



MARLBOROUGH COLLEGE MALAYSIA

CHILD PROTECTION POLICY

Definition of Child Protection

Child Protection covers the prevention of harm to anyone under 18, caused by an adult or adolescent, at home or at the College, through:

- Neglect
- Physical injury
- Sexual abuse
- Emotional abuse

Bullying, which usually involves systematic unpleasantness within or across year groups. The College's Countering Bullying Policy is given as a separate document.

Legislation and Standards

As a boarding school, Marlborough College Malaysia mirrors Marlborough College UK, which is bound by the provision of several key pieces of legislation.

First among these is the Children Act (1989), which was updated in 2004 to include the recommendations of the Green Paper "Every Child Matters" and the most recent Safeguarding legislation Keeping Children Safe in Education (KCSIE) came in to force in 2014, with the latest update for September 2018.

The Act identifies five key welfare outcomes for children and young people:

Being healthy

Staying safe

Enjoying and achieving

Making a positive contribution

Economic well-being

These outcomes were incorporated in a set of National Minimum Standards (NMS) for Boarding Schools, which were produced for regulatory inspection by the Independent Schools Inspectorate (ISI) and put in force in 2013. It is these standards that form the basis for the College's "Duty of Care" towards its pupils.

NMS Standard 11 – Child Protection: The school ensures that arrangements are made to *safeguard* and *promote* the welfare of pupils at the school

The *safeguarding* of pupil welfare is achieved in two ways:

- Reasonable measures to minimise risk of harm. This includes risks of accident or injury, or risks of being abused, bullied, being lost or being taken.
- Taking appropriate actions to address concerns about welfare

The *promotion* of pupil welfare is achieved by providing opportunities for satisfactory development and growth across a broad range: social, moral, spiritual, emotional, physical and intellectual.

In its widest sense, therefore, Child Protection involves many aspects of the College's work, including

- Health and Safety issues, including medical care
- Staff recruitment, induction and training
- Pastoral Care system
- Grievance procedures
- Accommodation and physical plant

Academic and Pastoral Staff

All members of staff have a responsibility to ensure that in their day-to-day work, pupil welfare is safeguarded by their knowledge, action and understanding.

Knowledge:

- That it is the responsibility of all staff to share the duty of care to “*safeguard and promote the welfare*” of the College’s pupils.
- That the Designated Safeguarding Leads (DSL) are **Nick Eatough** (mobile +60 12 786 1784) in the Senior School and **Geoff Anderson** (mobile +60 12 786 5443) in the Prep School.
- What to do in the event of a pupil disclosing information to you about abuse, if you have concerns about abuse, or if you receive an allegation of abuse (see sections below on ‘Staff Response to Disclosure of Abuse’ and ‘Staff Response to Suspicion of Abuse’).

Action:

- Read the **Emergency Medical List** on the Common Room Notice Board in respect of pupils you deal with, and amend your professional records accordingly.
- Read the **Special Circumstances List** on the Common Room Notice Board, and amend your professional records accordingly.
- Seek training as appropriate: e.g. Using an Epipen, First Aid, specific pastoral training.
- Ensure you are familiar in Houses with emergency procedures, fire procedure etc.

Understanding:

- The College’s Child Protection Policy found on the College VLE and website
- The College’s Countering Bullying Policy found on the College VLE and website
- The College’s Supervision Policy found on the College VLE

It is the duty of all members of staff to be informed and vigilant in these matters, and to be familiar with the content of the College’s Child Protection Policy.

A member of staff with any suspicion, knowledge or disclosure that a child might be being or has been abused **MUST** make a formal written record of the cause for concern as soon as possible and must inform the Master or the DSL immediately and directly. This includes instances where a complaint involves a member of staff. Any member of staff who has a concern or allegation about school practices or the behaviour of colleagues, which is likely to put pupils at risk of abuse or other serious harm, must report this to the Master or the DSL immediately.

In the case of concern or allegations in respect of Child Protection, involving the Master or the DSL, a member of staff must report this to another member of the Senior Management Team who will contact the Chairman of Council.

