

## Child Protection and Safeguarding Policy

### Purpose and Scope

The British Creative Institute (BCI) is committed to ensuring the safety and well-being of all learners, particularly those with Special Educational Needs and Disabilities (SEND). This policy outlines the procedures and responsibilities for protecting children and young people from harm, ensuring compliance with UK legislation, including the Children Act 1989 and 2004, the Education Act 2002 and the statutory guidance set out in Keeping Children Safe in Education (KCSIE) 2025. The policy also aligns with the Ofsted framework, which emphasises safeguarding as a critical aspect of school and college inspections.

### What is Safeguarding?

Safeguarding refers to the actions taken to promote the welfare of children and protect them from harm. This includes preventing maltreatment, ensuring children's health and development, providing safe and effective care, and taking action to enable all children to have the best outcomes. Safeguarding is everyone's responsibility, and all staff at the British Creative Institute (BCI) must be vigilant in ensuring the safety and well-being of children.

### Post-16 Learners with SEND: Safeguarding Considerations in line with the Legislative Framework

Due to their unique vulnerabilities, post-16 learners with SEND are entitled to additional protections under safeguarding frameworks. Institutions like the British Creative Institute (BCI) must ensure that the safeguarding needs of these learners are met through tailored interventions, resources, and support.

### Legal Framework for Post-16 Learners with SEND

The legal foundations guiding the safeguarding and protection of post-16 learners with SEND are based on several key legislative acts:

- **Children Act (1989) and (2004)** establish the legal framework for child protection and safeguarding, emphasising that the child's welfare is paramount. For post-16 SEND learners, this principle extends beyond childhood, especially when they remain vulnerable to exploitation or neglect.
- **Education Act (2002)**: This Act places a duty on educational institutions such as BCI to protect and promote the welfare of children and young people, including post-16 learners. The policy recognises that learners aged 16 and above, particularly those with SEND, may continue to require safeguarding support to protect them from harm.
- **Keeping Children Safe in Education (KCSIE) (2025)**: As statutory guidance, this document outlines best practices for safeguarding learners in schools and colleges. Staff working with post-16 learners with SEND must understand their specific safeguarding risks. All staff must read and sign a statement affirming their understanding of KCSIE 2024 and how it applies to older students, particularly those with additional needs.
- **The Education (Independent School Standards) (England) Regulations (2003)** This legislation sets minimum standards for independent schools in England, including:
  - Quality of education
  - Spiritual, moral, social, and cultural development
  - Welfare, health, and safety of pupils
  - Suitability of staff (see safer recruitment procedures)
- **Premises and accommodation**  
Creative institutes such as BCI that offer specialised education for SEND learners must meet these standards, ensuring an inclusive and safe environment.

Schools must provide personalised teaching that caters to the individual needs of SEND learners, ensuring access to creative opportunities.

- **The Safeguarding Vulnerable Groups Act (2006)**

This act aims to prevent unsuitable individuals from working with children and vulnerable adults by establishing the Disclosure and Barring Service (DBS), which conducts background checks.

Teachers and staff in creative institutes working with SEND learners must undergo DBS checks to ensure they are suitable for working with vulnerable groups.

Institutes need to have robust safeguarding policies to protect SEND learners, who may be more vulnerable to abuse or neglect.

- **Teachers' Standards (Guidance for school leaders, school staff and governing bodies) July (2011), updated (2013), updated (2021).**

The Teachers' Standards outline teachers' professional conduct and performance expectations. It includes standards for teaching, managing behaviour, and safeguarding.

Teachers in creative institutes are required to tailor their teaching to the specific needs of SEND learners and provide appropriate support in creative subjects.

Teachers must manage classroom environments to support SEND learners' emotional and academic development.

- **Working Together to Safeguard Children (2024)**

This statutory guidance outlines the responsibilities of organisations in England to work together to safeguard and promote the welfare of children.

BCI must collaborate with local authorities, health professionals, and social services to safeguard SEND learners. SEND learners may have additional vulnerabilities, so institutes must follow proper safeguarding procedures to prevent harm.

- **Information Sharing (2024)**

This guidance sets out the information-sharing principles between agencies when safeguarding children.

All educational environments working with SEND learners may need to share information with social workers, healthcare providers, and educational psychologists to provide effective support and protection.

Clear information-sharing protocols ensure that the needs of SEND learners are met promptly.

- **What to Do if You're Worried a Child is Being Abused (2015)**

This document guides individuals working with children on how to recognise signs of abuse and the actions to take if they suspect a child is being harmed.

All staff at BCI are aware that SEND learners may struggle to communicate experiences of abuse or may be more susceptible to exploitation, so staff in creative institutes must be trained to recognise these signs. This guidance ensures that staff can identify and report concerns promptly, safeguarding vulnerable SEND learners.

**BCI implements proactive measures to prevent abuse and promote the welfare of all learners.**

**These measures are designed to create a safe and nurturing environment where all learners can thrive. Equality Act 2010:** This Act ensures protection from discrimination, harassment, and victimisation for all individuals, with specific protections for SEND learners. It requires that post-16 learners with SEND have equal access to a safe learning environment free from discriminatory practices and are provided with reasonable adjustments to meet their needs.

