

## Safeguarding Policy

### **Policy and guidance for child protection, safeguarding and promoting the welfare of children.**

1. The Trustees of The Iona School were notified of this policy and accompanying guidance. It will be reviewed should statutory guidance require changes. This document comprises three parts; Part A contains the school policy and Part B contains accompanying guidance and Part C contains safer recruitment.
2. This policy was prepared using.
3. Keeping children in Education September 2022, Child Protection act 1989, Ofsted guidance, Education Act 2002, Working Together to Safeguard Children 2015, Nottinghamshire LADO, working together to safeguard children 2018, The Education (independent School Standards) regulations 2014, Prevent Duty for England/Wales (2015) under section 29 and Section 26 of the Counterterrorism & Security Act 2015, Human Rights Acts

### **Part A (Policy)**

#### **Introduction**

4. This policy applies to all employees, Trustees and volunteers.
5. Safeguarding arrangements are underpinned by three key principles:
  - Everyone who comes in to contact with children and their families has a role to play in safeguarding children. All Trustees, employees, trainees and volunteers have a responsibility and role to play to identify concerns, share information appropriately and take prompt action.
  - Employees will maintain an attitude of “it could happen here” where safeguarding is concerned.
  - When concerned about a child’s welfare, employees will always act in the best interests of the child.
6. For the purposes of this policy, ‘children’ includes everyone under the age of 18.
7. The purpose of this policy is to:
  - Protect children and young people who attend our school
  - Outline the procedures to be followed in cases of suspected harm or abuse
  - Emphasise the links with other policies including those for safe recruitment of employees and volunteers, and for managing allegations
  - Prevent unsuitable people working with children and young people
  - Promote safe practice and challenge poor, unsafe practice
  - Contribute to effective partnership working between parents and all those involved with providing services for children and young people.
  - Ensure everyone who comes in to contact with a children has a role to play in identifying concerns, sharing information and taking prompt action.

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8. Our policy reflects the principles of:

- **Prevention** - e.g. positive school atmosphere, teaching and pastoral support to pupils, safer recruitment procedures;
- **Safe and protective care** – ensuring that children are growing up in these circumstances.
- **Protection** - by following agreed procedures, ensuring employees are trained and supported to respond appropriately and sensitively to Child Protection concerns;
- **Support** - to pupils and employees and to children who may have been abused;
- **Taking action** – to enable all children to have the best outcomes.
- **Working with parents** - to ensure appropriate communications and actions are undertaken.

9. We will ensure that all parents/carers are made aware of our responsibilities with regard to child protection procedures and how we will safeguard and promote the welfare of their children through the publication of this policy within the school and on our website.

10. Any references to parents within this policy are taken to refer to parents, guardians and carers.

***N.B. The Designated Safeguarding Lead throughout this document is abbreviated to DSL.***

## Key Contacts

### 11. Internal

Role	Name	Contact Details
Designated Trustee for Child Protection/Safeguarding	Martin Taylor	0115 941 5295 <a href="mailto:martintaylor@theionaschool.org.uk">martintaylor@theionaschool.org.uk</a>
Designated Senior Person for Safeguarding Children (DSL)	Nick Delaforce-Sanders	0115 941 5295 / 07917 466453 <a href="mailto:nick@theionaschool.org.uk">nick@theionaschool.org.uk</a> <a href="mailto:sg@theionaschool.org.uk">sg@theionaschool.org.uk</a>
Designated Senior Person for Safeguarding Staff (DSL)	Nick Delaforce - Sanders	0115 941 5295 <a href="mailto:admin@theionaschool.org.uk">admin@theionaschool.org.uk</a>
Deputy Designated Persons for Safeguarding	Julie Wyer Janine Ray	0115 941 5295 <a href="mailto:julie@theionaschool.org.uk">julie@theionaschool.org.uk</a> <a href="mailto:sg@theionaschool.org.uk">sg@theionaschool.org.uk</a>
Designated Teacher for Children in care of the Local Authority/Post adoption	Julie Wyer	0115 941 5295 <a href="mailto:julie@theionaschool.org.uk">julie@theionaschool.org.uk</a>

### 12. External

Role	Name	Contact Details
LA Child Protection Contact/LADO	Karen Shead	0115 876 4725
DSL Consultation Helpline		07711 189544
External Prevent Single Point of Contact (SPOC)	Nottingham Police Prevent Team	101 / ext 2962/2963 <a href="mailto:prevent@nottinghamshire.pnn.police.uk">prevent@nottinghamshire.pnn.police.uk</a>
Nottinghamshire MASH (Multi-Agency Safeguarding Hub)		0300 500 80 90
Ofsted		0300 123 1231

Missing Children Office	Nottinghamshire County Council Glen Scruby	0115 804 1045
Dept. Children and Families Direct		0115 876 4800
Prevent Referrals	Asif Mohammed	101 ext 8015060
Nottingham Homelessness / Housing associations		0800 013 8555
Early Help Unit – Nottingham		0115 804 1248

### Links to Safeguarding Legislation, Guidance and Procedures

13. The school's role in safeguarding children in education is set out in both statutory guidance and advice documents.

14. These are:

- Duties and responsibilities as set out within the Education Act 2002 sections 175/157, the Children Act of 2004, DfE Statutory Guidance and HM Working Together to Safeguard Children 2018 (last updated Dec 2020)
- Children Acts 1989 and 2004. The Education (independent School Standards) regulations 2014. Keeping Children safe in Education 2022 (September 2022 Update). Ofsted guidance. Guidance from the Nottingham Laddo.
- Prevent Duty for England/Wales (2015) under section 26 of the Counter-Terrorism & Security Act 2015
- Section 5B of Female Genital Mutilation Act 2003 (inserted by section 74 of the Serious Crime Act 2015)
- Local Safeguarding Children's Board (SCB) interagency child protection and safeguarding procedures

15. Our policy considers statutory guidance and advice provided by the DfE and acts within the local guidance and procedures of the Nottingham City and Nottinghamshire Local Authority Safeguarding Children's Partnership. The SCP is an independent partnership which has responsibility for coordinating the work of agencies within the local authority to safeguard and promote the welfare of children and for ensuring the effectiveness of that work. It provides safeguarding procedures and guidance, delivers a programme of multi-agency training and monitors safeguarding practice through multi agency audits, case reviews and performance information. The partnership is key to agreeing how relevant organisations co-operate to safeguard and promote the welfare of children and ensure the effectiveness of what they do. It also provides local practice guidance on child protection issues.

### 16. Safeguarding Principles

The school has a team of Designated Safeguarding Leads, whose names and contact are under key contact Page 2. The team is led by the Deputy who is the Safeguarding lead for the School. The school also has several Deputy Safeguarders who are trained to the same level as the Lead. Our Lead Safeguarding officer will be contactable throughout the year and will attend meeting either face to face or other media if out of school hours.

### 17. Safeguarding and promoting the welfare of children is everyone's responsibility.

- Safeguarding relates to actions we take to promote the welfare of children and protect them from harm.
- Everyone who meets children and families has a role to play.
- What is in the **best interests** of the child should be always considered.
- Should a concern arise, **doing nothing is not an option**.

**18. Safeguarding and promoting the welfare of children is defined as:**

- Protecting children from maltreatment.
- Preventing impairment of children's health or development.
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable all children to have the best outcomes.

Source: Working Together to Safeguard Children 2015 page 6

**19. Safeguarding is not just about protecting children from deliberate harm. It also relates to wider aspects of school care and education including:**

- Pupils' health, safety and well-being, including their mental health.
- Meeting the needs of children with special educational needs and/or disabilities.
- The use of reasonable force.
- Meeting the needs of children with medical conditions.
- Providing first aid.
- Educational visits.
- Intimate care.
- Online safety and associated issues.
- Appropriate arrangements to ensure security, considering the local context
- Ensuring that we follow the Human Rights Act and, that harassment, violence and or abuse may breach children's right under this act.

**20. Safeguarding can involve a range of potential issues such as:**

- Neglect, physical abuse, sexual abuse, and emotional abuse.
- Bullying, including cyber bullying (e.g., by text message, or via social media) and prejudice-based bullying.
- Child on Child abuse.
- Racist, disability and homophobic, biphobic or transphobic abuse.
- Gender based violence/violence against women and girls.
- Extremist behaviour i.e., radicalisation.
- Child sexual exploitation and human trafficking.
- Children missing from Education
- The impact of new technologies, including 'sexting' and accessing pornography.
- Substance misuse by the child or young person.
- Particular issues affecting children including domestic violence, sexual exploitation, female genital mutilation and forced marriage.
- Child abuse linked to faith or belief.
- Fabrication or induction of illness in a child.
- Mental health issues including self-harming.
- Child trafficking.
- Child criminal exploitation.
- Sexual violence and harassment.
- Serious violent crime.
- Issues which may be specific to a local area or population, for example gang activity and youth violence.
- Domestic abuse
- Ensuring that children who identify as LGBTQ+ community have somewhere and someone safe to talk to.

21. Our school will incorporate signs of abuse and specific safeguarding issues which are relevant to the local area into briefings, employee induction training, and ongoing development training for all employees / anyone who has contact with a child or young person including Trustees and volunteers. In our area, we are advised that there are specific concerns regarding:
- Child Sexual Exploitation. Bullying including cyber bullying.
  - Child Sexual Exploitation (CSE) and as defined by Working Together 2017
  - Domestic Violence
  - Female Genital Mutilation (FGM)
  - Hate
  - Private Fostering
  - Preventing Radicalisation
  - Online abuse/Sexting
  - Teenage Relationship abuse
  - Trafficking
  - Missing children and vulnerable adults
  - Child sexual abuse within the family
  - Poor parenting, particularly in relation to babies and young children
  - Domestic abuse
22. Our ethos is that the effective safeguarding of children can only be achieved by putting children at the centre of a system where we listen and hear what they say. Every individual within the school will play their part, including working with professionals from other agencies, to meet the needs of our most vulnerable children and keep them safe. We will take opportunities to teach children about important safeguarding issues in a way that is age appropriate.
23. The school aims to provide a safe environment, caring and vigilant culture where children and young people can learn and be safeguarded. If there are safeguarding concerns, we will respond with appropriate action in a timely manner for those children who may need help or be suffering, or likely to suffer, significant harm.
24. Where employees or others need to raise concerns, these should be to the DSL who will coordinate a response. The DSL (and any deputies) are most likely to have a complete safeguarding picture and be the most appropriate person to advise on the response to safeguarding concerns. Where employees have concerns about a child (as opposed to a child being in immediate danger) they will decide what action to take in conjunction with the DSL. Concerns can be raised directly with Children's Social Care but we advocate contact with the DSL first. The DSLs, who are familiar with national and local guidance, will share concerns, where appropriate, with the relevant agencies.

## The Policy

25. There are five main elements to our policy:
- Providing a safe environment in which children can learn and develop.
  - The school's initial response to a report from a child is important. It is essential that **all** victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the

impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

- Ensuring we practice safer recruitment in checking the suitability of employees, trustees and volunteers to work with children.
- Developing and implementing procedures for identifying and reporting cases, or suspected cases of abuse
- Supporting pupils who have been abused or harmed in accordance with his/her child protection plan.
- Raising awareness of safeguarding children, child protection processes and equipping children with the skills needed to keep them safe.

26. We recognise that because of the day-to-day contact with children, our employees are well placed to observe the outward signs of abuse. We will therefore:

- Establish and maintain an environment where children feel secure, are encouraged to talk/are listened to.
- Ensure children know that there are adults in the school whom they can approach if they are worried.
- Make every effort to establish effective working relationships with parents and other agency colleagues.
- Include opportunities in the PSHE curriculum for children to develop the skills they need to recognise and stay safe from abuse:
- Take all reasonable measures to ensure risks of harm to children's welfare are minimised.
- Take all appropriate actions to address concerns about the welfare of a child, working to local policies and procedures in full working partnership with agencies.
- Ensure robust child protection arrangements are embedded in the daily life and practice of the school.
- Promote pupil health and safety.
- Promote safe practice and challenge unsafe practice.
- Ensure that procedures are in place to deal with allegations of abuse against teachers and other employees including volunteers (DfE Keeping Children Safe in Education 2020 (January 2021 update) and the Nottinghamshire, ([nottinghamshirescb.proceduresonline.com](http://nottinghamshirescb.proceduresonline.com)) and Nottingham City.
- Provide first aid and meet the health needs of children with medical conditions.
- Ensure school site security.
- Address drugs and substance misuse issues
- Support and plan for young people in custody and their resettlement back into the community
- Work with all agencies regarding missing children, anti-social behaviour/gang activity and violence in the community/knife crime and children at risk of sexual exploitation
- Ensure everyone understands their duty to safeguard children inside/outside the school environment including school trips, extended school activities and vocational placements.

**27. We will follow the procedures set out by the relevant Local Safeguarding Children Board and take account of guidance issued by the DfE in Keeping Children Safe in Education 2020 (January 2021 update) to:**

- Ensure we have a Senior Designated Safeguarding Lead (DSL) and at least one Deputy DSL for child protection/safeguarding, who have received appropriate training and support for this role.
- Ensure we have a nominated Trustee responsible for child protection/safeguarding.
- Ensure we have a designated teacher for Looked After children and those who have left care through adoption, special guardianship, or child arrangement orders or who were adopted from state care outside England and Wales.
- Ensure every employee (including temporary/supply employees and volunteers) and the Trustee's know the name of the designated senior safeguarding leader, and their deputy(s), and their role. This includes displaying photographs of DSLs within the school, including in reception.



- Ensure all employees and volunteers understand their responsibilities in being alert to the signs of abuse and responsibility for referring any concerns to the DSL or to children's social care/police if a child is in immediate danger/risk of harm.
- Ensure all employees and volunteers are aware of the early help process and understand their role in it.
- Ensure that all are aware of the whistleblowing policy and the school has a culture where employees can raise concerns about unsafe practice.
- Ensure the complaints system in place for children and families.
- Ensure that parents have an understanding of the responsibility placed on the school and employees for child protection by setting out its obligations in the school prospectus and on the school website
- Notify Children's Social Care if there is an unexplained absence of more than two days of a pupil who is subject to a child protection plan.
- Develop effective links with relevant agencies and cooperate as required with their enquiries regarding child protection matters, including attendance at child protection conferences.
- Keep written/electronic records of concerns about children, even where there is no need to refer the matter immediately; documenting and collating information on individual children to support early identification, referral and actions to safeguard
- Ensure all records are kept securely; separate from the main pupil file, and away from classrooms.
- Ensure we follow robust processes to respond when children are missing from education, home or care
- Follow set procedures where an allegation is made against an employee or volunteer
- Ensure safer recruitment practices are always followed
- Apply confidentiality appropriately
- Apply the escalation policy if there is any concern about the actions or inaction of social care employees or employees from other agencies.

Any concern should be discussed in the first instance with one of the designated leads or in their absence the Head of College as soon as possible who would need to take advice from another DSL. **If at any point, there is a risk of immediate serious harm to a child, a referral should be made to Children's Social Care or the police immediately. Anybody can make such a referral.**

## Managing a Report

28. As per Part one of this guidance, all staff should be trained to manage a report. Local policies (and training) will dictate exactly how reports should be managed. However, effective safeguarding practice includes:
29. not promising confidentiality at this initial stage as it is highly likely a concern will have to be shared further (for example, with the designated safeguarding lead or children's social care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to;
30. recognising a child is likely to disclose to someone they trust: this could be **anyone** on the school or college staff. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust. They should be supportive and respectful of the child;
31. listening carefully to the child, being non-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc;

32. considering the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, it is essential a written record is made;
33. only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. Schools and colleges should be aware that notes of such reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation;
34. where the report includes an online element, being aware of [searching, screening and confiscation](#) advice (for schools) and [UKCCIS sexting](#) advice. The key consideration is for staff not to view or forward illegal images of a child. The highlighted advice provides more details on what to do when viewing an image is unavoidable.
35. if possible, managing reports with two members of staff present, (preferably one of them being the designated safeguarding lead or a deputy). However, this might not always be possible; and
36. informing the designated safeguarding lead (or deputy), as soon as practically possible, if the designated safeguarding lead (or deputy) is not involved in the initial report.

### Managing a referral

37. The designated safeguarding lead is expected to:
  - refer cases of suspected abuse to the local authority children's social care as required;
  - support staff who make referrals to local authority children's social care;
  - refer cases to the Channel programme where there is a radicalisation concern as required;
  - support staff who make referrals to the Channel programme;

### Work with others

38. The designated safeguarding lead is expected to:
  - act as a point of contact with the three safeguarding partners;
  - liaise with the headteacher or principal to inform him or her of issues- especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
  - as required, liaise with the "case manager" (as per Part four) and the designated officer(s) at the local authority for child protection concerns in cases which concern a staff member;
  - liaise with staff (especially pastoral support staff, school nurses, IT Technicians, and SENCOs, or the named person with oversight for SEN in a college and Senior Mental Health Leads) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies; and
  - act as a source of support, advice and expertise for all staff Training
39. The designated safeguarding lead (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. This training should be updated at least every two years. The designated safeguarding lead should undertake Prevent awareness training. Training should provide designated safeguarding leads with a good understanding of their own role, and the processes, procedures and responsibilities of other agencies, particularly children's social care, so they:
  - understand the assessment process for providing early help and statutory intervention, including local criteria for action and local authority children's social care referral arrangements.
  - have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so;



- ensure each member of staff has access to, and understands, the school's or college's child protection policy and procedures, especially new and part time staff;
- are alert to the specific needs of children in need, those with special educational needs and young carers;
- understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the General Data Protection Regulation;
- understand the importance of information sharing, both within the school and college, and with the three safeguarding partners, other agencies, organisations and practitioners;
- are able to keep detailed, accurate, secure written records of concerns and referrals;
- understand and support the school or college with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation;
- are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school or college;
- can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online;
- obtain access to resources and attend any relevant or refresher training courses; and
- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school or college may put in place to protect them.

40. In addition to the formal training set out above, their knowledge and skills should be refreshed (this might be via e-bulletins, meeting other designated safeguarding leads, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, and at least annually, to allow them to understand and keep up with any developments relevant to their role.

## Raise Awareness

41. The designated safeguarding lead should:

- ensure the school's or college's child protection policies are known, understood and used appropriately;
- ensure the school's or college's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this;
- ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school or college in this; and
- link with the safeguarding partner arrangements to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements.
- help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children, including children with a social worker, are experiencing, or have experienced, with teachers and school and college leadership staff. Their role could include ensuring that the school or college, and their staff, know who these children are, understand their academic progress and attainment and maintain a culture of high aspirations for this cohort; supporting teaching staff to identify the challenges that children in this group might face and the additional academic support and adjustments that they could make to best support these children.

