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## Child Protection and Safeguarding Policy

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# 1 Definitions

## Safeguarding and promoting the welfare of children means:

- Protecting children from maltreatment
- Preventing impairment of children's mental and physical 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

We will make all staff aware of the indicators of abuse and neglect. Knowing what to look for is vital for the early identification of abuse and neglect and specific safeguarding issues such as child criminal exploitation and child sexual exploitation so that staff are able to identify cases of children who may be in need of help or protection (taken from Keeping Children Safe in Education, 2021)

**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 by other children or adults, in a family or in an institutional or community setting by those known to them or, more rarely, by others.

**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.

**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 from 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.

**Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving 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. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue (also known as peer on peer/child on child abuse) in education and all staff should be aware of it and of their school or colleges policy and procedures for dealing with it.

**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, for example, 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.

Staff will also be made aware of the following (highlighted in Appendix 1):

Children missing from education

Child Criminal Exploitation (CCE) and Child Sexual Exploitation (CSE)

County Lines

Modern Slavery and the National Referral Mechanism

Cybercrime

Domestic abuse

Homelessness

So-called "honour-based" abuse (inc Female Genital Mutilation and Forced Marriage)

FGM

Forced marriage

Preventing radicalisation

The Prevent Duty

Channel

Peer on peer/child on child abuse

Sexual violence and sexual harassment between children in schools and colleges

Upskirting

## 2 Executive summary

This policy applies to all Academy employees and associated governors, including volunteers.

Safeguarding and promoting the welfare of children is **everyone's** responsibility. **Everyone** who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child-centred. This means that they should consider, at all times, what is in the **best interests** of the child. To this end, our policy has, at its heart, the following key principles:

1. Prevention (creating and maintaining a climate of openness and trust for our children and staff)
2. Protection (through clear, unambiguous procedures and training)
3. Support (for all those who might have or have been subject to abuse)
4. Close, robust working with parents and other agencies
5. The recognition that 'education' should be regarded as the fourth safeguarding partner. In accordance with the 'Working Together to Safeguard Children' (2018, updated 2020) the Academy recognises the role of schools in providing effective safeguarding and child protection
6. The Academy will conduct an annual review of its safeguarding protocols and policy.

In creating this policy, detailed attention has been given to the following key publications:

1. Keeping children safe in education – statutory guidance for academies and colleges (DfE 2021)
2. Working together to safeguard children (HM Government July 2018, updated 2020)
3. Sexual violence and sexual harassment between children in schools and colleges (DfE, September 2021)
4. Information sharing – advice for practitioners providing safeguarding services to children, young people, parents and carers (HM Government July 2018)
5. Channel duty guidance, protecting people vulnerable being drawn into terrorism (HM Government 2020)
6. Child sexual exploitation: definition and a guide to practitioners (DfE Feb 2017)
7. Children and Social Work Act (2017)
8. Inspecting safeguarding in early years, education and skills settings (Ofsted, September 2019)
9. Disqualification under the Childcare Act 2006. Statutory guidance for local authorities, maintained schools, Academies and Free Schools (DfE August 2018)
10. Guidance for inspectors: what to do if a child or young person discloses a safeguarding concern (Ofsted, March 2018)
11. Prevent duty guidance for England and Wales (HM government April 2021) Statutory guidance on the Prevent duty, which explains schools' duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
12. What to do if you're worried a child is being abused: advice for practitioners (DfE, March 2015)
13. Children Act (1989) (and 2004 amendment), which provides a framework for the care and protection of children

This policy also makes reference to:

- Part 3 of the schedule to the Education (Independent School Standards) Regulations 2014, which places a duty on academies and independent schools to safeguard and promote the welfare of students at the school
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the Serious Crime Act 2015, which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- Statutory guidance on FGM, which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- The Rehabilitation of Offenders Act 1974, which outlines when people with criminal convictions can work with children
- Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, which defines what 'regulated activity' is in relation to children

This policy is aligned with guidance issued by the Nottinghamshire Local Safeguarding Partnership arrangements and also complies with our funding agreement and articles of association.

## 3 Academy commitment

Safeguarding arrangements in the Academy are underpinned by some key principles:

- Governors, the Senior Leadership Team, Heads of Subject, teachers, operational support staff and volunteers are committed to the belief that safeguarding is 'everyone's responsibility and that we all take personal responsibility for our role in systems that safeguard and promote the well-being of our students and all other children.
- We will be vigilant to the possibility that **"it could happen here"**, exercise professional curiosity when we identify possible concerns, share information appropriately and take decisive and timely action.
- When concerned about the safety or well-being of a child, we will always act in the **best interests** of the child.

The Academy adopts a child centred and co-ordinated approach to safeguarding. Staff encourage children and parents to talk about any concerns and actively seek to promote the academy as a safe place to talk and seek support when there are difficulties. Children's worries and fears will be taken seriously and children are encouraged to seek help from members of staff. 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 our publication of this policy on our website.

## 4 Key areas of safeguarding

Duties and responsibilities as set out within the Education Act 2002 sec 175 and 157, DfE revised Statutory Guidance Keeping Children Safe in Education 2021 and HM Working Together to Safeguard Children (2018, updated 2020) are incorporated into this policy.

### Keeping Children Safe in Education (2021)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/999348/Keeping\\_children\\_safe\\_in\\_education\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/999348/Keeping_children_safe_in_education_2021.pdf)

### Working Together to Safeguard Children (2018, updated 2020)

[www.gov.uk/government/publications/working-together-to-safeguard-children--2](http://www.gov.uk/government/publications/working-together-to-safeguard-children--2)

### What to do if you're worried a Child is Being Abused (2015)

[www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2](http://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2)

For the avoidance of doubt, children includes everyone under 18 years of age. Safeguarding is not just about protecting children from deliberate harm. It also relates to broader aspects of care and education including:

- children's health and 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 and emotional wellbeing
- online safety and associated issues
- appropriate arrangements to ensure Academy security, taking into account the local context

Safeguarding can involve a range of potential issues such as:

- neglect, physical abuse, sexual abuse and emotional abuse
- children deliberately missing education
- bullying, including online bullying (by text message, on social networking sites, etc.) and prejudice based bullying
- racist, disability and homophobic or transphobic abuse
- gender based violence/violence against women and girls
- extremist behaviour and/or radicalisation
- child sexual exploitation and trafficking
- child criminal exploitation including county lines
- serious violent crime.
- modern slavery
- risks linked to using technology and social media, including online bullying; the risks of being groomed online for exploitation or radicalisation; and risks of accessing and generating inappropriate content through consensual and non-consensual sharing of nudes and semi-nudes images and/or videos.
- teenage relationship abuse
- peer on peer/child on child abuse, such as sexual violence and the act of 'up skirting'
- substance misuse
- issues which may be specific to a local area or population, for example gang activity and youth violence
- particular issues affecting children including domestic abuse, FGM, forced marriage, fabricated or induced illness, poor parenting, homelessness, so called honour based abuse.
- other issues not listed here but that pose a risk to children

Further detailed information on forms of abuse can be read in Appendix 1.

## 5 Safeguarding roles and responsibilities

This policy applies to all staff, governors and visitors to the Academy. This Academy's arrangements for safeguarding will apply to all staff at all times including during off site visits and trips.

Where the Academy provides services or activities directly under the supervision or management of staff, the Academy's arrangements for safeguarding will apply. Where services or activities are provided separately by another body (including hiring/renting out the facilities/premises), the Academy should seek assurance that the body concerned has appropriate policies and procedures in place to safeguard and protect children and there are arrangements to liaise with the Academy on these matters where appropriate.