## **Safeguarding Roles and Responsibilities**

BCI has a senior staff member as the Designated Safeguarding Lead (DSL), who plays a crucial role in overseeing all the institution's safeguarding and child protection matters. The DSL's role is integral to the effective implementation of our safeguarding policy and the protection of our learners.

### **Specific roles include:**

**DSL:** Oversees safeguarding procedures, liaises with external agencies, and ensures accurate recordkeeping using the 'CPoms' safeguarding software. **Hard copies of 'Concern Reporting Forms' are available in the reception area (See Appendix 1).**

**Managing Director/SENDCo:** Works closely with the DSL to oversee the safeguarding procedures, liaise with external agencies, and ensure accurate record-keeping using the 'CPoms' safeguarding software. This includes uploading hard copies to 'CPoms'. The Managing Director/SENDCo also validates any actions taken to ensure prompt and appropriate responses are implemented. They are responsible for the overall coordination and management of the institution's safeguarding efforts, working in tandem with the DSL and other staff members.

**All Staff:** Trained to recognise signs of abuse and neglect and understand the procedures for reporting concerns. Staff are responsible for maintaining a safe environment and immediately reporting problems to the DSL.

### **Safeguarding Training for Staff**

BCI ensures that all teachers, support staff, and volunteers receive regular and comprehensive safeguarding training. This training is designed to equip staff with the knowledge and skills they need to effectively identify and respond to safeguarding concerns.

**Induction Training:** All new staff receive mandatory safeguarding training as part of their Induction by being assigned a learning pathway consisting of ten required courses. This covers the BCI's safeguarding policies, the role of the DSL, and the procedures for reporting concerns (See Diagram 1 for the process of reporting a problem)

**Annual Refresher Training:** Staff receive annual updates on safeguarding practices, including legislation and statutory guidance changes. This ensures that staff remain informed of the latest best practices.

**Specialised Training:** The DSL receives advanced training in areas such as managing disclosures, understanding the specific vulnerabilities of SEND learners, and inter-agency working. This training is renewed every two years.

**Scenario-Based Workshops:** Staff participate in workshops where they engage in role playing exercises to practice responding to potential safeguarding situations. These scenarios are designed to reflect real-life situations within BCI, including cases involving SEND learners.

