



## **Safeguarding Children Policy** **(including Child Protection)**

**Individual Academies will appoint:**

Safeguarding Governor – Michelle Sadler

Designated Safeguarding Lead – Sharon Harper

Deputy Safeguarding Lead(s) – Ann-Marie Dunleavy and Jayne Selby

Prevent Lead – Sharon Harper

CSE Lead – Sharon Harper

This policy was ratified by the Multi Academy Trust Board on:

This policy was approved by the Local Governing Body on:

Next review date: September 2019

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- 1.1. The Academy fully recognises its moral and statutory responsibilities for safeguarding and promoting the welfare of children.
- 1.2. This policy has been developed to help the Academy fulfil its safeguarding obligations in accordance with the principles and legal requirements established by the Children Acts 1989 and 2004; the Education Act 2002; the Prevention of Terrorism Act 2002; and the Counter Terrorism and Security Act 2015; and in line with government publications the Teachers' Standards 2012, *'Working Together to Safeguard Children'* 2018, *'Keeping Children Safe in Education'* September 2018 and *'What to do if you're worried a child is being abused 2015-Advice to Practitioners'*.
- 1.3. Our policy applies to all staff, governors and volunteers working in the academy and is available to parents on our website and in paper form from reception. This policy can be made available in large print or other accessible format if required.
- 1.4. There are six main elements to our policy:
  - ensuring we practice Safer Recruitment in checking the suitability of staff and volunteers to work with children;
  - raising awareness of Child Protection issues and equipping children with the skills needed to keep them safe;
  - developing and then implementing procedures for identifying and reporting cases, or suspected cases, of abuse;
  - equipping staff, governors and volunteers with the necessary information and training to enable them to meet their Child Protection responsibilities;
  - supporting pupils who have been identified as in need of early help or at risk of harm in accordance with his/her agreed Child Protection, Child in Need or Early Help plan;
  - establishing a safe environment in which children can learn and develop.
- 1.5. We ensure that all pupils (including those who have a faith background and those who do not) have a thorough understanding of, and positive approach to, the beliefs and values that under-pin modern British society [and our distinctive nature as a Church of England school – insert or delete where applicable]. This “Golden Thread” runs through our approach to teaching and learning. To ensure pupils remain safe and are not put at risk by the promotion of violent and/or extremist views, the study of democratic principles and the right of all individuals to equality of opportunity is an integral part of our school curriculum, including Ethical Studies and the development of pupils’ spiritual, moral, social and cultural skills and awareness.
- 1.6. We ensure other Academy policies have explicit links with our safeguarding policy to ensure that they reinforce all aspects of the Prevent agenda and all aspects of our Child Protection strategies are reinforced through the school curriculum and our approach to teaching and learning wherever possible.

## **2. PROCEDURES**

- 2.1. We will follow the procedures set out by the Local Safeguarding Children Board (LCSB) and take account of guidance issued by the Department for Education (DfE). Where we identify children and families in need of support, we will carry out our responsibilities in accordance with the LCSB and local inter-agency procedures and levels of need guidance.