Immunity from retribution or disciplinary action against members of staff for “whistle-blowing” in good faith is assured.

The Role of the DSL

Briefly, the DSL is responsible for:

- Ensuring that staff are aware of and alert to the signs of abuse and the steps which staff must take when abuse is suspected.
- Organising for the training of all members of staff and others with responsibility for the care of pupils. Senior Pupils who hold positions of responsibility (Prefects and Heads of Houses) with regard to other pupils are also given training on Safeguarding issues, at the commencement of their duties by the DSL and HMs.
- Providing support (once the paramount interests of the child have been ensured) to the child's HM and to any member of staff who has been concerned with a Child Protection investigation in any way.
- Close liaison with the Master in all cases where Child Abuse is alleged or suspected, involving any member of the College, staff or pupils.

Signs of Child Abuse

The following should not be regarded as a comprehensive list, nor should any indicator on this list be regarded, when taken alone, as being a definitive sign of abuse. This is why it is crucially important to raise concerns promptly so that advice can be sought for the best interests of the child.

Physical

- Unexplained injuries – perhaps improbable explanations
- Fear of medical help
- Fear of parents being contacted
- Fear of returning home
- Self-destructive tendencies – i.e. hatred for his/her own body
- Desire to look as nonsexual and unattractive as possible
- Aggression towards others
- Dislike of being touched or touching others
- Chronic running away
- Dirty, torn or threadbare clothing; inappropriate clothing for the season or context (sign of neglect)
- Unwashed hair, dirty appearance, unclean smell
- Excessive or uncontrollable tearfulness

Emotional (in addition to some of the above)

- A feeling of shame or guilt (“It must have been my fault”)
- A feeling that he/she is dirty or degraded
- Embarrassment (“Perhaps there’s something wrong with me”)
- A desire to talk about a topic frequently (betraying a need for reassurance and a desire to get it out of the system)
- Nightmares or trouble with sleeping
- Compulsive stealing
- Neurotic behaviour
- Inappropriately adult or sexualised behaviour or inappropriately infantile behaviour

General Advice to Members of Staff on Dealing with Child Protection Issues

In no circumstances should any member of staff, including HMs, conduct an investigation into possible Child Abuse, or decide whether a child has been abused, or alert a child's parents to such possibilities unless they have been authorised to do so by the Master or the DSL.

Members of staff should, at all times, avoid putting themselves in situations where they are vulnerable to or capable of being misunderstood:

- The One-to-One Adult Staff / Pupil private interview.

In such instances, it may be appropriate to maintain privacy but if possible have a classroom, office or bedsit door ajar or an external sightline, or ensure that the meeting is known to others and the setting rendered contextually “formal” i.e. occurring at an appropriate time and in an appropriate place, for the business being conducted. If the interview is likely to be sensitive, members of staff are asked to make sure that someone (e.g. secretary / another member of staff with pastoral responsibility / HM) knows that the interview is taking place.

- Physical Contact with Pupils.

This may be perfectly acceptable in the context of instruction or coaching e.g. Music or PE lessons or where safety demands it (e.g. to assist an injured pupil, or in breaking up a fight). Also, where a member of staff with specific pastoral responsibility instinctively feels that it is right for him/her to touch a pupil’s arm or shoulders in order to give reassurance, it is probably right to do so. However, members of staff should always be very careful in doing the latter and never do so when alone with the child or when there is no obvious reason for doing so.

- Digital Media

Given the widespread use of digital media in schools, members of staff must be scrupulous about their digital communication with pupils. Members of staff who need to communicate with pupils using digital media should do so only from and to authorised College email addresses, or use the iSAMS system. Members of staff should use only College-issued mobile technology to communicate with pupils. Private web based email addresses or personal mobile phones should NOT be used except in emergencies. Members of staff should avoid communicating with pupils via social networking sites.

