



# KING JAMES I ACADEMY

## Child Protection External Providers Policy

Date adopted by Governors: September 2018

Date of Next Review: September 2019

## **Child Protection External Providers Policy**

### **1.1 Aim**

"Policy statement on safeguarding and promoting the welfare of young people and vulnerable adults in education and training at all locations."

- 1.2 King James I Academy works in partnership with training providers, including academies, Academy's and work based learning organisations. Working together to enhance the 14 – 19 curriculum for the young people of this Academy.
- 1.3 Primary responsibility for the welfare, health and safety of young learners and vulnerable adults on academy rolls remains with the home academy and any incident or issue with child protection implications should be referred to the academy's named person.
- 1.4 This policy statement applies to all member agencies of the Academy.
- 1.5 The Academy is committed to the rights of young people and vulnerable adults within all learning locations, protecting their physical and psychological wellbeing and safeguarding them from all forms of abuse. We will operate in ways that best safeguard the interests of young people and vulnerable adults.
- 1.6 The Academy is committed to the principles and practices of child protection:
- The needs and interests of young people and vulnerable adults are paramount.
  - All people working under the auspices of the Academy carry a responsibility for safeguarding and promoting the welfare of young people and vulnerable adults.
- 1.7 The Academy will act in ways that facilitate the development of good practice by:
- Preventing abuse through safe recruitment policies and the development of safe and secure environments for learning with appropriate supervision and support for staff.
  - Creating supportive environments, which enable young people and vulnerable adults to be able to speak out
  - Protecting young people and vulnerable adults from abuse by ensuring appropriate policies; practices and procedures are in place.
  - Ensuring that all workers under the Academy auspices have access to an appropriate level of information, instruction and training to ensure that the Academy policies, practices and procedures are used and understood by all members of the Academy.
  - Supporting young people and vulnerable adults who may have been abused and supporting those working with them.
  - Where members of the Academy sub-contract to outside organisations, the service provider is responsible for ensuring that those working closely with or supervising young learners are CRB checked. This would include for instance taxi and private hire firms providing transport services between providers. (The debate with regard to the appropriate level of checking will continue with the DfE.)
- 1.8 The Academy facilitates the development of good practice, which reflects Government guidance to safeguard young people and vulnerable adults.
- 1.9 This Policy Statement will be subject to continual revision as the area is subject to statutory review.

### **2. Terms used in this policy statement:**

- 2.1 Young person – any person between the ages of 14 and 18
- 2.2 Vulnerable adult – An adult (a person aged 18 or over) who is or 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 him or herself, or unable to protect him or herself against significant harm or exploitation.

### **3. Guidance for Pre Placement Risk Assessment**

- 3.1 It is essential that placement providers should be confident that they are not putting themselves or their learners at risk through the offer of a placement. This is an issue that requires sensitive handling on the part of our staff responsible for placing a learner. The following guidance is provided to assist staff in diagnosing where the incidence of risk is likely to be potentially significant.
- 3.2 In the first instance, staff should establish, either by questioning or observation, whether or not the placement involves any of the elements itemised below.
- 3.3 Where learners are required:
- To be supervised by adults who have not been CRB checked.
  - To travel alone to and from a placement, for instance by taxi or private hire vehicle.
  - Work alone with one employer/employee for extended periods of the day.
  - Work in isolated environments e.g. storage warehouse/outbuilding
  - Travel in company vehicles with one employer/employee as a regular aspect of the placement
  - Work with a young workforce who may subject a young Learner to initiation ceremonies and horseplay
  - Work unsociable hours, either early in the morning, in the evening or through the night e.g. in a leisure centre or anywhere utilising shift work as a normal pattern of working.
  - Work where sexually or racially explicit materials exist within the environs of the placement e.g. a photographic studio.
  - Work in situations where direct physical contact between the Learner and an employer/employee or client is an inevitable aspect of the placement activity e.g. in a sheltered workshop, fashion agency, retail shop fitting rooms.
  - Work where there is a distinct chance of unsupervised access to the internet e.g. unpopulated offices.
  - Work with vulnerable groups e.g. young children, the elderly or disabled.
- 3.4 If any one or more of the above are features of the placement, staff should establish the extent of confidence building measures that might alleviate the potential for problems; such as:
- The proximity of other personnel within hailing distance
  - The extent to which the Learner's location is likely to be visited by other
  - Employees or members of the public e.g. members of the public having direct, unannounced, access to a retail operation
  - The extent to which the mentoring employer/employee has to maintain regular and direct contact with an operations base e.g. delivery driver.
  - The existence of emergency means of communication, readily accessible to the Learner e.g. access to a mobile phone or other internal communication system.
- 3.5 In coming to a conclusion as to the appropriateness of the placement, staff should provide documented justifications or conclusions drawn from child protection issues where these have been raised. Staff must ALWAYS err on the side of caution in determining whether or not a placement is suitable.