**The Academy will follow the procedures set out by local safeguarding arrangements and Teaching Regulation Agency (TRA) and take account of guidance issued by the DfE in Keeping Children Safe in Education 2021 to:**

- ensure, that the Academy has a designated safeguarding lead and a deputy safeguarding lead who has received appropriate training and support for this role
- ensure, that the Academy has a designated teacher for 'looked after children'
- ensure, that the Academy has a link governor to the DSL responsible for safeguarding
- ensure, that the Academy has a senior mental health lead that is a member of or supported by the senior leadership team
- ensure, that every member of staff (including temporary, supply staff, volunteers, contractors & Governors) know the name of the Designated Safeguarding Lead (and their deputy) and the nominated person responsible for child protection and their role
- ensure, that every member of staff and all volunteers understand their responsibilities in being alert to the signs of abuse and responsibility for referring any concerns to the Designated Safeguarding Lead or to children's social care/police if a child is in immediate danger
- ensure, that every member of staff is aware that safeguarding incidents and/or behaviours can be associated with factors outside the Academy and the signs to look for in this.
- ensure, that every member of staff is aware of the process for making referrals to Children's Social Care and for statutory assessment that may follow a referral. Where Children's Social care assessments take into consideration children being harmed in contexts outside the home it is important that staff provide as much information as possible as part of the referral process.
- ensure, that every member of staff is aware of the early help process and understand their role in it
- ensure that there is a whistleblowing policy and culture where staff can raise concerns about unsafe practice and that these concerns will be taken seriously
- ensure that there is a complaints procedure in place for children and families
- ensure that parents have an understanding of the responsibility placed on the individual Academy and their staff for child protection by setting out its obligations in the Academy prospectus
- notify Children's Social Care if there is an unexplained absence of at least three days of a student 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 or online 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 and ensure all records are kept securely; separate from the main student file
- ensure that we follow robust processes to respond when children are missing from education or missing from home or care
- develop and then follow procedures where an allegation is made against a member of staff, supply staff or volunteer
- ensure there is a safer recruitment policy in place and practices are always followed
- apply the escalation policy if there is any concern about the actions or inaction of social care staff or staff from other agencies

All adults working with or on behalf of children have a responsibility to safeguard and promote the welfare of children. There are, however, key people within the academy who have specific responsibilities. These are the key staff members that all incidents are reported to:

<b>Role</b>	<b>Name</b>	<b>Contact Details</b>
Link Governor responsible for Safeguarding	John Fahy	johnfahy142@gmail.com
Designated Safeguarding Lead (DSL)	Cheryl Booth	c.booth@theredhillacademy.org.uk
Deputy Designated Safeguarding Lead	Jo Giles	j.giles@theredhillacademy.org.uk
PREVENT Lead	Cheryl Booth	c.booth@theredhillacademy.org.uk
Designated Teacher for Looked After Children	Emma Dalby	e.dalby@theredhillacademy.org.uk
LADO Allegations	Cheryl Booth	c.booth@theredhillacademy.org.uk
Childrens Social Care/Early Help	Cheryl Booth	c.booth@theredhillacademy.org.uk

## The role of the Academy headteacher

The Headteacher in the academy will:

- ensure there is a member of the Governing Body to take leadership responsibility for safeguarding and champion child protection issues within the Academy
- appoint a designated safeguarding lead from the Leadership Team to take lead responsibility for safeguarding and child protection and a designated teacher for Looked After Children, who is appropriately trained
- the Headteacher and/or relevant members of the Senior Leadership Team undertake appropriate training to carry out their safeguarding responsibilities effectively, including Safer Recruitment training, and keep this up to date and ensure that staff receive safeguarding training for their roles
- sufficient resources and time are allocated to enable the designated person and other staff to discharge their responsibilities, including taking part in strategy discussions and other inter-agency meetings, and contributing to the assessment of children
- the child's safety and welfare is addressed through the curriculum in line with Department for Education requirements

The Headteacher delegates responsibility to the DSL to ensure that:

- the policies and procedures adopted by the Academy are fully implemented, and followed by all staff
- students are safe, feel safe and contribute to the wider safeguarding of each other
- all staff and volunteers feel able to raise concerns about poor or unsafe practice in regard to children, and such concerns are addressed sensitively and effectively in a timely manner in accordance with agreed whistle-blowing policies
- there are mechanisms in place to assist staff to understand and discharge their role and responsibilities as set out in the latest version of Part One of Keeping Children Safe in Education

## The role of the Designated Safeguarding Lead (DSL)

The DSL is a member of the Senior Leadership Team who takes lead responsibility for safeguarding and child protection. Responsibilities are explicitly detailed in their job description. The DSL will be accountable to the Headteacher, who will provide line management and meet regularly.

In primary schools the Headteacher undertakes the DSL responsibility and is accountable to the Executive Headteacher.

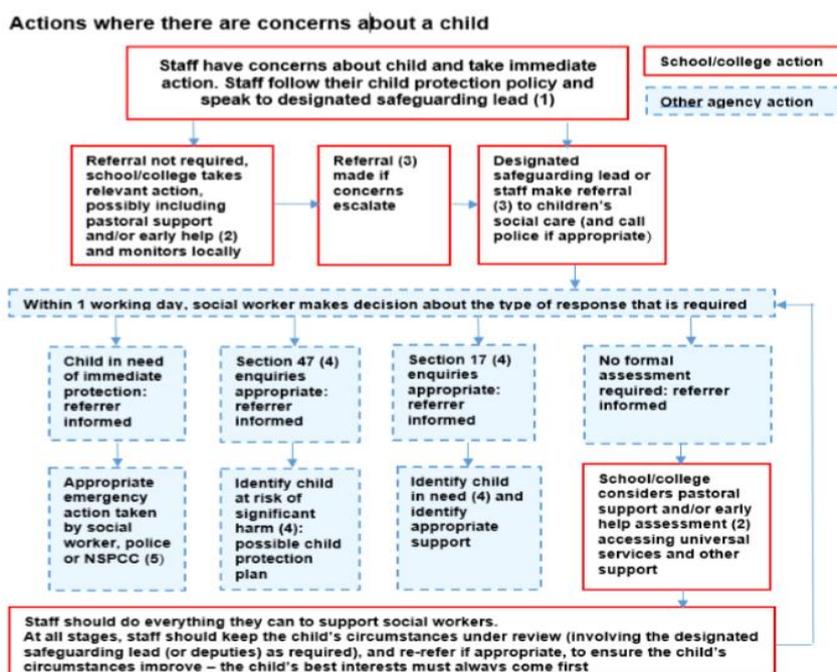
Where it is believed that a child may be suffering, or may be at risk of suffering significant harm, the DSL will work with Children's Social Care in line with "Working together to safeguard children" to support a multi-agency approach to identify and support children's needs.

The DSL at the academy takes responsibility for all safeguarding records and for deciding at what point these records should be passed over to other agencies.

## Referrals

The academy DSL when necessary, will:

- refer cases of suspected abuse or allegations to the relevant investigating agencies
- When deciding on the best course of action, the following flow diagram taken from Keeping Children Safe in Education (2021) will be used.



The DSL will also:

- refer cases to the Channel programme where there is a radicalisation concern
- refer cases where a crime may have been committed to the Police
- act as a source of support, advice and expertise to all staff within the educational establishment when deciding whether to make a referral by liaising with relevant agencies
- consider the view of the child when making a referral; encourage a culture of listening to children and their wishes and feelings
- act as a point of contact and liaise with the three safeguarding partners (the local authority, the clinical commissioning group & the chief officer of police)
- liaise with the respective Headteacher and Executive Headteacher to inform him/her of any issues and ongoing investigations (especially under section 47 of the Children Act 1989) and ensure there is always cover for this role
- refer cases of suspected abuse or allegations to the relevant investigating agencies
- refer cases where a person is dismissed or left due to risk/ harm to a child and the DBS as required
- liaise with the case manager and the LADO where there are concerns about a staff member
- liaise with staff (especially pastoral support staff, school nurses, IT Technicians & SENDCO's) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies
- be able to understand the unique risks associated with online safety (in particular children with SEN & disabilities) and know how to keep children safe whilst they are online in school and at home.
- be alert to the specific needs of children in need, those with educational needs and young carers
- take part in strategy discussions or attend inter-agency meetings and/or support other staff to do so and to contribute to the assessment of children
- liaise with the Local Authority and other agencies in line with 'Working Together to Safeguard Children (2018, updated 2020)'
- ensure that in exceptional circumstances, where the DSL / DDSL is not available, provision / staffing is in place so there is no delay in an Academy undertaking appropriate action
- ensure that relevant child protection files are transferred to the new school or college should the child move on, and be responsible for the process for doing this
- understand relevant data protection legislation regulations, especially the Data Protection Act 2018 and the General Data Protection Regulation
- be aware of the arrangements for Looked After Children, in accordance with section 176 to 178 of KCSIE 2021

## Training

- designated safeguarding lead training will be undertaken every two years. Informal training and updating of knowledge and skills will be at regular intervals
- to recognise how to identify signs of abuse and when it is appropriate to make a referral
- have a working knowledge of how Safeguarding Partnerships operate (including the process concerning the Pathway to Provision, Early Help Assessment Form (EHAF) and Early Help Unit), the conduct of a child protection case conference, and be able to attend and contribute to these effectively when required to do so
- understand the Prevent Duty and provide advice and support to staff on protecting children from these elements of KCSIE 2021
- ensure staff are aware of the new guidance on peer on peer/child on child abuse (KCSIE 2021) – section 46-50

## Raising awareness

The DSL in the Academy will:

- ensure the Academy's safeguarding policy annex is updated and reviewed annually in line with the KCSIE guidelines and work with the Academy regarding this.
- ensure all staff have access to and understands the Academy's child protection policy & procedures, especially new and part time staff
- work strategically to ensure policies and procedures are up to date and drive and support development work within the Academy
- ensure that systems are in place and are well promoted, easily understood and acceptable for children to report their concerns knowing they will be treated seriously.
- ensure parents have access to the child protection and safeguarding policy which alerts them to the fact that referrals may be made and the role of the Academy in this process
- keep detailed, accurate & secure records of concerns and referrals
- where children leave the Academy; ensure their safeguarding file is handed over to the new academy as soon as possible. This should be kept separate from the main student file.
- ensure that staff understand the importance of information sharing within the Academy, with the three safeguarding partners & other agencies.
- ensure that all Academy staff have a copy of (and an understanding of) Keeping Children Safe in Education 2021 – Part One and Appendix 1.
- ensure that all Academy staff receive statutory safeguarding and child protection training which is updated annually.
- help promote educational outcomes by sharing information about the welfare, safeguarding and child protection issues that children, including children with a social worker are experiencing or have experienced with all Academy staff
- ensure they understand how to deal with a safeguarding allegation against the Headteacher by informing the Chair of Governors who liaises with the LADO or other appropriate officers within the Local Authority

- statutory training for all staff must include: PREVENT/CHANNEL, Child Protection Refresher (existing staff) or Safeguarding Children & Young People (new staff to the Academy) and Female Genital Mutilation
- in addition to this training all staff members receive child protection and safeguarding updates (specifically from the revised 2021 KCSIE document) at least annually
- when recruiting, two members of staff (which can include governors) on each shortlisting/interview panel is safer recruitment trained
- ensure that training records are kept up to date for each member of staff
- ensure that all Academy staff are aware of the process for making referrals to Children's Social Care and for statutory assessments under the Children Act 1989 and understand the role they may have in these assessments
- ensure that there is a structured procedure within the Academy, which will be followed by all of the members of the Academy in cases of suspected abuse
- be aware of the revised guidelines around Alternative Provision as set out in section 157 to 158 and 309 to 310 of KCSIE 2021 – 'each academy continues to be responsible for the safeguarding of that student....and should obtain written confirmation that appropriate checks have been carried out at that establishment'
- ensure that governing bodies, leadership and staff are aware of the new DfE advice on 'managing reports of child on child sexual violence and sexual harassment'- KCSIE Part 5

### **Availability**

During term time the designated safeguarding lead (or a deputy) will be available (during Academy hours) for staff. Should they both be out of the Academy at the same time, then the most senior member of staff should be contacted, in most cases this will be the Headteacher. A nominated member of SLT will be available for all activities that take place out of normal Academy hours.

### **The role of the lead person for looked after children**

The Designated Teacher is a qualified teacher who has the responsibility for promoting the educational achievement of children who are looked after, have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care outside England and Wales. They report to their academy DSL ensuring that the progress of the child is supported, linking with their social worker and parents where appropriate. The Designated Teacher will have appropriate training.

### **The role of all Academy employees/visitors/governors**

All employees/visitors/governors will be collectively responsible for ensuring that safeguarding arrangements are fully embedded within its ethos and reflected in day to day safeguarding practices by:

- ensuring that the Academy has effective policies and procedures in line with statutory guidance (Working Together to Safeguard Children 2018, updated 2020) as well as with local NSCP guidance and monitor the Academy's compliance with them and that these policies have been read and understood
- ensuring that safeguarding policies and procedures are followed and appropriate action is taken in a timely manner to promote a child's welfare
- recognising the importance of information sharing between agencies. Ensuring cooperation with the Local Authority and other safeguarding partners
- ensuring that all staff read at least part one of Keeping Children Safe in Education 2021 and ensure that there are mechanisms in place to assist staff to understand and discharge their role and responsibilities as set out in part one
- ensuring that the Academy is collectively responsible for the Academy's safeguarding arrangements. All employees of the Academy will undertake training about child protection to ensure they have the knowledge and information needed to perform their functions and understand their responsibilities
- ensuring there is a training strategy in place for all staff and that training records are up to date
  - ensuring that temporary staff and volunteers who work with children are made aware of the Academy's arrangements for child protection and their responsibilities
- ensuring that there are specific procedures in place to manage safeguarding allegations against staff & supply staff, and that these are understood by all staff and are distinct from wider whistleblowing protocol
- 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 and to help prevent the risks of their going missing in future
- ensuring that appropriate filters and monitoring systems are in place to protect children online
- ensuring that children are taught about safeguarding online through teaching and learning opportunities
- ensuring that peer on peer/child on child abuse is included in safeguarding child protection policy, consensual and non-consensual sharing of nudes and semi-nude images and/or videos (sexting) and the Academy's response is included and different gender issues that are prevalent in peer on peer/child on child abuse
- giving staff the opportunities to contribute and shape safeguarding arrangements and policy
- following the Trust safer recruitment policy
- recognising that certain children are more vulnerable than others, such as looked after children and children with special educational needs and disabilities.

## 6 Training

The Academy will ensure that safeguarding training for staff including online safety training is integrated, aligned and considered as part of the whole school safeguarding approach and wider staff training and curriculum planning. This will include:

Academy Leaders:

- The Designated Safeguarding Lead and Deputy Designated Safeguarding Lead will complete detailed training every two years
- The Academy will ensure those members of staff with safer recruitment training undertake this training every three years, including nominated members of SLT.

Staff:

- All new Academy employees will complete initial safeguarding training on induction.
- Child protection training is undertaken by each member of staff annually. Any subsequent updates will be shared by the DSL.
- Will receive annually a copy of Part One of KCSIE

Governors:

- All new Governors will complete initial safeguarding training on induction.
- Annual safeguarding training. Any subsequent updates will be shared by the DSL.
- Will receive annually a copy of the full KCSIE

Safer recruitment training:

- Following the Academy Staffing (England) Regulations 2009 the Academy will ensure that at least two members of staff involved in the shortlisting process and at least one member of staff on the recruitment panel has undertaken safer recruitment training. The Academy follows all revised guidelines set out in Part 3 of KCSIE 2021 regarding safer recruitment.

## 7 Safeguarding as part of the curriculum

Students are helped to know about their rights and responsibilities, understand and respond to risks, to deal assertively with pressures and know who they can turn to for advice and help both in and out of the Academy, and how to make a complaint. This means they are able to recognise when they are at risk and are able to get help when they need it.

The following indicative areas are addressed as age appropriate within RSHE (secondaries) , RE (primaries) and the wider curriculum:

- Children's health and safety, including road, fire and water safety
- Bullying, including cyber bullying, homophobia, racism, sexism, and trans-phobic bullying
- Extremist behaviour
- Emotional well-being and mental health
- Online safety
- Drug and alcohol abuse
- Issues which may be specific to a local area or population, for example gang activity and youth violence and County Lines
- Particular issues affecting children including domestic violence, sexual exploitations, female genital mutilation, honour based abuse and forced marriage
- Healthy relationships and issues of consent
- Peer on peer/child on child abuse

## 8 Online safety

It is essential that children are safeguarded from potentially harmful and inappropriate online material. The school should protect and educate its students and staff in their use of technology and establish mechanisms to identify, intervene and escalate any concerns where appropriate.

The breadth of issues classified within online safety is considerable, 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:** personal 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/>).

The academy should consider online safety whilst planning the curriculum including when students access remote learning. The academy should do all it reasonably can to limit students exposure to the above risks from the academy's IT system by ensuring it has appropriate filters in place.

### **Remote Education**

Where staff are interacting with students online through live lessons and other aspects of remote learning they will continue to follow our IT acceptable use policy and adhere to the guidance documents on safe use of video conferencing. Staff who interact with children online will continue to look out for signs a child may be at risk. If a staff member is concerned about a child, that staff member will report that concern to the DSL or to a deputy DSL as they would with all safeguarding concerns.

Parents will be advised of the different avenues that are available to them to support them in helping to keep their child safe online.

## **9 Supporting vulnerable children**

The Academy recognises that its response to safeguarding risks is proportionate to the perceived level of vulnerability experienced by the individual student. Where relevant, it will reflect the increased vulnerability arising from cumulative adverse childhood experiences, the potential or particular vulnerability that may arise from group membership and the wider contextual safeguarding concerns impacting on a student or other children.

To treat all children the same would be unfair on many and be a failing of our duty of care to some.

To ensure that all children receive an appropriate safeguarding and child protection response, we will be mindful of potential vulnerabilities and respond accordingly to children who are;

- Disabled or have Special Educational Needs
- Experience significant mental health difficulties
- Live in a known domestic abuse situation
- Affected by known parental alcohol abuse dependence or substance misuse
- Asylum seekers or refugees
- Living away from home, including private fostering arrangements
- Going missing from school, particularly on repeat occasions
- At risk of homelessness or living in temporary accommodation
- Living in transient lifestyles
- Living in chaotic, neglectful and unsupportive home situations
- Vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion or sexuality
- Children with an increased risk of sexual exploitation, criminal exploitation, hate crime, radicalisation, forced marriage or so called honour based abuse
- Young carers
- Looked After Children and previously Looked After Children
- English as an additional language
- Children involved in the criminal justice system
- Children with family members in prison
- Children who have suffered previous abuse
- Children who need a social worker (child in need and child protection plans)

### **SEND**

We recognise that children with special educational needs (SEN) and or disabilities can face additional safeguarding challenges. Children with SEN and or disabilities 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.