### **Safeguarding Procedures and Reporting (See diagram 1)**



Diagram 1

## Actions where there are concerns about a child

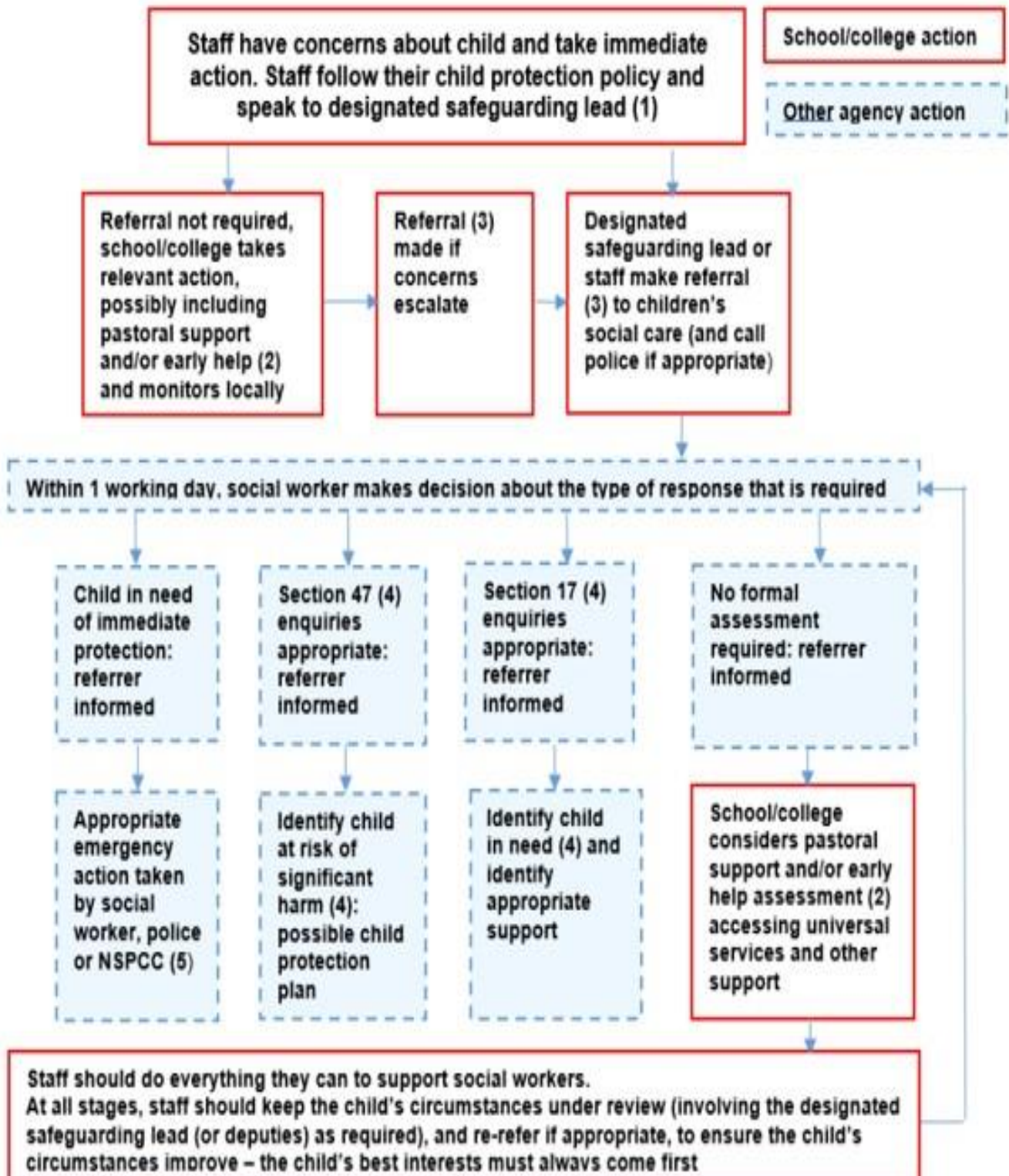


Image credit: KCSIE (2025) BCI employs a clear and robust procedure for reporting safeguarding concerns:

1. **Identifying Concerns:** All staff are trained to identify signs of abuse or neglect. This includes recognising behavioural changes, physical signs of harm, or indications of emotional distress. This might consist of changes in communication patterns, withdrawal from activities, or unexplained injuries for SEND learners. Signs of abuse may include:

### Physical Abuse

Physical abuse involves deliberately causing bodily harm to a young adult. Signs may include:

- **Unexplained injuries:** Bruises, cuts, burns, or fractures inconsistent with explanations provided.
- **Frequent or repeated injuries:** Multiple injuries over time or injuries in various stages of healing.
- **Reluctance to seek help:** The young adult may avoid seeking medical attention or may give vague or conflicting accounts of how injuries occurred.
- **Wearing concealing clothing:** Attempting to hide injuries by wearing long sleeves or high collars, even in warm weather.
- **Flinching or recoiling:** A sudden reaction to movements, which could indicate a fear of being hit or hurt.

### Emotional or Psychological Abuse

Emotional abuse involves harming a young adult's emotional health and self-esteem. Signs may include:

- **Low self-esteem:** The young adult may seem overly self-critical, withdrawn, or anxious.
- **Sudden changes in behaviour:** Becoming unusually aggressive, withdrawn, depressed, or fearful.
- **Mood swings:** Frequent, extreme changes in emotional states (e.g., happiness to sadness, calm to anger).
- **Isolation:** The young adult may withdraw from social interactions or relationships with friends or family.
- **Excessive dependence:** The person may be overly attached to or afraid of one particular individual (potential abuser).

### Sexual Abuse

Sexual abuse involves forcing or manipulating a young adult into unwanted sexual activity. Signs may include:

- **Unexplained injuries in sensitive areas:** Bruising, bleeding, or discomfort in the genital or anal areas.
- **Sudden changes in behaviour:** Depression, anxiety, or an abrupt withdrawal from social or intimate relationships.
- **Sexualised behaviour:** Acting in a sexually inappropriate manner, especially if inconsistent with prior behaviour.
- **Avoiding certain people or places:** Showing fear or discomfort around specific individuals or environments.
- **Difficulty walking or sitting:** Physical discomfort or unexplained pain.

### Neglect

Neglect occurs when a young adult's basic needs (food, shelter, medical care, emotional support) are unmet. Signs may include:

- **Poor hygiene:** The individual may appear unkempt, with dirty clothing, inadequate personal hygiene, or untreated medical conditions.

- **Malnutrition or weight loss:** Sudden or gradual weight loss or signs of malnutrition.
- **Inappropriate clothing:** Wearing clothes unsuitable for the weather or inadequate for basic needs.
- **Frequent absences or lateness:** The young adult may miss school, college, or work frequently without a valid explanation.
- **Untreated medical issues:** Lack of care for illnesses, injuries, or disabilities that require medical attention.

### Financial or Economic Abuse

Financial abuse involves the exploitation or control of a young adult's financial resources. Signs may include:

- **Sudden financial problems:** The young adult may have unexplained debts, loss of savings, or difficulty affording necessities.
- **Unexplained withdrawals or transactions:** Missing money from their accounts or unauthorised spending on their behalf.
- **Restricted access to money:** The young adult may be prevented from accessing their funds by someone else.
- **Possessions going missing:** Personal belongings, including valuable items, may disappear without explanation.

### Self-Neglect

Self-neglect occurs when young adults cannot care for their physical or mental well-being. Signs may include:

- **Extreme poor hygiene:** Failing to maintain personal cleanliness or living in unsanitary conditions.
- **Refusal of medical care:** Ignoring medical advice or refusing necessary treatments.
- **Hoarding:** Excessive collection of items that leads to unsafe living conditions.
- **Withdrawal from social support:** Isolating themselves and avoiding assistance from family, friends, or professionals.