## 2.2. **Complaints of abuse**

- 2.2.1. Every complaint or suspicion of abuse from within or outside the Academy, which relate to pupils of the Academy, will be taken seriously and action will be taken in accordance with this policy.
- 2.2.2. The Child Protection training provided to staff considers the types and signs of abuse staff should be aware of. Further details are set out in Annex 1.
- 2.2.3. Every member of staff, including volunteers working with children at our Academy, is advised to maintain an attitude of 'it could happen here' where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the interests of the child and have a responsibility to take action as outlined in this policy. They should not assume a colleague or another professional will take action and share information that might be critical in keeping children safe.
- 2.2.4. If a member of staff or visitor to the Academy is concerned that a pupil may be at risk of, or suffering, harm, or receives a disclosure of abuse, the matter should be referred to the Designated Safeguarding Lead (DSL) as soon as possible, or, if unavailable, to a Deputy DSL's. In the absence of either of the above, the matter should be brought to the attention of the most senior member of staff or Children's Social Care.
- 2.2.5. All concerns about a child or young person should be reported without delay and recorded in writing. The Academy uses a software package called MyConcern to support safeguarding reporting. MyConcern is a safe and secure method of recording and managing all safeguarding concerns and meets all DfE statutory guidance and school inspection standards. Staff should report any concern using this online reporting system. Any original notes should be signed, dated and attached to the child's MyConcern file. The DSL and Deputy DSLs are automatically notified when a report is made. Any questions about the use of MyConcern should be directed to the DSL. If a concern is not able to be logged on MyConcern due to technical or other reasons, it must be recorded in writing using the Academy's agreed paper template (see Annex 4). If the agreed template form is unavailable, or it would prevent the child disclosing should the member of staff have to go and find the form, then contemporaneous notes can be made on a piece of paper, providing it has the date and time, is signed, and the note kept with all subsequent information on the child.
- 2.2.6. Following receipt of any information raising concern, the DSL will consider what action to take and seek advice from Children's Services as required. All information and actions taken, including the reasons for any decisions made, will be fully documented. All referrals will be made in line with local procedures as detailed on the LCSB website.
- 2.2.7. All staff are encouraged to report any concerns that they have and not see these as insignificant. On occasions, a referral is justified by a single incident such as an injury or disclosure of abuse. More often however, concerns accumulate over a period of time and are evidenced by building up a picture of harm over time; this is particularly true in cases of emotional abuse and neglect. In these circumstances, it is crucial that staff record and pass on concerns in accordance with this policy to allow the DSL to build up a picture and access support for the child at the earliest opportunity. A reliance on memory without accurate and contemporaneous records of concern could lead to a failure to protect.
- 2.2.8. If, at any point, there is a risk of immediate serious harm to a child a referral should be made to children's social care immediately. Anybody can make a referral. If the child's situation does not appear to be improving the staff member with concerns should press for re-consideration by raising concerns again with the DSL and/or Principal/Head of School. Concerns should always lead to help for the child at some point.
- 2.2.9. Staff should always follow the reporting procedures outlined in this policy in the first instance. However, they may also share information directly with Children's Services, or the police, if the situation is an emergency and the DSL, their deputy and the Principal/Head of School are all unavailable, or if they are convinced that a direct report is the only way to ensure the pupil's safety.

- 2.2.10. Any member of staff who does not feel that concerns about a child have been responded to appropriately and in accordance with the procedures outlined in this policy, should raise their concerns with the Principal/Head of School or the Chair of Governors. If any member of staff does not feel the situation has been addressed appropriately at this point they should contact Children's Services directly with their concerns.
- 2.2.11. It is **not** the responsibility of Academy staff to investigate welfare concerns or determine the truth of any disclosure or allegation. However, all staff have a duty to recognise concerns and pass on the information in accordance with the procedures outlined in this policy.
- 2.2.12. All staff are particularly reminded:
- from October 2015, teachers must report to the police cases where they discover that an act of Female Genital Mutilation appears to have been carried out. The only exception of reporting is where a teacher knows that another teacher or healthcare professional has already made a report relating to this specific incident. The duty does not apply where a pupil is 18 or over. Unless the teacher has a good reason not to, they should still consider and discuss any such case with the DSL and involve children's social care as appropriate:
  - normal referral processes must be used when there are concerns about children who may be at risk of being drawn into terrorism.

### 2.3. **Action by the Designated Safeguarding Lead**

- 2.3.1. On being notified of a complaint or suspicion of abuse, the action to be taken by the DSL will take into account:
- the local inter-agency procedures of the Local Safeguarding Children Board;
  - where relevant, local information sharing protocols relating to Channel referrals;
  - the nature and seriousness of the suspicion or complaint. A complaint involving a serious criminal offence, including the identification of someone who may already be engaged in illegal terrorist activity, will always be referred to local authority children's social care services, and if appropriate the police;
  - the child's wishes and feelings (having due regard to the duty to report to the police information which would be of material assistance in detecting terrorism); and
  - duties of confidentiality, so far as applicable.
- 2.3.2. If there is room for doubt as to whether a referral should be made, the DSL may consult with children's social care on a no names basis without identifying the family. However, as soon as sufficient concern exists that a child may be at risk of significant harm, a referral to the local authority children's social care services will be made without delay (and in any event within 24 hours).
- 2.3.3. If the initial referral is made by telephone, the DSL will confirm the referral in writing to the local authority children's social care services within 24 hours. If no response or acknowledgment is received within three working days, the DSL will contact the local authority children's social care services again.
- 2.3.4. In circumstances where a pupil has not suffered and is not likely to suffer significant harm but is in need of additional support from one or more agencies, the DSL will liaise with Children's Social Care and where appropriate an interagency assessment will take place, including use of the Common Assessment Framework and Team Around the Child approaches, as necessary. Decisions to seek such support for a pupil will be taken in consultation with parents unless there are reasonable grounds for suspecting that in doing so, the pupil will be at risk of significant harm.

2.3.5. Where relevant, the Academy will co-operate with the Channel Panel and the police in providing any relevant information so that each can effectively carry out its functions to determine whether an individual is vulnerable to being drawn into terrorism. The Academy will respond to requests for information from the police promptly and in any event within five to ten working days.