This policy reflects the fact that additional barriers can exist when recognising abuse and neglect in this group of children which include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
- children with SEN and disabilities can be disproportionately impacted by things like bullying- without outwardly showing any signs and communication barriers and difficulties in overcoming these barriers.

## **10 Mental health**

All staff should 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. Education 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.

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 children. See Rise Above for links to all materials and lesson plans.

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.

## 11 Identifying children who may benefit from early help

Where parents, carers or children tell us that they require support, or staff identify that there may be emerging needs and that services might be required an **Early Help Assessment** is likely to be beneficial. In such cases staff will have an open discussion with the parents/carers and the child about the support and services that might help and agree how they would be accessed. Full details of Early Help can be found in Chapter 1 of Working Together 2018.

[www.gov.uk/government/publications/working-together-to-safeguard-children--2](http://www.gov.uk/government/publications/working-together-to-safeguard-children--2)

Following a discussion, should any child emerge that may require early help staff must raise those concerns immediately with the DSL. The DSL will then consult the Nottinghamshire Pathway to Provision document to consider whether thresholds have been met. Staff also have the option of contacting the Nottinghamshire Early Help Unit for advice and support via 01623 433500 or via email at [early.help@nottscc.gov.uk](mailto:early.help@nottscc.gov.uk). The Pathway to Provision document can be accessed here:

<https://www.nottinghamshire.gov.uk/care/childrens-social-care/nottinghamshire-children-and-families-alliance/pathway-to-provision>

A copy of the EHAF form can be found via this link:

<https://www.nottinghamshire.gov.uk/care/early-years-and-childcare/childcare-providers/early-help-assessment-form>

Where an EHAF is completed, this will be sent by secure email (or by password protected document with the password sent separately) to The Early Help Unit. If Early Help and/ or other services are appropriate, the case should be kept under constant review. At each stage of the process where the child's situation doesn't appear to be improving or additional concerns emerge, a referral to Children's Social Care will be made.

## 12 Reporting concerns for all staff

### SAFEGUARDING IS EVERYONE'S RESPONSIBILITY

Supporting information on many safeguarding issues and hyper-links to useful background material can be found in [Keeping Children Safe in Education \(2021\)](#) and in Appendix 1 and Appendix 2 of this document. There will be occasions when it is suspected that a child may be at risk, but there is no real evidence to support this. The child's behaviour and or appearance may have changed, their attendance at school may be reduced, their ability to concentrate and focus may have altered or there may be other physical but inconclusive signs. In these circumstances, the child should be given the opportunity to talk. A record should be made as these early concerns may contribute to a bigger picture. This should then be referred to the head of house or SLT. If the concern persists then the DSL should be involved.

If a child or adult does begin to reveal that a child is being harmed, **you should follow advice in Appendix 4.**

#### If information is disclosed

A 'disclosure' is when a child confides information which is of a sensitive nature and which gives cause of particular concern e.g. being hit at home, a sexual assault, unfed, medical needs not attended to, and inappropriate punishments by parents, continual verbal abuse and pregnancy.

All staff should be able to reassure victims 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 abuse, sexual violence or sexual harassment. Nor should the victim ever be made to feel ashamed for making a report.

A child may approach any member of staff on their own, with a friend, or on behalf of a friend. If this happens then the student will be spoken to on their own, to ensure that the conversation remains confidential.

As soon as possible, the member of staff will write an account of the incident (in the words of the child) and then inform the DSL.

#### Legal responsibility

In the exceptional case of a safeguarding issue going to court, the need for all staff involved to make and keep accurate notes is particularly pertinent. Any member of staff may be required to testify under oath.

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## Record Keeping

All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. Information should be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child. Records should include:

- a clear and comprehensive summary of the concern;
- details of how the concern was followed up and resolved;
- a note of any action taken, decisions reached and the outcome.

If in doubt about recording requirements, staff should discuss with the designated safeguarding lead (or deputy)

The academy will hold more than one emergency contact number for each student where possible.

## 13 Staff and child confidentiality

Without stifling the opportunity to build relationships with children, there are some important guidelines to be applied in conjunction with the Academy's ICT Acceptable Use Policy and the Trust GDPR Policy.

**ALL STAFF** must make themselves familiar with the GDPR Policy, ICT Acceptable Use Policy, Social Media Policy and the Staff Code of Conduct Policy.

The Academy will operate an information sharing system that has due regard for: HM Government [Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers \(2018\)](#).

All staff will be mindful of the need to act responsibly when acquiring, storing, processing, sharing and disposing of information. The Data Protection Act and GDPR regulations do not prevent or limit the sharing of information, they provide a framework to ensure that it is done in a responsible manner.

Staff should be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children. Information sharing is vital in identifying and tackling all forms of abuse and neglect, and in promoting children's welfare, including their educational outcomes.

If in any doubt about sharing information staff should speak to the DSL.

**Fears about sharing information should not be allowed to stand in the way of the need to promote the welfare and protect the safety of children.**

Staff should discuss concerns with the DSL, DDSL or the most senior member of staff if they are unavailable. The person will then decide who else needs to have the information and they will disseminate it strictly on a need to know basis.

Wherever possible consent will be sought to share information, but where there are safeguarding concerns about a child, information will be shared with the appropriate organisations such as Children's Social Care without consent; in most cases concerns will be discussed with parents and carers prior to the referral taking place unless doing so would increase risk.

## 14 Allegations against members of staff, supply staff, volunteers, contractors & Governors

The Academy follows the guidelines that are firmly established in section four of KCSIE (2021). General guidance for whistleblowing can also be found on the Government website at [www.gov.uk/whistleblowing/what-is-a-whistleblower](http://www.gov.uk/whistleblowing/what-is-a-whistleblower) and within the Academy Whistleblowing Policy.

**The Academy has very clear guidance on the correct protocol / hierarchy of reporting such a disclosure based on the need for confidentiality. This is set out in the Appendix 3.**

Staff are encouraged to raise concerns in which it is alleged that a teacher, member of staff (including volunteers, contractors & Governors) or supply staff 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 would pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

Concerns and allegations will be investigated to determine whether they meet the harms test or whether they are "lower level" concerns. Both will be addressed in accordance with section 4 of KCSIE 2021.

Should a member of the Academy staff find themselves in a situation whereby an allegation of abuse has been made against them, they should contact the Headteacher. Do not discuss the allegation with other staff or approach the child. The Headteacher will consult the Appendix 3 of this policy document and will contact the Local Authority Designated Officer.

Allegations against the Headteacher should be referred to the Chair of Governors, who will contact the LA Safeguarding team for advice.

The NSPCC also has a dedicated 'whistleblowing' helpline 0800 028 0285. Staff may raise any concerns through this facility **as a last resort**, should they not feel comfortable with any part of the protocol laid out in Appendix 3.

Staff should not feel that awareness of these potentially serious issues detracts from developing positive relationships with children or spoils the enjoyment that is derived from the challenge and pleasure of working with them. Both incidents of abuse and allegations against staff are relatively rare. Staff should feel confident in the knowledge that they know the correct procedure and how the Academy will support them if they are involved in a safeguarding issue.

### **The use of 'reasonable force'**

There are circumstances when it is appropriate for staff to use reasonable force to safeguard children. 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 child 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.

The decision on whether or not to use reasonable force to control or restrain a child is down to the professional judgement of the staff concerned within the context of the law and should always depend on individual circumstances and carried out in line with the Academy's policy.

When using reasonable force in response to risks presented by incidents involving children with special educational needs or disabilities (SEND), mental health or with medical conditions, risks will be carefully considered and recognise the additional vulnerability of these groups.

Departmental advice for schools is available at [Use of Reasonable Force in Schools](#). For information about how to support children with learning disabilities, autistic spectrum conditions and mental health difficulties who are at risk of restrictive intervention can be found at [Reducing the need for restraint and restrictive intervention](#).

### **Supply staff**

In some circumstances the Academy may have to consider an allegation against an individual not directly employed by them, where its disciplinary procedures do not fully apply, for example supply teachers provided by an agency or business. In this event the Academy will follow the procedure in paragraphs 356-359 KCSIE 2021.

## **15 Peer on peer/child on child abuse**

We recognise that children are capable of abusing their peers. All peer on peer/child on child abuse is unacceptable and will be taken seriously. We are mindful that not all peer on peer/child on child abuse is reported but it could still be taking place.