## Children and the court system

### 42. Court system

- Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age-appropriate guides to support children [5-11-year olds](#) and [12-17 year olds](#).
- The guides explain each step of the process, support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.
- Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online [child arrangements information tool](#) with clear and concise information on the dispute resolution service. This may be useful for some parents and carers.

## Early Help

43. Where parents, carers or children tell us that they require support, or employees identify that there may be emerging needs and that services might be required, an Early Help Assessment (EHA) is likely to be beneficial. In such cases employees will have an open discussion with the parents / carers and child about the support and services that might help and agree how they would be accessed. An Early Help Assessment form (EHAF) may need to be created. If early help is appropriate, the DSL (or Deputy) will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate.

44. Any child may benefit from early help, but all school and staff should be particularly alert to the potential need for early help for a child who:

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory education, health and care plan);
- is a young carer;
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
- is frequently missing/goes missing from care or from home;
- is misusing drugs or alcohol themselves;
- is at risk of modern slavery, trafficking or exploitation;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse (if cases of Domestic abuse, we would contact operation Encompass Nottingham)
- has returned home to their family from care;
- is showing early signs of abuse and/or neglect;
- is at risk of being radicalised or exploited;
- is a privately fostered child.

## Vulnerable Children

45. We recognise that some children will be at increased risk of neglect and or abuse, including criminal exploitation. To ensure that all of our children receive equal protection, we will give special consideration and attention to children who are:

- disabled or have special educational needs;
- living in a known domestic abuse situation;

- affected by known parental substance (drugs and/or alcohol) misuse;
- asylum seekers/refugees;
- new communities;
- living away from home, including private fostering arrangements;
- vulnerable to being bullied, or engaging in bullying;
- missing from the school, particularly on repeat occasions;
- homeless or living in temporary accommodation and/or with transient lifestyles;
- living in chaotic, neglectful and unsupportive home situations;
- vulnerable to discrimination and maltreatment on the grounds of protected characteristics such as race, ethnicity, religion or sexuality;
- at risk of sexual exploitation, hate crime or radicalisation;
- young carers;
- looked after and previously looked after including care leavers;
- without English as a first language;
- involved in the court system – for example because of crimes committed against them, crimes they have witnessed or as a result of making child arrangements via the family courts following family separation;
- in a family where members are in prison.

### Child Criminal Exploitation: County Lines

46. We recognise that criminal exploitation of children is a geographically widespread form of harm that is a typical feature of 'county lines' criminal activity, where drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, for example. We will be alert to the signs (such as missing from school episodes) that a child may have become involved in county lines and respond within the context of our Child Protection and Safeguarding Policy.
47. One of the ways of identifying potential involvement in county lines are missing episodes (both from home and school), when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism<sup>103</sup> should be considered. If a child is suspected to be at risk of or involved in county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation.
48. Further information on the signs of a child's involvement in county lines is available in guidance published by the Home Office.

### Contextual Safeguarding

49. Assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. Children's social care assessments should consider such factors so it is important that we provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse.

### Supporting Children

50. We recognise that children who are abused or who witness violence may find it difficult to develop a sense of self-worth. They may feel helplessness, humiliation and some sense of blame. The school may be the only stable, secure and predictable element in the lives of children at risk. When at the school their behaviour may be challenging and defiant or they may be withdrawn.

51. All staff should know what to do if a child tells them he/ she is being abused or neglected. Staff should remain confidential and never promise a child they would not tell anyone about a report of abuse, as this may ultimately not be in the best interest of the child.

52. The school will endeavour to support the pupil through:

- The content of the curriculum;
- A school ethos which promotes a positive, supportive and secure environment and gives pupils a sense of being valued;
- The school Behaviour Policy which is aimed at supporting vulnerable pupils. The school will ensure that the pupil knows that some behaviour is unacceptable but they are valued and not to be blamed for any abuse which has occurred;
- Liaison with other agencies that support the pupil within our Local Authority such as Children's Social Care, Early Help services and other support services such as the Education Psychology Service;
- Ensuring that, where a pupil leaves and is subject to a child protection plan or where there has been wider safeguarding concerns, their information is transferred to the new school at the earliest opportunity and no later than the statutory 15 working days, and that the child's social worker is informed. It is recommended that receipt of files is acknowledged via a signed-for document.

## Prevention in the Curriculum

53. The school recognises the importance of developing pupils' awareness of behaviour that is unacceptable towards them and others, and how they can help keep themselves and others safe.

54. The PSHE programme provides personal development opportunities for pupils to learn about keeping safe and who to ask for help if their safety is threatened. As part of developing a healthy, safer lifestyle and in an age / developmentally appropriate manner, pupils are taught to:

- safely explore their own and others' attitudes;
- recognise and manage risks in different situations and know how to behave responsibly;
- judge what kind of physical contact is acceptable and unacceptable;
- recognise when pressure from others (including people they know) threatens their personal safety and well-being including knowing when and where to get help;
- manage healthy relationships/understand how to deal with domestic violence / unhealthy relationships/consent (secondary academies);
- use assertiveness techniques to resist unhelpful pressure;
- keep safe online;
- appreciate fire, water and road safety;
- understand about stranger danger;
- understand about so called Honour Based Violence issues (HBV) e.g. forced marriage, female genital mutilation FGM) (see appendix);
- protect themselves and others from bullying/cyber-bullying;
- keep themselves safe from drugs, alcohol and substance abuse (DARE programme);
- protect themselves from sexual exploitation of children (CSE), including online (see appendix);
- prevent and protect themselves from extremism and radicalisation (see appendix);
- understand sexual violence and harassment including up-skirting (see appendix);

- We know how important it is that our children understand the risks associated with sharing indecent images of, or information about, themselves - often referred to as **Sexting**. Research indicates that this is increasingly associated with concerns such as sexual exploitation (see appendix).

### Children potentially at greater risk of harm

#### Children who need a social worker (Child in Need and Child Protection Plans)

55. Children may need a social worker due to safeguarding or welfare needs. Children may need this help due to abuse, neglect and complex family circumstances. A child's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour, and mental health.
56. Local authorities should share the fact a child has a social worker, and the designated safeguarding lead should hold and use this information so that decisions can be made in the best interests of the child's safety, welfare, and educational outcomes. This should be considered as a matter of routine. There are clear powers to share this information under existing duties on both local authorities and schools and colleges to safeguard and promote the welfare of children.
57. Where children need a social worker, this should inform decisions about safeguarding (for example, responding to unauthorised absence or missing education where there are known safeguarding risks) and about promoting welfare (for example, considering the provision of pastoral and/or academic support, alongside action by statutory services).
58. Findings from the Children in Need review, 'Improving the educational outcomes of Children in Need of help and protection' contains further information; the conclusion of the review, 'Help, protection, education' sets out action Government is taking to support this.

#### Children requiring mental health support.

59. Schools and colleges have an important role to play in supporting the mental health and wellbeing of their pupils.
60. Mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Governing bodies and Trustees should ensure they have clear.
- Systems and processes in place for identifying possible mental health problems, including routes to escalate and clear referral and accountability systems.
61. Schools and colleges can access a range of advice to help them identify children in need of extra mental health support, this includes working with external agencies. More information can be found in the mental health and behaviour in schools' guidance, colleges may also wish to follow this guidance as best practice. Public Health England has produced a range of resources to support secondary school teachers to promote positive health, wellbeing, and resilience among young people. See Rise Above for links to all materials and lesson plans.
62. The department is providing funding to support costs of a significant training programme for senior mental health leads and the national rollout of the Link Programme. Training for senior mental health leads, will be available to all state- funded schools and colleges by 2025, to help introduce or develop their whole school or college approach to mental health.

### **Looked after children and previously looked after children.**

63. The most common reason for children becoming looked after is because of abuse and/or neglect. Trustees should ensure that staff have the skills, knowledge and understanding to keep looked after children safe.
64. They should ensure that appropriate staff have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents, or on an interim or full care order) and the child's contact arrangements with birth parents or those with parental responsibility. They should also have information about the child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her. The designated safeguarding lead should have details of the child's social worker and the name of the virtual school head in the authority that looks after the child.
65. A previously looked after child potentially remains vulnerable and all staff should have the skills, knowledge and understanding to keep previously looked after children safe. When dealing with looked after children and previously looked after children, it is important that all agencies work together and prompt action is taken when necessary to safeguard these children, who are a particularly vulnerable group.

### **Care leavers**

66. Local authorities have on-going responsibilities to the young people who cease to be looked after and become care leavers. That includes keeping in touch with them, preparing an assessment of their needs and appointing a personal adviser who develops a pathway plan with the young person. This plan describes how the local authority will support the care leaver to participate in education or training. Designated safeguarding leads should therefore have details of the local authority Personal
67. Advisor appointed to guide and support the care leaver, and should liaise with them as necessary regarding any issues of concern affecting the care leaver.

### **Extended Activities**

68. Where Iona provides services or activities directly under the supervision or management of a school employee, including for example lettings, our safeguarding and child protection policy will apply. Where services or activities are provided separately by another body, the Trustees will seek assurance in writing that the body concerned has appropriate policies and procedures in place to safeguard and protect children and there are arrangements to liaise with the school on these matters where appropriate.
69. Where we provide opportunities for outside visitors to be on the premises when children are present, including for community use and training events, our safeguarding procedures will be robustly applied.

### **The use of 'reasonable force' in schools and colleges**

70. There are circumstances when it is appropriate for staff in school to use reasonable force to safeguard children and young people. A more detailed policy on this can be found under Positive Handling Policy, the term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom.
71. Departmental advice for schools is available at Use of Reasonable Force in Schools.



72. The department believes that the adoption of a 'no contact' policy at a school or college can leave staff unable to fully support and protect their pupils and students. It encourages headteachers, principals, governing bodies, and proprietors to adopt sensible policies, which allow and support their staff to make appropriate physical contact. The decision on whether to use reasonable force to control or restrain a child is down to the professional judgement of the staff concerned and should always depend on individual circumstances.
73. When using reasonable force in response to risks presented by incidents involving children with SEN or disabilities or with medical conditions, schools and colleges should in considering the risks carefully recognise the additional vulnerability of these groups. They should also consider their increased duties and significance under the Equality Act 2010 in relation to making reasonable adjustments, non-discrimination, how it may impact children with protected characteristics and their Public Sector Equality Duty (PSED). By planning positive and proactive behaviour support, for instance through drawing up individual behaviour plans for more vulnerable children, and agreeing them with parents and carers, schools and colleges can reduce the occurrence of challenging behaviour and the need to use reasonable force.

### **Alternative Placements/Arrangements**

74. Where pupils regularly attend another institution or alternative education provider for all or some of their provision, we will ensure that effective procedures for safeguarding are in place as part of our continuing responsibility for the safeguarding of those pupils. A copy of this policy will be shared with the provider as there is an expectation that it will be following our processes in respect of any safeguarding issues related to children who are on roll at our school. We will obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the academy would otherwise perform in respect of its own staff.

### **Children Staying with Host families in the UK ('Homestay')**

75. Where our school makes arrangements for children from beyond our school to be provided with care and accommodation by a host family to whom they are not related, for example, as part of a foreign exchange visit or sports tour, we recognise our duty to safeguard and promote children's welfare. As part of our assessment of the suitability of the adults in those families who will be responsible for the visiting child during the stay, we will obtain a DBS enhanced certificate with barred list information. We will also obtain a DBS enhanced certificate in respect of anyone aged 16 or over in the household where the child will be staying.
76. Where a child's parent(s) or a student themselves arranges their own homestay, this would be a private arrangement and any checks or assurances regarding the suitability of the homestay would not be the school's responsibility.

### **Photographs and Videos of Children**

77. Within the school we take a sensible and balanced approach to photographing and videoing children on our site. Taking pictures and video images of children's achievements and activities is a wonderful way of capturing a memory and promoting successes. We will always obtain parental permission while taking such images and put safeguards in place to ensure anonymity (wherever possible) in their usage.
78. Employees will be aware of the identity of children who for whatever reason, may not be photographed.
79. Specific arrangements need specifying where schools have pupils in EYFS settings (see Appendix 13).

80. Further guidance is provided by the Information Commissioner's Office on taking photographs in schools and the Data Protection Act 1998 (**ICO: taking photographs in Schools**).

### Confidentiality

81. We recognise that all matters relating to child protection are confidential. However, an employee must never guarantee confidentiality to children; children will not be given promises that any information about an allegation will not be shared.

82. Where there is a child protection concern it will be passed immediately to the DSL and/or to Children's Social Care. When a child is in immediate danger Children's Social Care/the police will be contacted.

83. The Head of College or Principal and/or DSL will disclose personal information about a pupil to other employees, including the level of involvement of other agencies, only on a 'need to know' basis.

84. All employees are aware that they have a professional responsibility to share information with other agencies in order to safeguard children. They are aware that the Data Protection Act should not be a barrier to sharing of information where failure to do so would result in a child being placed at risk of harm.

### Information Sharing / GDPR

85. We recognise that information sharing is vital in identifying and tackling all forms of abuse. Whilst, among other obligations, the Data Protection Act 2018 and the GDPR places duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure, this is **not** a barrier to sharing information where the failure to do so would result in a child being placed at risk of harm.

86. Appendix 3 provides more detail about our record keeping systems.

87. Trustees should ensure relevant staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the GDPR. This includes:

- being confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information which is sensitive and personal, and should be treated as 'special category personal data'.
- understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This includes allowing practitioners to share information without consent where there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner but it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.
- for schools, not providing pupils' personal data where the serious harm test under the legislation is met

88. For example, in a situation where a child is in a refuge or another form of emergency accommodation, and the serious harms test is met, they must withhold providing the data in compliance with schools' obligations under the Data Protection Act 2018 and the GDPR. Where in doubt schools should seek independent legal advice.

### Working with Parents/Carers

89. Parents and carers play an important role in protecting their children from harm.

90. In most cases the school will discuss concerns about a pupil with the family and, where appropriate, seek their agreement to making referrals to Children's Social Care
91. Where there are any doubts, the designated lead should clarify with Children's Social Care whether, and if so when and by whom, the parents should be told about the referral.
92. The pupil's views will be considered in deciding whether to inform the family, particularly where the pupil is sufficiently mature to make informed judgments about the issues, and about consenting to that.

## Safe Employees

93. Safer recruitment processes will be followed in accordance with the policy and guidance and relevant sections of DfE Keeping Children Safe in Education 2020 (January 2021 update). The level of DBS certificate required, and whether a check for any prohibition, direction, sanction, or restriction is required, will depend on the role that is being offered and duties involved.
94. The school ensures that an appropriate number of employees and Trustees have undertaken safer recruitment training so that all interview panels have at least one safer recruitment trained representative with up to date knowledge of the required checks needed. See part three
95. Checks and references are an essential part of the safer recruitment process.
96. Employees will have access to advice on the boundaries of appropriate behaviour and will be aware of the Employee Expectations and Code of Conduct including contact between employees and pupils outside of the workplace. The Guidance for Safer Working Practices for Adults who work with Children and Young People (2009) will be observed. This should assist in limiting complaints against employees of abuse of trust and/or allegations.
97. In the event of a complaint or allegation against an employee, the Head of College (or Deputy if the Head is not present), should be notified immediately. If the complaint or allegation relates to the Head of College a Trustee should be notified. If the complaint or allegation relates to a Trustee, the Chair of Trustees should be notified. A Trustee should be informed without delay where this relates to the Head of College. The school will respond to all allegations robustly in collaboration with the Local Authority Designated Officer (LADO) and HR Advisor (SAGE).

## Supporting Employees

98. Employees may find some of the issues relating to child protection upsetting and may need support which should be provided by the school and the school's HR team. Supervision sessions are available to all employees who are involved with child protection issues.

## Links to Other Policies or Documents

99. This policy should be read alongside and in conjunction with other policies and documents regarding the safety and welfare of children. These together make up the suite of policies and documents to safeguard and promote the welfare of children in this school:

- Accessibility Plan
- Covid

- Behaviour
- Attendance (including the safeguarding response to children who go missing from education)
- Anti-Bullying
- Special Educational Needs and Disability (SEND)
- Health and Safety (including site security and first aid provision)
- PSHE/Relationships and Sex Education
- Online and E-Safety
- Intimate Care
- Physical Intervention/Use of reasonable force and Positive Handling (new section in KCSIE 2018)
- Supporting children with medical needs
- Equality
- Freedom of Information
- Complaints Policy
- Disciplinary Policy (employees)
- Employee Expectations and Code of Conduct
- Information, Governance and Security Policy (part of the Data Protection Policy)
- Grievance Policy (employees)
- Whistleblowing

### **Allegations of abuse made against teachers, and other staff, including supply teachers and volunteers. Duties as an employer and an employee.**

100. This part of the policy is about managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or in any capacity with children in a school or college. This guidance should be followed where it is alleged that anyone working in the school or college that provides education for children under 18 years of age, including supply teachers and volunteers 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;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

101. If an allegation was made against a teacher or other staff member including a volunteer we would refer to Part 4 of the Keeping Children Safe in Education 2021.

### **Further Guidance to Support the Work around Child Protection and Safeguarding**

102. DfE Statutory Guidance Keeping Children Safe in Education 2020 (January 2021 update)
103. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/954314/Keeping\\_children\\_safe\\_in\\_education\\_2020\\_-\\_Update\\_-\\_January\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/954314/Keeping_children_safe_in_education_2020_-_Update_-_January_2021.pdf)
104. <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
105. Female Genital Mutilation (FGM) <http://media.education.gov.uk/assets/files/pdf/f/fgm%20guidance.pdf>

106. Children who may have been trafficked <https://www.gov.uk/government/publications/safeguarding-children-who-may-have-been-trafficked-practice-guidance>
107. Private fostering arrangements [www.privatefostering.org.uk](http://www.privatefostering.org.uk)
108. Sexting in Schools and College  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/647389/Overview\\_of\\_Sexting\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/647389/Overview_of_Sexting_Guidance.pdf)
109. Supporting children with continence issues <https://www.nice.org.uk/guidance/CG111>
110. Use of reasonable force <https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>
111. Preventing child on child sexual violence and sexual harassment:  
[www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges](http://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges)
112. <https://www.gov.uk/government/publications/promoting-the-education-of-looked-after-children>
113. Human Rights Act <https://www.legislation.gov.uk/ukpga/1998/42/contents>

### Key National Contacts

114. NSPCC helpline - helping adults protect children 24 hours a day. For help and support, including anyone needing advice about female genital mutilation, young people affected by gangs, concerns that someone may be a victim of modern slavery contact the NSPCC trained helpline counsellors on: [help@nspcc.org.uk](mailto:help@nspcc.org.uk) or text 88858 or telephone 0800 800 5000.
115. NSPCC Whistleblowing Advice Line - free advice and support for professionals concerned about how child protection issues are being handled in their organisation [help@nspcc.org.uk](mailto:help@nspcc.org.uk) or telephone 0800 028 0285.
116. UK Safer Internet Centre professional advice line - helpline for professionals working with children and young people in the UK with any online safety issues they may face themselves or with children in their care : [helpline@saferinternet.org.uk](mailto:helpline@saferinternet.org.uk) or telephone 0844 381 4772.
117. Police Anti-Terrorist Hot Line number 0800 789 321.