### Domestic Violence

Young adults may be involved in abusive intimate relationships. Signs may include:

- **Fear of a partner:** Displaying signs of intimidation, fear around a romantic partner, or excessive compliance with their demands.
- **Frequent injuries:** Unexplained or recurrent injuries that the young adult is reluctant to explain.
- **Loss of autonomy:** Limited access to finances, communication devices, or decision-making, especially concerning a partner.

### Online or Cyber Abuse

With the rise of digital interactions, young adults may face cyberbullying, harassment, or exploitation online. Signs may include:

- **Distress after using the internet or phone:** Displaying anxiety, upset, or emotional distress after online interactions.
- **Withdrawing from online activities:** Abruptly stopping participation in social media or other online platforms.
- **Secretive online behaviour:** Being unusually secretive about online activities, including who they interact with.

## Risk Factors

Certain factors can increase a young adult's risk of experiencing abuse or neglect, including:

- **Learning difficulties or disabilities:** Young adults with SEND may be more vulnerable due to communication challenges or dependence on caregivers (**Seek reference to the EHCP**)
- **Mental health issues:** Depression, anxiety, or other mental health conditions can make individuals more susceptible to manipulation or exploitation.
- **Substance abuse:** Involvement with drugs or alcohol may put young adults at greater risk of neglect or financial exploitation.
- **Social isolation:** Lack of a support network may increase vulnerability to various forms of abuse.
- **History of abuse:** Young adults with a history of abuse in childhood may be more likely to experience abuse or neglect later in life.

## Responding to Suspected Abuse

Recognising these signs is the first step in protecting young adults. It is essential to:

- **Report concerns** to a safeguarding officer, Designated Safeguarding Lead (DSL), or the appropriate authorities (such as social services or the police) (**See Diagram 1**).
- **Document observations:** Keep records of behaviours or signs that raise concerns.
- **Offer support:** Ensure the young adult knows they can contact you or trusted adults for help.

**2. Reporting:** Any concern about a learner's welfare must be reported immediately to the **DSL** or, in their absence, the **Managing Director** will use the 'CPoms' safeguarding software to log all concerns accurately and securely. CPoms allows for detailed record-keeping, including timelines, actions taken, and outcomes.

**3. Immediate Action:** If the learner is at risk of significant harm, the DSL or the managing director assesses the concern and takes immediate action. This may involve contacting the local authority's children's social care, the police, or other relevant agencies.

**4. Confidentiality and Information Sharing:** While maintaining confidentiality is critical, information is shared with appropriate authorities where there is a risk of harm to a child. The DSL manages information sharing, ensuring it complies with data protection legislation.

When handling cases of abuse concerns, several pieces of legislation regulate how confidentiality should be maintained while ensuring necessary information is shared to protect individuals. The key legislation relating to privacy in abuse cases includes:

### General Data Protection Regulation (GDPR) 2018

- GDPR regulates the handling of personal data, including sensitive information related to safeguarding cases.
- It allows for sharing personal data without consent in cases where it is necessary to protect an individual from harm.
- Article 6 and Article 9 of GDPR permit the sharing of data for legal obligations, safeguarding, and child protection, even without the data subject's consent.

### The Data Protection Act 2018

- This Act complements GDPR in the UK and ensures that any personal data, including information related to safeguarding, is processed lawfully, fairly, and transparently.
- In abuse cases, data can be shared without consent if it is in the best interest of the child or vulnerable person, especially when their safety is at risk.

### **Children Act 1989 and 2004**

- The Children Act 1989 emphasises the child's welfare as paramount, prioritising child protection over confidentiality agreements.
- The 2004 Act requires professionals to share information when there are concerns about a child's safety or welfare, ensuring that confidentiality does not prevent necessary information-sharing between agencies.

### **Working Together to Safeguard Children 2025**

- This statutory guidance outlines the duty of professionals to share information with appropriate agencies when it concerns safeguarding a child, emphasising that child welfare overrides the duty of confidentiality.
- It advises that concerns about confidentiality should not delay the reporting of child protection issues.

### **The Education Act 2002**

- Section 175 of this Act places a duty on educational institutions to safeguard and promote the welfare of children, including sharing information related to abuse, even if it involves breaking confidentiality, to ensure the safety of the child.

### **Human Rights Act 1998**

- Article 8 of the Human Rights Act protects individuals' private and family life rights. However, it allows for lawful and proportionate breaches of confidentiality when necessary to protect public safety, prevent harm, or protect the rights and freedoms of others, such as in abuse cases.

### **The Safeguarding Vulnerable Groups Act 2006**

- This Act allows organisations working with children and vulnerable adults to share information regarding safeguarding. It emphasises that confidentiality must not hinder the reporting of concerns about abuse.

**5. Record Keeping:** All safeguarding incidents, concerns, and actions are meticulously recorded in 'CPoms'. This software ensures that records are kept up-to-date and can be easily accessed for review and audits by Ofsted or other external bodies.