Most cases of students hurting other students will be dealt with under our school's behaviour policy, but this child protection and safeguarding policy will apply to any allegations that raise safeguarding concerns. This might include where the alleged behaviour:

- is serious, and potentially a criminal offence
- could put students in the school at risk
- is violent such as; hitting, kicking, shaking, biting, hair pulling, otherwise causing physical harm & initiation or hazing type violence and rituals
- involves bullying (including cyberbullying, prejudice-based and discriminatory bullying)
- involves students being forced to use drugs or alcohol

Note: peer on peer/child abuse can also involve sexual abuse and sexual harassment, see section 16 for further information on this.

If a student makes an allegation of abuse against another student:

- you must record the allegation and tell the DSL, but do not investigate it
- the DSL will undertake the investigation which will include; meeting with academy staff, students & parents (if appropriate) to establish any immediate risks
- the DSL will contact the local authority children's social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence
- the DSL will put a risk assessment and support plan into place for all children involved (including the victim(s), the child(ren) against whom the allegation has been made and any others affected) with a named person they can talk to if needed
- the DSL will contact the children and adolescent mental health services (CAMHS), if appropriate.

We will minimise the risk of peer-on-peer abuse by:

- challenging any form of derogatory or sexualised language or behaviour, including requesting or sending sexual images
- being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female students, and initiation or hazing type violence with respect to boys
- ensuring our curriculum helps to educate students about appropriate behaviour and consent
- ensuring students know they can talk to staff confidentially through their usual safeguarding channels.

- ensuring staff are trained to understand that a student harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy.

The record-keeping arrangements set out in section 10 of this policy also apply to recording incidents of peer on peer/child on child incidents.

### **Consensual and non-consensual sharing of nudes and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery)**

Information and guidance based on the UKCIS Education Group is available at: <https://www.gov.uk/government/publications/sexting-in-schools-and-colleges>

#### **Your responsibilities when responding to an incident**

If you are made aware of an incident involving consensual and non-consensual sharing of nudes and semi-nude images and/or videos (sexting), you must report it to the DSL immediately.

You must **not**:

- view, copy, print, share, store or save the imagery yourself, or ask a student to share or download it (if you have already viewed the imagery by accident, you must report this to the DSL)
- delete the imagery or ask the student to delete it
- ask the student(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL's responsibility)
- share information about the incident with other members of staff, the student(s) it involves or their, or other, parents and/or carers
- say or do anything to blame or shame any young people involved

You should explain that you need to report the incident, and reassure the student(s) that they will receive support and help from the DSL.

#### **Initial review meeting**

Following a report of an incident, the DSL will hold an initial review meeting with appropriate school staff – this may include the staff member who reported the incident and the safeguarding or leadership team that deals with safeguarding concerns. This meeting will consider the initial evidence and aim to determine:

- whether there is an immediate risk to student(s)
- if a referral needs to be made to the police and/or children's social care
- if it is necessary to view the image(s) in order to safeguard the young person (in most cases, images or videos should not be viewed)
- what further information is required to decide on the best response
- whether the image(s) has been shared widely and via what services and/or platforms (this may be unknown)
- whether immediate action should be taken to delete or remove images or videos from devices or online services
- any relevant facts about the students involved which would influence risk assessment
- if there is a need to contact another school, college, setting or individual
- whether to contact parents or carers of the students involved (in most cases parents/carers should be involved)

The DSL will make an immediate referral to police and/or children's social care if:

- the incident involves an adult
- there is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs)
- what the DSL knows about the images or videos suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent
- the imagery involves sexual acts and any student in the images or videos is under 13
- the DSL has reason to believe a student is at immediate risk of harm owing to the sharing of nudes and semi-nudes (for example, the young person is presenting as suicidal or self-harming)

If none of the above apply then the DSL, in consultation with the headteacher and other members of staff as appropriate, may decide to respond to the incident without involving the police or children's social care. The decision will be made and recorded in line with the procedures set out in this policy.

#### **Further review by the DSL**

If at the initial review stage a decision has been made not to refer to police and/or children's social care, the DSL will conduct a further review to establish the facts and assess the risks.

They will hold interviews with the students involved (if appropriate).

If at any point in the process there is a concern that a student has been harmed or is at risk of harm, a referral will be made to children's social care and/or the police immediately.

#### **Informing parents**

The DSL will inform parents at an early stage and keep them involved in the process, unless there is a good reason to believe that involving them would put the student at risk of harm.

## Recording incidents

All consensual and non-consensual sharing of nudes and semi-nude images and/or videos (sexting) incidents and the decisions made in responding to them will be recorded. The record-keeping arrangements set out in section 10 of this policy also apply to recording these incidents.

## 16 Child on child sexual violence and sexual harassment

Sexual violence and harassment can occur between two children of any age and sex, including those that have happened outside of the school or college premises, and or online. Whilst any report of sexual violence or sexual harassment should be taken seriously, it is important to note that it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable. All staff working with children should maintain the attitude of **“it could happen here”**.

The academy has a zero tolerance approach to sexual violence and sexual harassment and it will never be passed off as “banter”, “just having a laugh”, “part of growing up” or “boys being boys” as this can lead to a culture of unacceptable behaviours and an unsafe environment for children.

All victims should be 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. Examples of child on child sexual violence/sexual harassment might include where the alleged behaviour:

- involves abusive intimate relationships between peers
- involves sexual violence such as rape, assault by penetration and sexual assault, including causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party
- involves sexual harassment such as sexual comments, remarks, jokes and online sexual harassment, which may be stand alone or part of a broader pattern of abuse
- involves sexual exploitation, sexual abuse, or consensual and non-consensual sharing of nudes and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery)
- upskirting (taking a picture under a person’s clothing without their permission with the intention of viewing their genitals or buttocks to obtain sexual gratification or cause the victim humiliation, distress or alarm)

If a student makes an allegation of child on child sexual violence or sexual harassment against another student or you are made aware of an incident by other means (see appendix 4 for how to deal with disclosures by a child):

- you must record the allegation and tell the DSL, but do not investigate it
- the DSL will undertake the investigation which (in consultation with part 5 KCSIE 2021) will include; considering the wishes of the victim, meeting with academy staff, students & parents (if appropriate) to establish any immediate risks
- the DSL will contact the local authority children’s social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence
- the DSL will put a risk assessment and support plan into place for all children involved (including the victim(s), the child(ren) against whom the allegation has been made and any others affected) with a named person they can talk to if needed
- the DSL will contact the children and adolescent mental health services (CAMHS) or any other external support agencies where appropriate

A risk assessment should be recorded (written or electronic) and kept under review, considering:

- the victim, especially their protection and support
- whether there may have been other victims
- the alleged perpetrator(s) 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 from the alleged perpetrator(s), or from future harms

It may be necessary for a professional risk assessment by social workers and or sexual violence specialists to be completed in the event of a report of sexual violence.

The academy will safeguard and support the alleged perpetrator(s) and children and young people who have displayed harmful sexual behaviour by:

- considering the age and developmental stage of the alleged perpetrator(s)
- considering the proportionality of the response
- considering support and sanctions
- gaining advice from any external support agencies where appropriate

Further information on sexual violence and sexual harassment is available at:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/999239/SVSH\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/999239/SVSH_2021.pdf) and  
[www.farrer.co.uk/Global/Peer-on-peer%20abuse%20toolkit%202014.pdf](http://www.farrer.co.uk/Global/Peer-on-peer%20abuse%20toolkit%202014.pdf)

## 17 Serious violence

All staff will be made aware of the indicators which may signal children are at risk from, or are involved with serious violent crime. These may include:

- increased absence from school
- a change in friendships
- relationships with older individuals or groups
- a significant decline in performance
- signs of self-harm
- significant change in wellbeing
- 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 and may be at risk of criminal exploitation.

The range of risk factors which increase the likelihood of involvement in serious violence are:

- being male
- having been frequently absent
- been permanently excluded from school
- experienced child maltreatment
- having been involved in offending, such as theft or robbery.

Advice for schools and colleges is provided in the Home Office's Preventing youth violence and gang involvement and its criminal exploitation of children and vulnerable adults: county lines guidance.

## 18 Children missing education

The Academy operates a stringent attendance tracking system that is overseen by a member of the Leadership Team. The tracking and use of effective attendance management strategies enables the Academy to ensure every child is accounted for.

The Academy undertakes to tackle persistent absentees and reports on children who are persistently absent from school and the interventions and support being put in place in line with the Academy attendance policy.

The Academy will only authorise leave of absence in exceptional circumstances. The Headteacher will determine the length of time that the child can be away from the Academy. The Academy recognises that some children seeking leave of absence, are vulnerable to risk of abuse, neglect or travelling to conflict zones, or at risk of FGM or forced marriage.