### Education

118. Be Internet Legends developed by Parent Zone and Google is a free internet safety curriculum with PSHE accredited lesson plans and teaching resources for Key Stage 2 pupils
119. Disrespect nobody is Home Office advice and includes resources on healthy relationships, including sexting and pornography
120. Education for a connected world framework from the UK Council for Internet Safety supports the development of the curriculum and is of particular relevance to RSHE education and Computing. It is designed, however, to be usable across the curriculum and beyond (covering early years through to age 18) and to be central to a whole school or college approach to safeguarding and online safety.

121. PSHE association provides guidance to schools on developing their PSHE curriculum
122. Teaching online safety in school is departmental guidance outlining how schools can ensure their pupils understand how to stay safe and behave online as part of existing curriculum requirements

**The following appendices are a part of this policy and form accompanying guidance:**

- Appendix 1 Roles and Responsibilities  
 Appendix 2 Identifying Concerns  
 Appendix 3 Records and Monitoring  
 Appendix 4 Child on Child Abuse  
 Appendix 5 Child Sexual Exploitation (CSE)  
 Appendix 6 Youth Produced Sexual Imagery  
 Appendix 7 Online Safety  
 Appendix 8 Prevent Duty  
 Appendix 9 Female Genital Mutilation  
 Appendix 10 Children Missing from Education  
 Appendix 11 Private Fostering  
 Appendix 12 Child n child sexual violence and sexual harassment  
 Appendix 13 Welfare and safeguarding policies where school have EYFS settings.  
 Appendix 14 Serious Violence  
 Appendix 15 Opportunities to Teach Safeguarding  
 Appendix 16 Allegations against staff  
 Appendix 17 Supervision of Activity with Children, which is Regulated but unsupervised.

123. We have a range of recording formats for internal and external purposes including audits required by the local Children's Safeguarding partnership. These will also form part of the school's procedures. It is the responsibility of the DSL to make these known to employees, and for employees to follow them (See Appendix 3).

<b>Name:</b>	Mr Martin Taylor
<b>Position:</b>	Trustee
<b>Signed:</b>	
<b>Date:</b>	



## Part B (Guidance)

Appendix 1	Roles and Responsibilities
Appendix 2	Identifying Concerns and Taking Action
Appendix 3	Records and Monitoring
Appendix 4	Child on child Abuse
Appendix 5	Child Sexual Exploitation (CSE)
Appendix 6	Youth Produced Sexual Imagery (Sexting)
Appendix 7	Online Safety
Appendix 8	Prevent Duty and Radicalisation/Extremism
Appendix 9	Female Genital Mutilation (FGM)
Appendix 10	Children Missing from Education
Appendix 11	Private Fostering
Appendix 12	Child on Child Sexual Violence and Sexual Harassment
Appendix 13	Welfare and Safeguarding Requirements in Early Years
Appendix 14	Serious Violence
Appendix 15	Opportunities to Teach Safeguarding
Appendix 16	Allegations against staff
Appendix 17	Supervision of Activity with Children, which is Regulated but unsupervised.

## Part C (Guidance)

**Safer recruitment, our re-training covers as a minimum of this guidance.**

**What Iona will do if they have a safeguarding concern, or an allegation is made about another staff member who may pose a risk of harm to children**

124. Trustees should ensure there are procedures in place to manage safeguarding concerns, or allegations against staff (including supply staff and volunteers) that might indicate they would pose a risk of harm to children.
125. Concerns including allegations that may meet the harms test should be addressed as set out in Part four of this guidance.
126. There must be procedures in place to make a referral to the Disclosure and Barring Service (DBS) if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have been had they not resigned

**This is a legal duty and failure to refer when the criteria are met is a criminal offence**

127. Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference.

## Safer recruitment Recruitment, selection, and pre-employment vetting

128. It is vital that Iona create a culture of safe recruitment and, as part of that, adopt recruitment procedures that help deter, reject or identify people who might abuse children. This part of the guidance describes in detail those checks that are or may be required for any individual working in any capacity at, or visiting the school or college. Trustees must act reasonably in making decisions about the suitability of the prospective employee based on checks and evidence, including criminal record checks (Disclosure and Barring Service (DBS) checks), barred list checks and prohibition checks, together with references and interview information.

129. As outlined in this guidance, the level of DBS certificate required, and whether a check for any prohibition, direction, sanction, or restriction is required, will depend on the role that is being offered and duties involved.
130. As the majority of staff will be engaging in regulated activity, an enhanced DBS certificate which includes barred list information will be required for most appointments. In summary, a person will be engaging in regulated activity if, as a result of their work, they:
  - will be responsible, on a regular basis for teaching, training instructing, caring for or supervising children; or
  - will carry out paid, or unsupervised unpaid work regularly in a school or college where that work provides an opportunity for contact with children, or
  - engage in intimate or personal care, or overnight activity, even if this happens only once.
131. For all other staff who have an opportunity for regular contact with children who are not engaging in regulated activity, an enhanced DBS certificate, which does not include a barred list check, will be appropriate. This would include contractors who would have the opportunity for contact with children and who work under a temporary or occasional contract.
132. In the school, a supervised volunteer who regularly teaches or looks after children is not in regulated activity. The government has published separate statutory guidance on supervision in relation to regulated activity (see Annex 17). When Iona is considering which checks should be undertaken on volunteers, they should have regard to that guidance, however, the schools may choose to carry out an enhanced DBS check, without barred list information, in certain circumstances.
133. In addition to obtaining any DBS certificate as described above, any member of staff who is appointed to carry out teaching work will require an additional check to ensure they are not prohibited from teaching.

**Regulated activity**

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government has produced a [Factual note on regulated activity in relation to children: scope](#).

Regulated activity includes:

- a) teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children;
- b) work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

Work under (a) or (b) is regulated activity only if done regularly.<sup>49</sup> Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes:

- c) relevant personal care, or health care provided by or provided under the supervision of a health care professional:
  - personal care includes helping a child with eating and drinking for reasons of illness or disability or in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability;<sup>50</sup>
  - health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

**Types of check Disclosure and Barring Service (DBS) checks**

134. Three types of DBS checks are referred to in this guidance

- Standard: this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC), regardless or not of whether they are spent under the Rehabilitation of Offenders Act 1974. The law allows for certain old and minor matters to be filtered out;
- Enhanced: this provides the same information as a standard check, plus any approved information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed; and
- Enhanced with barred list check: where people are working or seeking to work in regulated activity with children, this allows an additional check to be made as to whether the person appears on the children's barred list.

135. The DBS maintains 'barred lists' of individuals who are unsuitable to work with children and vulnerable adults. Where barred list information is requested, and 'children's workforce independent schools' is specified in the parameters for that check, the certificate will also detail whether the applicant is subject to a direction made under section 128 of the Education and Skills Act 2008. Such a direction prohibits an individual from taking part in the management (including being a governor) of independent educational institutions in England and/or Wales respectively. A person prohibited under section 128 is also disqualified from holding or continuing to hold office as a governor of a maintained school.
136. Once the checks are complete, the DBS will send a certificate (the DBS certificate) to the applicant. The applicant must show the original DBS certificate to their potential employer before they take up post or as soon as practicable afterwards.
137. Where a school or college allows an individual to start work in regulated activity before the DBS certificate is available, they should ensure that the individual is appropriately supervised and that all other checks, including a separate barred list check, have been completed.
138. We may also carry out online searches as part of their due diligence checks on shortlisted candidates.

**If a school or college knows or has reason to believe that an individual is barred, it commits an offence if it allows the individual to carry out any form of regulated activity. There are penalties of up to five years in prison if a barred individual is convicted of attempting to engage or engaging in such work.**

## **Prohibitions, directions, sanctions and restrictions**

### **Secretary of State teacher prohibition and interim prohibition, orders**

139. Teacher prohibition and interim prohibition, orders prevent a person from carrying out teaching work in schools, sixth form colleges, 16 to 19 academies, relevant youth accommodation and children's homes in England. A person who is prohibited must not be appointed to a role that involves teaching work.
140. Teacher prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the Teaching Regulation Agency (TRA). Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so. The TRA's role in making prohibition orders and the process used to impose them are described in more detail in its publication Teacher Misconduct: The Prohibition of Teachers.

### **Secretary of State Section 128 direction**

141. A section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited is unable to participate in any management of an independent school such as:
  - a management position in an independent school, academy or free school as an employee.
  - a trustee of an academy or free school trust; a governor or member of a proprietor body for an independent school;or

- a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.
142. The Secretary of State can make directions prohibiting individuals from taking part in independent school management under section 128 of the Education and Skills Act 2008. Individuals taking part in 'management' may include individuals who are members of proprietor bodies (including governors if the governing body is the proprietor body for the school), and such staff positions as follows: head teacher, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Whether other individuals such as teachers with additional responsibilities could be prohibited from 'taking part in management' depends on the facts of each case.
143. A section 128 direction disqualifies a person from holding or continuing to hold office as a governor of a maintained school.
144. The grounds on which a section 128 direction may be made by the Secretary of State are found in the relevant regulations.

### **Historic General Teaching Council for England (GTCE) sanctions and restrictions**

145. There remain several individuals who are still subject to disciplinary sanctions, which were imposed by the GTCE (prior to its abolition in 2012).

### **European Economic Area (EEA) regulating authority teacher sanctions or restrictions.**

146. From 01 January 2021 the TRA Teacher Services system will no longer maintain a list of those teachers who have been sanctioned in EEA member states. Advice about how information about a teacher's past conduct may be obtained can be found at paragraph.

### **How to check for prohibitions, directions, sanctions, and restrictions - Teacher Services checking system**

147. Checks for all prohibitions, sanctions and restrictions can be carried out by logging onto the Secure Access/DfE Sign-in Portal via the Teacher Services' web page. Secure Access/DfE Sign-in is a free service

Available to all schools and colleges. Registration is required for first time users and can be requested from Teacher Services. Further information about using this system to carry out a range of 'teacher status checks including verification of qualified teacher status (QTS) and the completion of teacher induction or teacher probation can be found at GOV.UK

148. A section 128 direction will also be disclosed where an enhanced DBS check with barred list information is requested, provided that 'children's workforce independent schools' is specified in the parameters for the barred list check.

## Childcare disqualification

149. For staff who work in childcare provision or who are directly concerned with the management of such provision, the school needs to ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare (Disqualification) Regulations 2018. Further information on the staff to whom these regulations apply, the checks that should be carried out, and the recording of those checks can be found in Disqualification under the Childcare Act 2006 statutory guidance.

## Pre-appointment checks

150. All new appointments
151. Any offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the necessary pre-employment checks.
152. When appointing new staff Iona will:
153. Verify a candidate's identity. Identification checking guidelines can be found on the GOV.UK website;
154. Obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity)
155. Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available.
156. Verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health to establish whether they have the physical and mental capacity for the specific role.
157. Verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the GOV.UK website.
158. if the person has lived or worked outside the UK, make any further checks the school or college consider appropriate and
159. Verify professional qualifications, as appropriate. The Teacher Services' system should be used to verify any award of qualified teacher status (QTS), and the completion of teacher induction or probation.

In addition:

160. Iona must ensure that a candidate to be employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State, or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012; and
161. Iona must check<sup>67</sup> that a person taking up a management is not subject to a section 128 direction made by the Secretary of State.



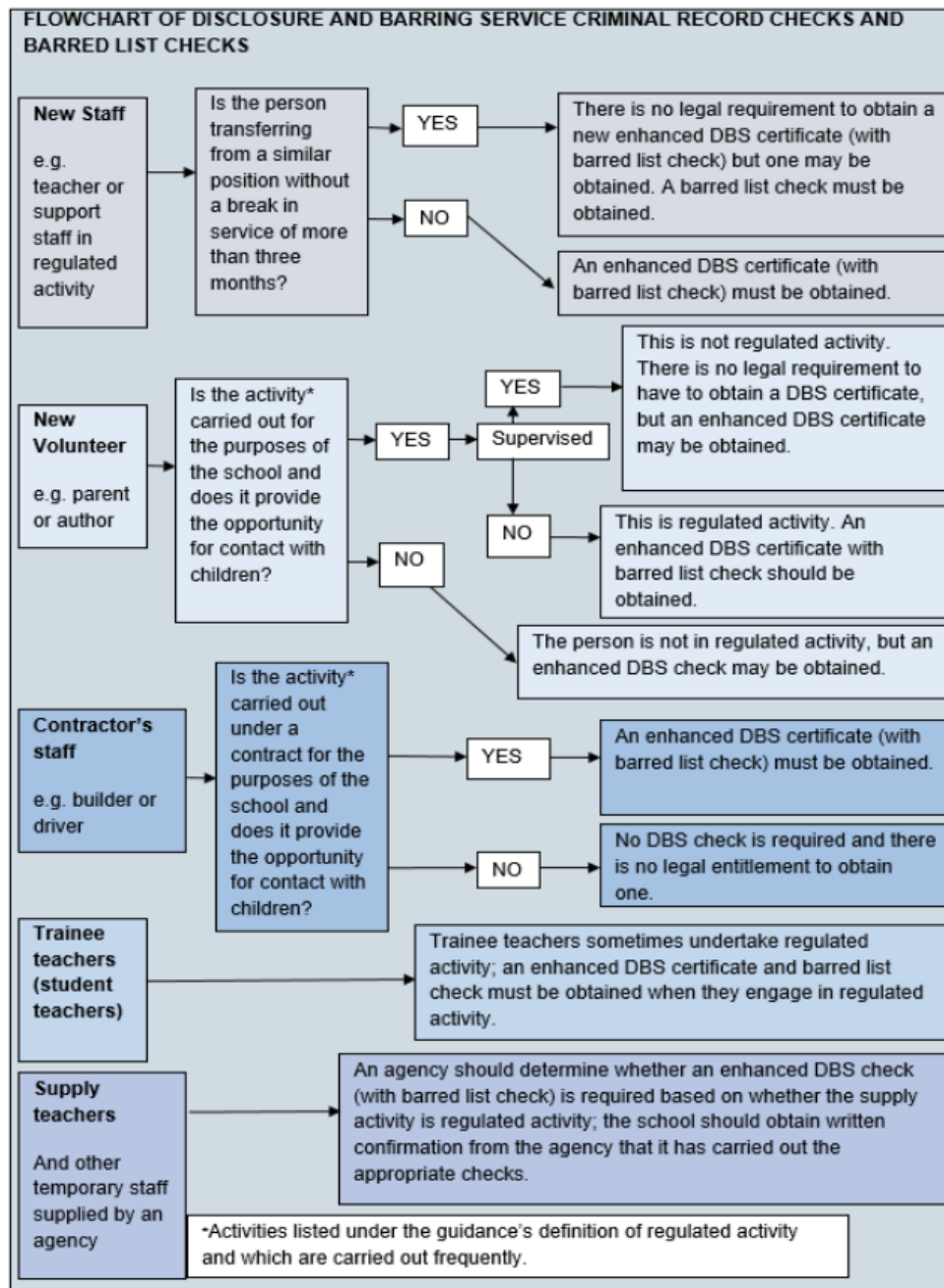
162. Where an enhanced DBS certificate is required, it must be obtained from the candidate before, or as soon as practicable after, the person's appointment.
163. There is no requirement for a school to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, during a period which ended not more than three months before the person's appointment, the applicant has worked:
  164. in a school in England, in a post: which brought the person regularly into contact with children or young persons; or
  165. to which the person was appointed on or after 12th May 2006 and which did not bring the person regularly into contact with children or young persons; or
  166. in an institution within the further education sector in England, or in a 16-19 Academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

**All other pre-appointment checks must still be completed, including where the individual is engaging in regulated activity, a barred list check.** Iona may also choose to request an enhanced DBS certificate.

167. The DBS cannot provide barred list information on any person, including volunteers, who are not in or seeking to enter in regulated activity.

## DBS Update Service

168. Individuals can join the DBS Update Service at the point an application for a new DBS check is made, enabling future status checks to be carried out to confirm that no new information has been added to the certificate since its issue. This allows for portability of a certificate across employers. Before using the Update Service, schools or colleges must:
  - obtain consent from the applicant to do so;
  - confirm the certificate matches the individual's identity; and
  - examine the original certificate to ensure that it is for the appropriate workforce and level of check, e.g. enhanced certificate/enhanced including barred list information.
169. The school or can subsequently carry out a free online check. This would identify whether there has been any change to the information recorded, since the initial certificate was issued and advise whether the individual should apply for a new certificate. Individuals will be able to see a full list of those organisations that have carried out a status check on their account. Further information about the update service, including when updated information can be used, can be found at GOV.UK.



## Employment history and references

170. Iona will always ask for written information about previous employment history and check that information is not contradictory or incomplete. The purpose of seeking references is to allow the school or college to obtain objective and factual information to support appointment decisions. References should always be obtained from the candidate's current employer. Where a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving should be obtained from the school, college, local authority or organisation at which they were employed.

171. References should be scrutinised and any concerns resolved satisfactorily, before the appointment is confirmed, including for any internal candidate. Obtaining references before interview, would allow any concerns they raise to be explored further with the referee and taken up with the candidate at interview. They should always be requested directly from the referee and preferably from a senior person with appropriate authority, not just a colleague. Employers should not rely on open references, for example in the form of 'to whom it may concern' testimonials, nor should they only rely on information provided by the candidate as part of the application process without verifying that the information is correct. Where electronic references are received, employers should ensure they originate from a legitimate source.
172. On receipt, references should be checked to ensure that all specific questions have been answered satisfactorily. The referee should be contacted to provide further clarification as appropriate, for example if the answers are vague or if insufficient information is provided. They should also be compared for consistency with the information provided by the candidate on their application form. Any discrepancies should be taken up with the candidate.
173. Any information about past disciplinary action or allegations that are disclosed should be considered carefully when assessing the applicant's suitability for the post (including information obtained from the Teacher Services' checks referred to previously). Further help and advice can be found on the Advisory, Conciliation and Arbitration Service (ACAS) website.

