



Magdalen 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 Magdalen 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. This Policy has been produced in response to an increase in the College's provision of outreach activity for schools 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 College Choir, which should be referred to in the first instance for matters regarding the safeguarding of Magdalen College School Choristers.

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 Magdalen 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*' (July 2018), the *Health and Safety at Work etc. Act 1974*, and '*Keeping children safe in education*' (September 2022) 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 Magdalen College's Designated Safeguarding Lead ('DSL') is the Home Bursar. 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 Senior Outreach and Access Officer. 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. The DOSC for the Choir has undergone a satisfactory DBS check at the Enhanced level. The separate Safeguarding Policy for the College Choir specifies the requirements for certain individuals at the College to have 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 referred

to the Department for Education guidance for schools, *'Keeping children safe in education'* (September 2022), and required to read and confirm that they have read at least Part One of that guidance (including the Annex).

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 (July 2018) (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). A form of sexual abuse is child sexual exploitation: it occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate, or deceive a child into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator.

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) at the Oxfordshire Safeguarding Children Board directly (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. The LADO may be consulted with regard to low-level concerns, as defined by '*Keeping children safe in education*' (September 2022), as well as concerns which may reach the safeguarding threshold. If anyone feels unable to convey a concern to a Senior Member of College, then the NSPCC Whistleblowing Advice Line should be used: the number is 0800 028 0285.

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 President 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;
- 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.

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 Social Services on 0345 050 7666 or (the Emergency Duty Team) 0800 833 408. Advice can also be sought from the NSPCC General 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 Except where remote interviewing is used, candidates for admission to Magdalen are usually 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. The College has established procedures for the interview process, designed to ensure safeguarding of candidates whilst also fulfilling selection requirements.

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, the DSL, and the Deans of Arts are informed of the admission of any students who will commence their studies before their 18th birthday.

10. Confidentiality

10.1 The College has an obligation to respect the privacy and confidentiality of all individuals. Nevertheless, complete confidentiality to informants in circumstances of alleged abuse cannot and should not be promised.

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 College Members should remember that inappropriate behaviour can occur via the telephone, internet and e-mail, as well as during direct interaction with children.

11.2 Conduct to be avoided:

- Spending excessive amounts of time alone with children, away from others;
- Taking children to your home;
- Being alone in a vehicle with children;
- Giving personal gifts to children;
- Friendships conducted via social media and/or text messaging.

11.3 Conduct never to be sanctioned:

- Engaging in rough, physical, or sexually provocative games with children;
- Giving children inappropriate drugs or other inappropriate substances, including alcohol (please note that one of the four key objectives of the *Licensing Act 2003* is the 'protection of children from harm' and that it is also an offence for a child to be supplied with or knowingly to consume alcohol on a licensed premises). Members should be aware that the College holds a Premises Licence;

- Allowing or engaging in any form of inappropriate touching;
- Making sexually suggestive comments to children, even in jest;
- Allowing allegations made by a child to go unreported;
- Doing things of an intimate nature for children that they can do for themselves.

11.4 College Members should:

- Treat everyone with fairness, equality, and respect;
- Be sensitive to children's appearance, race, culture, religious belief, sexuality, gender, or disability;
- Act as a good role model and challenge any unacceptable behaviour from children or from other College Members, including concerns over crossing professional boundaries;
- Report all allegations or suspicions of child abuse using the Procedures outlined in this Policy;
- Consider whether contact with an individual child should involve a colleague's being present;
- Be aware that physical contact with a child may be misinterpreted;
- Retain a professional approach to children, including avoiding physical contact with a child;
- Respect a child's right to privacy and, in residential accommodation, not enter a child's bedroom without prior authorisation from the DSL or the DOSC for the College, except in the case of an emergency.

11.5 The *Sexual Offences Act 2003* provides that intimate contact between an adult and a child, where that adult was in a 'position of trust' to the child is a criminal offence. Those in a 'position of trust' include those who have regular unsupervised contact with a child, or where an adult looks after a child at an educational institution at which the adult is not also receiving education.

11.6 It may be necessary for College Members to take photographs or make videos of children for educational research, teaching purposes, or publication. 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.

12. Risk Assessment

12.1 A risk assessment 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.

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

Mr Albert Ray

Home Bursar

home.bursar@magd.ox.ac.uk

Tel. 01865 276050 (outside office hours

tel. 07912 350519)

13.2 Designated Officer for Safeguarding Children

Ms Nuala Marshall

Senior Outreach and Access Officer

for the College

Tel. 01865 276078

nuala.marshall@magd.ox.ac.uk

13.3 Oxfordshire Children's Social Care (MASH)

Tel. 0345 0507666

Tel. 0800 833408 (Out of Hours)

13.4 Oxfordshire Safeguarding Children Board LADO

Local Authority Designated Officer (LADO)
team:

Jo Lloyd, Sandra Barratt, Donna Crozier,
Lorna Berry

LADO.SafeguardingChildren@Oxfordshire.gov.uk

Tel. 01865 810603

13.5 NSPCC General Helpline

NSPCC Whistleblowing Advice Line

Tel. 0808 800 5000 or

Tel. 0800 028 0285 or

help@nspcc.org.uk

13.6 NSPCC Childline (for U18s to call)

0800 1111