

Merton College, Oxford
Child Safeguarding Policy & Procedures

CONTACT DETAILS:

For contact details for the Designated Safeguarding Lead (DSL) and others, see the last page of this policy.

NOTICE TO CHILDREN AND YOUNG PEOPLE

If you are a child or young person reading this policy, and anything or anyone worries you or makes you feel unsafe, please speak to your parents. But if for any reason you would rather not do this, you may contact any of the people listed on the last page and be assured that they are there to help you or point you to help.

1. Introduction

1.1 Merton College is committed to ensuring a safe and supportive environment for its Members and visitors. The College recognises that it is likely that children will come onto College premises or interact with College Members in a number of circumstances.

1.2 This Policy places the welfare of children as paramount and aims to safeguard their well-being, in particular by protecting them from abuse of any kind, and should be read in conjunction with the University of Oxford's *Safeguarding Code of Practice*.

1.3 There is a separate Safeguarding Policy for the Merton College Girls' Choir, which should be referred to in the first instance for matters regarding the safeguarding of choristers (see Annexe 3).

2. Scope

2.1 For the purposes of this policy, 'child' or 'children' refers to a person or persons under the age of 18 (as defined in the *Children Act 1989*). 'Children' therefore means 'children and young people' throughout this policy.

2.2 For the purposes of this policy, a College Member is anyone who is part of Merton College, working with children whether as a fellow, employee, student, or volunteer.

2.3 This Policy applies to all activities involving children and to all College Members.

2.4 The College recognises that it has a legal duty to safeguard the welfare of children who come onto its premises or come into contact with its Members under the *Safeguarding Vulnerable Groups Act 2006*, 'Working together to safeguard children' 2013, the *Health and Safety at Work etc. Act 1974*, and 'Keeping children safe in education' (July 2015) where contact comes through schools.

2.5 Where a College Member occupies a position of trust with regard to children, an improper relationship with a child constitutes an abuse of trust under the *Sexual Offences Act 2003*.

2.6 The College also has certain powers and duties, under the *Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975* and *Safeguarding Vulnerable Groups Act 2006*, to enquire as to the criminal records history of Members to assess any risk to children.

3. Preventative Measures

3.1 Merton College's Designated Safeguarding Lead ('DSL') is the Head of Welfare. The DSL has the leadership responsibility for the College's safeguarding arrangements. The College's Designated Officer for Safeguarding Children ('DOSC for the College') is the Academic Registrar. The DOSC for the College has responsibility for the day-to-day administration of the College's safeguarding arrangements. Contact details can be found on the last page of this Policy. The DSL and the DOSC for the College have both undergone a satisfactory DBS check at the Enhanced level.

3.2a Both Safeguarding Officers are responsible for:

- Implementing and promoting this Policy;
- Ensuring that the Policy is monitored and reviewed in accordance with changes in legislation and guidance on the protection of children;
- Acting as the main contacts within the College for the protection of children;
- Ensuring that appropriate College Members are provided with information, advice and training on the protection of children.

3.2b The DSL is responsible for:

- Running DBS checks as required by the separate Safeguarding Policy for the College Choir (referred to in 3.3);
- Establishing and maintaining contacts with the local Children's Social Care Services departments and Police;
- Maintaining confidential records of reported child abuse cases and action taken.

3.3 There is, in addition to the DOSC for the College, a Designated Officer for Safeguarding Children with respect to the Choir ('DOSC for the Choir'), as specified in the separate Safeguarding Policy for the College Choir (Annexe 3). The DOSC for the Choir has undergone a satisfactory DBS check at the Enhanced level.

3.4 The DSL, the DOSC for the College, and the DOSC for the Choir have each completed training in safeguarding. Their training is updated every two years.

3.5 The attention of new Members of the College will be drawn to this Policy as part of the induction process. All College Members are expected to comply fully with the guidance and procedures set out in this Policy. The College will ensure that Members are fully briefed and/or trained (as appropriate) on the implications of this Policy.

3.6 Students of the College who apply to be engaged in outreach work as 'Student Ambassadors' for the College will not be required to undergo a DBS check. If they are deemed suitable for this post which entails working with children, these students have a compulsory short induction for the role. This includes reminders concerning the importance of maintaining appropriate professional boundaries and the expectations of the College in relation to conduct. In addition, they are required to complete the eLearning course *An Introduction to Safeguarding* provided by Oxfordshire Safeguarding Children Board, including obtaining the pass certificate.

3.7 This Policy is reviewed on an annual basis. This is an opportunity for the DSL, the DOSC for the College, and the DOSC for the Choir to reflect on their own practice and for the College to make changes in the light of experience.