### **Specific Safeguarding Considerations for SEND Learners**

BCI recognises that SEND learners may face additional vulnerabilities, including:

- **Communication Barriers:** SEND learners may need help to express concerns or understand safeguarding risks. BCI ensures that communication methods are adapted to meet individual needs, such as sign language, pictorial aids, or simplified language.
- **Increased Risk of Bullying:** SEND learners may be at a higher risk of bullying. BCI implements a zero-tolerance policy towards bullying, with specific procedures for reporting and addressing bullying incidents involving SEND learners.
- **Dependency on Adults:** SEND learners often rely more on adults for support, which can increase their vulnerability to abuse. BCI staff are trained to recognise signs of inappropriate behaviour and ensure that all interactions are conducted safely and professionally.

### **Preventing Abuse and Promoting Welfare**

BCI implements proactive measures to prevent abuse and promote the welfare of all learners:

- **Safe Recruitment:** All staff undergo rigorous background checks, including an

**enhanced Disclosure and Barring Service (DBS) check.** BCI follows safer recruitment practices to ensure that only suitable individuals work with children and young people. Training is undertaken, and all safer recruitment recommendations are implemented.

- **Creating a Safe Environment:** BCI ensures its facilities are secure and welcoming, with appropriate supervision in all areas where learners are present. This includes safe spaces for SEND learners to feel comfortable and supported.
- **Promoting Positive Relationships:** BCI fosters a culture of respect and inclusion, encouraging positive relationships between staff and learners. Staff model appropriate behaviour and support learners in developing healthy peer relationships.

## Responding to Disclosures

When a learner discloses abuse, BCI staff follow a specific protocol:

- **Listen and Reassure:** Staff are trained to listen carefully and reassure the learner that they are being taken seriously. It is essential not to ask leading questions or promise confidentiality. At BCI, when dealing with safeguarding concerns, we utilise the **TED** approach, which stands for Tell, Explain, Describe. This method empowers our staff to engage with individuals in a supportive and non-intrusive manner when addressing potential safeguarding issues:

**Tell:** Ask the individual to tell you what happened. This initial step allows them to share their story in their own words without interruption.

**Explain:** Encourage the person to explain or elaborate on the situation. This helps clarify details and ensures a better understanding of the events or concerns raised.

**Describe:** Finally, ask the individual to describe specific aspects or details of what occurred. This provides a deeper insight and allows for more accurate reporting or intervention.

The **TED method** ensures that safeguarding concerns are handled with care. It allows the individual to communicate freely while staff gather the necessary information to take appropriate action •

**Record:** The staff member records the disclosure as soon as possible, using the learner's words. This record is then uploaded to CPoms or on the relevant document and flagged for immediate attention by the DSL.

- **Refer:** The DSL reviews the information and determines the appropriate course of action, which may involve referring the case to children's social care or other external agencies.

## Online Safety

BCI recognises the importance of protecting learners from online risks:

- **E-Safety Education:** Learners receive education on safe online practices, including recognising and reporting online abuse. BCI provides resources tailored to SEND learners, ensuring they understand how to stay safe online.
- **Monitoring and Filtering:** The institute uses monitoring and filtering systems to restrict access to harmful content and ensure that any online activity within the school network is safe. Internet histories are checked every evening.
- **Staff Training:** Staff are trained to identify and respond to online risks, including cyberbullying, exposure to inappropriate content, and online grooming. This training includes specific strategies for supporting SEND learners in navigating online environments.

## Inter-Agency Collaboration

### BCI works closely with external agencies to ensure the safety of its learners:

- **Local Authority Safeguarding Partnerships:** BCI collaborates with local safeguarding partnerships to share information, receive guidance, and access support services for learners and families.
- **Health and Social Care:** The DSL coordinates with health and social care professionals to provide a holistic safeguard approach, particularly for SEND learners with complex needs.
- **Police and Legal Authorities:** In cases where a crime may have been committed, BCI cooperates fully with the police and legal authorities, ensuring that investigations are conducted promptly and thoroughly.

## Monitoring and Review

The Child Protection and Safeguarding Policy is reviewed annually by the DSL, senior leadership team, SENDCo and governing body to ensure it remains effective and compliant with current legislation. Regular audits of safeguarding practices, including CPoms, are conducted to identify areas for improvement and ensure that BCI consistently upholds the highest safeguarding standards.

In a SEND (Special Educational Needs and Disabilities) education environment such as BCI, young adults are particularly vulnerable due to communication challenges, emotional difficulties, or reliance on staff for personal care and support. Staff misconduct in this setting can take many forms, potentially causing harm to students physically, emotionally, or psychologically.

### Examples of staff misconduct that could occur in a SEND environment:

#### Emotional Abuse

- **Belittling or Mocking:** A staff member constantly mocks or belittles a student for their disabilities, communication difficulties, or learning pace, damaging the student's self-esteem and emotional well-being.
- **Isolation:** Intentionally isolating a student from their peers, denying them social interaction or access to group activities as a form of control or punishment.
- **Ignoring Emotional Needs:** Failing to provide emotional support or dismissing the student's feelings when upset, anxious, or overwhelmed.

#### Physical Abuse

- **Inappropriate Restraint** is using excessive force or unnecessary physical Restraint to control a student, especially if the student is not posing a real danger to themselves or others.
- **Rough Handling:** Being rough while helping a student with mobility issues or during personal care, such as pushing them into a wheelchair or dragging them when they resist.
- **Inappropriate Physical Punishment:** Physical punishment, such as slapping, hitting, or pinching, is unethical and illegal as a form of discipline.