- 3.6 The risk assessment documentation should include a question relating to whether or not child protection issues were discussed and a further question ascertaining whether or not a copy of the company's child protection policy was left with the provider of the placement.

#### **4.0 Child Protection Guidance for Managers of Staff Working with Young Learners**

##### **4.1 Background**

An estimated 150 to 200 children die or are seriously injured in England and Wales every year following incidents of abuse or neglect. Thousands more suffer long term emotional and psychological problems because of ill treatment by their own parents, or those looking after them. The Children Act 1989 required local authorities to set up multi agency committees with responsibility for child protection, in Durham this committee is known as the Local Safeguarding Children Board. The LSCB is responsible for ensuring that all agencies have child protection procedures to follow where there is a child protection concern about a child.

##### **4.2 The Education Act 2002 places a statutory duty on Education Authorities to safeguard and promote children's welfare:**

- *Section 175 Education Act 2002* provides that:
  - A local education authority shall make arrangements for ensuring that the functions conferred on them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children (s175(1))
  - The governing body of a maintained academy shall make arrangements for ensuring that their functions relating to the conduct of the academy are exercised with a view to safeguarding and promoting the welfare of children who are pupils of the academy (s.175(2));
  - The governing body of an institution within the further education sector shall 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(s.175(3)); and
  - An Authority or body mentioned in any of the subsections (1) to (3) shall, in considering what arrangements are required to be made of them under that subsection, have regard to any guidance given from time to time (in relation to England) by the secretary of state. (s175(4))

##### **4.3 This guidance aims to help managers to ensure that appropriate and adequate structures are in place to facilitate the management of child protection concerns.**

##### **4.4 King James I Academy recognises that:**

- child protection concerns need to be managed sensitively and promptly
- organisations within the Academy cannot and should not work in isolation from other agencies
- None of the organisations within the Academy have an investigatory role in child protection; the role therefore is to ensure that concerns are passed on without delay to agencies that have a statutory responsibility to investigate, i.e. Social Care Direct and the Police.
- where ever children are placed, i.e. Academy or work placement, the overall responsibility for the child remains with their academy

#### **5. Named Persons**

5.1 All organisations providing education or training within King James I Academy should have a nominated senior member of staff who will hold a management responsibility for child protection. The Named Person will liaise with Social Care Direct and other relevant agencies on child protection issues on behalf of this organisation. Durham County procedures advise all staff to report any concerns to the Named Person who will, give advice, co-ordinate action and liaise with the Named Person of the young person's academy and SCD. (See Flow Chart)

## **6. Training for Named Persons**

6.1 Named Persons need to attend child protection training relevant to the role. Training offered to Named Persons will be in line with the LSCB child protection training strategy and will include the operation of locally agreed LSCB child protection procedures. For instance the LSCBs' own multi-agency training.

6.2 Named Persons will need to refresh their child protection training every two years, in line with government guidance: Safeguarding Children in Education (DFE 2004)

## **7. Management responsibilities**

7.1 It is the responsibility of managers of organisations to ensure structures are in place to enable staff to fulfil their child protection responsibilities.