2.3.6. All information and actions taken, including the reasons for any decisions made, will be fully documented.

## 2.4. **Dealing with allegations against staff, governors and volunteers**

2.4.1. The Academy has procedures for dealing with allegations against staff, governors and volunteers who work with children that aim to strike a balance between the need to protect children from abuse and the need to protect staff, governors and volunteers from false or unfounded allegations. These procedures are set out in Annex 3 (see also section 18 of this policy) and follow the DfE guidance found in Part 4 of *Keeping Children Safe in Education*.

2.4.2. The Local Authority has designated a particular officer, or team of officers, to be involved in the management and oversight of allegations against people that work with children (Designated Officer(s)). The Designated Officer(s) will be informed immediately and in any event within one working day of all allegations against staff, governors and volunteers that come to the Academy's attention and appear to meet the criteria set out in paragraph 1 of Annex 3.

2.4.3. The Academy will report to the DBS where permission has been withdrawn for a teacher, member of staff or volunteer to teach or where permission would have been withdrawn if the teacher had not left, where that teacher member of staff or volunteer posed a risk of harm to or had harmed children.

### 2.4.4. Tudor Grange Early Years Foundation Stage (EYFS)

2.4.4.1.1. The Academy will inform Ofsted of any allegations of serious harm or abuse by any person living with, working or looking after children on the premises of the Early Years (whether that allegation relates to harm or abuse committed on the premises or elsewhere), and will provide details of the action taken in respect of those allegations.

2.4.4.1.2. These notifications will be made as soon as reasonably practicable, but in any event within 14 days of the allegations being made.

2.4.5. Detailed guidance is given to staff, governors and volunteers to ensure that their behaviour and actions do not place pupils or themselves at risk of harm or of allegations of harm to a pupil. This guidance is contained in Tudor Grange Academies Trust Staff Code of Conduct.

## 2.5. **Allegations against pupils**

2.5.1. Allegations against pupils should be reported in accordance with the procedures set out in this policy. A pupil against whom an allegation of abuse has been made may be suspended from the Academy during the investigation and the Academy's policy on behaviour, discipline and sanctions will apply.

2.5.2. The Academy will take advice from Children's Social Care services on the investigation of such allegations and will take all appropriate action to ensure the safety and welfare of all pupils involved including the pupil or pupils accused of abuse.

2.5.3. Where a child discloses safeguarding allegations against another pupil in the same setting, the DSL should refer to the local procedures on the LSCB website and seek advice from Children's Services before commencing its own investigation or contacting parents. In cases of sexual violence and sexual harassment the guidance in Annex 11 of this policy should be followed.

2.5.4. Where an allegation is made against a pupil, both the victim and the perpetrator will be treated as being at risk and safeguarding procedures in accordance with this policy will be followed.

## 2.6 **Informing parents**

2.6.1 We recognise that good communication with parents is crucial in order to safeguard and promote the welfare of children effectively. We will ensure that parents have an understanding of the responsibilities placed on the Academy and staff to safeguard children and their duty to co-operate with other agencies in this respect.

2.6.2 Parents will normally be kept informed as appropriate of any action to be taken under these procedures. However, there may be circumstances when the DSL will need to consult the Principal/Head of School, the Local Authority Designated Officer, local authority children's social care services and/or the police before discussing details with parents. We will undertake appropriate discussion with parents prior to involvement of another agency, unless to do so would place the child or an adult at further risk of harm or would impede a criminal investigation.

2.6.3 In relation to Channel referrals, the DSL will consider seeking the consent of the pupil (or their parent/guardian) when determining what information can be shared. Whether or not consent is sought will be dependent on the circumstances of the case but may relate to issues such as the health of the individual, law enforcement or protection of the public.

2.6.4 See also Section 3 of Annex 3 for details about the disclosure of information where an allegation has been made against a member of staff, governor, volunteer or the Principal/Head of School of the Academy.

## 3. **RESPONSIBILITIES AND DUTIES**

Legislation places general and specific responsibilities to ensure effective safeguarding on the Academy and the wider trust as a whole, as well as specific duties on the relevant boards, the DSL and Principals/Heads of School.