#### Neglect

- **Failure to Supervise:** Failing to supervise a SEND student adequately, leaving them unsupervised in a situation where they could harm themselves or others.
- **Neglecting Personal Care Needs:** Ignoring a student's personal care needs, such as failing to assist with toileting, feeding, or hygiene, can lead to physical discomfort and emotional distress.
- **Not Following Individual Education Plans (IEPs):** Failure to follow an IEP or specialised learning strategies designed to meet the student's individual needs can cause setbacks in their development.

### Sexual Misconduct

- **Inappropriate Touching:** Engaging in or allowing inappropriate physical contact, such as unnecessary touching during personal care tasks, without consent or in a manner that violates the student's personal boundaries.
- **Sexual Comments or Jokes:** Making inappropriate sexual comments, jokes, or innuendos in front of or directed at a student.
- **The exploitation of Vulnerability:** Using a student's limited ability to understand boundaries or relationships to engage in inappropriate behaviour.

### Verbal Abuse

- **Yelling or Screaming:** Constantly raising one's voice or shouting at a student for minor infractions, creating a hostile and intimidating environment.
- **Threatening Language:** Using threats, such as threatening to withhold care, support, or activities, to control or manipulate a student's behaviour.
- **Humiliation:** Publicly humiliate students by drawing attention to their disabilities, mistakes, or differences in front of their peers or others.

### Bullying or Intimidation

- **Abusing Power Dynamics:** Using the staff member's authority to bully or intimidate a student, making them feel powerless or afraid to ask for help.
- **Gaslighting:** Manipulating the student to doubt their own experiences, mainly when they raise concerns about mistreatment.

### Failure to Safeguard

- **Failure to Report Concerns:** Failing to report suspected abuse, neglect, or bullying by other staff or students, despite noticing signs of distress or harm in a SEND learner.
- **Inappropriate Sharing of Personal Information:** Sharing a student's confidential personal or medical information with unauthorised people violates their privacy.

### Exploitation

- **Financial Exploitation:** Taking advantage of a student's vulnerability by manipulating them into giving money, gifts, or other resources.
- **Excessive Demands:** Expecting a student to perform tasks beyond their ability, especially tasks that the staff member should be doing, and punishing them if they fail.

### Cultural or Discriminatory Misconduct

- **Discrimination:** Treating a SEND student unfairly or differently because of their disability, gender, ethnicity, or cultural background.
- **Cultural Insensitivity:** Ignoring or disrespecting cultural practices, beliefs, or values important to the student and their family.

### Consequences of Misconduct

Staff misconduct in a SEND environment can have devastating consequences on students, including:

- **Emotional Trauma:** SEND students may develop anxiety, depression, or trust issues due to repeated mistreatment.
- **Regressive Behaviours:** Emotional or physical harm may cause students to regress in their learning, behaviour, or social development.
- **Physical Harm:** In extreme cases, physical abuse or neglect can lead to injuries or long-term health issues.

**Misconduct must be reported immediately**, and institutions must have strong safeguarding policies to prevent such incidents.

## Whistleblowing: Allegation Identified against a member of staff

A safeguarding allegation concerns a person working with children or vulnerable adults.



### Immediate Risk Management

**Action Taken:** Assess the situation and, if needed, take immediate action to protect the individual, such as contacting emergency services (e.g., 999 for police or ambulance). **Consult Manager or Helpline** ↓

**Consult:** Speak to the DSL or the Managing Director to report the concern.  
Helpline for Birmingham Safeguarding: For advice, contact the Birmingham Safeguarding Children Partnership (BSCP) or the Birmingham Adults Safeguarding Board.

**Log the concern for documentation.** ↓

### Is It Still a Safeguarding Concern?

**Yes:** Move forward with safeguarding procedures.

**No:** Follow internal processes like disciplinary or performance management.

### Appoint Investigating Manager & Inform LADO

If the allegation meets safeguarding criteria, an investigating manager is appointed, and the Local Authority Designated Officer (LADO) is informed.

**Birmingham LADO Contact:** Contact the LADO within 24 hours for advice on managing the allegation. ↓

Call 0121 675 1669

or email: [ladoteam@birminghamchildrenstrust.co.uk](mailto:ladoteam@birminghamchildrenstrust.co.uk)

LADO referral form (See Appendix 2)

### LADO Consultation with Police/Social Services

The LADO consults with the police and children's social services to determine if further action (such as a criminal investigation or child protection proceedings) is needed.

### Internal or External Investigation ↓

**Internal:** Conduct an internal investigation if it's not a criminal matter but a breach of professional conduct.

**External:** Proceed to a Section 47 investigation (if there's a concern of significant harm) or a police investigation (for potential criminal offences).

### Investigation Completed ↓

The Investigating Manager completes the investigation, compiling findings and recommendations.

### Outcome and Referral ↓ **Final Meeting: Hold a meeting to discuss the outcome**

Refer the individual to the Disclosure and Barring Service (DBS) or other regulatory bodies (e.g., HCPC – Health and Care Professions Council) if necessary.