4. Forms of Abuse

4.1 The UK Government guidance, *Working Together to Safeguard Children 2013 (Appendix A)*, defines four types of child abuse:

4.2 Physical – the physical hurting or injuring of a child.

4.3 Emotional – the persistent emotional maltreatment of a child which results in severe or persistent adverse effects on the child's emotional development. Some level of emotional abuse is present in all other categories of abuse, although it may occur independently.

4.4 Sexual – the forcing or enticing of a child to take part in sexual activities. The activities may involve physical contact, including assault by penetration or non-penetrative acts. They may also include non-contact activities such as

involving children looking at, or in the production of, sexual images, or grooming a child in preparation for abuse (including via the internet).

4.5 Neglect – the persistent failure to meet a child’s basic needs, likely to result in the serious impairment of the child’s health or development. Neglect can include failure to provide the following: adequate food, clothing and shelter; protection from physical and emotional harm or danger; adequate supervision; access to appropriate medical care or treatment.

5. Recognising Abuse

5.1 Child abuse can and does occur both within a child’s family and in institutional or community settings. The following may indicate that a child is being or has been abused:

- Unexplained or suspicious injuries, particularly if such an injury is unlikely to have occurred accidentally;
- An injury for which the child’s or adult’s explanation appears inconsistent;
- The child describes an abusive act or situation;
- Unexplained changes in behaviour;
- Inappropriate sexual awareness or sexually explicit behaviour;
- The child appears distrustful of adults;
- The child is not allowed to be involved in normal social activities;
- The child becomes increasingly dirty or shabby.

5.2 It is the responsibility of all College Members to act on concerns in order to safeguard the welfare of the child.

6. Dealing with suspicion of abuse/allegations of abuse

6.1 An allegation may relate to a person who works with children who has:

- Behaved in a way that has harmed a child or may have harmed a child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved towards a child or children in a way that indicates s/he may pose a risk of harm to children.

6.2 College Members should address any concerns to the DOSC for the College, who will liaise with the DSL. If those concerns relate to the DOSC for the College, College Members are expected to discuss the matter with the DSL or to contact the Local Authority Designated Officer (LADO) (contact details are on the last page of this policy). If an individual feels that the DOSC for the College or the DSL has not responded appropriately, then they are encouraged to contact the LADO without delay. Every effort should be made to maintain confidentiality. Suspicions or allegations of abuse must not be discussed with anyone else other

than those named in **3.1**. The LADO should provide advice and guidance, liaising with the police and other agencies to ensure the concerns are dealt with as quickly as possible consistent with a thorough and fair process.

6.3 It is the responsibility of the DSL to act on behalf of the College in dealing with allegations or suspicion of abuse. In the absence of the DSL, the DOSC for the College will act on behalf of the College, in consultation with the Warden or the Senior Tutor. It is the task of Social Services, not the College, to investigate the matter, under *Section 47 of the Children Act 1989*. Under no circumstances should a College Member conduct their own investigation into suspicions or allegations of abuse, neither should they question children closely, as to do so may distort any investigation that may be carried out subsequently by the Police or Social Services.

6.4 If a child says something or acts in such a way that abuse is suspected, the person receiving the information should:

- React in a calm but concerned way;
- Tell the child that s/he is right to share what has happened, and that s/he is not responsible for what has happened;
- Find an early opportunity to explain that it is likely that the information will need to be shared;
- Take what the child says seriously and allow the child to continue at his/her own pace;
- Keep questions to an absolute minimum (only clarify what the child is saying) and not ask a question that suggests a particular answer;
- Not interrupt the child when they are recalling significant events;
- Reassure the child that the problem can be dealt with;
- Tell the child what will happen next and with whom the information will be shared;
- Do not promise to keep secrets;
- Make a full record of what is said and done, though this should not result in a delay in reporting the problem;
- In the event there is a risk of immediate serious harm to a child emergency services should be contacted via 999 or the police via the 101 service. Anybody can make a referral in these circumstances.

6.5 The record should include:

- The child's account of what has occurred;
- Any dates, times or places and any other potentially useful information;
- The nature of the allegation or concern;
- A description of any visible physical injury (clothing should not be removed to inspect the child).

If handwritten, contemporaneous notes are typed up, the original notes must be retained.

6.6 The record may be used later in a criminal trial and it is vital that what the child discloses is recorded as accurately as possible. The record must be drafted in the child's words and should not include the assumptions or opinions of others.