### 3.1. **General Duties**

The Academy will take reasonable measures to:

- establish and maintain an environment where children feel safe, secure, valued and respected and are encouraged to talk, believing they will be listened to;
- ensure children know that there are adults in the Academy whom they can approach if they are worried;
- include opportunities in the curriculum, specifically through PSHE and ICT, for children to develop the skills they need to recognise and stay safe from abuse and to know who they should turn to for help;
- ensure there are systems in place for children to express their views and give feedback e.g. through academy/class councils, safety questionnaires, participation in anti-bullying and e-safety events;
- ensure that the child's thoughts, wishes and feelings are sought and recorded on all referrals and taken into account when determining what action to take and what services to provide to protect children from harm;
- ensure it has a senior leader nominated as DSL who has received appropriate training and support for this role;
- ensure it has at least one member of staff who will act in the absence of the DSL (Deputy DSL);



- ensure it has a nominated governor who will take leadership responsibility for the school's safeguarding arrangements;
- ensure every member of staff (including temporary and supply staff and volunteers), regular visitors to our Academy and the Governing Body is told where to find this policy, knows the name of the DSL and any deputies and is informed of the Academy's procedures in reporting concerns and understands their role;
- ensure that the DSL and/or a deputy DSL is always available to speak to during school hours and has made adequate and appropriate cover arrangements for any out of hours/out of term time activities;
- ensure all staff and volunteers are alert to the potential need for early help and are aware of children whose vulnerabilities may indicate a greater need and of the role they may play in supporting other agencies and professionals in an early help assessment;
- ensure all staff and volunteers understand their responsibilities in being alert to the signs of abuse and neglect, including the specific issues of Female Genital Mutilation (FGM), Child Sexual Exploitation (CSE), Children Missing Education (CME) and Radicalisation and Extremism (Prevent) and Sexual Violence and Sexual Harassment, and maintain an attitude of 'it could happen here';
- ensure all staff and volunteers understand their responsibility for referring any concerns to the DSL, Deputy DSLs or other members of the Senior Leadership Team in a timely manner and are aware that they may raise concerns directly with Children's Social Care Services if they believe their concerns have not been listened to or acted upon;
- ensure that parents have an understanding of the responsibility placed on the Academy and staff for Child Protection by setting out its obligations in the Academy prospectus and publishing its policy on the Academy website;
- ensure that it receives written confirmation that the appropriate Child Protection checks and procedures have been carried out on staff from another organisation;
- operate a lettings policy which ensures the suitability of adults working with children on academy sites at any time;
- ensure that community users organising activities for children are aware of, and understand the need for compliance with, the Academy's Child Protection guidelines and procedures;
- ensure that the duty of care towards its pupils and staff is promoted by raising awareness of illegal, unsafe and unwise behaviour and assist staff to monitor their own standards and practice;
- ensure that all staff and volunteers feel able to raise concerns about poor or unsafe practice and are aware of whistleblowing procedures and helplines;
- be aware of and follow procedures set out by the DfE and the LSCB where an allegation is made against a member of staff or volunteer, including making a referral to the Local Authority Designated Officer (LADO) and ensuring that a referral is made to the DBS and/or Teaching Regulation Agency if a person in regulated activity has been dismissed or removed or suspended from regulated activity where the harm criteria is met, or would have been had they not resigned;
- operate safer recruitment practice, ensuring that at least one member on every recruitment panel has completed safer recruitment training;
- and regularly review and update our procedures at least annually.

### 3.2. **Specific duties**

3.2.1. Every employee and governor of the Academy as well as every volunteer who assists the Academy is under a general legal duty to:

- protect children from abuse;
- be aware of the Academy's Child Protection procedures and to follow them;
- know how to access and implement the Academy's Child Protection procedures, independently if necessary;
- keep a sufficient record of any significant complaint, conversation or event in accordance with this policy; and
- report any matters of concern to the DSL.

3.2.2. The Academy's Staff connected to the Academy's Early Years and Later Years provisions are under an ongoing duty to inform the Academy if their circumstances change which would mean they meet any of the criteria for disqualification under the Childcare Act 2006. Staff should refer to the Academy's Safer Recruitment Policy for further information about this duty and to their contract of employment in respect of their ongoing duty to update the Academy.