7.2 Managers need to ensure that:

- a senior member of staff is nominated as the Named Person
- all staff are made aware of child protection procedures within their induction process
- All staff understands the need to act without delay by speaking to the Named Person. (See the attached guidance for staff working with young Learners)
- Should the Named Person be unavailable staff should be encouraged to seek further advice without delay from the Health Coordinator or the Head teacher. In such circumstances a manager may seek advice or refer to social care direct or the police directly.
- all staff are offered an appropriate level of training in respect of their role, responsibilities and the nature of the direct contact they have with young Learners
- the training offered is in line with the LSCB training strategy
- Young Learners are made aware that staff will listen to them and take what they say seriously.
- Procedures are in place to manage allegations made against members of staff. Complaints re abusive behaviour will only be forthcoming where an atmosphere of trust and respect have been previously established.
- Procedures are in place to manage the follow-up to incidents were members of staff have been involved in physically restraining a young person or vulnerable adult or have themselves been physically attacked.
- Whenever young Learners are required to travel by taxi or private hire vehicle only firms who have guaranteed that all their staff are CRB checked should be considered.

## **8. Preventative strategies**

### **8.1 Recruitment and Selection**

It is the responsibility of all organisations to ensure that their organisation has a robust recruitment and selection process. It is recommended that application forms, in addition to CV's, are required from all staff working with young people. The application form must include a section requesting full details of employment

history – any gaps require explanation. Through rigorous recruitment and selection procedures we will attempt to ensure that the staff we recruit to work with young Learners are suitable candidates and have the necessary skills experience and qualities to perform their duties effectively and responsibly.

- 8.2 New recruits will be required to undergo a Criminal Records Bureau (CRB) vetting procedure. All current employees will be required to undergo CRB vetting if they come into contact with young people, in line with their roles and responsibilities.
- 8.3 New recruits who will be working with young Learners between the ages of 14-18 years will be subject to a panel interview where possible, by individuals who are experienced in working with young people. References will be obtained for all employees working with young Learners, one (preferably 2) of which will be from someone with first-hand experience of the applicants work or voluntary contact with children/young people. All new recruits should be considered to be on probation until the CRB checks are complete and references received and should be managed accordingly.

## **9. Code of Conduct**

- 9.1 All organisations need to have a clear concise code of conduct in place.
- 9.2 All staff must maintain entirely proper and professional relationships with young Learners and behave responsibly at all times. APPENDIX 1: "Code of Conduct" has been drawn up as a template to assist organisations to develop their own. New members of staff should be informed about the organisation's code of conduct within their induction period.

## **10. Supervision**

- 10.1 All staff working with young Learners will be required to adhere to the organisation's code of conduct which provides practical guidance on how to work effectively with young Learners whilst protecting their interests and welfare.
- 10.2 In order to ensure that the company's policy and code of conduct are being adhered to and to prevent and/or detect abuse, the activities and conduct of staff will be regularly monitored and supervised.
- 10.3 In addition, line managers may wish to create opportunities to observe staff whilst they are working with young Learners and such observations may be used within supervision.
- 10.4 Supervision of staff who work directly with young Learners should always include an opportunity to discuss child protection issues or concerns.

## **11. Risk Assessments**

- 11.1 The responsibility for ensuring that adequate and appropriate risk assessment is carried out remains with the academy making the placement.
- 11.2 Where young Learners are placed with a placement provider/employer for a period of on the job work experience, staff will be required to complete a full Risk Assessment. See (Appendix 2 "Child Protection Guidance for Pre Placement Risk Assessment.")

- 11.3 Assessment findings will be recorded and kept on file. Where a member of staff has doubts about the suitability of a particular placement, their record of findings will be discussed with the organisation's Child Protection Officer and a decision taken as to whether or not a young Learner will be placed. In all circumstances decisions will be expected to err on the side of caution.

## **12. Working Environment**

- 12.1 The provision of a safe learning environment is vital to protect both the young Learner and our staff. The following guidelines should therefore apply in all cases where tuition is provided on a One to One basis.
- 12.2 Staff should pay attention to the tuition setting and keep the door open during lesson.
- 12.3 Where tuition takes place in a neutral venue a room with a window open to public view is preferable.
- 12.4 Where this is not possible, the door to the room should be left ajar.
- 12.5 With regard to assessing risk in respect of a pupil the responsibility remains with the Academy. Academies are advised that in the case of work placements that bring a young Learner into contact with vulnerable groups, placement officers need to consult with the Named Teacher for child protection re suitability of the young person. Placement officers need to be aware that the Named Person may have confidential information that they are not in a position to share, but that indicates that a placement is not suitable.