Staff Response to Disclosure of Abuse

In order to help the child who discloses abuse, the staff member should:

- Listen patiently and comfort.
- Stay calm and controlled - do not show revulsion or distress.
- If a pupil asks to speak in confidence, be sympathetic and supportive but *do not promise complete confidentiality*, as, in cases of the disclosure of abuse, it is obligatory for a member of staff to report the offence even if the pupil does not wish to do so.
- Reassure the child frequently that the abuse is not his/her fault. Make it clear that the disclosures have not made you lose respect for them.
- Reassure the child that he/she should not feel guilty for telling.
- Make a formal written record as soon as possible, as appropriate to the context of the disclosure, noting down: Date / Time / Place / Nature of disclosure / any relevant details.
- Pass on immediately all concerns/information about possible child abuse to the Master or the DSL.

Staff Response to Suspicion of Abuse

A member of staff with any suspicion that a child might be being abused, based on what they observe, hear or are told, should

- Make a formal written record as soon as possible, noting down: Date / Time / Place/ Nature of injury or concern / Explanation given / Demeanour. Hand written records or notes made at the time are preferable to typed notes after a time interval.
- In any conversation with a child about possible abuse, be very careful not to ask leading questions: do no more than listen sympathetically and report the matter.
- Pass on immediately all concerns/information about possible child abuse to the Master or the DSL.

Procedure for Suspected Child Abuse

- In the event of serious injury being involved requiring immediate treatment, the member of staff must accompany the child to the Medical Centre where medical staff will assess the situation.
- On hearing of the complaint the Master will consult, as appropriate, with the DSL, the Head of the Prep or Senior School, the Senior Nurse, the child's HM (or tutor, for a day pupil), the College Counsellor and a course of action will be decided upon as quickly as possible.
- If the complaint is sufficiently serious and involves a member of staff, that member of staff will be told that serious allegations of misconduct have been made and that he or she will be suspended from duty immediately pending a full investigation. The member of staff will have the opportunity to answer the allegations and his/her contractual rights will remain in force. The member of staff concerned will continue to have access to the Master, who will keep the member of staff informed of developments. In cases of suspension from duty pending full investigation, it may be appropriate for the College to provide alternative accommodation for members of staff, outside of the boarding environment.
- Depending on the severity of the abuse, the Police may be contacted for their advice and possible involvement.
- All serious complaints will be reported to the chairman of the governors (The Chairman of the College Council) immediately, and subsequently all the governors (The College Council).
- In the event of a false alarm with the allegation involving a member of staff, the member of staff will be reinstated and informed in writing of the conclusion reached. Consideration will be given to the future education of the child in his/her best interests. Parents will be involved. If it is decided that the child will change school, the Head of the new school will be informed of the incident in confidence.
- The College will report to the UK Disclosure and Barring Service (DBS), within one month of leaving the school, any person (whether employed, contracted or a pupil) whose services are no longer used because he or she is considered unsuitable to work with children.
- The term 'child' shall be taken to indicate all pupils being educated at the College even if they are over 18 years of age.

Guidance for Staff when the Child is back in the Classroom

- Help the child to get as much privacy and to be as normal as possible.
- Be as observant as possible to spot the child being harassed by other children who know about the abuse and be prepared to intervene.
- Be prepared for the child's school work and behaviour to be below their best.
- Recognise that a child with a compulsion to tell others what has happened to them needs counselling rather than censure.

Training

Training in Child Protection issues is provided for all staff, whether they hold an academic, pastoral or other role. All employees of the College have access to the Child Protection policy, which contains the protocol to be followed in the event of Child Protection concerns. All members of staff receive an induction on the commencement of their employment at the College, including:

- The College's Child Protection Policy
- The Staff Code of Conduct Policy
- The identity of the DSL
- A copy of Part 1 of KCSIE

Thereafter, child protection training will occur regularly (updated from the previous UK government requirement of every three years).

Education

Child Protection issues at Marlborough College are addressed through the curriculum as appropriate. Bullying is identified and dealt with (see Countering Bullying Policy). The College's Anti-Bullying Pledge is published in classrooms and on House Notice Boards. In it the right of all members of the College to enjoy

their lives free of bullying and harassment is asserted, as is the expectation that all members of the College are expected to treat each other as they hope to be treated themselves in an atmosphere of mutual respect.

Staff Recruitment and Checks on Other Adults

Marlborough College Malaysia makes arrangements to meet the standards below.