6.7 The problem should be reported **immediately** to the DOSC for the College who will take the appropriate action, including informing the DSL. The DSL will inform the LADO **within one working day** of all allegations that come to the College's attention or that are made directly to the police. If the concern arises out of normal office hours (evenings and weekends), contact should be made with the Emergency Duty Team on 0800 833408. Advice can also be sought from the NSPCC 24-hour helpline on 0808 800 5000. In an emergency, dial 999.

6.8 It is recognised that College Members may need support after receiving a disclosure from a child, and information about appropriate support will be offered by the College.

6.9 All College Members (including those with obligations to particular codes of conduct / professional ethics that may be thought to constrain their actions) are required to report or act on any disclosures or allegations of abuse that involve a College Member or that have taken place at the College or on College business.

7. Procedure for dealing with allegations or suspicions about a College Member

7.1 It can be difficult to accept that a colleague or friend may deliberately harm a child. When a concern arises, there are three processes that may need to take place:

- A child protection investigation;
- A criminal investigation;
- Action by the College/University to discipline or remove the Member.

7.2 Any suspicions or allegations should be addressed to the DOSC for the College, as outlined in **6.2** above. The DOSC for the College will liaise with the DSL, who will inform the LADO at the Oxfordshire Safeguarding Children Board within one working day. The advice of the LADO will be followed appropriately.

7.3 If the College removes a member from working with children because the person poses a risk of harm to children, the College must make a referral to the

Disclosure and Barring Service. It is an offence to fail to make a referral without good reason.

8. Candidates for admission interviews

8.1 Candidates for admission to Merton are invited to stay at the College for a period of days during the interview selection process. The College recognises that it is likely that most candidates will be under the age of 18.

8.2 The College has established procedures for the interview process, designed to ensure safeguarding of candidates whilst also fulfilling selection requirements, including but not limited to:

- All student volunteers are appropriately trained and given specific information about how to respond to reports of neglect or abuse;
- Any members of the College who may be alone with candidates for significant time (this does not include interviewers or housekeeping staff) are DBS checked.

9. Students under the age of 18

9.1 The College may admit students who commence their studies before their 18th birthday. The College recognises that:

- Anyone under the age of 18 is a child as a matter of law;
- The College has special duties of care towards a child;
- The College is not *in loco parentis*, except in the case of a medical emergency where written permission has been previously obtained from the parent or guardian of the child.

9.2 The Senior Tutor is responsible for ensuring that the DOSC for the College and the DSL are informed of the admission of any students who will commence their studies before their 18th birthday.

9.3 The Domestic Bursar is responsible for ensuring that the hall, bar and lodge have the names of any students under the age of 18.

9.4 The Senior Tutor is responsible for gaining written agreement from parents and students under the age of 18 that they accept the provisions put in place.

10. Confidentiality

10.1 The College has an obligation to respect the privacy and confidentiality of all individuals. Nevertheless, it is not always appropriate or sensible to promise complete confidentiality to informants in circumstances of alleged abuse. In some circumstances the College owes a duty of care to its students or visitors

that cannot be fulfilled unless the College takes action on the basis of information that might have been provided in confidence. Anyone making an allegation of abuse should be assured that:

- the adult will only pass on information to the minimum number of people who must be told in order to ensure that the proper action is taken;
- the adult will never tell anyone who does not have a clear 'need to know'; and
- the adult will take whatever steps they can to protect the informing child or adult from any retaliation or unnecessary stress that might be feared after a disclosure of alleged abuse has been made.

10.2 There will be circumstances in which it is necessary for a Safeguarding Officer or other College Member to share information with third parties such as the Local Authority, the Police or the child's parents or guardians.

11. Conduct around children

11.1 General considerations

- a. If you are acting in a position of trust with children, you are expected to be mindful that you are acting as a role model and therefore should demonstrate exemplary behaviour.
- b. Care should be taken to ensure conduct is appropriate to each circumstance and environment since well-intentioned actions can be misinterpreted.
- c. All activities should have undergone a risk assessment, and you should have a copy of the risk assessment which will identify a key contact to whom any concerns should be addressed promptly.
- d. In your role:
 - you may become aware of, or suspect another person of abusing an at risk person, or an at risk person may disclose an allegation of abuse to you, and you will need to take action in such circumstances;
 - allegations of inappropriate behaviour may be made against you, and such allegations will need to be investigated, and may result in referral to external agencies.

11.2 Types of abuse

- a. The Government publication [Keeping children safe in education](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf) defines abuse as: "a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. They may be abused by an adult or adults or another child or children".¹

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf

- b. The same principles apply for at risk adults: abuse may be physical, emotional, sexual or neglect.