## **13. Points of Contact:**

- 13.1 If you have a concern you must contact the Academy's Named Person.  
**The Academy Child Protection Named person — Mhairi Stewart. You can also contact Valerie Bainbridge, Samantha Gill or Dawn Hindmarch.**

## **14. Guidance for Managers of Staff working with Young Learners**

- 14.1 Background  
An estimated 150 to 200 children die or are seriously injured in England and Wales every year following incidents of abuse or neglect. Thousands more suffer long term emotional and psychological problems because of ill treatment by their own parents or those looking after them.
- 14.2 The Children Act 1989 required local authorities to set up multi agency committees with responsibility for child protection, in Durham this committee is known as the Durham LSCB. The Committee is more commonly referred to as the LSCB. The LSCB is responsible for ensuring that all agencies have child protection procedures to follow where there is a child protection concern about a child
- 14.3 The Education Act 2002 places a statutory duty on Education Authorities to safeguard and promote children's welfare:
- *Section 175 Education Act 2002* provides that:
    - A local education authority shall make arrangements for ensuring that the functions conferred on them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children (s.175(1))

- The governing body of a maintained academy shall make arrangements for ensuring that their functions relating to the conduct of the academy are exercised with a view to safeguarding and promoting the welfare of children who are pupils of the academy (s.175(2);
- The governing body of an institution within the further education sector shall 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 (s.175(3); and
- An Authority or body mentioned in any of the subsections (1) to (3) shall, in considering what arrangements are required to be made of them under that subsection, have regard to any guidance given from time to time (in relation to England) by the secretary of state. (s.175(4)

## **15. Named Persons**

15.1 All organisations providing education or training within Durham County have a nominated senior member of staff to liaise with SCD and other relevant agencies on child protection issues. This nominated individual is called the 'Named Person'. Named Persons have attended child protection training.

15.2 Durham County procedures advise all staff to report any concerns to the Named Person who will, give advice, co-ordinate action and liaise with social care direct.

## **16. Information Sharing and Confidentiality**

16.1 Child Protection information is shared only on a need to know basis. However it is important to understand that staff have a duty to share information where that information will help to inform social care direct or police inquiries. Remember! The child's needs are paramount and where staff have a concern about a young person or vulnerable adult they must share their concern through the child protection procedures. The data protection Act does not prevent information sharing with investigating agencies where the information will help to safeguard children's welfare.

## **17. Definitions of abuse**

### **17.1 Physical Abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child whom they are looking after. This situation is commonly described using terms such as fictitious illness by proxy or Munchausen's syndrome by proxy.

### **17.2 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 children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.

### **17.3 Sexual Abuse**

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



may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

#### 17.4 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. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

#### 17.5 Bullying

Bullying is a highly distressing and damaging form of abuse and must not be tolerated. Through this policy we wish to promote mutual respect and cooperation between staff, young Learners, parents and other professionals e.g. teachers. Certain behaviours are thus deemed to be wholly unacceptable and include:

- Sarcasm
- Put downs
- Demeaning language and gestures
- Any physical or verbal assault

17.6 Where young Learners are working in a group setting, staff are charged with monitoring Learners' behaviour and are advised to act promptly on any suspicion or report of bullying behaviour. Complaints of such activity will only be forthcoming where an atmosphere of trust and respect have been previously established.