The DSL will, as soon as a concern is established, alert the Local Authority. Attendance staff are trained to look out for these triggers and the academy works in partnership with the Local Authority to ensure localised risks are particularly taken note of and shared with all staff.

Student absence will be followed up on a daily basis as a matter of priority. If a child has a continued period of unexplained absence the academy will complete a home visit within 10 days. If the matter remains unresolved at this point the academy will always refer the case to the local authority children missing education team within 10 days from the first day of absence. This referral may be done earlier if safeguarding concerns are identified. For a student who is subject to a child protection plan the academy will notify children's social care if there is an unexplained absence of up to 3 days.

The admissions register at the academy is kept up to date. The local authority will be informed of **all** deletions as soon as the grounds for deletion are met, in line with the local authority guidelines.

**No student will be removed from an academy roll until all safeguarding checks have been completed or the whereabouts of a student/student have been established.**

Statutory guidance can be found here: <https://www.gov.uk/government/publications/children-missing-education>

## 19 Elective home education

Where a parent/carer has expressed their intention to remove a child from school with a view to educating at home, the academy will liaise with key professionals to ensure that parents/carers have considered what is in the best interest of the child.

The local authority will always be informed of all deletions from their admissions register when a child is taken off roll.

## Appendix 1 – Specific forms of abuse – KCSIE (2021)

**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 by other children or adults, in a family or in an institutional or community setting by those known to them or, more rarely, by others.

### Physical abuse, emotional abuse, sexual abuse and neglect

Further descriptions on these forms of abuse is available at: <https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/>

### Children missing from education

All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and can also be a sign of child criminal exploitation including involvement in county lines. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation, 'honour'-based abuse or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should be aware of their school's or college's unauthorised absence and children missing from education procedures.

### Child sexual exploitation (CSE) & child criminal exploitation (CCE):

CSE is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or nonpenetrative acts such as masturbation, kissing, rubbing, and touching outside clothing. It may include noncontact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse including via the internet. CSE can occur over time or be a one-off occurrence, and may happen without the child's immediate knowledge e.g. through others sharing videos or images of them on social media. CSE can affect any child, who has been coerced into engaging in sexual activities. This includes 16 and 17 year olds who can legally consent to have sex. Some children may not realise they are being exploited e.g. they believe they are in a genuine romantic relationship.

Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, working in cannabis factories, shoplifting or pickpocketing. They can also be forced or manipulated into committing vehicle crime or threatening/committing serious violence to others. Children can become trapped by this type of exploitation as perpetrators can threaten victims (and their families) with violence, or entrap and coerce them into debt. They may be coerced into carrying weapons such as knives or begin to carry a knife for a sense of protection from harm from others. As children involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognised by adults and professionals, (particularly older children), and they are not treated as victims despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to. It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation

Signs of CCE can include:

- 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
- children who regularly miss school or education or do not take part in education

Signs of CSE can include:

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

### County lines

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs using dedicated mobile phone lines or other form of "deal line". This activity can happen locally as well as across the UK - no specified distance of travel is required. Children and vulnerable adults are exploited to move, store and sell drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims.

Children can be targeted and recruited into county lines in a number of locations including schools (mainstream and special), further and higher educational institutions, pupil referral units, children's homes and care homes.

Children are also increasingly being targeted and recruited online using social media. Children can easily become trapped by this type of exploitation as county lines gangs can manufacture drug debts which need to be worked off or threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

A number of the indicators for CSE and CCE as detailed above may be applicable to where children are involved in county lines. Some additional specific indicators that may be present where a child is criminally exploited through involvement in county lines are children who:

- go missing and are subsequently found in areas away from their home;
- have been the victim or perpetrator of serious violence (e.g. knife crime);
- are involved in receiving requests for drugs via a phone line, moving drugs, handing over and collecting money for drugs;
- are exposed to techniques such as 'plugging', where drugs are concealed internally to avoid detection;
- are found in accommodation that they have no connection with, often called a 'trap house or cuckooing' or hotel room where there is drug activity;
- owe a 'debt bond' to their exploiters;
- have their bank accounts used to facilitate drug dealing.

Further information can be found at: <https://www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines>

### **Modern slavery and the National Referral Mechanism**

Modern slavery encompasses human trafficking and slavery, servitude and forced or compulsory labour. Exploitation can take many forms, including: sexual exploitation, forced labour, slavery, servitude, forced criminality and the removal of organs.

Further information on the signs that someone may be a victim of modern slavery, the support available to victims and how to refer them to the NRM is available in the Modern Slavery Statutory Guidance.

Further information can be found at:

[www.gov.uk/government/publications/how-to-report-modern-slavery/how-to-report-modernslavery](http://www.gov.uk/government/publications/how-to-report-modern-slavery/how-to-report-modernslavery)

### **Cybercrime**

Cybercrime is criminal activity committed using computers and/or the internet. It is broadly categorised as either 'cyber-enabled' (crimes that can happen off-line but are enabled at scale and at speed on-line) or 'cyber dependent' (crimes that can be committed only by using a computer).

Cyber-dependent crimes include;

- unauthorised access to computers (illegal 'hacking'), for example accessing a school's computer network to look for test paper answers or change grades awarded;
- denial of Service (Dos or DDoS) attacks or 'booting'. These are attempts to make a computer, network or website unavailable by overwhelming it with internet traffic from multiple sources; and,
- making, supplying or obtaining malware (malicious software) such as viruses, spyware, ransomware, botnets and Remote Access Trojans with the intent to commit further offence, including those above. Children with particular skill and interest in computing and technology may inadvertently or deliberately stray into cyber-dependent crime.

### **Domestic abuse**

The Domestic Abuse Act 2021 received Royal Assent on 29 April 2021. The Act introduces the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of abuse. The statutory definition of domestic abuse, based on the previous cross-government definition, ensures that different types of relationships are captured, including ex-partners and family members. The definition captures a range of different abusive behaviours, including physical, emotional and economic abuse and coercive and controlling behaviour. Both the person who is carrying out the behaviour and the person to whom the behaviour is directed towards must be aged 16 or over and they must be "personally connected" (as defined in section 2 of the 2021 Act).

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child/adolescent to parent violence and abuse. Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socioeconomic status, sexuality or background and domestic abuse can take place inside or outside of the home. The government will issue statutory guidance to provide further information for those working with domestic abuse victims and perpetrators, including the impact on children.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Experiencing domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

Young people can also experience domestic abuse within their own intimate relationships. This form of peer on peer abuse is sometimes referred to as 'teenage relationship abuse'. Depending on the age of the young people, this may not be recognised in law under the statutory definition of 'domestic abuse' (if one or both parties are under 16). However, as with any child under 18, where there are concerns about safety or welfare, child safeguarding procedures should be followed and both young victims and young perpetrators should be offered support. The Act's provisions, including the new definition, will be commenced over the coming months.

Further information can be found at: <https://www.gov.uk/guidance/domestic-abuse-how-to-get-help>

Operation Encompass operates in all police forces across England. It helps police and schools work together to provide emotional and practical help to children. The system ensures that when police are called to an incident of domestic abuse, where there are children in

the household who have experienced the domestic incident, the police will inform the key adult (usually the designated safeguarding lead) in school before the child or children arrive at school the following day. This ensures that the school has up to date relevant information about the child's circumstances and can enable immediate support to be put in place, according to the child's needs. Operation Encompass does not replace statutory safeguarding procedures. Where appropriate, the police and/or schools should make a referral to children's social care if they are concerned about a child's welfare. More information about the scheme and how schools can become involved is available on the Operation Encompass website.

### **Homelessness**

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead (and any deputies) should be aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and/or discussion with the Local Housing Authority should be progressed as appropriate, and in accordance with local procedures, this does not, and should not, replace a referral into children's social care where a child has been harmed or is at risk of harm.

### **So called honour-based abuse**

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.

Further information is available at: <https://www.gov.uk/government/news/help-for-victims-of-forced-marriage-and-honour-based-violence>

### **Female genital mutilation (FGM)**

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

FGM mandatory reporting duty for teachers Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers, along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases may face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils or students, but the same definition of what is meant by "to discover that an act of FGM appears to have been carried out" is used for all professionals to whom this mandatory reporting duty applies.

Further information can be found at: <https://www.gov.uk/government/publications/female-genital-mutilation-resource-pack>

### **Forced marriage**

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

Further information is available at: <https://www.gov.uk/guidance/forced-marriage>

### **Prevent duty and radicalisation**

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of a schools' or colleges' safeguarding approach.

- Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- Terrorism is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

All schools and colleges are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". 134 This duty is known as the Prevent duty.

Channel is a voluntary, confidential support programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. Prevent referrals may be passed to a multi-agency Channel panel, which will discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required. A representative from the school or college may be asked to attend the Channel panel to help with this assessment. An individual's engagement with the programme is entirely voluntary at all stages.