### Follow Internal Procedures



If the concern doesn't lead to safeguarding actions, follow internal procedures (e.g., disciplinary or performance management).

### Key Notes:

LADO (Local Authority Designated Officer) is critical in managing allegations against staff in Birmingham, ensuring proper coordination with the police or social services.

Immediate action and proper consultation are vital to safeguarding processes in Birmingham, following Birmingham Safeguarding Children Partnership (BSCP) and Birmingham Adult Safeguarding Board guidelines. Call 0121 675 1669

or email: [ladoteam@birminghamchildrenstrust.co.uk](mailto:ladoteam@birminghamchildrenstrust.co.uk)

LADO referral form (See Appendix 2)

### Protection of Staff in a Whistleblowing Event Regarding an Allegation of Abuse

BCI has a comprehensive Whistleblowing policy, this is an outline of the policy with relevance to accusations of abuse. Whistleblowing is an essential safeguard mechanism, as it allows staff to report concerns about abuse or misconduct without fear of retaliation. In the context of reporting allegations of abuse, several protections are in place to safeguard the whistleblower:

#### Legal Protections for Whistleblowers

In the UK, whistleblowers are protected under the **Public Interest Disclosure Act (PIDA) 1998**, which ensures they can raise concerns about wrongdoing, including abuse, without suffering detrimental treatment. The protections include:

- **Protection from dismissal:** If a staff member is dismissed because of raising a safeguarding concern, it is considered **automatically unfair**, and the employee can take legal action.
- **Protection from victimization:** Whistleblowers are protected from being mistreated or suffering any form of bullying, harassment, or disadvantage because they raise concerns.

#### Confidentiality and Anonymity

- **Confidential reporting:** Whistleblowers are often guaranteed confidentiality when reporting abuse allegations. This means their identity will be protected and only disclosed if necessary (e.g., in legal proceedings).
- **Anonymous reporting:** Some organizations, including schools and social services, provide mechanisms for staff to report concerns anonymously. However, this may limit the ability to follow up with the whistleblower for more information.

#### Internal Policies for Whistleblowing

Most organisations, including BCI have clear **whistleblowing policies** that outline:

- **How to report concerns:** Whistleblowers can report concerns to a **Designated Safeguarding Lead (DSL)**, **LADO** (Local Authority Designated Officer), or **senior leadership**.
- **Clear investigation process:** The organisation must investigate concerns fully and impartially while keeping the whistleblower informed of the progress and outcomes.

- **Protection from retaliation:** The whistleblowing policy will clearly state that retaliation against the whistleblower is strictly prohibited and will result in disciplinary action.

### External Reporting Options

If the staff member feels that internal channels do not address the concern adequately, they can escalate the report to external agencies without fear of retaliation:

- **Local Authority Designated Officer (LADO):** Responsible for managing allegations against professionals who work with children.
- **Ofsted:** Staff can report school safeguarding concerns to Ofsted, which monitors child protection standards.
- **Disclosure and Barring Service (DBS):** If an individual poses a risk to children or vulnerable adults, concerns can be escalated to DBS.

### Support for Whistleblowers

Whistleblowers are entitled to support to mitigate any stress or anxiety that comes from reporting allegations of abuse:

- **Access to counselling services:** Some organizations offer counselling or employee assistance programs for emotional and psychological support.
- **Trade unions:** Whistleblowers can seek advice and support from their trade union, which can provide legal guidance and representation if needed.
- **Independent Advice:** Whistleblowers can also seek advice from external organisations such as **Public Concern at Work**, which offers confidential advice on whistleblowing.

### Fair Investigation and Outcomes

- **Impartial Investigation:** The allegation of abuse should be investigated impartially, and the whistleblower's involvement in raising the concern should not affect the fairness of the investigation.
- **Reporting Malicious Allegations:** While whistleblowers are protected, it is crucial to note that knowingly making **malicious or false claims** is a severe offense and could result in disciplinary action.

By following these protections, staff at BCI can confidently raise concerns about workplace abuse, ensuring that the safeguarding process is upheld without fear of personal risk or professional retaliation.

### Approval and Review

- Policy Owner: Principal/ SEN Coordinator
- Approved by: General Manager
- Date of Approval: 23/09/2025
- Next Review Date: 23/09/2026

## APPENDIX 1

**Concern Report Form**

Date of Report:

**Reporter's Information:**

Name:

Position:

Contact Email:

Contact Phone:

**Student's Information:**

Name:

Student ID:

Contact (if applicable):

**Concern Details:**

**Date/Time of Incident or Concern:**

**Location of Incident (if applicable):**

**Type of Concern: (please tick)**

Academic Performance

Behavioural Issue

Emotional/Wellbeing Concerns

Attendance Issues

Other (Please specify)

**Description of Concern:**

Please provide a detailed description of the concern or incident.

**Actions Taken (if any):**

Please note any actions taken prior to submitting this report (e.g., discussions with student, referral to support services, etc.).