### 18. What are some of the symptoms of child abuse?

18.1 If abuse starts happening to a young person / vulnerable adult their behaviour is likely to change, a calm person may become loud and disruptive; a lively person may become quiet and withdrawn. The young person / vulnerable adult may:

- Present with bruises and injuries that they have difficulty explaining or that are in places where it is difficult to hurt yourself accidentally. I.e. neck, cheeks eyes, shoulders and the top of the arms.
- May be scared, tearful and may present unusual, difficult or strange behaviour.
- May self-harm or place themselves in risky situations.
- Attempt suicide
- If you have a concern – seek advice. (See Dept of Health guidance: 'What to do if you are worried child is being abused,')

### 19. What if a young person / vulnerable adult tells you that they are being abused?

19.1 Take them seriously; it will have taken a lot of courage to tell someone. Reassure them that they have done the right thing in telling someone. Do not promise to keep what they tell you a secret, if the young person / vulnerable adult, asks you to, tell them that you may have to tell someone else to get further help and to keep them safe.

19.2 Thank the child for telling you and follow the procedures.

### 20. Procedures

## **20.1 What if you suspect a child is being abused?**

- It is not your job to establish whether or not the child is telling the truth. It is your job to pass on your concerns.
- Talk to someone. Child protection procedures need to be operated at the point of concern; it is not your job to investigate. Contact your organisation's Named Person or the Named Person for the young person's Academy immediately.

## **21. Record Keeping**

- Make sure that you make a written record of your concern and how you dealt with it. Records should be made as soon as possible and every possible effort should be made to record precisely what was said along with the context. Sign and date the record. Your Named Person will advise how and where to store child protection records.

## **22. Physical Punishment**

22.1 Working with people can be stressful and keeping control over a number of Learners can be difficult. However nobody has the right to use physical punishments. Physical punishment is not allowed in any teaching situation. In using physical punishment the adult commits an assault and criminal charges may be brought against him or her. If you are struggling to find ways of controlling groups of children or a particular child without physical punishment, seek professional advice. If you witness other individuals working with young people using physical punishment or other forms of abusive behaviour seek advice.

22.2 See Flow Chart:

## **23. Exemplar Code of Conduct for Staff working with Young Learners**

### **23.1 Introduction**

This code has been drawn up to assist staff in maintaining entirely proper and professional relationships with Young Learners. It attempts to provide a clear and unambiguous picture of the boundaries associated with staff roles and the use of power and authority.

23.2 Organisations may choose to link a Code of Conduct to Disciplinary Procedures. It is stressed that this Code is not a legal document but is intended to provide guidance to employees in carrying out their responsibilities.

23.3 As an employee of a Academy, a vocational learning provider or any other organisation working with young Learners relevant staff are required to demonstrate high standards in their exercise of authority, their management of risk, in the proper use of resources and in the active protection of young Learners from discrimination and avoidable harm. This document is designed to both be useful for staff in avoiding situations that might lead to allegations against them, and to reassure other parties e.g. parents, academies, the LA and the LSCB that a strategy exists to safeguard young Learners.

23.4 Staff need to be prudent about their own conduct and vigilant about the conduct of others, so that their relationships with young Learners remain, and are seen to remain, entirely proper and professional. It is recognised that staff are vulnerable to the possible consequences of their close professional relationships with young Learners and to the potential for malicious and misplaced allegations being made by young Learners, either deliberately or innocently, arising from the normal

and appropriate associations that staff may have with them. There is an onus upon staff to take full responsibility for their conduct. It should be noted that wholly unfounded allegations are uncommon and tend to arise from inappropriate (sometimes unwitting) adult behaviour. Malicious allegations are very rare.

## 24. Principles

### 24.1 The duty of staff is to:

- Train and educate the young Learners assigned to them according to the learning needs of those young Learners
- Promote the general progress and wellbeing of individual young Learners and of any class or group of young Learners assigned to them
- Ensure the health & safety of young Learners while they are within their responsibility
- Provide advice and guidance to young Learners on educational, personal and social matters including the provision of information about sources of more expert advice on specific questions.
- Maintain good order and discipline among young Learners and promote their development

### 24.2 These principles are intended to guide staff members and ensure that they give paramount consideration to the young Learner's wellbeing by respecting and attempting to understand the following:

- The ascertainable wishes and feelings of the young person concerned (considered in the light of his/her age and understanding).
- The young Learners physical, emotional and learning needs
- The likely effect on the young Learner of any change in his/her circumstances
- The young Learners age, gender, background and any other relevant characteristics
- Any harm that the young Learner has suffered or is at risk of suffering
- Staff members are in a position of trust and they owe a duty of care to the young Learner for whom they are responsible.
- Staff should never seek gratification of their own emotional or physical needs in their relationships with young Learners and relationships must always be professional, appropriate and justifiable.