Further information is available at: <https://www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty>

### **Peer on peer/child on child abuse**

Children can abuse other children (often referred to as peer on peer abuse) and it can take many forms. It can happen both inside and outside of school/college and online. It is important that all staff recognise the indicators and signs of peer on peer abuse and know how to identify it and respond to reports. This can include (but is not limited to): bullying (including cyberbullying, prejudice-based and discriminatory bullying); abuse within intimate partner relationships; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexual violence and sexual harassment; consensual and non-consensual sharing of nudes and semi-nudes images and/or videos; causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a 138 third party; upskirting and initiation/hazing type violence and rituals. Addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

### **Sexual violence and sexual harassment**

Sexual violence and sexual harassment can occur between two children of any age and sex from primary to secondary stage and into colleges. It can also occur online. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Staff should be aware of the importance of:

- challenging inappropriate behaviours;
- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging physical behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way and that it can happen both inside and outside of school/college. When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003 as described below:

**Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

**Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

**Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (Schools should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent, or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)

**Causing someone to engage in sexual activity without consent:** A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

When referring to sexual harassment we mean ‘unwanted conduct of a sexual nature’ that can occur online and offline and both inside and outside of school/college. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual “jokes” or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - consensual and non-consensual sharing of nudes and semi-nudes images and/or videos;
  - sharing of unwanted explicit content;
  - upskirting;
  - sexualised online bullying
  - unwanted sexual comments and messages, including, on social media;
  - sexual exploitation; coercion and threats.

Further information on sexual violence and sexual harassment is available at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/999239/SVSH\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/999239/SVSH_2021.pdf)

and

[www.farrer.co.uk/Global/Peer-on-peer%20abuse%20toolkit%2014.pdf](http://www.farrer.co.uk/Global/Peer-on-peer%20abuse%20toolkit%2014.pdf)

## **Upskirting**

The Voyeurism (Offences) Act 2019, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and/or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any sex, can be a victim.

## Appendix 2 - Further information/guidelines on good practice

### Visiting speakers

The Academy has:

- a formal invitation procedure, to include a clear outline by the speaker of their presentation in advance, and approval by the Headteacher
- appropriate suitability and background checks on the speaker and any organisation they represent, including an internet search
- an understanding that staff will be present during the visit including a member of the senior leadership team who will monitor the speech to ensure it aligns with the values and ethos of the Academy and British values

### Peer message

Peer Message involving adults to children and student to student is prohibited in the Academy. The only exception to this policy should relate only to those children where it is part of their EHCP – for example in special schools.

Where message is part of a child's EHCP, staff must gain accreditation to carry out the practice and carry it out in accordance with the plan.

### Children staying with host families/exchange visits

The Academy may make arrangements for students to stay with a host family during a foreign exchange trip or sports tour. In such circumstances this may amount to Private Fostering and the Academy follows the guidance in KCSiE (2021) ensuring that hosting arrangements are as safe as possible.

Some overseas students may reside with host families in the UK. These parents, and all in the home over 16 years of age, will be subject to a no cost enhanced DBS with barred list check.

In the case of school-arranged homestays abroad, the Academy will liaise with partner schools to discuss and agree the arrangements in place for the visit.

The Academy will consider, on a case by case basis, whether to contact the relevant foreign embassy of the country in question to ascertain what checks are necessary. The Academy will use its professional judgement to assess whether the arrangements are appropriate and sufficient to safeguard every child involved in the exchange.

### Private fostering

Private fostering is when a child or young person under 16 years old (or 18 if they have a disability) is looked after for 28 days or more by someone who is not a close relative, legal guardian or person with parental responsibility. Close relatives *only* include parents, step-parents, aunts, uncles and grandparents. It is not private fostering if the child is 'looked after' by the Local Authority (also known as 'in care' and which includes placement in residential care, with an approved foster carer or a 'kinship' carer). Private fostering occurs in *all* cultures, including British culture, and children may be privately fostered at any age.

Examples of private fostering situations include:

- children and young people living apart from their families for a variety of reasons e.g. a parent is ill, has had to temporarily move for work or there has been conflict, separation or divorce
- children whose parents work or study elsewhere in the UK or overseas
- children sent to this country by their parents for education and health care
- young people living with the family of a boyfriend or girlfriend
- children on holiday exchanges

People become private foster carers for all sorts of reasons. Private foster carers can be a family friend, or someone who is willing to care for the child of a family they do not know, for example host families supplied by a Guardianship Organisation. If a host family is going to be caring for a child for 28 days or longer, they are classed as private foster carers and the Local Authority must be notified.

By law, the Local Authority must be informed about all private fostering situations. The child's parents, private foster carers and anyone else involved in the arrangement or who becomes aware of the arrangement, e.g. guardianship agencies, schools or health professionals are *legally required* to inform Children's Services.

Children's Services have a legal duty to make sure all private fostering arrangements are safe for the child. Once informed of the arrangement, they will check the suitability of private foster carers, make regular visits to the child and ensure advice, help and support is available when needed. Where a member of staff becomes aware that a student may be in a private fostering arrangement s/he should raise this with the DSL. Where Children's Social Care are not already aware of the circumstances, the DSL should make a referral to them.

Further information is available at: [www.privatefostering.org.uk](http://www.privatefostering.org.uk) & [www.ecpat.org.uk/News/dfe-training-for-foster-carers](http://www.ecpat.org.uk/News/dfe-training-for-foster-carers)

## **Students with a social worker**

Students may need a social worker due to safeguarding or welfare needs. We recognise that a child's experiences of adversity and trauma can leave them vulnerable to further harm as well as potentially creating barriers to attendance, learning behaviour and mental health.

The DSL and all members of staff will work with and support social workers to help protect vulnerable children. Where we are aware that a student has a social worker, the DSL will always consider this fact to ensure any decisions are made in the best interests of the students' safety, welfare and education outcomes. For example, it will inform decisions about; responding to unauthorised absence or missing in education where there are known safeguarding risks, the provision of pastoral and/or academic support.

## **Looked after children**

A child who is being 'looked after' by their Local Authority is usually known as a 'Child in Care' or a 'Looked After Child'. They might be living with foster parents or at home with their parents under an Interim Care Order granted to social care, or in residential children's homes, or other residential settings like schools or secure units.

A child who is adopted is **not** a Looked After Child. Occasionally, children are placed into Local Authority foster care under an Interim Care Order when an adoption breaks down and the adoptive parents relinquish the child. Once a Full Care Order is agreed, the child remains on long term foster care. The adoptive parents may or may not have continued contact with the child, depending on the situation and the emotional impact on the child.

An Interim Care Order will remain in place until care proceedings are concluded (within 26 weeks in most authorities). At the conclusion of care proceedings in any situation, the child will either stay in long term foster care (under a Full Care Order) until they reach the age of 18 years, return to their parents (usually under a Supervision Order), reside with other family members/friends (usually under a Special Guardianship Order), or in some cases be adopted. In all of the latter situations, it is most usual for parents to have agreed contact arrangements with their child, most commonly three times per year.

A child may also have been placed in care voluntarily by their parents who are struggling to manage their children's behaviour, or meet their child's needs due to their own illnesses or disabilities (under section 20, Children Act 1989). In these cases, rehabilitation will always be the aim, but if this is not possible, the Local Authority will apply for an Interim Care Order and finally a Full Care Order. Usually, these parents will have continued contact with their child.

As a result of their experiences both before and during care, Looked After Children are at greater risk than their peers. Providing a secure, caring environment and enabling such children to develop strong, trusting and stable relationships with professionals is critical to their safety and wellbeing.

## **Appendix 3 - Formal procedure in reporting a safeguarding / child protection incident involving Academy employees (including supply staff, volunteers, contractors & Governors)**

### **1. Action to be taken by the individual**

1.1 If an individual has safeguarding concerns or an allegation is made against another member of staff (including supply staff, volunteers, contractors or Governors) posing a risk of harm to children in or outside of the Academy (this may include low level concerns) they should raise the matter immediately with the Headteacher. Examples of low level concerns could include but are not limited to; being over friendly with children, having favourites, taking photographs of children on their mobile phone, engaging with a child on a one-to-one basis in a secluded area/behind a closed door or using inappropriate sexualised/intimidating/offensive language as stated in paragraph 410 KCSIE 2021.

### **2. The protocol**

2.1 As the first step, you should raise the concern with an appropriate designated person, which would normally be the Headteacher, who would then take / escalate appropriate action.

There are two exceptions to this course of action;

2.1.1 If you believe that the Headteacher is involved in the concern, then the Chair of Governors should be approached when making the initial disclosure, who would then take the appropriate action.

2.1.2 If you believe that an Executive Headteacher is involved in the concern, then the Chief Executive Officer of the Trust should be approached when making the initial disclosure, who would then take the appropriate action.