**Are there any follow-up actions or support needed?**

Yes

No

If yes, please describe:

**Additional Comments/Notes:**

**Name:**

**Reporter's Signature**

Date:

**Appendix 2**

**Managing Allegations About Adults Working with Children & Young People**  
**Referral form to Birmingham's Local Authority Designated Officer (LADO)**

The manager should make the referral to the LADO within 1 working day becoming aware of an incident to the Duty LADO at the email address below, using this referral form. Email:

[ladoteam@birminghamchildrenstrust.co.uk](mailto:ladoteam@birminghamchildrenstrust.co.uk)

Referrer's details	
Referrer's name	
Referrers job title	
Name of setting	
Contact details (Tel)	
Contact details (E-mail)	
Name of <b>Designated Senior Manager</b> for allegations if different from above	

Referral date:	
The referral form must be completed and emailed to the Local Authority Designated Officer (LADO) Team, if it is alleged that a person who works with children has:	
<i>Please tick which criteria applies</i>	
Behaved in a way that has harmed, 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 they may pose a risk of harm to children	
Behaved or may have behaved in a way that indicates they may not be suitable to work with children	

<b>Category of Harm:</b>	<i>Physical; Sexual; Emotional; Neglect            Professional Boundaries            Indecent Images of Children            Inappropriate Electronic Communication            Inappropriate social media</i>
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Children with Disabilities – please complete, <b>if applicable</b>	
Do the child/ren we are worried about have a disability or EHCP?	Yes/ No please specify
Are the child/ren we are worried about being cared for in a children's home, residential school or hospital?	Yes/ No please specify
If so, please confirm placing authority i.e. who is funding the placement.	

Details of person in Position of Trust (against whom allegations have been made)	
Full name	
Any other known names or alias	
Date of birth	
Gender	
Ethnicity	
Role/job title	
Is this role subject to regulated activity?	Yes/ No
DBS required	Yes/ No
Name of setting and employer	
Address of setting and employer	
Is the person an employee, volunteer, contractor?  If they are a contractor/ agency worker, please provide full details of the agency, name of contact, contact details.	
How long have they been employed/volunteered?	
Have there been any previous allegations, or concerns regarding this person?	
Please give details	

Is the person known or suspected to have contact with children in another setting, for example, through a volunteer role in a charity?	
Home address of employee	
Does this person have children of their own or caring responsibility for any children? <i>Please give details</i>	
Is the adult aware that an allegation or concern has been raised? If they do not know, please specify why?	
What is the employer's safety plan?	

The allegation or concern/complaint	
Date and time of alleged incident	
Is this an allegation about non recent abuse?	Yes/No
Is there an immediate or on-going risk of harm to a child?	Yes/No

Has this been referred to Children’s Services/or discussed with allocated social worker/ team manager?	Yes/No
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Please **summarise** the allegation or concern below and any known impact on the child.

Summary Guidance:

- Please provide full names of any person referenced within this referral, not initials.
- Do not copy information from other documents, such as incident reports.

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How did the allegation/concern emerge? e.g. child disclosed/parent complained/concerned professional, etc?	
--	--

Does the child/young person have an injury? If so, describe the injury  <i>If the injury has not been seen, describe what has been disclosed</i>	
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Did an allegation of physical abuse arise from use of authorised restraint?	Yes/No
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If an allegation relates to restraint has the staff member had relevant training and when?	Yes/No
--	--------

Was the alleged incident witnessed? If so, please give the details of who witnessed it.	
Have parents/carers of the child been informed? Give details, including reasons if not informed at this stage	

**Details of child(ren) – to whom the allegation relates**

	Child 1	Child/Adult 2	Child/Adult 3*
Name			
Date of Birth			
Gender			
Ethnicity			
Home address			
Are other professional/agencies working with this child/young person? Please give details			

Signed

Date:

LADO Team Only	
Advice given	Yes/No
Not LADO matter	
Allegation Management Discussion or Meeting needed	Yes/No
Actions and recommendations agreed	
Name of LADO	
Date:	

## **Glossary of Terms**

DSL: Designated Safeguarding Lead

LADO: Local Authority Designated Officer

EHCP: Education, Health and Care Plan

DBS: Disclosure and Barring Service

SEND: Special Educational Needs and Disabilities

KCSIE: Keeping Children Safe in Education

BCI: British Creative Institute

## **SEND-Specific Safeguarding Enhancements:**

- Reasonable adjustments for safeguarding communication include Makaton, visual timetables, and simplified language.
- Trauma-informed practice is embedded to support SEND learners who have experienced abuse or neglect.
- Staff receive training on recognising non-verbal cues and emotional distress in SEND learners.

## **Expanded Online Safety Guidance:**

- Risks from AI-generated content and deepfakes are included in e-safety education.
- Monitoring includes awareness of social media trends affecting vulnerable learners.
- Updated filtering and monitoring tools are used at BCI to ensure safe digital environments.

## **Staff Code of Conduct Summary:**

- Maintain professional boundaries in all interactions with learners.
- Physical contact must be appropriate and necessary for care or safety.
- Staff must avoid favouritism and ensure equitable treatment of all learners.
- Staff must report any concerns about colleagues' conduct to the DSL.

## **Learner Voice Mechanism:**

- SEND learners are encouraged to share feedback through regular surveys and one-to-one sessions.
- Visual and simplified feedback forms are available to support communication.

- A designated staff member collects and reviews learner feedback to inform safeguarding practices.

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