NMS Standard 14 - Staff Recruitment and Checks on Other Adults

14.1 Schools operate safe recruitment procedures and vet staff in line with the regulatory requirements and having regard to relevant guidance issued by the UK Secretary of State.

14.2 For all persons over 16 (not on the roll of the school) who live on the same premises as boarders but are not employed by the school, there is a criminal records check completed at the standard level.

14.3 There is a written agreement between the school and any person over 16 not employed by the school but living in the same premises as boarders (for example, members of staff households) – see Occupancy Conditions document below. This specifies the terms of their accommodation, guidance on contact with boarders, their responsibilities to supervise their visitors, and notice that accommodation may cease to be provided if there is evidence that they are unsuitable to have regular contact with children. They must be required to notify an unrelated designated senior member of staff if they are charged with, or convicted of, any offence.

14.4 All persons visiting boarding accommodation (e.g. visitors, outside delivery and maintenance personnel) are kept under sufficient staff supervision to prevent them gaining substantial unsupervised access to boarders or their accommodation.

Locally Employed and Estates Staff

The College advises that staff should, at all times, avoid putting themselves in situations where they are vulnerable to, or capable of, being misunderstood:

Staff must not be in a room alone with a pupil. Depending upon the circumstances, staff must either:

- Leave the room and seek a colleague to join them,
- Inform the pupil that they must wait outside the room
- Leave the room and wait for the pupil to leave
- Seek assistance from a beak, tutor or Dame.

Where practicable, and in order to reduce the likelihood of the above situation, all dorms, classroom, changing room and bathroom cleaning is to happen outside of school hours. If entry into the room is urgent, the staff will seek assistance from a beak, tutor or dame. Signage must indicate that cleaning is in progress and placed at the point of entry. In all cases male staff may not enter female bathrooms, and vice versa.

Estates' scheduled hours at boarding houses are 08:30 –16:30, Technical staff will only enter outside these times in an emergency by express invitation by the HM or dame. The female supervisor or dame must escort all male staff entering the female boarding houses.

Staff must not make contact (physical or digital) with the pupils. In the event that accidental contact is made, staff must report to the DSL immediately, or to the dames in the boarding houses.

All staff will attend Child Protection Training.

All staff will immediately report any incident, wherever suspected or actual, to the DSL.

Occupancy Conditions for Spouse/Partner and Dependents of Employees

The following section is part of the College's Licence to Occupy the Accommodation - Resident

Non-Employed Persons.

11. Guidance on contact with boarders.

Partners and children of staff are welcome at Marlborough College Malaysia if the accommodation is appropriate.

Resident Partners and Children over the age of 16 should adhere to the following guidelines:

- A CRB check will be obtained.
- Members of staff are required to provide a swift and confidential service to the pupils in their care and it is therefore necessary for partners to be unobtrusive when the member of staff is on duty.
- Unless remunerated by the College to assist with pupil welfare, contact with boarders is to comply with the following guidelines: never to be routinely alone with any pupil except in an emergency where health or safety is at risk; any involvement with pupils' activities must be agreed beforehand with the HM; under no circumstances to be in the pupils' sleeping accommodation areas at any time unless accompanied by the member of staff or HM.
- Contact with pupils should be limited to friendly greeting without bodily contact. Inappropriate behaviour by a pupil towards a Resident Partner should be reported to a member of the Senior Management Team immediately.
- It is the responsibility of the Resident Partner and / or Children over the age of 16 to supervise their visitors in accordance with these guidelines and with the safety and personal privacy of the pupils as their main consideration. There will be no unsupervised access to pupils of the College during their visit.
- Any excessive noise, antisocial behaviour or any activity that might reasonably create a nuisance or cause complaints from neighbours within or outside the College must be avoided.
- Resident Partners should not join College trips or any outing involving pupils without approval from the Master but are most welcome at College concerts and events.
- Accommodation for a Resident Partner will be terminated if there is evidence that they are unsuitable to have regular contact with children.
- Resident Partners must notify an unrelated member of the Senior Management Team if they are charged with, or convicted of, any offence.

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