### Single central record

174. Iona will maintain a single central record of pre-appointment checks, referred to in the Regulations as the register and more commonly known as the single central record. For requirements for schools in Multi-academy trusts (MATs), see paragraph 169. The single central record must cover the following people:
  - All staff, including teacher trainees on salaried routes (see paragraph 176), agency and third party supply staff (see paragraph 174) who work at the school. In colleges, this means those providing education to children; and
  - For independent schools, all members of the proprietor body. In the case of academies and free schools, this means the members and trustees of the academy trust.
175. Respect of staff members (including teacher trainees on salaried routes). The single central record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:
  - an identity check. Identification checking guidelines can be found on the GOV.UK website;
  - a barred list check;
  - an enhanced DBS check/certificate;
  - a prohibition from teaching check;
  - further checks on people who have lived or worked outside the UK
  - a check of professional qualifications, where required; and
  - a check to establish the person's right to work in the United Kingdom. In addition:
176. Iona must record whether the person's position involves 'relevant activity', i.e. regularly caring for, training, supervising or being solely in charge of persons aged under 18; and a section 128 check.

177. For an agency and third party supply staff, Iona must also include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the member of staff
178. Whilst there is no statutory duty to include on the single central record details of any other checks, schools and colleges are free to record any other information they deem relevant. For example, checks for childcare disqualification, volunteers, and safeguarding and safer recruitment training dates. Schools and colleges may also wish to record the name of the person who carried out each check.
179. The single central record can be kept in paper or electronic form.
180. Multi Academy Trusts (MATs) must maintain the single central record detailing
181. Checks carried out in each academy within the MAT. Whilst there is no requirement for the MAT to maintain an individual record for each academy, the information should be recorded in such a way that allows for details for each individual academy to be provided separately, and without delay, to those entitled to inspect that information, including by inspectors.
182. Details of the records that must be kept are set out in the following Regulations:
  - for maintained schools - Regulations 12(7) and 24(7) and Schedule 2 to the School Staffing (England) Regulations 2009 and the School Staffing (England) (Amendment) Regulations 2013 (applied to pupil referral units through the Education (Pupil Referral Units) (Application of Enactments) (England) Regulations 2007);
  - for independent schools - (including academies and free schools and alternative provision academies and free schools): Part 4 of the Schedule to the Education (Independent School Standards) Regulations 2014;
  - for colleges - Regulations 20-25 and the Schedule to the Further Education (Providers of Education) (England) Regulations 2006;<sup>71</sup> and
  - for non-maintained special schools - Regulation 3 and paragraph 7 of Part 1 and paragraph 18 of Part 2 of the Schedule to the Non-Maintained Special Schools (England) Regulations 2015.
183. Schools and colleges do not have to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. To help Iona comply with the requirements of the Data Protection Act 2018 and the GDPR. A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications should be kept for the personnel file. Further information on handling DBS certificate information can be found on GOV.UK.

## Individuals who have lived or worked outside the UK

184. Individuals who have lived or worked outside the UK **must** undergo the same checks as all other staff in at the Iona school. This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK. In addition, schools and colleges **must** make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. These checks could include, where available:
  - criminal records checks for overseas applicants - Home Office guidance can be found on GOV.UK; and for teaching positions

- obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. Advice about which regulatory or professional body applicants should contact is available from the National Recognition Information Centre for the United Kingdom, UK NARIC.
185. Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability. Where this information is not available schools and colleges should seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment. Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, schools and colleges should consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment. Further information can be found in DfE Guidance: Recruit teachers from overseas.
186. Some overseas qualified teachers can apply to the Teaching Regulation Agency (TRA) for the award of qualified teacher status (QTS) in England. More information about this is available [here](#).

### Agency and third-party staff (supply staff)

187. Iona will obtain written notification from any agency, or third- party organisation they use that the organisation has carried out the checks (in respect of the enhanced DBS certificate, written notification that confirms the certificate has been obtained by either the employment business or another such business), on an individual who will be working at the school or college that the school or college would otherwise preform.
188. Where the position requires a barred list check, this must be obtained by the agency or third party prior to appointing the individual. The school or college must also check that the person presenting themselves for work is the same person on whom the checks have been made.

### Trainee/student teachers

189. Where applicants for initial teacher training are salaried by the school or college, the school or college must ensure that all necessary checks are carried out. As trainee teachers are likely to be engaging in regulated activity, an enhanced DBS certificate (including barred list information) must be obtained.
190. Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. Schools and colleges should obtain written confirmation from the provider that it has carried out all pre-appointment checks that the school or college would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children. There is no requirement for the school to record details of fee-funded trainees on the single central record.

### Existing staff

191. If a school or college has concerns about an existing staff member's suitability to work with children, the school or college should carry out all relevant checks as if the person were a new member of staff. Similarly, if a person working at the school or college moves from a post that was not regulated activity into work which is considered to be regulated activity, the relevant checks for that regulated activity must be carried out. For colleges, an individual moving from a position that did not involve the provision of education to one that does must be treated as if that individual were a new member of staff and all required pre-appointment checks must be carried out. Apart from these circumstances, the school or college is not required to request a DBS check or barred list check.

192. Schools and colleges have a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:
- the harm test is satisfied in respect of that individual.
  - the individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence; and
  - the individual has been removed from working (paid or unpaid) in regulated activity or would have been removed had they not left.
193. The DBS will consider whether to bar the person. Detailed guidance on when to the DBS, and what information must be provided, can be found on GOV.UK.
194. Referrals should be made as soon as possible and ordinarily on conclusion of an investigation, when an individual is removed from regulated activity. This could include when an individual is suspended, redeployed to work that is not regulated activity, dismissed or when they have resigned. When an allegation is made, an investigation should be carried out to gather enough evidence to establish if it has foundation, and employers should ensure they have sufficient information to meet the referral duty criteria explained in the DBS referral guidance, which can be found on GOV.UK.
195. Where a teacher's employer, including an agency, dismisses or ceases to use the services of a teacher because of serious misconduct, or might have dismissed them or ceased to use their services had they not left first, they must consider whether to refer the case to the Secretary of State, as required by sections 141D and 141E of the Education Act 2002. The Secretary of State may investigate the case, and if s/he finds there is a case to answer, must then decide whether to make a prohibition order in respect of the person. How to refer can be found on GOV.UK.

## Volunteers

196. Under no circumstances should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.
197. Volunteers who, on an unsupervised basis teach or look after children regularly, or provide personal care on a one-off basis in schools and colleges, will be in regulated activity. The school or college should obtain an enhanced DBS certificate (which should include barred list information) for all volunteers who are new to working in regulated activity. Existing volunteers in regulated activity do not have to be re-checked if they have already had a DBS check (which includes barred list information). However, schools and colleges may conduct a repeat DBS check (which should include barred list information) on any such volunteer should they have concerns.
198. There are certain circumstances where schools and colleges may obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in regulated activity. This is set out in DBS workforce guides, which can be found on GOV.UK. Employers are not legally permitted to request barred list information on a supervised volunteer as they are not considered to be engaged in regulated activity.
199. The school should undertake a risk assessment and use their professional judgement and experience when deciding whether to obtain an enhanced DBS certificate for any volunteer not engaging in regulated activity. In doing so they should consider:



- the nature of the work with children;
  - what the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers;
  - whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability;
  - whether the role is eligible for an enhanced DBS check. Details of the risk assessment should be recorded.
200. It is for the school to determine whether a volunteer is considered to be supervised. In making this decision, and where an individual is supervised, to help determine the appropriate level of supervision schools must have regard to the statutory guidance issued by the Secretary of State. This guidance requires that, for a person to be considered supervised, the supervision must be:
- by a person who is in regulated activity;
  - regular and day to day; and
  - “reasonable in all the circumstances to ensure the protection of children.”
201. The DBS cannot provide barred list information on any person, including volunteers, who are not in, or seeking to engage in regulated activity.

### Trustees of the school

202. Before an individual becomes either the Trustee of an independent school or the chair of a body of people which is the Trustee of an independent school, the Secretary of State will:
- carry out an enhanced DBS check; and obtain an enhanced DBS certificate where applicable (either including or not including barred list information as appropriate);
  - confirm the individual’s identity; and
  - if the individual lives or has lived outside of the UK, where making an enhanced check is insufficient, such other checks as the Secretary of State considers appropriate.
203. The Secretary of State also undertakes these checks in respect of the chair of governing bodies of non-maintained special schools.
204. The requirement for an enhanced DBS check and certificate is disapplied for the chair of an academy trust if the academy is converting from a maintained school and the person has already been subject to a check carried out by the local authority.
205. Where the proprietor is a body of people (including a governing body in an academy or free school), the chair must ensure that enhanced DBS checks are undertaken, for the other members of the body and that where such a check has been undertaken, an enhanced DBS certificate is obtained, and that identity checks are completed before, or as soon as practicable after, any individual takes up their position. The chair must also ensure that other members are not subject to a section 128 direction that would prevent them from taking part in the management of an independent school (including academies and free schools). Further checks, as the chair considers appropriate, should be undertaken where, by reason of the individual’s living or having lived overseas, obtaining an enhanced DBS certificate is not sufficient to establish his or her suitability to work in a school.

## Contractors

206. Iona will ensure that any contractor, or any employee of the contractor, who is to work at the school or college, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information). For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required. In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across a number of sites.
207. Under no circumstances should a contractor in respect of whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity. The school are responsible for determining the appropriate level of supervision depending on the circumstances.
208. If an individual working at a school or college is self-employed, the school should consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account
209. The school should always check the identity of contractors and their staff on arrival at the school or college.

## Visitors

210. The school do not have the power to request DBS checks and barred list checks, or ask to see DBS certificates, for visitors (for example children's relatives or other visitors attending a sports day). Headteachers and principals should use their professional judgment about the need to escort or supervise visitors.

## Alternative Provision

211. Where a school places a pupil with an alternative provision provider, the school continues to be responsible for the safeguarding of that pupil and should be satisfied that the provider meets the needs of the pupil. School should obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the school would otherwise perform in respect of its own staff.

## Adults who supervise children on work experience

212. The school organising work experience placements should ensure that the placement provider has policies and procedures in place to protect children from harm.
213. Barred list checks by the DBS might be required on some people who supervise a child under the age of 16 on a work experience placement. The school or college should consider the specific circumstances of the work experience. Consideration must be given in particular to the nature of the supervision and the frequency of the activity being supervised, to determine what, if any, checks are necessary. These considerations would include whether the person providing the teaching/training/instruction/supervision to the child on work experience will be:
  - unsupervised themselves; and
  - providing the teaching/training/instruction frequently (more than three days in a 30 day period, or overnight).
  - frequent contact with the child, the work is likely to be regulated activity. If so, the school or college could ask the employer providing the work experience to ensure that the person providing the instruction or training is not a barred person.

214. The school are not able to request an enhanced DBS check with barred list information for staff supervising children aged 16 to 17 on work experience. If the activity undertaken by the child on work experience takes place in a 'specified place', such as a school or college, and gives the opportunity for contact with children, this may itself be considered to be regulated activity. In these cases and where the child is 16 years of age or over, the work experience provider should consider whether a DBS enhanced check should be requested for the child/young person in question. DBS checks cannot be requested for children/young people under the age of 16.

## Appendix 1 - Roles and Responsibilities

### Everyone

Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone in our school who comes into contact with children and their families has a role to play in safeguarding children. All employees in our schools consider, at all times, what is in the best interests of children.

All employees are equally in a position to identify concerns early and provide help to children to prevent concerns escalating. All employees contribute to providing a safe environment in which children can learn.

All our employees are aware of the early help process and understand their role in this. This includes being able to identify emerging problems to recognise children who may benefit from early help. Employees know in the first instance to discuss their concerns with the Designated Safeguarding Lead (DSL) and understand they may be required to support other agencies and professionals in assessments for early help.

All our employees are aware of systems within our school and these are explained to them as part of employee induction, which include our child protection policy; the Employee Expectations and Code of Conduct, the role of the DSL and Keeping Children Safe in Education Part One. All our employees receive appropriate safeguarding and child protection training which is regularly updated. In addition staff receive updates on child protection and safeguarding as required, but at least annually.

All our employees are aware of the process for making referrals to Children's Social Care and for statutory children in needs under the Children Act 1989 and understand the role they may have in these assessments.

All our employees know what to do if a child is raising concerns, disclosures of abuse and neglect. Employees will maintain a level of confidentiality whilst liaising with the DSL and Children's Social Care. Our employees will never promise a child that they will not tell anyone about a disclosure or allegation, recognising this may not be in the best interest of the child.

Also, understanding that the child may not feel ready or know how to tell someone they are being abused.

If staff have **any concerns** about a child's welfare, they should act on them immediately.

**Employees and Volunteers will always promptly inform the Designated Safeguarding Lead (DSL) if there is:**

- any suspicion that a child is injured, marked, or bruised in a way which is not readily attributable to the normal knocks or scrapes received in play;
- suspected domestic abuse
- any explanation given which appears inconsistent or suspicious;

- any behaviours which give rise to suspicions that a child may have suffered harm;
- any concerns that a child may be suffering from inadequate care, ill treatment, or emotional maltreatment;
- any concerns that a child is presenting signs or symptoms of abuse or neglect;
- any significant changes in a child's presentation, including non-attendance;
- any hint or disclosure of abuse about or by a child/young person;
- any concerns regarding a person(s) who may pose a risk to children e.g. living in a household with children present;
- any concerns about child on child abuse; this should never be tolerated and passed off as banter or part of growing up (see Appendix 4);
- information which indicates that the child is living with someone who does not have parental responsibility for them e.g. private fostering (see Appendix 11).
- any concerns that a child is at risk of forced marriage, honour based violence or female genital mutilation (see Appendix 9).

Options will then include:

- managing any support for the child internally via the schools pastoral support processes;
- an early help assessment;
- a referral for statutory services for example as the child might be in need, is in need or suffering or likely to suffer harm.

### Teachers and Leaders – Professional Duty

The Teacher Standards June 2013 remind us that teachers, newly qualified teachers and Headteachers should safeguard children and maintain public trust in the teaching profession as part of our professional duties.

### Designated Safeguarding Lead (DSL)

We have a DSL with lead responsibility for safeguarding children and child protection who has received appropriate training and support for this role. This role includes duties under the Prevent agenda. The DSL is a senior member of the school leadership team and their responsibilities are explicit in their Job Description. The DSL will liaise with the local authority and work with other agencies in line with Working together to safeguard children.

We also have 3 more Deputy DSLs (see Pg3 of this policy), who will provide cover for the DSL when they are not available. Our Deputy DSLs have received the same training as our DSL. They will provide additional support to ensure the responsibilities for child protection and safeguarding children are fully embedded within the school ethos and that specific duties are discharged. They will assist the DSL in managing referrals, attending child protection conferences, reviews and meetings and supporting the child/children. All have completed the required training and are overseen by the DSL to ensure we fulfil our child protection responsibilities to meet the needs of the children/young people on roll.

We acknowledge the need for effective and appropriate communication between all employees in relation to safeguarding pupils. Our DSL ensures there is a structured procedure within the school, followed by all of the members of the school community in cases of suspected abuse, including where concerns are raised under Prevent.

## **The Designated Safeguarding Lead is expected to:**

### **Manage Referrals**

- 215. Refer cases of suspected abuse or allegations to the relevant investigating agencies;
- 216. Support employees who make referrals to children's social care and other referral pathways;
- 217. Refer cases, where a person is dismissed or left due to risk/harm to a child, to the DBS as required.

### **Work with Others**

- 218. Liaise with Head of College (where the Designated Safeguarding Lead role is not carried out by the Head of College) school) to inform him/her of any issues and ongoing investigations;
- 219. Liaise with the case manager and the LADO/ LADO Allegation Officer where there are concerns about an employee;
- 220. Liaise with employees on matters of safety and safeguarding and deciding when to make a referral by liaising with other agencies. Act as a source of support, advice and expertise for other employees;
- 221. Take part in strategy discussions or attend inter-agency meetings and/or support other employees to do so and to contribute to the assessment of children;
- 222. Liaise with the local authority and other agencies in line with Working Together to Safeguard Children 2015 with the most recent updates and the local Safeguarding Children Board procedures and practice guidance.

### **Undertake Training**

- 223. Formal DSL training will be undertaken every two years. Informal training and updating of knowledge and skills will be at regular intervals, undertaken at least annually. The DSL is responsible for their own training and should obtain access to resources or any relevant refresher training.
- 224. The DSL is also responsible for ensuring all other employees with designated safeguarding responsibilities access up to date and timely safeguarding training and maintains a register to evidence the training.

### **The training undertaken should enable the Designated Safeguarding Lead to:**

- 225. understand the assessment process for providing early help and intervention
- 226. have a working knowledge of how the local Safeguarding Children Board operates, the conduct of a child protection conference, and be able to attend and contribute to these effectively when required to do so;
- 227. ensure that each employee has access to the Child Protection Policy and procedures;
- 228. be alert to the specific needs of children in need, including those with special educational needs and or disabilities and young carers;
- 229. be able to keep detailed, accurate, secure written records of concerns and referrals;

- 230. understand the Prevent Duty and provide advice and support to employees on protecting children from the risk of radicalisation;
- 231. are able to understand the unique risks associated with online safety. As children do not use technology in school no further knowledge is necessary;
- 232. can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online;
- 233. obtain access to resources and attend any relevant or refresher training courses;
- 234. encourage a culture of protecting children; listening to children and their wishes and feelings.

### Raise Awareness

- 235. Ensure that the safeguarding and child protection policies are known, understood and used appropriately;
- 236. Ensure that the safeguarding and child protection policy is reviewed annually in consultation with employees, procedures are updated and reviewed regularly and implemented, and that the governing body is kept up to date and actively involved;
- 237. Work strategically to ensure policies and procedures are up to date and drive and support development work within the school;
- 238. Ensure that the Safeguarding and Child Protection Policy is available to parents/carers and uploaded to the website and make them aware that referrals may be made about suspected abuse or neglect;
- 239. Liaise with the local SCP and ensure all employees receive induction training covering child protection and are able to recognise and report any concerns immediately as they arise.