2.2 If the safeguarding disclosure is such that you do not feel able to raise it with someone connected to the Academy, then you would need to refer to the LADO.

2.3 Safeguarding Concerns against a member of Academy staff may be raised verbally or in writing, but it is preferable for an allegation to be set out in writing to the correct person in the reporting hierarchy (as set out above). It is important, however, that when the concern is raised, you make it clear that the issue is being raised under the safeguarding policy and why you feel this is in the public interest.

2.4 You will be asked to provide as much information as you can to the person who you contact, so that they can be satisfied that there are sufficient grounds for concern.

2.5 If you wish to raise the safeguarding concern in confidence, this must be made clear to the designated person who is initially contacted.

2.6 If you have raised the issue verbally then you may be asked to put your safeguarding concerns into writing at a later stage.

2.7 You may not know how or when the matter has been investigated or a conclusion reached. The confidentiality is likely to remain with the Headteacher and / or Academy Leadership Team.

2.8 The Headteacher and / or the Academy Leadership Team will also notify the person who is the subject of the disclosure of the concern. Upon receipt of the information, this individual will be able to respond to the concern(s) raised.

2.9 The Academy will meet its legal duty to notify the DBS where a person 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.

### 3 Additional guidance

3.1 There are circumstances under which maintaining complete confidentiality may be difficult for the Headteacher/Academy Leadership Team to maintain. For example:

- if the safeguarding matter leads to a legal procedure and evidence is required by the court.
- if the safeguarding matter raised comes within the remit of another incident and the staff member who originally disclosed the concern is asked to provide a signed statement as part of the evidence, thus revealing their identity.

#### 1. Procedure – alerting outside bodies

1. An individual should always, in the first instance, look to initially defer to an appropriate designated person in the organisation about any potential safeguarding breach, as outlined above.
2. If the individual is not satisfied with the response given, they are entitled to contact a relevant external body to express the concerns – in the case of safeguarding disclosures, this would be the LADO.
3. In doing this the individual should;
  - have a reasonable belief that the safeguarding disclosure is based on correct facts
  - have a reasonable belief it is in the public interest to make the disclosure
4. If there is evidence of criminal activity, then the designated investigating officer should inform the police. The Academy will ensure that any internal investigation does not hinder a formal police investigation.

#### 2. Investigating allegations against staff (inc supply staff, volunteers contractors & Governors)

1. It is essential that any allegation of abuse made against a teacher, or other member of staff including supply staff, volunteers, contractors & Governors in the academy is dealt with quickly, in a fair and consistent way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

5.2 The allegation will be investigated to determine which level of allegation/concern it falls under:

##### 1 Allegation that may meet the harms threshold

- behaved in a way that has harmed a child, or may have harmed a child and/or
- possibly committed a criminal offence against or related to a child and/or
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

**2 Allegation/concerns that do not meet the harms threshold** – referred to as “low level concerns” the term “low level” concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out in point 1 above. A low level concern is any concern – no matter how small, and even if no more than causing a sense of unease or “nagging doubt” that an adult working in or on behalf of the academy may have acted in a way that

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

5.3 The following definitions should be used when determining the outcome of allegation investigations:

- Substantiated: there is sufficient evidence to prove the allegation
- Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.
- False: there is sufficient evidence to disprove the allegation.
- Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term does not imply guilt or innocence.
- Unfounded: to reflect cases where there is no evidence or prior basis which supports the allegation being made.

5.4 There are two aspects to consider when an allegation is made:

**1 Looking after the welfare of the child** – the designated safeguarding lead is responsible for ensuring that the child is not at risk and referring cases of suspected abuse to the local authority children’s social care.

2 Investigating and supporting the person subject to the allegation – the case manager should discuss with the LADO, the nature, content and context of the allegation and agree a course of action.

1. The academy will follow the guidance/advice in part 4 of KCSIE 2021 to investigate the allegation/concern.
  
2. Where an allegation has been made against a member of staff, supply staff, volunteer, contractor or Governor, the LADO will be contacted for advice and guidance. Suspension will be considered only in a case where there is cause to suspect a child or other children in the academy is/are at risk of serious harm or the case is so serious that it might be grounds for dismissal.
  
3. Where it has been deemed appropriate to suspend the person, written confirmation should be dispatched within 1 working day, giving reasons as appropriate, for the suspension including the name and contact details of the person identified within the academy who will be on hand to support them.
  
4. The accused person will be informed of the allegation as soon as practically possible.
  
5. Allegations of abuse against a teacher who is no longer teaching will be referred to the police. Historical allegations of abuse should also be referred to the police.
  
6. Any investigation will be managed under the relevant disciplinary policy.
  
7. All investigations will remain confidential unless otherwise required.
  
8. Individuals will be advised to contact their trade union representative for support.
  
9. The academy will be required to inform the parents of any child involved in any allegation of abuse as soon as possible.

10. The academy will aim to resolve all allegations within 12 months, but ideally within 3 months.
11. Should the LADO or police inform the academy that a case is complete or closed, the DSL and headteacher will decide whether further action, including disciplinary procedures are required.
12. Where a teacher is dismissed because of serious misconduct or they might have been dismissed if they had not voluntarily resigned, consideration will be made whether to refer the case to the Secretary of State (via the Teaching Regulation Agency).
13. Where the academy chooses to no longer use the services of a teacher from a supply agency because of serious misconduct, consideration will be made whether to refer the case to the Secretary of State (via the Teaching Regulation Agency).
14. Settlement agreements will not, under any circumstances, be offered to accused members in exchange for the academy not pursuing disciplinary action or not meeting its legal duty.
15. Proven malicious and unsubstantiated claims may lead to disciplinary proceedings against the accuser at the discretion of the headteacher.

## **6 Safe Staff and Supporting Staff**

1. Safer recruitment processes will be followed in accordance with DfE Keeping Children Safe in Education 2021 and will be detailed in the Academy Safer Recruitment Policy.
2. Staff will have access to advice on the boundaries of appropriate behaviour and will be aware of our staff code of conduct policy. This includes contact between staff and children outside the work context
3. In the event of any complaint or allegation against a member of Academy staff, the Headteacher, will be notified immediately. If it relates to the Headteacher, the Chair of Governors will be informed without delay. We will respond to all allegations robustly in collaboration with the Local Authority Designated Officer (LADO), the police and HR colleagues
4. Staff may find some of the issues relating to child protection upsetting and may need support which will be provided by the Academy and through the Human Resources Team. Advice and support will be made available by the LADO and HR where appropriate to the Leadership Team.
5. This policy complements and supports a range of other policies, all of which can be found on the academy website.

These include:

- Attendance policy
- Behaviour policy
- Special educational needs & disabilities policy

- Sex and relationships education policy
- Equality policy
- Safer recruitment policy
- Staff code of conduct policy
- ICT acceptable use policy

In addition to these Academy over-arching policies, individual academies may have other protocols or policies on, for example, use of social media and physical handling which may inform the safeguarding policy.

## Appendix 4 – Procedure for reporting a disclosure

A child may approach any member of staff on their own, with a friend, or on behalf of a friend. It is important to speak to the student concerned alone.

During the conversation with the child:

- Firstly, ensure that the environment is correct and the conversation is confidential
- When speaking directly with a student making a disclosure, it should be recorded in hard copy in the first instance
- Always believe the student and take the matter seriously, even if what is heard sounds unlikely. It may have taken time and courage to speak to an adult. If it is found to be not entirely true, the student still needs help and support
- Speak to the child in a quiet place straight away. Arrange emergency cover for duties if required. Request support from the DSL/DDSL or Senior Leadership Team if necessary. Use the nearest office/quiet space, preferably with a telephone and the Academy safeguarding incident form. This disclosure will be reported up to the DSL
- Stay calm. Reassure the child
- Listen carefully and make notes. Only prompt the child by asking open questions e.g. What happened after that? What did he do then? How did that make you feel? Write notes using the student's own words/descriptions. Do not put words in the child's mouth and avoid leading questions/extensive questioning
- Take as much time as the child needs. Expect and respect silences
- Reassure the child that they have done the right thing. Helpful phrases are: 'It's not your fault. I am sorry this has happened to you. I am glad that you have told me. I will make sure that you get help'
- Make sure the child understands that this information will need to be passed on to someone else in order to help them. This will only be on a 'need to know' basis; it will be confidential to as few people as possible
- Explain the role of the DSL to them
- Ensure any questioning is of an 'Open Nature', do not lead the child with regular questioning

What not to do:

- Do not delay speaking to the child
- Do not promise to keep secrets. 'Confidential' = 'need to know' basis
- Do not ask leading questions e.g. Did she hit you? Were you afraid?
- Do not interpret events when making notes
- Do not investigate further, refer to the DSL

### Afterwards

All staff must inform the DSL/DDSL by completing a disclosure form every time a safeguarding concern is raised.