### 24.3 The Organisation's Child Protection Procedures have primacy over other requirements and this document attempts to be supportive and complimentary to those procedures. These Principles and subsequent Guidelines provide the basis for an organisation and any educational establishment (e.g. Academy, Academy, academies), to identify inappropriate behaviour by our staff and should therefore be accessible to all members of staff.

## **25. Guidelines for all relevant staff**

### **25.1 Physical contact**

As a general principle, staff should not engage in physical contact with their young Learners or vulnerable adults. There may be very limited occasions when a Learner needs comfort or reassurance, which may include physical comforting. Any such contact should be appropriate and sensitive to the young person's wishes and feelings and should be a response to an exceptional situation. i.e. there should be no unwanted physical contact, however well - intentioned.

It is recognised that some young Learners require physical assistance due to the nature of their disability; however such contact must always be acceptable to the young person and be within their agreed plan of care. Furthermore be aware that any physical contact may be misconstrued by a Learner, parent/carer or observer. Such contact can include well intentioned informal and formal gestures such as putting a hand on the shoulder or arm, which, if repeated with an individual young Learner, could lead to serious questions being raised.

Some staff are likely to come into physical contact with their young Learners from time to time in the course of their training activities, for example when showing a young Learner how to use a piece of apparatus or equipment. Staff should be aware of the limits within which such contact should properly take place and should consider the possibility of such contact being misinterpreted by the young Learner.

Any form of physical punishment of young Learners is unlawful, as is any form of physical response to misbehaviour unless it is by way of restraint. It is particularly important that employees understand this both to protect their own position and that of the organisation and the educational establishment.

There may be occasions where it is necessary for a member of staff to physically restrain a young Learner to prevent him/her from inflicting injury to himself/herself or others. In such cases only the minimum force necessary must be used and any action taken must be to restrain a young Learner. Where the member of staff has taken action to restrain a young Learner he/she should report the matter to their manager.

### **25.2 The practice of physical intervention**

Physical intervention can be defined as "the reasonable application of the minimum necessary force to overpower a child with the intention of preventing them from harming themselves or others, or from causing serious damage to property".

Physical intervention should only be used exceptionally, when unavoidable and in keeping with the incident leading to it. It should be primarily for the benefit of the young person/s and, though immediate, should as far as possible be a considered response.

Physical intervention should not be used as a form of punishment or, in normal circumstances, to enforce compliance with instructions. It should not be attempted where the member of staff is put at undue risk.

Incidents of physical intervention should, in appropriate circumstances, be subject to debriefing for staff involved and lead to a review of strategies for managing the behaviour of young Learners between relevant parties, e.g. Manager, Teacher, and Trainer etc. All incidents should be recorded in writing with witness statements etc.

Where staff themselves are the subject of physical attack by young Learners or their parents/carers, they should refer to the guidance provided by the educational establishment and report the incident to their manager. Where physical intervention is deemed necessary it is advised that 2 staff be involved.

### 25.3 Sexual Contact

There is NO acceptable behaviour that has either explicit sexual connotations or innuendo. Any such behaviour will always be treated as extremely serious and must be reported immediately. Sexual contact with a person in a position of trust is an offence even where the person is over the age of 16.

### 25.4 Meetings with Young Learners.

Staff should be aware of the potential risks which may arise from interviewing individual young Learners in private. It is recognised that there will be occasions when confidential interviews must take place but, where possible, such interviews should be conducted in a room with visual access or with the door open, or in a room or area which is likely to be frequented by other people. Meetings with young Learners away from educational or business premises normally utilised, should not take place unless specific approval has been obtained from those responsible for the young Learner (e.g. Head Teacher). Where such conditions cannot apply, staff are advised to ensure that another adult knows that the interview is taking place. The use of "engaged" signs or lights are not advisable and where possible another young person or another adult should be present or nearby during the interview. If necessary to detain a young Learner for any length of time after the end of normal hours, prior warning must be given to the young Learners parents/carers or Head Teacher.