### Availability

During term time the Designated Safeguarding Lead (or Deputy) will always be available (during school hours) for employees in the school to discuss any safeguarding concerns. The school ensure that appropriate arrangements are in place for any out of school hours' activities in- line with the guidance contained in DfE KCSIE.

### Chair of College will ensure that:

- 240. the safeguarding policies and procedures are implemented, and followed by all employees;
- 241. the roles and responsibilities of the DSL and any Deputy DSLs are explicit in their Job Descriptions;
- 242. sufficient resources and time are allocated to enable the DSL and other employees to discharge their responsibilities, including taking part in strategy discussions and inter-agency meetings, and contributing to the assessment of children;
- 243. all employees and volunteers feel able to raise concerns about poor or unsafe practice with regard to children, and such concerns are addressed sensitively and effectively in a timely manner in accordance with agreed whistleblowing policies;



244. all employees have access to and read the whole Safeguarding and Child Protection Policy; the employee Code of Conduct; DfE Keeping Children Safe in Education 2020 (January 2021 update), Part One, as a minimum; there are mechanisms in place to assist employees to understand and discharge their role and responsibilities as set out in Part One of Keeping Children Safe in Education 2020 (January 2021 update)

**The Trustees are collectively responsible for ensuring that safeguarding arrangements are fully embedded within the school's ethos and reflected in the day to day safeguarding practices by:**

245. ensuring there is an individual member of the Trustees to take leadership responsibility for safeguarding and champion child protection issues within the school;
246. ensuring the school has effective policies and procedures in line with statutory guidance (Working Together to Safeguard Children 2015) and local LSCB guidance, monitoring the school's compliance with them;
247. ensuring that safeguarding policies and procedures are in place for appropriate action to be taken in a timely manner to promote a child's welfare;
248. recognising the importance of information sharing between agencies. Ensuring cooperation with the local authority and other safeguarding partners;
249. appointing a DSL from the leadership team to take lead responsibility for child protection/safeguarding and ensuring a Designated Teacher for Looked After Children is appropriately trained;
250. ensuring that all employees read and understand at least Part One of Keeping Children Safe in Education 2020 (January 2021 update) and ensuring that there are mechanisms in place to assist employees to understand and discharge their role and responsibilities as set out in Part One;
251. ensuring that the governing body is collectively responsible for the school's safeguarding arrangements;
252. ensuring that all of the Trustees are suitably trained to enable them to discharge and comply with their child protection/safeguarding responsibilities; and that this training is updated at regular intervals
253. ensuring there is a training strategy in place for all employees, including the Chair of College, so that child protection training is undertaken with refresher training at three yearly intervals. The DSL and all other employees with designated safeguarding responsibilities should receive refresher training at two yearly intervals;
254. ensuring that employees undergo safeguarding child protection training at induction and that there are arrangements in place for employees to be regularly updated to ensure that safeguarding remains a priority;
255. ensuring that temporary employees and volunteers who work with children are made aware of the school's arrangements for child protection and their responsibilities;
256. ensuring there are procedures in place to manage allegations against employees and exercise disciplinary functions in respect of dealing with a complaint

257. ensuring a response if there is an allegation against the Chair of College by liaising with the LADO or other appropriate officers within the HR advisory service (ACAS).
258. ensuring appropriate responses to children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse, including child sexual exploitation;
259. ensuring that appropriate filters and monitoring systems are in place at the school to protect children if and when online
260. ensuring that children are taught about safeguarding online through teaching and learning opportunities;
261. ensuring that child on child abuse is included in Child Protection and Safeguarding Policy, sexting and the school's response is included and different gender issues that are prevalent in child on child abuse;
262. giving employees the opportunities to contribute and shape safeguarding arrangements and policy;
263. preventing people who pose a risk of harm from working with children by adhering to statutory responsibilities to check employees who work with children, making decisions about additional checks and ensuring volunteers are supervised as required;
264. ensuring at least one person on any appointment panel has undertaken safer recruitment training;
265. recognising that certain children are more vulnerable than others, such as looked after children (previously or current), care leavers and children with special educational needs and disabilities.

### **Looked After Children – the role of Designated Teacher and the Designated Safeguarding Lead**

Supporting children in care is key priority for our school. We recognise that the needs of this group of children can only be effectively met when all agencies work together. The school has a teacher with responsibility for promoting the educational achievement of children who are looked after and those who are post adoption. They have the appropriate training. The Designated Teacher will work with the Local Authority's Virtual School Head to ensure that the progress of the child is supported.

The DSL will also have details of the child's social worker and the name of the Local Authority's Virtual School Head. The DSL will work closely with the Designated Teacher, as we recognise that children may have been abused or neglected before becoming looked after. We will ensure their ongoing safety and wellbeing as well as supporting their education, through linking with their social worker, carers and parents where appropriate.

### **What school and college staff should do if they have safeguarding concerns about another staff member who may pose a risk of harm to children.**

If staff have safeguarding concerns, or an allegation is made about another member of staff (including supply staff and volunteers) posing a risk of harm to children, then:

- this should be referred to the headteacher or principal;
- where there are concerns/allegations about the headteacher or principal, this should be referred to the chair of governors, chair of the management committee or proprietor of an independent school; and

- in the event of concerns/allegations about the headteacher, where the headteacher is also the sole proprietor of an independent school, this should be reported directly to the designated officer(s) at the local authority.

### **What school or college staff should do if they have concerns about safeguarding practices within the school or college**

All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school's or college's safeguarding regime, and know that such concerns will be taken seriously by the senior leadership team.

Appropriate whistleblowing procedures should be put in place for such concerns to be raised with the school's or college's senior leadership team.

Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:

- general guidance on whistleblowing can be found via: Advice on Whistleblowing; and
- the NSPCC's what you can do to report abuse dedicated helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their school or college.

Staff can call 0800 028 0285 – line is 24/7 and email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

### **Appendix 2 - Identifying Concerns and Taking Action**

All employees, volunteers and Trustees will know to ensure early identification of abuse and neglect and how to respond to a pupil who discloses abuse, or where others raise concerns about them. Our employees will be familiar with procedures to be followed. Employees understand that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition and that in most cases multiple issues will overlap with each other. Employees who regularly come into contact with children are aware of the DfE guidance: **What to do if you're worried a child is being abused**

All staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside of these environments. All staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

Some of the following signs might be indicators of abuse or neglect:

- Children whose behaviour changes – they may become aggressive, challenging, disruptive, withdrawn or clingy, or they might have difficulty sleeping or start wetting the bed;
- Children with clothes which are ill-fitting and/or dirty;
- Children with consistently poor hygiene;
- Children who make strong efforts to avoid specific family members or friends, without obvious reason;
- Children who don't want to change clothes in front of others or participate in physical activities;
- Children who are having problems at school, for example, a sudden lack of concentration and learning or they appear to be tired and hungry;

- Children who talk about being left home alone, with inappropriate carers or with strangers;
- Children who reach developmental milestones late, e.g. learning to speak/walk, with no medical reason;
- Children who are regularly missing from school;
- Children who are reluctant to go home after school;
- Children with poor attendance and punctuality, or who are consistently late being picked up;
- Parents who are dismissive and non-responsive to practitioners' concerns;
- Parents who collect their children from school when drunk, or under the influence of drugs;
- Children who drink alcohol regularly from an early age;
- Children who are concerned for younger siblings without explaining why;
- Children who talk about running away; and
- Children who shy away from being touched or flinch at sudden movements.
- Children who self-harm.

**The four categories of child abuse are as follows:**

1. Physical Abuse
2. Emotional Abuse
3. Sexual Abuse
4. Neglect

Abuse: 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. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

### Physical Abuse

A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

*Some of the possible indicators could include:* children with frequent injury such as bruising, bite marks, burns and scalds, fractures but also by aggressive behaviour. It may also be an indicator of concern where a parent gives an explanation inconsistent with the injury or gives several different explanations for the injury.

### Emotional Abuse

The persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

*Some of the possible indicators could include:* developmental delay, attachment issues, aggressive behaviour, appeasing behaviour, watchfulness or stillness, low self-esteem, withdrawn or a loner, or having difficulty in forming relationships. Emotional abuse may be difficult to recognise as signs are usually behavioural rather than physical. Signs of emotional abuse may be associated or similar to other forms of abuse so presence of emotional abuse may indicate other abuse is prevalent as well.

## Sexual Abuse

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

*Some of the possible indicators could include:* Inappropriate sexualised conduct, age inappropriate sexualised play or conversation, sexually harmful behaviour – contact or non-contact, self-harm, eating disorders, continual, inappropriate or excessive masturbation, anxiousness or unwillingness to remove clothes – sports/ PE etc., pain or itching in genital area, blood on underclothes, bruising in genital region and/or inner thighs.

## Neglect

The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

*Some of the possible indicators could include:* Being constantly hungry; constantly tired; have a poor state of clothing; be emaciated; have untreated medical problems; be frequently late or have poor or non-attendance at the school; have low self-esteem; display neurotic behaviour and/or have poor social relationships, have poor personal hygiene. A neglected child may also be apathetic, fail to thrive, or be left with or in the care of adult's under the influence of alcohol or drug misuse.

## Children with Special Educational Needs

We recognise that some children with special educational needs and or disabilities - SEND - can face additional safeguarding challenges. Such children are especially vulnerable when identifying concerns due to their impaired capacity to resist or avoid abuse. They may have speech, language and communication needs which may make it difficult to tell others what is happening. We know that additional barriers can exist when recognising abuse and neglect in this group of children which include:

266. assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
267. children with SEN(D) can be disproportionately impacted by things like bullying - without outwardly showing any signs;

- 268. communication barriers and difficulties in overcoming these barriers.
- 269. being more prone to peer group isolation than other children;

Because of these vulnerabilities, we will consider on a case by case basis, the level of pastoral support needed for children with SEN and disabilities.

### Domestic Abuse

Domestic abuse can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. That abuse can be, but is not limited to, psychological, physical, sexual, financial or emotional. Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). All of which can have a detrimental and long-term impact on their health, well-being, development, and ability to learn.

### Taking Action where Concerns are identified.

The Local Safeguarding Partnership's procedures contain the inter-agency processes, protocols and expectations for safeguarding children. The school's response to any concerns will be set within this context.

Our employees recognise the difference between concerns about a child and a child in immediate danger. If employees have concerns about a child, a discussion should take place with the DSL to agree a course of action. If a child is at immediate risk of harm a referral will be made immediately to the relevant agency and/or the police immediately by the employee if required, with the DSL being informed of the referral.

If a child chooses to tell an employee about alleged abuse, there are a number of actions that employees will undertake to support the child using the TED approach of Tell me, Explain, Describe:

- 270. The key facts will be established in language that the child understands and the child's words will be used in clarifying/expanding what has been said;
- 271. No promises will be made to the child, e.g. to keep secrets;
- 272. Employees will stay calm and be available to listen;
- 273. Employees will actively listen with the utmost care to what the child is saying;
- 274. Where questions are asked, this should be done without pressurising and only using open questions;
  - Leading questions should be avoided as much as possible
  - Questioning should not be extensive or repetitive;
- 275. Employees will not put words in the child's mouth but subsequently note the main points carefully;
- 276. A full written record will be kept by the employees, signed/logged and dated, including the time of the conversation with the child, an outline of what was said, any comment on the child's body language etc.
- 277. It is not appropriate for employees to make children write statements about abuse that may have happened to them or get them to sign the employee's record;



278. Employees will reassure the child and let them know that they were right to inform them and inform the child that this information will now have to be passed on;
279. The DSL will be immediately informed, unless the disclosure has been made to them;
280. Information should be shared with children's social care without delay, either to the child's own social worker or to the relevant Local Authority multi agency hub. Children's Social Care will liaise with the police as required to ensure an appropriate police officer response rather than a uniformed response.
281. The police would only therefore be contacted direct in an emergency.

**Employees should never attempt to carry out an investigation of suspected child abuse by interviewing the child or any others involved. The only people who should investigate child abuse and harm are Social Care, Police or the NSPCC.**

### Appendix 3 - Record Keeping and Monitoring

A written record of any concerns about a child will be made within 24 hours. The school uses a set format for recording and monitoring child protection and other safeguarding issues. Records will comprise a mixture of directly recorded information, handwritten accounts or other paper information.

All records will provide a factual and evidence based account with accurate recording of any actions. Records will identify the person making the record, be dated and, where appropriate, be witnessed. Where an opinion or professional judgement is recorded this should be clearly stated as such.

**At no time should an individual teacher/employee be asked to or consider taking photographic evidence of any injuries or marks to a child's person. This type of behaviour could lead to the employee being taken into managing allegations procedures. The body map approach should be used in accordance with recording guidance.**

**Any concerns should be reported and recorded without delay to the appropriate safeguarding services, e.g. MASH or the child's social worker if already an open case to social care.**

A chronology will be kept in the main file. Employees will record any minor concerns on the chronology and will take responsibility for alerting the DSL should the number of concerns rise or, in their professional judgement, become significant.

### Why Recording is Important

Our employees will be encouraged to understand why it is important that recording is comprehensive and accurate and know the messages from serious case reviews in terms of recording and sharing information. It is often when a chronology of information is pieced together that the level of concern escalates or the whole or wider picture becomes known. We acknowledge that without information being recorded it can be lost. This could be crucial information, the importance of which is not always necessarily apparent at the time. On occasions, this information could be crucial evidence to safeguard a child or be evidence in future criminal prosecutions.

## The Paper Based Concern File

The establishment of a 'concern' file, which is separate from the child's main school file, is an important principle in terms of storing and collating information about children which relates to either a child protection or safeguarding concern or an accumulation of concerns about a child's welfare which are outside of the usual range of concerns which relate to ordinary life events. It needs to be borne in mind that what constitutes a 'concern' for one child may not be a 'concern' for another and the particular child's circumstances and needs will differ i.e. a child subject to a child protection plan, looked after child, CiN may be looked at differently to a child recently bereaved, parental health issues, etc. Professional judgement will therefore be an important factor when making this decision and will need clear links between pastoral employees and DSLs.

The school will keep records of concerns about children even where there is no need to refer the matter to MASH/Children's Social Care (or similar) immediately. Records will be kept up to date and reviewed regularly by the DSL to evidence and support actions taken by employees in discharging their safeguarding arrangements. Original notes will be retained (but clearly identified as such) as this is a contemporaneous account; they may be important in any criminal proceedings arising from current or historical allegations of abuse or neglect.

The concern file can be active or non-active in terms of monitoring i.e. a child is no longer LAC, subject to a child protection plan or EHAF and this level of activity can be recorded on the front sheet, where written records still exists pending transfer to CPOMs, as a start and end date. If future concerns then arise it can be re-activated and indicated as such on the front sheet and on the chronology as new information arises.

Where children leave the school, employees should ensure their concern/child protection file is transferred to the new school as soon as possible (this should be as soon as possible and no later than 15 working days). This should be transferred separately from the main pupil file, ensuring secure transit and confirmation of receipt should be obtained. Where possible the file should be hand-delivered to the receiving designated safeguarding lead with a discussion taking place. There should be a smooth and safe transition for the child and consequently our school's DSL will consider if it would be appropriate to share any information with the new school or college in advance of a child leaving. This would include information that would allow the new school or college to continue supporting victims of abuse and have that support in place for when the child arrives. Where our school is the receiving school, we will ensure that key staff such as designated safeguarding leads and SENCO are aware as required.

## Recording Practice

Timely and accurate recording will take place when there are any issues regarding a child. Each and every episode/incident/concern/activity regarding that child, including telephone calls to other professionals, needs to be recorded on the chronology kept within the confidential file for that child. This will include any contact from other agencies to discuss concerns relating to a child. Actions will be agreed and roles and responsibility of each agency will be clarified and outcomes recorded. Support and advice will be sought from Children's Social Care, or Early Help whenever necessary. In this way a picture can emerge and this will assist in promoting an evidence based assessment and determining any action(s) that needs to be taken. This may include no further action, undertaking an EHAF, or making a referral to the Local Authority safeguarding hubs/Children's Social Care.

The DSL will have a systematic means of monitoring children known or thought to be at risk of harm (through the concern file and through an ongoing dialogue with class teachers). They will ensure that we contribute to assessments of need and support multi-agency plans for those children.

The school uses standard templates and forms for recording information. These are specific to the school and reflect any mandatory or required Local Authority or Local Children's Safeguarding Board procedures, where these exist. The DSL will ensure that all employees are familiar with the reporting/recording formats for the school. These form part of the school's safeguarding practice and employees are required to ensure they follow these.

## Appendix 4 - Child on Child Abuse

Our school recognises that children are vulnerable to and capable of abusing their peer. We take such abuse as seriously as abuse perpetrated by an adult. This includes verbal as well as physical abuse. Child on child abuse will not be tolerated or passed off as part of "banter", "just having a laugh", "part of growing up" or "boys being boys".

In cases where child on child abuse is identified we will follow our child protection and safeguarding procedures, recognising that both the victim and perpetrator will require support.

We recognise that child on child abuse can manifest itself in many ways such as:

- Child Sexual Exploitation (Appendix 5)
- Sexting or youth produced digital imagery (Appendix 6)
- Sexual violence such as rape, assault by penetration and sexual assault;
- Sexual harassment such as sexual comments, remarks, jokes and on-line sexual harassment which may stand alone or part of a broader pattern of abuse.
- Bullying (including cyber-bullying)
- Radicalisation
- Abuse in intimate relationships
- Children who display sexually harmful behaviour
- Gang association and serious violence
- Technology can be used for bullying and other abusive behaviour
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- Initiation/hazing type violence and rituals
- Up skirting
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element)

There are a number of factors that make children more vulnerable to child on child abuse: experience of abuse within their family; living with domestic violence young people in care; children who go missing; children with additional needs (SEN and/or disabilities); children who identify as or are perceived as LGBTQ+ or who have other protected characteristics (race, religion). These factors may also put children at risk of not fitting in with standard safeguarding practices and policies.

Research tells us girls are more frequently identified as being abused by their peers; girls are more likely to experience unwanted sexual touching in schools. Boys are less likely to report intimate relationship abuse. Boys report high levels of victimisation in areas where they are affected by gangs. There is an increasing evidence base emerging on the sexual exploitation of boys (both by adults and peers) and LGBTQ+ young people. We recognise that both boys and girls experience child on child abuse but they do so in gendered ways.

All child on child abuse is unacceptable and will be taken seriously.

