review.

*JFC  
September 09*

### *References:*

Children Act 1989 HMSO  
 Education Act 2002 HMSO  
 Working Together to safeguard Children DoH 1999  
 DFES Circulars 10/95, 14/96, 10/98, 10/99  
 HAHC Staff handbook pages 2.3.4/2.3.5, 2.4.7.  
 Safeguarding Children and Safer Recruitment in Education DfES September 2004