### 25.6 Caring/First Aid

If a young person complains of injury or sickness, a judgement should be made as to whether he/she should be referred to a person qualified in First- Aid or advised to see his/her own doctor. The young Learner's parents/carers should also be informed, if appropriate. Staff who have to administer first aid (normally a trained First Aider) are advised that, wherever possible, another adult is present, if they are in any doubt as to whether necessary physical contact could be misconstrued. Another adult should accompany employees who have to help young Learners with personal care and young Learners should, wherever possible, be encouraged to deal with such matters themselves. Where it is necessary to assist with/supervise dressing or undressing, staff must be of the appropriate gender and be careful to protect the dignity of the young person. Male staff should not, as a general rule, enter female toilets nor should female staff enter male toilets, except in extreme situations such as fire, or where there may be a threat to life or limb.

## 25.7 Provision of Advice and Guidance

Staff may from time to time be approached by young Learners for advice. Young Learners may also appear distressed and staff may feel the need to ask if all is well. In such cases staff must judge whether it is appropriate for them to offer counselling and advice or whether to refer the young Learner to a member of staff of another gender or to one with acknowledged expertise, experience or responsibility for that young Learner. Staff must in these circumstances use their discretion to ensure that e.g. any probing for details cannot be construed as unjustified intrusion.

Staff are advised **never to stop a free-flowing account / disclosure** of abuse but to make sure that at an appropriate point they inform the young person that they cannot keep such information confidential and need to tell someone else to get help.

Example: 'Thank you for telling me, I now need to tell (where possible give the name and position of who will be told) so that we can get some help for you and younger siblings.' A young Learner may ask a member of staff to 'keep a secret', or to promise not to tell other people what they are about to tell them, where this happens the member of staff must explain that they are not able to promise confidentiality as they may need to tell someone else if they are to help the young person.

Where a young person is told by a member of staff that they cannot promise confidentiality the young person may decide not to continue telling. If a young person starts to say something and then stops, the member of staff needs to try to leave it open for the young person to come back to the discussion; the member of staff must act, following the child protection procedures. It may be appropriate to refer the young person to available counselling / medical services, for instance their GP or an academy / Academy based service.

Remember - If in doubt - Act (See flowchart)

## 25.8 Social Contact

Social contact with young Learners, other than that which is academy-based or organised by an academy, should be positively resisted.

It is recognised that there may be occasions when accidental or reasonable social contact may be unavoidable, e.g. meeting young Learners at social venues open to the general public or in shops or at private parties. In such circumstances, staff should be mindful at all times of their professional relationship with young Learners.

## 25.9 General Relationships with Young Learners.

Staff should ensure that their relationships with young Learners are appropriate to the age and gender of the young Learner, taking care that their conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when dealing with adolescent boys and girls.

Comments by staff to young Learners, either individually or collectively, can be misconstrued. As a general principle, staff must not make unnecessary comments to and/or about young Learners, which could be construed to have a sexual connotation. It is also unacceptable for staff to introduce or to encourage debate amongst young Learners in a class, training situation or elsewhere, which could be construed as having a sexual connotation that is unnecessary given the context of the training session or the circumstances. However it is recognised that a topic raised by a young Learner is best addressed rather than ignored.

Staff should be careful in their use of language/terminology that may be misconstrued. The systematic uses of insensitive, disparaging or sarcastic comments such as those that refer to a young person's body, intelligence or ethnicity in any way are unacceptable. If a member of staff feels that a young person is developing a crush or infatuation it is their responsibility to discuss the situation with their Manager.

#### 25.10 Reporting of Incidents

Following any incident where a member of staff feels that his/her actions have been, or may be, misconstrued, the member of staff should report the matter to their manager. Organisations should have a clear set of procedures to be followed by a manager to cover such circumstances. Such reporting is especially important in any case where a member of staff has been obliged to restrain a young person physically to prevent him/her from inflicting injury to others or themselves, or where he/she has been personally attacked by another young Learner, parent or carer