In our school, we will work to minimise the risk of child-on-child abuse through pupil voice. Any incidents will be recorded, investigated and dealt with in accordance with our safeguarding procedures.

### Child's wishes

Where there is a safeguarding concern, the Trustees and school leaders should ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide. Systems should be in place for children to express their views and give feedback. Ultimately, all systems and processes should operate with the **best** interests of the child at heart.

## Appendix 5 - Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

The school adheres to the local SCB procedure in relation to child sexual exploitation. We recognise that child sexual exploitation is a high profile issue both nationally and locally.

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity:

- (a) In exchange for something the victim needs or wants, and/or
- (b) For financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

The school recognises that the child sexual exploitation can cause a great deal of harm to a child, including physically, emotionally, educationally and socially. Where it exists it can also cause harm to communities including our school.

Child sexual exploitation can happen in a number of ways to both boys and girls, for example it can happen through various social media and this can still cause significant harm. It can happen through inappropriate relationships such as older boy/girlfriends or through parties, gangs or organised abuse. Some children will be particularly vulnerable to being exploited, for example if they have had a chaotic upbringing or if they are in care or go missing, involved in gangs or being bullied. We recognise however that any child can become a target for exploitation, particularly where the internet and social media are involved. This is because the normal life events that go with being a child or teenager in today's age can be a challenge and make them susceptible to being groomed and exploited.

As a school we recognise that prevention is the best position with regard to CSE. We seek to support children to develop confidence and build resilience. We will endeavour to support their age appropriate knowledge and raise awareness and understanding of what CSE is, to understand the risks of CSE and to spot the warning signs for themselves and also their friends and peers and by doing so keep safe.

If prevention is not possible we aim to identify children who are at risk of, or being exploited very early. Early intervention is key to effectively working with the child to prevent or reduce the level of risk. Once they have been groomed some children will find it difficult to withdraw from their abusers and we need to contribute to helping to protect them. Some children feel that they are in a relationship with these people. We commit to working with our inter-agency partners to safeguard and protect children.

Much of this work will be through our programmes of Personal, Social and Health Education (PSHE) or through our Sex and Relationship Education (SRE) work.

An important part of educating our children is focussing on what is a healthy relationship and issues of consent. This will also target potential abusers at an early age with the intention of helping to shape their attitudes to others. We want to have a culture where the welfare of children is actively promoted and employees and pupils are vigilant. As part of this children will feel listened to and safe.

Further information is available from the Department for Education:

<https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners>

Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. The abuse can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may or may not, be accompanied by violence or threats of violence. Victims can be exploited even when activity appears consensual and it should be noted exploitation as well as being physical can be facilitated and/or take place online.

Some of the following can be indicators of CCE:

- children who appear with unexplained gifts or new possessions;
- children who associate with other young people involved in exploitation;
- children who suffer from changes in emotional well-being;
- children who misuse drugs and alcohol;
- children who go missing for periods of time or regularly come home late; and
- children who regularly miss school or education or do not take part in education.

CSE 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. The victim may have been sexually exploited even if the sexual activity appears consensual. CSE does not always involve physical contact; it can also occur through the use of technology. CSE can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex. It can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media).

The above CCE indicators can also be indicators of CSE, as can:

- children who have older boyfriends or girlfriends; and
- children who suffer from sexually transmitted infections or become pregnant.

## Appendix 6 - Youth Produced Sexual Imagery (Sexting)

### Introduction

The school recognises that 'sexting' is a growing concern amongst professionals and parents as it can expose children to risks, particularly if the imagery is shared further. It can lead to embarrassment, bullying and increased vulnerability to sexual exploitation. Producing and sharing images of under 18s is also illegal.

There is no clear definition of what is 'sexting' and indeed many professionals, young people and parents have different interpretations ranging from sending flirty messages to sending nude or semi-nude photographs via mobiles or over the internet.

This guidance is based on the UKCCIS Sexting in Schools and Colleges guidance 2016. The full guidance is located at <https://www.saferinternet.org.uk/blog/new-sexting-guidance-schools-released-uk-council-child-internet-safety>.

This guidance covers:

- a person under the age of 18 who creates and shares sexual imagery of themselves with a peer under the age of 18;
- a person under the age of 18 who shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult;
- a person under the age of 18 who is in possession of sexual imagery created by another person under the age of 18;

It does not cover:

- the sharing of sexual imagery of people under 18 by adults as this constitutes child sexual abuse and schools should always inform the police and CSC;
- young people under the age of 18 sharing adult pornography or exchanging sexual texts which don't contain imagery.

The term youth produced sexual imagery has been adopted to provide some clarity and to distinguish it from imagery where there are adults involved in some manner.

The purpose of this guidance is to make expectations clear to pupils and their parents and carers as well as to be clear to employees about the school's policy and procedure in responding to incidents.

This policy forms part of our school's safeguarding arrangements and our response to concerns about 'sexting' will be guided by the principle of proportionality and our primary concern at all times is the welfare and protection of the children and young people involved. The school recognises that it is an offence under the Sexual Offences Act 2003 to possess, distribute, show and make indecent images of children (a child being under 18 years) but it does not define what is indecent.

However, the police accept that the law which criminalised indecent images of children was created before the technological advances of today and it originally sought to protect children from adults. It was not intended to criminalise children. Despite these children who share sexual imagery of themselves, or peers are breaking the law and therefore we will seek to manage this type of case appropriately.



All professionals including the National Police Chiefs Council agree that incidents involving youth produced imagery should primarily be treated as a safeguarding issue. It is agreed that we should not unnecessarily criminalise children as the consequence of this can be significant in terms of their life chances in adulthood.

Where children do share images, it is often as a result of natural curiosity and exploring relationships and in the context of the digital world we live in.

The school is therefore empowered to deal with the majority of these incidents without involving the police.

### Handling Incidents

The school may become aware of the issue in a variety of ways i.e. from the child direct, a friend of parent or an employee.

We recognise that the child is likely to be very embarrassed and worried about what might happen. We also recognise the pressure that is on a child can be under to take part in sharing such imagery but we will reassure them they are not on their own and will help and support them. We will also help them to understand what has happened and the context for the concerns. We will also discuss issues of consent and trust within healthy relationships.

All incidents will be followed in line with our Safeguarding and Child Protection Policy. Where an incident comes to our attention:

- the incident will be reported to the DSL as soon as possible;
- an initial meeting with the appropriate school employee will be held to:
  - Establish if there is immediate risk & what further information is needed, whether or not the imagery has been shared;
  - Consider facts about the children involved which could influence a risk assessment. Further guidance and questions to consider is in Annexe A, page 25 of UKCCIS Sexting in Schools Guidance 2016;
- a meeting with the young person will be held (if appropriate);
- parents will generally be informed at an early stage.

An immediate referral to Children's Social Care and/or the police should be made if at the initial stage:

- The incident involves an adult
- The child has been coerced, blackmailed or groomed or if there are concerns about capacity to consent
- If the sexual acts are unusual for the developmental age or violent
- Children under 13 years are involved
- The child is at immediate risk e.g. suicidal or self-harming

Where the above do not apply then the school will generally deal with this matter without involving the police or Children's Social Care although this will be subject to review.

This decision is made where we are confident that we have sufficient information to assess and manage any risks within our pastoral support and disciplinary framework. The decision will be made by the DSL with the input of the Head of College and others as appropriate and will be recorded.

Examples of cases where there is no need to involve the police are:

*If a young person has shared imagery consensually, such as when in a romantic relationship, or as a joke, and there is no intended malice, it is usually appropriate for the Academy to manage the incident directly.*

*In contrast any incidents with aggravating factors, for example, a young person sharing someone else's imagery without consent and with malicious intent, should generally be referred to police and/or children's social care.*

### **The following information will be considered when deciding on a course of action:**

- Why was the imagery shared? Was the young person coerced or put under pressure to produce the imagery?
- Who has shared the imagery? Where has the imagery been shared? Was it shared and received with the knowledge of the pupil in the imagery?
- Are there any adults involved in the sharing of the imagery?
- What is the impact on the young people involved?
- Do the young people involved have additional vulnerabilities?
- Does the young person understand consent?
- Has the young person taken part in this kind of activity before?

### **Professional judgement should always be applied.**

The images should not generally be viewed by employees unless there is a clear reason for doing so and the decision recorded, reporting of the content is usually sufficient.

- We will NOT copy, print or share the image as this is illegal
- If viewing is done, it will be with another member of the safeguarding team or senior leadership

Once a decision has been made not to involve the police or CSC then images may be deleted but we will be clear that this is appropriate action. Where it is necessary to involve the police and it is appropriate we are authorised to seize any device (Education Act 2011) and pass it the police.

CSC will be involved where there are concerns which meet the threshold or if we know they are already involved with a child.

### **Educating Young People**

As a school we need to teach children in an age appropriate way about youth produced imagery to prevent harm by providing them with the skills, attributes and knowledge to help them navigate risks.

This approach to tackling sensitive issues promotes a whole school approach to safeguarding giving children the space to explore key issues and the confidence to seek the support of adults should they encounter problems.

This issue will be taught as part of a wider PSHE programme to underpin a specific message such as 'sexting'.

The work that we do therefore will include issues such as:

- Communication;
- understanding healthy relationships, including trust;
- understanding and respecting the concept of genuine consent;
- understanding our rights (especially our collective right to *be* safe and to *feel* safe);
- recognising abusive and coercive language and behaviours.

## Helplines and Reporting

- Children can talk to a ChildLine counsellor 24 hours a day about anything that is worrying them by ringing 0800 11 11 or in an online chat at <http://childline.org.uk/get-support/>
- If parents or carers are concerned that their child is being contacted by adults as a result of having sharing sexual imagery they should report to NCA-CEOP at [www.ceop.police.uk/safety-centre](http://www.ceop.police.uk/safety-centre)
- ChildLine and the Internet Watch Foundation have partnered to help children get sexual or naked images removed from the internet. A young person can get their photo removed by talking to a ChildLine counsellor. More information is available at <http://www.childline.org.uk/explore/onlinesafety/pages/sexting.aspx>
- If parents and carers are concerned about their child, they can contact the NSPCC Helpline by ringing 0808 800 5000, by emailing [help@nspcc.org.uk](mailto:help@nspcc.org.uk), or by texting 88858. They can also ring the Online Safety Helpline by ringing 0808 800 5002.

## Advice and Information for Parents

- The NSPCC has information and advice about sexting available on its website: [NSPCC Sexting](#)
- The National Crime Agency/CEOP has produced a film resource for parents and carers to help them prevent their children coming to harm through sharing sexual imagery: <https://thinkuknow.co.uk/parents/articles/Nude-selfies-a-parents-guide/>
- Child net have information and advice about sexting available on its website: <http://www.childnet.com/young-people/secondary/hot-topics/sexting>
- Parent Info (<http://parentinfo.org/>) provides information and advice to parents from expert organisations on topics ranging from sex and relationships, mental health and online safety including sexting.

## Resources Parents could highlight to their Children

- ChildLine have created Zip-It, an app that provides witty comebacks in order to help young person say no to requests for naked images [Childline Zipit Ap](#)
- There is information on the ChildLine website for young people about sexting:

### Childline information for young people

- The Safer Internet Centre has produced resources called '[Child net So you got naked online](#)' which help young people to handle incidents of sexting

**The NSPCC adults helpline: 0808 800 5002.** The NSPCC has partnered with O2 to offer direct support to parents and other adults on issues relating to online safety.

**ChildLine:** [www.childline.org.uk](http://www.childline.org.uk) offers direct support to children and young people including issues relating to the sharing of sexual imagery.

Statutory guidance on Promoting the Education of Looked after Children contains further information on the roles and responsibilities of virtual school heads.

## Appendix 7 - Online Safety

Our school does not allow the children to use the internet during the school day. We recognise that the use of technology can be a significant component of many safeguarding issues including child sexual exploitation; radicalisation and sexual predation. We discuss issues of this nature that are age appropriate.

Online safety covers the safety issues associated with all information systems and electronic communications as a whole. This encompasses not only the internet but all wireless electronic communications including mobile phones, games consoles, cameras and webcams. It also needs to take into account the increasing mobility of access to digital technology through the range of mobile devices.

Technology often provides a platform to facilitate harm. However, it is important to remember that the issue at hand is not the technology but the behaviour around how it is used; the use of new technologies in education brings more benefits than risks.

We will ensure that we meet our statutory obligations to ensure that children and young people are safe and are protected from potential harm, both within and outside our school. This also forms part of our school's protection from legal challenge, relating to the use of digital technologies.

That we regularly review any school filters, safeguards, or anti privacy software, and remind parents of also checking these on a regular basis at home.

There are additional duties under the Counter Terrorism and Securities Act 2015 which requires our school to ensure that children are safe from terrorist and extremist material on the internet. We do not allow children onto the internet.

The breadth of issues classified within online safety is considerable and ever evolving, but can be categorised into four areas of risk:

**Content:** being exposed to illegal, inappropriate, or harmful content, for example: pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation, and extremism.

**Contact:** being subjected to harmful online interaction with other users; for example: peer to peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes.

**Conduct:** online behaviour that increases the likelihood of, or causes, harm; for example, making, sending and receiving explicit images (e.g. consensual and non-consensual sharing of nudes and semi-nudes and/or pornography, sharing other explicit images and online bullying, and

**Commerce:** - risks such as online gambling, inappropriate advertising, phishing and or financial scams. If you feel your pupils, students or staff are at risk, please report it to the Anti-Phishing Working Group (<https://apwg.org/>)

We observe our responsibilities under the relevant Data Protection Act.

## Appendix 8 - Prevent Duty and Radicalisation/Extremism

Duties imposed on school and other agencies in relation to The Prevent Duty which came into force on 1 July 2015. The Prevent Duty is now incorporated into our existing policies. Further advice in relation to this is within KCSiE and also the DfE non-statutory guidance for schools and early years' providers in relation to risk assessment, working in partnership, employees training, IT policies and Building children's resilience to radicalisation.

We will work with key partners to ensure that we are aware of any tensions within our local community and nationally and internationally, so that we can create safe spaces for our children to discuss their experiences and concerns. Where we are concerned about individual children there is a referral pathway which all employees will be familiar with. Initial advice and support can be obtained from the Tackling Emerging Threats to Children Team and more serious concerns should be referred to the Police Prevent Team or the Safeguarding coordinator where there is a concern that a child is at immediate risk. Staff will use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the DSL (or Deputy) making a referral to the Channel programme.

The Chair of College and Chair of Trustees will:

- establish or use existing mechanisms for understanding the risk of extremism;
- ensure staff understand the risk and build capabilities to deal with issues arising;
- communicate the importance of the duty;
- ensure all staff (Trustees and volunteers) implement the duty to prevent radicalisation.

All staff/anyone who has contact with a child or young person including Trustees and volunteers know about Prevent duties and will report any concerns to the DSL in the school who has responsibilities under Prevent to take action, offer advice and support. We will respond to any concern about Prevent as a safeguarding concern and will report in the usual way using local safeguarding procedures. We will seek to work in partnership, undertaking risk assessments where appropriate and proportionate to risk, building our children's resilience to radicalisation. We will use the relevant forms to record any concerns, keeping records which will be treated as a Child Protection Record, storing them as appropriate.

In exercising our specific duty under Prevent we seek to protect children and young people from being drawn into, and against, the messages of all violent extremism. This includes and is not restricted to Daesh, AQ, Far Right, Neo Nazi, White Supremacist ideology, Irish Nationalist and Loyalist paramilitary groups, and extremist Animal Rights movements.

The use of social media and the internet as tools to radicalise young people cannot be underestimated. We recognise that those that seek to recruit young people to follow extremist ideology often target those who are already vulnerable in some way and that exposure to extreme views can make young people vulnerable to further manipulation and exploitation. We will therefore ensure that we build children and young people's critical thinking skills and resilience through both our curriculum and pastoral provision/systems. As a school we are clear that we have a duty to safeguard young people from such dangers and we will actively promote resilience to such risks through our curriculum, SEND

policy, our SMSC and anti-bullying work, and in our policies for use of the schools premises by external agencies, visitors and premises hire.

## Appendix 9 - Female Genital Mutilation (FGM)

### Guidance Notes for Employees/Trustees

Female Genital Mutilation is a safeguarding issue; it is child abuse and a form of violence against girls. Local guidance for schools is contained within guidelines for all agencies including independent schools within the Nottinghamshire Safeguarding Children Board procedures which have been informed by the government Multi-Agency Statutory Guidance 2016.

FGM is a procedure that includes the partial or total removal of the external female genital organs for non-medical reasons. It is illegal in the UK to subject a child to FGM; to assist or facilitate the practice; or to take a child abroad to undergo the procedure – Female Genital Mutilation Act 2003. The age at which girls are subject to FGM varies greatly from shortly after birth to any time up to adulthood. The majority of girls have the procedure between the ages of 5-8 years. It is estimated that 24,000 girls in the UK are at risk and 66,000 women living with the physical and psychological consequences.

Although prevalence of FGM within Nottinghamshire is not likely to be high, no local authority area is likely to be free from FGM entirely. Employees and Trustees therefore need to have an awareness of the signs that a girl may have undergone FGM or be at risk of the practice. The Female Genital Mutilation Act 2003 was amended by the Serious Crime Act 2015 which strengthened protection to women and girls through the introduction of FGM Protection Orders and placed new mandatory duties on professionals to report known cases of FGM on girls under the age of 18 to the police. The duty only applies in cases where the victim discloses. If someone else, such as a parent or guardian, discloses that a girl under 18 has had FGM, a report to the police is not mandatory. However, in these circumstances disclosures should still be handled in line with wider safeguarding responsibilities. In all cases where school suspect a girl to be at risk they must follow normal safeguarding procedures. Certain times of year present a greater risk to girls from practicing communities.

The 'cutting season' during the summer months is often the riskiest time for girls as the healing time required following the procedure, often necessitates it being carried out during the long summer holiday. The main indicators and risk factors are highlighted below but all employees and the nominated Trustee for safeguarding will need to have undergone at least basic awareness raising training to ensure they can identify when a girl may be at risk.

### School employees should be alert to the following indicators:

- the family comes from a community that is known to practise FGM or is less integrated within the community;
- a child may talk about a long holiday to a country where the practice is prevalent;
- a child may talk about 'special female visitors' who are staying with the family, especially during the 'cutting season';
- a child may confide that she is to have a 'special procedure' or to attend a special occasion;
- a child may request help, directly or indirectly, from a teacher or another adult;
- any female child born to a woman or has a sister who has been subjected to FGM must be considered to be potentially at risk, as must other female children in the extended family;
- a girl is withdrawn from PSHE/SRE without any specific reason being given.