11.3 Expectations of those working with children

a. You should:

- Ensure you have completed the online course *An Introduction to Safeguarding*² and that you know what you should do if an at risk person makes a disclosure to you;
- Ensure you are familiar with the risk assessment and understand who the key contact is for the activity you are engaged in;
- Give due regard to cultural difference;
- Be alert to and tackle inappropriate behaviour in others, including peer-to-peer behaviours. Abusive behaviour such as bullying (including cyber-bullying), ridiculing or aggression must not be allowed to go unchallenged;
- If you have to give feedback, take care that it is not unnecessarily negative;
- Take care that language is not open to sexual connotation;
- Report any suspicions promptly and confidentially to the designated safeguarding lead for the activity, or in the event that the suspicions/allegations involve that person, to the appropriate Safeguarding Officer for the University (Contact details are available on the Safeguarding website at www.admin.ox.ac.uk/personnel/cops/safeguarding/)
- Deal with information sensitively.

b. You should not:

- Engage in, or allow, any form of inappropriate touching. This would include doing personal things for a child or an adult at risk that they can do for themselves. Where the person is disabled tasks should only be carried out with the full consent of the individual, or their parent;
- Use inappropriate language, or allow others to use it without challenging it;
- Engage in any physical 'adult' relationship with a person to whom you are in a position of trust, even if they give their consent;
- Give your personal contact details (such as personal phone number, home address, email, Skype address or other communication routes) to a child or an adult at risk, or use any such route to communicate with a child or adult at risk other than regarding the activity (for example through the official website for the activity);

² Available online through the Oxfordshire Safeguarding Children Board (OSCB) <http://training.oscb.org.uk/>

- Interact in a personal capacity with children or adults at risk outside of the activity, including through any form of social media, for example, by becoming 'friends' on Facebook;
 - Allow allegations of inappropriate behaviour to go unchallenged, recorded or acted on;
- c. You should seek advice from the designated safeguarding lead for the activity if:
- You suspect a relationship is developing which may be an abuse of trust;
 - You are worried that a child or adult at risk is becoming attracted to you or a colleague who works with them;
 - You think a child or adult at risk has misinterpreted something you have done or said;
 - You have had to physically restrain a child or adult at risk to prevent them from harming themselves, another person or causing significant damage to property;
 - A child or adult at risk tells you that they are being abused, or describes experiences that you consider may be abuse;
 - You see suspicious or unexplained marks on a child or adult at risk or witness behaviours which are unusual or inappropriate.

11.4 Photographs: An image of a child is personal data for the purposes of the Data Protection Act 2008. Where images are stored in a way that makes the data subject identifiable, or where the images are used for publication (online and print), written consent should be obtained before the images are created. If the data subject is capable of comprehending the implications of consenting to the data use, then their consent should be sought; otherwise, the consent of the parent or legal guardian should be obtained. Whenever an image of a child or vulnerable adult is published, the data subject should, as far as is practicable, be unidentifiable.

11. 5 Dealing with allegations, or suspicions, of inappropriate behaviour - see **6.1** to **6.9**.

12. Risk Assessment

12.1 A risk assessment³ must be completed by the organisers of any activity specifically intended for children and which brings children onto College premises or into contact with College Members. Once completed, the risk assessment pro forma must be approved by a Safeguarding Officer before the activity is undertaken.

³ See Annexe 1 for template.

12.2 It is expected that for visits by schools where members of staff of that school are in attendance, the school will complete its own risk assessment and take its own child protection steps in accordance with local education authority guidelines

13. Contact Information

13.1 Designated Safeguarding Lead

Helen Webster
Head of Welfare
helen.webster@merton.ox.ac.uk
Tel. 01865 286536

13.2 Interim Designated Officer for Safeguarding Children (DOSC) for the College

Jemma Underdown
Academic Registrar
jemma.underdown@merton.ox.ac.uk
Tel. 01865 276329

13.3 Multi-Agency Safeguarding Hub (MASH)

For immediate concerns about a child
Emergency duty team

Tel. 0345 0507666 (Office Hours)
Tel. 0800 833408 (Out of Hours)

13.4 Locality & Community Support Service (Central) (for no names consultation)

LCSS.Central@oxfordshire.gov.uk
Tel. 0345 2412705

13.5 Local Authority Designated Officer (LADO)

lado.safeguardingchildren@oxfordshire.gov.uk
Tel. 01865 810603

13.6 NSPCC Helpline

Talk to our experts if you need advice or
information about child protection

Tel. 0808 800 5000 (24 hours)