### In brief the signs that FGM may have occurred are:

- difficulty walking, sitting or standing;
- spending longer in the bathroom;
- urinary or menstrual problems;



- prolonged absence and then noticeable behaviour changes;
- reluctance to undergo normal medical examinations;
- may confide in a professional but may not be explicit or may be embarrassed.

Where it is suspected that a girl may have undergone or is likely to undergo FGM, employees must share concerns with the DSL who in turn should consult the MASH/Safeguarding coordinator.

#### Where you suspect that FGM has occurred:

- be sensitive to the child, and family, be gender sensitive, make no assumptions, be non-judgemental, use simple language, record clearly;
- you have a duty to protect, safeguard and share information;
- refer to Children's Social Care for coordination of careful assessment (not necessarily with consent);
- there will be potential enquiries under Section 47;
- potential police enquiries;
- possible use of police protection or legal orders such as FGM PO, prohibitive steps but not necessarily the removal of the child.

**Whilst all staff should speak to the DSL (or Deputy) with regard to any concerns about female genital mutilation (FGM), there is a specific legal duty on teachers. If a teacher, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher must report this to the police.**

**So-called 'honour-based' violence (HBV)** encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBV are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV. Actions if staff have a concern regarding a child that might be at risk of HBV or who has suffered from HBV, they should speak to the DSL (or Deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care.

#### **So-called 'honour-based' abuse (including Female Genital Mutilation and Forced Marriage)**

So-called 'honour-based' abuse (HBA) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBA are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBA, or already having suffered HBA.

## Appendix 10 - Children Missing from Education

Following government consultation on plans to amend CME regulations, changes were made to improve information sharing between schools and LAs to help identify children missing education and help protect to children from potential harm. <http://www.gov.uk/government/publications/children-missing-education>.

All children, regardless of their circumstances, are entitled to a full time education which is suitable to their age, ability, aptitude and any special educational needs they may have. We are aware that local authorities have a duty to establish, as far as it is possible to do so, the identity of children of compulsory school age who are missing education in their area.

We recognise that a child going missing from education is a potential indicator of abuse or neglect. When a child is absent from the school without authority we will follow our procedures for unauthorised absence and for dealing with children that go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of their going missing in future.

We have an Admission Register and an Attendance Register which supports the school in safeguarding children who may be at risk of missing education.

Wherever reasonably possible, we will hold more than one emergency contact number for each pupil or student. This goes beyond the legal minimum and is good practice to give us additional options to make contact with a responsible adult when a child missing education is also identified as a welfare and/or safeguarding concern.

We will discuss and agree actions with regards to individual cases with the relevant colleagues in safeguarding/education within the Local Authority for pupils who are to be removed from the admission register where the pupil:

- has been taken out of the school by their parents and the school has received written notification from the parent they are being educated outside the school system e.g. home education – this will be communicated with the home elective team;
- does not arrive at the school as part of an admission process and we are not aware of their whereabouts;
- has ceased to attend the school and no longer lives within reasonable distance of the school at which they are registered and has been discussed with the Children Missing in Education Officer as they have not been registered at a new school;
- has been certified by the school medical officer as unlikely to be in a fit state of health to attend the school before ceasing to be of compulsory school age, and neither he/she nor his/her parent has indicated the intention to continue to attend the school after ceasing to be of compulsory school age;
- is in custody for a period of more than four months due to a final court order and we do not reasonably believe they will be returning to the school at the end of that period; or have been permanently excluded.

**Every child should be accounted for, their whereabouts should be known, or we will make a referral to the relevant service. We will not remove a child from our roll unless we can evidence an agreement with the local authority to do so.**

Where a pupil who fails to attend our school regularly, or has been absent without our permission for a **continuous** period of 10 school days or more we will follow our Local Authority procedures.

## Absence

Children can register in the morning and then go missing throughout the day without a satisfactory explanation. If a child is 'missing', their whereabouts cannot be established within the school. We need to identify whether the child is at significant risk.

Children are more vulnerable who:

- are on a plan (child protection plan, child in need plan, looked after child, early help);
- have specialist educational needs and or a disability;
- are using substances;
- have an education health care plan;
- there are indications that the child is at risk of CSE, grooming, radicalisation.

There may be other contributing factors that should be taken into consideration when determining if the child is at significant risk such as the child's emotional health, known issues at home etc.

Employees will always try to locate the child and attempt to establish the whereabouts of the child. Once a child has been identified as missing and cannot be located within School, the DSL will be informed.

Employees will use their professional judgement and risk assess the urgency of the situation to help inform the timeframe required in establishing the child's whereabouts before notifying the police. Parents/carers will always be informed before contact with the police is made, unless a child is at immediate risk of harm and a police response is needed. This will be judged on a case by case basis.

When a decision has been made to contact the police, the police will require information from the school to assist in locating the child and returning them to a safe environment.

If a child has a social worker or case manager (e.g. early help) then they should also be informed.

Where a child is known to regularly go missing from the school, a risk assessment for the child will be undertaken.

## Appendix 11 - Private Fostering

Schools play an essential role in identifying privately fostered children. Although most children in private fostering situations are likely to be safe, in some private fostering arrangements there are can be safeguarding issues and children and young people often find it difficult to know who to talk to about their safety or welfare.

### What is a Private Fostering Arrangement?

A private foster carer is someone other than a parent or a close relative who cares for a child for a period of 28 days or more, in agreement with the child's parent. It applies only to children under 16 years, or under 18 if they are disabled.

A private fostering arrangement is not when a child is looked after by the Local Authority or placed in any residential home or hospital.

Private foster carers can be part of the child's wider family, a friend of the family, the parents of the child's boyfriend or girlfriend or someone unknown but willing to foster the child. A cousin, great aunt or a co-habitee of a mother or father would therefore be a private foster carer. Close relatives - a grandparent, a brother or sister, an aunt or an uncle, a step parent - are *not* private foster carers.

### Who may be Privately Fostered?

This list is by no means exhaustive and indicates the scale and variety of situations and agencies these arrangements can cover:

- children whose parents are unable to care for them, for example if they have chronic ill health or are in prison;
- children sent to this country, for education or health care, by parents who live overseas;
- a child living with a friend's family because they don't get on with their own family;
- children living with a friend's family because of their parents' study or work;
- children staying with another family because their parents have separated or divorced;
- teenagers living with the family of a boyfriend or girlfriend;
- children from abroad who attend a language or mainstream school in the county and are staying with host families;
- unaccompanied asylum seeking minors who are living with friends, relatives or strangers.

**Children who are trafficked** into the UK are especially vulnerable and are often living in de facto private fostering arrangements. Child trafficking is the movement of children for exploitation, including domestic servitude, commercial sexual exploitation and to support benefit claims.

### What to do if you are aware of a private fostering arrangement:

By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify Children's Social Care as soon as possible. However, parents and carers often do not tell professionals or agencies about such arrangements; they may not be aware that they need to (and this may apply particularly to new communities in the UK such as migrant families from new-EU states), or they chose not to tell agencies about these arrangements.

Children's Social Care are **not** involved in making private fostering arrangements but are responsible for checking that the arrangements are suitable for the child. As a professional it is important for you to notify Children's Social Care if you are in contact with a child or young person who is being privately fostered. This will help protect the child against abuse or neglect and provide some reassurance that the child is being looked after properly.

### Signs to watch out for:

- Has someone else started collecting a child from the school on a regular basis?
- Has a child mentioned to you that they are staying with someone else or that their parent(s) have gone away for a long time?
- Is there something unusual or unclear in the child's administration file? This may include copies of passports, visas and other immigration related documents which are unclear or do not clearly show that the child has rights of residence in the UK, or that it is unclear who has parental responsibility for the child.

### What school can do:

- Ensure that all employees are aware of the definition of private fostering and the Local Authority's responsibilities when such arrangements occur;
- Look at admission files to check on the home situation, and make a note to follow up any circumstances which are not clear;
- Whenever employees become aware of private fostering arrangements they should notify the DSL;
- The DSL or another appropriate employee should speak to the families of children who might be involved in private fostering and check that they are aware of their duty to notify the Local Authority of the arrangement. School employees should actively encourage the parents and/or carer to notify Children's Social Care of the arrangement.
- **If you believe that a private fostering arrangement has not been reported to Children's Social Care you should contact them directly:**
- **If you suspect that a child who is living in a private fostering arrangement is being harmed or is at risk of significant harm (including suspecting that a child may be trafficked) and urgent action is required, follow your Child Protection procedures as laid out in this policy.**

### Further Guidance & Resources:

- <http://privatefostering.org.uk/>
- <https://www.ecpat.org.uk/News/dfe-training-for-foster-carers>

## Appendix 12 - Child on Child Sexual Violence and Sexual Harassment

Sexual violence and sexual harassment is not acceptable and will not be tolerated in this school. We will not pass off any sexual violence or sexual harassment as 'banter', 'part of growing up', 'having a laugh' or 'boys being boys'.

We will challenge behaviour (potentially criminal in nature) such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. We will ensure staff understand that dismissing or tolerating such behaviours risks normalising them.

### Responding to Reports of Sexual Violence and Sexual Harassment

Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure. It is not possible to provide detailed guidance on what to do in any or every particular case. The guidance provides effective safeguarding practice and principles for our school to consider in our decision making process. We make decisions on a case-by-case basis, with the DSL (or Deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police as required.

We understand that up skirting is now a criminal offence. It typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification or cause the victim humiliation, distress or alarm.

### Responding to the Report

We recognise that any report of sexual violence is likely to be traumatic for the victim; our initial response to a report from a child is important and must be immediate. We will ensure that **all** victims are reassured that they are being taken seriously, that they will be supported and kept safe. We will apply the same principles to handling concerns, including disclosures, as outlined in Appendix 2 of this policy and this will be reflected in our staff training.

When there has been a report of sexual violence, the DSL (or a Deputy) should make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment should consider:

- the victim, especially their protection and support;
- the alleged perpetrator; and
- all the other children (and, if appropriate, adult students and staff) at school, especially any actions that are appropriate to protect them;

Risk assessments should be recorded (written or electronic) and should be kept under review. The DSL (or Deputy) should ensure they are engaging with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required.

The DSL (or Deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the school's initial response. Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered;
- the nature of the alleged incident(s), including: whether a crime may have been committed and consideration of harmful sexual behaviour;
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, is the alleged perpetrator significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?;
- if the alleged incident is a one-off or a sustained pattern of abuse;
- are there ongoing risks to the victim, other children, adult students or school staff; and
- other related issues and wider context (contextual safeguarding).

282. We will consider every report on a case-by-case basis, taking account of the guidance in Annex A of Keeping Children Safe in Education 2020 (January 2021 update) when responding to reports of sexual violence or harassment. This includes consideration of:

- the proximity of the victim and alleged perpetrator and considerations regarding shared classes, sharing school or college premises and school or college transport. We will keep any decisions made in this regard under review;
- ensuring that as far as possible, the victim can continue in their normal routine, including continuing to receive a suitable education;
- whether children are in need of early help or statutory intervention or whether it would be appropriate to handle the incident internally e.g. through utilising our behaviour and bullying policies and by providing pastoral support;
- the importance of collaborative working which will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other children that require support;
- ensuring any actions we take do not jeopardise a statutory investigation;



- being tenacious with children's social care where a decision has been made that a statutory assessment is not appropriate, if we believe the child remains in immediate danger or at risk of harm;
- reporting to the police;
- managing the implications of the outcomes of any criminal proceedings or caution for a sexual offence, or any classification of no further action by the police or CPS, to ensure both the victim and alleged perpetrator remain protected, especially from any bullying or harassment (including online). Where a criminal investigation into sexual assault leads to a conviction or caution, we will consider any suitable sanctions in light of our behaviour policy, if we have not already done so, including consideration of permanent exclusion.

Our response will take into account:

- the age and developmental stage of the victim, the nature of the allegations and the potential risk of further abuse;
- the needs and wishes of the victim;
- the proportionality of the response in terms of both sanctions and support.
- Reporting to the police will be in parallel with a referral made to children's social care.
- We will always protect the victim, alleged perpetrator until results are known from agencies.

We will ensure that children and their families are signposted to appropriate specialist support, where this is available, such as:

- Children and Young People's Independent Sexual Violence Advisors (ChISVAs), based within the specialist sexual violence sector;
- Child and Adolescent Mental Health Services (CAMHS);
- Rape Crisis Centre's can provide therapeutic support for children who have experienced sexual violence;
- Internet Watch Foundation (to potentially remove illegal images).

We recognise it may be necessary for the school to maintain arrangements to protect and support the victim for a long time and will work with children's social care and other agencies as required. We will do everything we reasonably can to protect the victim from bullying and harassment as a result of any report they have made.

## Mental Health

All staff should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour and education.

If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following their child protection policy and speaking to the designated safeguarding lead or a deputy.

When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) should make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment should consider:

- the victim, especially their protection and support;
- the alleged perpetrator; and
- all the other children (and, if appropriate, adult students and staff) at the school or college, especially any actions that are appropriate to protect them.

Risk assessments should be recorded (written or electronic) and should be kept under review. At all times, the school or college should be actively considering the risks posed to all their pupils and students and putting adequate measures in place to protect them and keep them safe.

The designated safeguarding lead (or a deputy) should ensure they are engaging with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. The risk assessment is not intended to replace the detailed assessments of expert professionals. Any such professional assessments should be used to inform the school's approach to supporting and protecting their pupils and students and updating their own risk assessment.

### Appendix 13 - Welfare and Safeguarding Requirements in Early Years

Aspect	Requirement
<b>Child Protection</b>	
Policy and Procedures	<p>The safeguarding policy and procedures <b>must</b> include:</p> <ul style="list-style-type: none"> <li>- Action to be taken in respect of an allegation being made against a member of staff (This is included in this 's overarching model child protection &amp; safeguarding policy)</li> <li>- The use of mobile phones and cameras in the setting – <i>mobile phones are not permitted in the KG. Visitors must hand in any mobile phones.</i></li> </ul>
Suitable Person	<ul style="list-style-type: none"> <li>- Providers <b>must</b> tell staff that they are expected to disclose any convictions, cautions, court orders, reprimands and warnings that may affect their suitability to work with children (whether received before or during their employment at the setting).</li> <li>- Providers <b>must</b> also meet their responsibilities under the Safeguarding Vulnerable Groups Act 2006, which includes a duty to make a referral to the Disclosure and Barring Service where a member of staff is dismissed (or would have been, had the person not left the setting first) because they have harmed a child or put a child at risk of harm.</li> <li>- Both of these requirements are covered in more detail in the earlier sections of this policy.</li> </ul>
Disqualification	<ul style="list-style-type: none"> <li>- A provider or a childcare worker may be disqualified from registration. Where a person is disqualified, the provider must not employ that person in connection with early years' provision. Where an employer becomes aware of relevant information that may lead to disqualification of an employee, the provider must take appropriate action to ensure the safety of children.</li> </ul>
Staff taking medication / other substances	<ul style="list-style-type: none"> <li>- If practitioners are taking medication which may affect their ability to care for children, those practitioners should seek medical advice.</li> <li>- Providers <b>must</b> ensure that those practitioners only work directly with children if medical advice confirms that the medication is unlikely to impair that staff member's ability to look</li> </ul>

	after children properly. Staff medication on the premises must be securely stored, and out of reach of children, at all times.
<b>Staff Qualifications, Training, Support and Skills</b>	
Induction	- Induction training must include information about emergency evacuation <u>procedures</u> , safeguarding, child protection, and health and safety.
Key person	- Each child <b>must</b> be assigned a key person. Their role is to help ensure that every child's care is tailored to meet their individual needs to help the child become familiar with the setting, offer a settled relationship for the child and build a relationship with their parents. In schools this will often be the teacher.
Staff: child ratios	<ul style="list-style-type: none"> <li>- Providers <b>must</b> inform parents and/or carers about staff deployment, and, when relevant and practical, aim to involve them in these decisions. Children must <b>usually</b> be within sight <b>and</b> hearing of staff and <b>always</b> within sight <b>or</b> hearing.</li> <li>- Only those aged 17 or over may be included in ratios (and staff under 17 should be supervised at all times). Students on long term placements and volunteers (aged 17 or over) and staff working as apprentices in early education (aged 16 or over) may be included in the ratios if the provider is satisfied that they are competent and responsible.</li> <li>- The ratio and qualification requirements below apply to the total number of staff available to work directly with children.</li> </ul>

	<p><b>For children aged two:</b></p> <ul style="list-style-type: none"> <li>• there must be at least one member of staff for every four children</li> <li>• at least one member of staff must hold a full and relevant Level 3 qualification</li> <li>• at least half of all other staff must hold a full and relevant Level 2 qualification</li> </ul> <p><b>For children aged three and over:</b></p> <ul style="list-style-type: none"> <li>• there <b>must</b> be at least one member of staff for every 13 children</li> <li>• at least one member of staff must be a school teacher as defined by s.122 of Education Act 2002</li> <li>• at least one other member of staff must hold a full and relevant Level 3 qualification</li> </ul> <p><b>At our school we will ensure</b> The School Admissions (Infant Class Size) Regulations 2012 to limit the size of infant classes to 30 pupils per school teacher while an ordinary teaching session is conducted is followed. 'School teachers' do not include teaching assistants, higher level teaching assistants or other support staff.</p> <p><b>Where children in nursery classes attend school for longer than the school day or in the school holidays, in provision run directly by the governing body</b> or the proprietor, with no teacher present, a ratio of one member of staff to every eight children can be applied if at least one member of staff holds a full and relevant Level 3 qualification, and at least half of all other staff hold a full and relevant Level 2 qualification.</p> <ul style="list-style-type: none"> <li>• Where the provision is solely before/after school care or holiday provision for children who normally attend Kindergarten (or older) during the school day, there must be sufficient staff as outlined above. We determine how many staff are needed to ensure the safety and welfare of children, bearing in mind the type(s) of activity and the age and needs of the children. We determine what qualifications the manager and/or staff have where necessary.</li> </ul>
<b>Health</b>	
Illness and medication	Schools <b>must</b> have a procedure, discussed with parents and/or carers, for responding to children who are ill or infectious, take necessary steps to prevent the spread of infection, and take appropriate action if children are ill. Providers <b>must</b> have and implement a policy and procedures, for administering medicines. See Medicines Policy and Attendance Policy.
Smoking	Wider legislation <b>must</b> be met (i.e. signage and no smoking in cars with children)
Food and drink	<ul style="list-style-type: none"> <li>• Where children are provided with meals, snacks and drinks, they <b>must</b> be healthy, balanced and nutritious. Before a child is admitted to the setting the provider must also obtain information about any special dietary requirements, preferences and food allergies that the child has, and any special health requirements. Fresh drinking water must be available and accessible at all times. Providers must record and act on information from parents and carers about a child's dietary needs.</li> <li>• There <b>must</b> be an area which is adequately equipped to provide healthy meals, snacks and drinks for children as necessary. There must be suitable facilities for the hygienic preparation of food for children. Providers must be confident that those responsible for preparing and handling food are competent to do so. In group provision, all staff involved in preparing and handling food must receive training in food hygiene.</li> </ul>

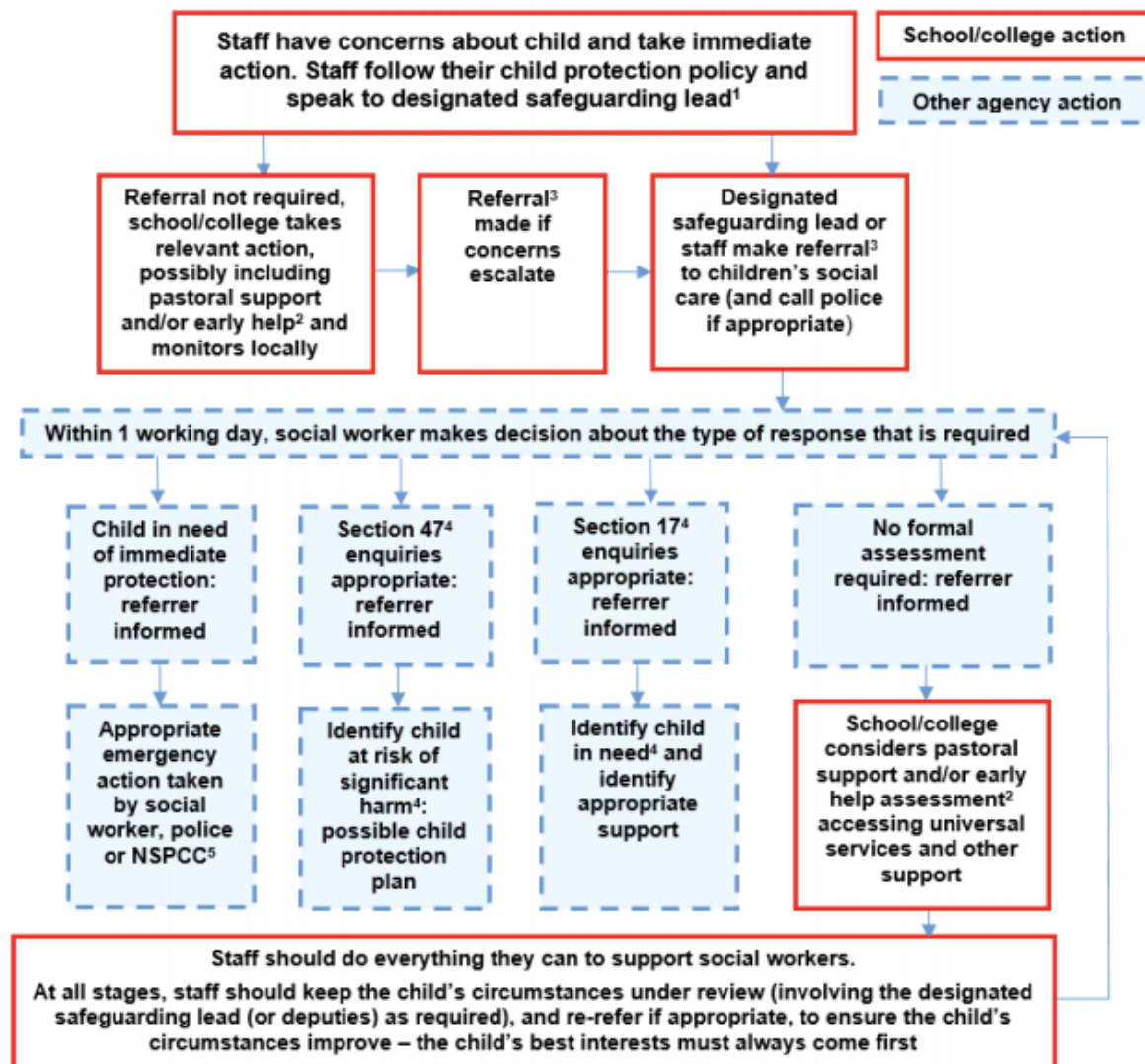
	<ul style="list-style-type: none"> <li>Registered providers must notify Ofsted of any food poisoning affecting two or more children cared for on the premises.</li> </ul>
Accident or injury	Registered providers must notify Ofsted of any serious accident, illness or injury to, or death of, any child while in their care, and of the action taken. Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident occurring. A registered provider, who, without reasonable excuse, fails to comply with this requirement, commits an offence. Providers must notify local child protection agencies of any serious accident or injury to, or the death of, any child while in their care, and must act on any advice from those agencies.
<b>Premises</b>	
Risk assessment	Risk assessments should identify aspects of the environment that need to be checked on a regular basis, when and by whom those aspects will be checked, and how the risk will be removed or minimised.
Outings	A trained paediatric first aider must be available on all trips.
<b>Information for parents and carers</b>	
Information and records	Providers <b>must</b> enable a regular two-way flow of information with parents and/or carers, and between providers, if a child is attending more than one setting. If requested, providers should incorporate parents' and/or carers' comments into children's records.
Policy statements	Failing to collect a child at the appointed time, or in the event of a child going missing at, or away from the setting please see Missing Child Policy.
<b>Changes that must be notified to Ofsted</b>	
<p>All registered early years providers <b>must</b> notify Ofsted of any change:</p> <ul style="list-style-type: none"> <li>in the address of the premises (and seek approval to operate from those premises where appropriate); to the premises which may affect the space available to children and the quality of childcare available to them;</li> <li>any proposal to change the hours during which childcare is provided;</li> <li>any significant event which is likely to affect the suitability of the early years provider or any person who cares for, or is in regular contact with, children on the premises to look after children;</li> <li>where the early years provision is provided by a company, any change in the name or registered number of the company;</li> <li>where the childcare is provided by a partnership, body corporate or unincorporated association, any change to the 'nominated individual';</li> <li>where the childcare is provided by a partnership, body corporate or unincorporated association whose sole or main purpose is the provision of childcare, any change to the individuals who are partners in, or a director, secretary or other officer or members of its Trustees.</li> </ul>	

## Appendix 14 - Serious Violence

All staff should be aware of indicators, which may signal that child are at risk from, or are involved with serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.



## Actions where there are concerns about a child



<sup>1</sup> In cases which also involve a concern or an allegation of abuse against a staff member, see Part Four of this guidance.

<sup>2</sup> Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of [Working Together to Safeguard Children](#) provides detailed guidance on the early help process.

<sup>3</sup> Referrals should follow the process set out in the local threshold document and local protocol for assessment. Chapter one of [Working Together to Safeguard Children](#).

<sup>4</sup> Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989. Under section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child is suffering or likely to suffer significant harm, it has a duty to make enquiries to decide whether to take action to safeguard or promote the child's welfare. Full details are in Chapter one of [Working Together to Safeguard Children](#).

<sup>5</sup> This could include applying for an Emergency Protection Order (EPO).

## Appendix 15 - Opportunities to Teach Safeguarding

Opportunities to teach safeguarding.

Trustees ensure that children are taught about safeguarding, including online safety. Schools should consider this as part of providing a broad and balanced curriculum. This may include covering relevant issues for schools through Relationships.

Education (for all primary pupils) and Relationships and Health Education which was made compulsory in September 2020. Schools have flexibility to decide how they discharge their duties effectively within the first year of compulsory teaching and are encouraged to take a phased approach (if needed) when introducing these subjects. The statutory guidance can be found here: Statutory guidance: relationships education relationships and sex education (RSE) and health education. Colleges may cover relevant issues through tutorials.

The following resources may help schools and colleges: • DfE advice for schools: teaching online safety in schools.

- UK Council for Internet Safety (UKCIS)27 guidance: Education for a connected world
- National Crime Agency's CEOP education programme: "<https://www.thinkuknow.co.uk/>"
- Public Health England: Rise Above.

Whilst it is essential that the Trustees ensure that appropriate filters and monitoring systems are in place, they should be careful that "over blocking" does not lead to unreasonable restrictions as to what children can be taught with regard to online teaching and safeguarding.

## Appendix 16 - Allegations against staff

### Oversight and monitoring

The designated officer(s) has overall responsibility for oversight of the procedures for dealing with allegations, for resolving any inter-agency issues, and for liaison with the three safeguarding partners. The designated officer(s) will provide advice and guidance to the case manager, in addition to liaising with the police and other agencies, and monitoring the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process. Reviews should be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

Police forces should also identify officers who will be responsible for:

- liaising with the designated officer(s); taking part in the strategy discussion or initial evaluation;
- subsequently reviewing the progress of those cases in which there is a police investigation; and
- sharing information on completion of the investigation or any prosecution.

Target dates are required, the police should also set a target date for reviewing the progress of the investigation and consulting the Crown Prosecution Service (CPS) about whether to: charge the individual; continue to investigate; or close the investigation. Wherever possible, that review should take place no later than four weeks after the initial evaluation. Dates for subsequent reviews, ideally at fortnightly intervals, should be set at the meeting if the investigation continues.

## Suspension

The possible risk of harm to children posed by an accused person should be evaluated and managed in respect of the child(ren) involved in the allegations. In some rare cases that will require the case manager to consider suspending the accused until the case is resolved. Suspension should not be an automatic response when an allegation is reported: all options to avoid suspension should be considered prior to taking that step. If the case manager is concerned about the welfare of other children in

If the strategy discussion or initial assessment decides that a police investigation

The community or the teacher's family, those concerns should be reported to the designated officer(s), children's social care or the police as required. But suspension is highly unlikely to be justified on the basis of such concerns alone.

Suspension should be considered only in a case where there is cause to suspect a child or other children at the school is/are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the case manager must consider carefully whether the circumstances warrant suspension from contact with children at the school or until the allegation is resolved, and may wish to seek advice from their personnel adviser and the designated officer(s). In cases where the school or sixth form college is made aware that the Secretary of State has made an interim prohibition order in respect of an individual who works at the school or sixth form college, immediate action should be taken to ensure the individual does not carry out work in contravention of the order, i.e. pending the findings of the TRA investigation, the individual must not carry out teaching work.

The case manager should also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases an investigation can be resolved quickly and without the need for suspension. If the designated officer(s), police and children's social care services have no objections to the member of staff continuing to work during the investigation, the case manager should be as inventive as possible to avoid suspension. Based on assessment of risk, the following alternatives should be considered by the case manager before suspending a member of staff:

- redeployment within the school or college so that the individual does not have direct contact with the child or children concerned;
- providing an assistant to be present when the individual has contact with children;
- redeploying to alternative work in the school or college so the individual does not have unsupervised access to children;
- moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted; or
- temporarily redeploying the member of staff to another role in a different location, for example to an alternative school or college or work for the local authority or academy trust.

These alternatives allow time for an informed decision regarding the suspension and possibly reduce the initial impact of the allegation. This will, however, depend upon the nature of the allegation. The case manager should consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unsubstantiated or maliciously intended.

If immediate suspension is considered necessary, the rationale and justification for such a course of action should be agreed and recorded by both the case manager and the designated officer(s). This should also include what alternatives to suspension have been considered and why they were rejected.

Where it has been deemed appropriate to suspend the person, written confirmation should be dispatched within one working day, giving as much detail as appropriate for the reasons for the suspension. It is not acceptable for an employer to leave a person who has been suspended without any support. The person should be informed at the point of their suspension who their named contact is within the organisation and provided with their contact details.

Children's social care services or the police cannot require the case manager to suspend a member of staff or a volunteer, although they should give appropriate weight to their advice. The power to suspend is vested in the proprietor of the school, or governing bodies of the school or college who are the employers of staff at the school or college. However, where a strategy discussion or initial evaluation concludes that there should be enquiries by the children's social care services and/or an investigation by the police, the designated officer(s) should canvass police and children's social care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the school or college consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment.

### Information sharing

In a strategy discussion or the initial evaluation of the case, the agencies involved should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim.

Where the police are involved, wherever possible the employer should ask the police to obtain consent from the individuals involved to share their statements and evidence for use in the employer disciplinary process. This should be done as their investigation proceeds and will enable the police to share relevant information without delay at the conclusion of their investigation or any court case.

Children's social care services should adopt a similar procedure when making enquiries to determine whether the child or children named in the allegation are in need of protection or services, so that any information obtained in the course of those enquiries which is relevant to a disciplinary case can be passed to the employer without delay.

### Specific actions following a criminal investigation or a prosecution

The police should inform the employer and designated officer(s) immediately when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to continue to prosecute the case after the person has been charged. In those circumstances, the designated officer(s) should discuss with the case manager whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or children's social care services should inform that decision. The options will depend on the circumstances of the case and the consideration will need to take into account the result of the police investigation or the trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

### On conclusion of a case

If the allegation is substantiated and the person is dismissed or the employer ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, the designated officer(s) should discuss with the case manager and their personnel adviser whether the school or college will decide to make a referral to the DBS for consideration of whether inclusion on the barred lists is required; and, in the case of a member of teaching staff at a school, whether to refer the matter to the TRA to consider prohibiting the individual from teaching.

**There is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child.**

## In respect of malicious or unsubstantiated allegations

If an allegation is determined to be unsubstantiated or malicious, the designated officer(s) should refer the matter to the children's social care services to determine whether the child concerned is in need of services, or may have been abused by someone else. If an allegation is shown to be deliberately invented or malicious, the headteacher, principal or proprietor should consider whether any disciplinary action is appropriate against the pupil or student who made it; or whether the police should be asked to consider if action might be appropriate against the person responsible, even if he or she were not a pupil or student.

## Learning lessons

All cases in which an allegation *is* substantiated, the designated officer(s) should review the circumstances of the case with the case manager to determine whether there are any improvements to be made to the school's or college's procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified. Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The designated officer(s) and case manager should consider how future investigations of a similar nature could be carried out without suspending the individual.

## Appendix 17 - Supervision of Activity with Children, which is Regulated but unsupervised.

This statutory guidance on the supervision of activity with children, which is regulated activity when unsupervised, is also published separately on [GOV.UK](https://www.gov.uk).

- This appendix fulfils the duty in legislation that the Secretary of State must publish statutory guidance on supervision of activity by workers with children, which when unsupervised is regulated activity. This guidance applies in England, Wales and Northern Ireland. It covers settings including but not limited to schools, childcare establishments, colleges, youth groups and sports clubs.
- For too long child protection policy has been developed in haste and in response to individual tragedies, with the well intentioned though misguided belief that every risk could be mitigated and every loophole closed. The pressure has been to prescribe and legislate more. This has led to public confusion, a fearful workforce and a dysfunctional culture of mistrust between children and adults. This Government is taking a different approach.
- We start with a presumption of trust and confidence in those who work with children, and the good sense and judgment of their managers. This guidance applies when an organisation decides to supervise with the aim that the supervised work will not be regulated activity (when it would be, if not so supervised). In such a case, the law makes three main points:
  - there must be supervision by a person who is in regulated activity<sup>iii</sup>
  - the supervision must be regular and day to day; and
  - the supervision must be “reasonable in all the circumstances to ensure the protection of children”.
- The organisation must have regard to this guidance. This gives local managers the flexibility to determine what is reasonable for their circumstances. While the precise nature and level of supervision will vary from case to case, guidance on the main legal points above is as follow.
- Supervision by a person in regulated activity / regular and day to day supervisors must be in regulated activity themselves. The duty that supervision must take place “on a regular basis” means that supervision must not, for example, be concentrated during the first few weeks of an activity and then tail off thereafter, becoming the exception not the rule. It must take place on an ongoing basis, whether the worker has just started or has been doing the activity for some time.



- Reasonable in the circumstances within the statutory duty, the level of supervision may differ, depending on all the circumstances of a case. Organisations should consider the following factors in deciding the specific level of supervision a person will require:
- ages of the children, including whether their ages differ widely;
- number of children that the individual is working with;
- whether or not other workers are helping to look after the children;
- the nature of the individual's work (or, in a specified place such as a school, the individual's opportunity for contact with children);
- how vulnerable the children are (the more they are, the more an organisation might opt for workers to be in regulated activity); and,
- how many workers would be supervised by each supervising worker.

## Examples

### Volunteer, in a specified place

Mr Jones, a new volunteer, helps children with reading at a local school for two mornings a week. Mr Jones is generally based in the classroom, in sight of the teacher. Sometimes Mr Jones takes some of the children to a separate room to listen to them reading, where Mr Jones is supervised by a paid classroom assistant, who is in that room most of the time. The teacher and classroom assistant are in regulated activity. The headteacher decides supervision is such that Mr Jones is not in regulated activity.

### Volunteer, not in a specified place

Mr Wood, a new entrant volunteer, assists with the coaching of children at his local cricket club. The children are divided into small groups, with assistant coaches such as Mr Wood assigned to each group. The head coach oversees the coaching, spends time with each of the groups, and has sight of all the groups (and the assistant coaches) for most of the time. The head coach is in regulated activity. The club's managers decide whether the coach's supervision is such that Mr Wood is not in regulated activity.

### Employee, not in a specified place

Mrs Shah starts as a paid activity assistant at a youth club. She helps to instruct a group of children, and is supervised by the youth club leader who is in regulated activity. The youth club's managers decide whether the leader's supervision is such that Mrs Shah is not in regulated activity.

In each example, the organisation uses the following steps when deciding whether a new worker will be supervised to such a level that the new worker is not in regulated activity:

- Consider whether the worker is doing work that, if unsupervised, would be regulated activity. (Note: If the worker is not engaging in regulated activity, the remaining steps are unnecessary. If the worker is engaging in regulated activity the remaining steps should be followed);
- consider whether the worker will be supervised by a person in regulated activity, and whether the supervision will be regular and day to day, bearing in mind paragraph 4 of this guidance;
- consider whether the supervision will be reasonable in all the circumstances to ensure the protection of children, bearing in mind the factors set out in paragraph 4 of this guidance above; and if it is a specified place such as a school; and consider whether the supervised worker is a volunteer.