3.2.3. **The MAT Board will:**

- ensure that arrangements are in place to carry out functions in respect of safeguarding and promoting the welfare of children and have regard to statutory guidance by the Secretary of State;
- ensure all Academies in the Tudor Grange Academies Trust meet their duties with regard to safeguarding and Child Protection;
- nominate a member to be responsible for safeguarding children and liaise with the DSL and/or Principal/Head of School in matters relating to safeguarding;
- ensure the DSL and Deputy DSL role is explicit in the role holders' job descriptions and that the DSL takes lead responsibility for safeguarding and Child Protection and does not delegate this responsibility;
- support the individual Academy DSLs in fulfilling their responsibilities;
- ensure that they have the status and authority to fulfil all the roles of the individual Academy DSLs if required;
- ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities as set out in part one of *Keeping Children Safe in Education*;
- ensure that the Local Governing Body nominate a member to take lead responsibility for safeguarding children and liaise with the DSL and/or Principal/Head of School in matters relating to safeguarding;
- ensure that the Academy's safeguarding arrangements take into account the procedures and practice of the Local Safeguarding Children Board and that the Local Governing Body has nominated one of its members to manage Child Protection incidents on behalf of the Board and to liaise with external agencies where this is required;
- ensure that safeguarding responses are put in place in cases where children go missing from education;
- ensure that a Designated Teacher is appointed by the governors to promote the educational achievement of children who are Looked After. The governors will ensure that staff have the skills, knowledge and understanding necessary to keep Looked After

Children safe. In particular, they will ensure that the information they need in relation to the child's Looked After status, his/her care arrangements and the levels of authority delegated to the carer by the authority looking after him/her is made available to them;

- ensure that safeguarding policies and procedures are in place, available to parents on the Academy website or by other means and reviewed at least annually;
- ensure that termly reports on the effectiveness of the Academy's safeguarding procedures are presented to the Governing Body;
- ensure that any returns requested by the Local Authority or LCSB are completed in a timely manner;
- ensure that any weaknesses brought to its attention relating to safeguarding are remedied without delay and it complies with all legislative duties, including the duty to report suspected or known cases of FGM and the duty to prevent young people from being drawn into terrorism;
- ensure that senior leaders and safeguarding governors at each Academy are involved in quality assurance processes, including the analysis of referrals and concerns, enabling the Academy to be dynamic in response to identified patterns and the bespoke needs of the local community.

#### 3.2.4. **The Principal/Head of School will ensure:**

- that the safeguarding policies and procedures are fully implemented and followed by all staff;
- that sufficient funding, support time and resources are allocated to enable the DSL and other staff to discharge their responsibilities with regard to Child Protection;
- that all staff feel able to raise concerns about poor or unsafe practice and that these are handled sensitively and in accordance with the whistleblowing procedure;
- that all allegations of abuse against staff are reported to the LADO in a timely manner;

#### 3.2.5. **The DSL will:**

3.2.5.1 Co-ordinate action on safeguarding and promoting the welfare of children within the Academy setting. Each Academy DSL has the status and authority within the Academy to carry out the duties of the post, including committing resources and supporting and directing other staff.

#### 3.2.5.2 The DSL is responsible for:

- organising Child Protection induction training for all newly appointed staff and whole staff training, refreshed at least every 3 years with annual updates as required;
- providing a mechanism to ensure that all staff understand and are able to discharge their role and responsibilities as set out in part one of *Keeping Children Safe in Education*;
- undertaking, in conjunction with the Principal/Head of School, Safeguarding Governor and Trust Lead for Safeguarding, an annual audit of safeguarding procedures;
- making use of the Levels of Need guidance when making a decision about whether or not the threshold for Early Help or Children's Social Care intervention is met;
- referring a child to Early Help and/or Children's Social Care as appropriate, when there are concerns about possible abuse and neglect;
- referring a child to the Channel Panel when there are concerns about possible radicalisation or involvement in extremist groups;

- liaising with the Principal/Head of School to ensure he/she is informed of all Child Protection issues, especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- liaising with other staff (pastoral support staff, school nurses or counsellors, IT technicians, e-safety co-ordinators, SENCOs and LAC co-ordinators, etc.) on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies;
- keeping written records of concerns about children, including the use of body maps, even where there is no need to refer the matter immediately;
- ensuring all Child Protection records are kept securely, separate from the main pupil file, and in locked/password protected locations or as secure online MyConcern files;
- ensuring that all Child Protection files are transferred in a safe and timely manner when a child moves settings, both between and across phases, within and out of county and that a receipt of transfer is obtained;
- notifying the key worker if there is an unexplained absence of more than two days of a pupil who is subject to a Child Protection plan;
- monitoring unauthorised absence, particularly where children go missing on repeated occasions, reporting concerns in line with 'missing children' procedures;
- developing effective links with relevant agencies and other professionals and co-operate as required with their enquiries regarding safeguarding matters including co-operation with serious case reviews, attendance at strategy meetings, initial and review Child Protection conferences, core group and child in need review meetings;
- contributing to assessments and providing a report to initial and review conferences which has been shared with parents first, whenever possible;
- contributing to the co-ordination of a programme of safety, health and well-being through the curriculum, including issues of protective behaviours, healthy relationships, staying safe on-line, and the promotion of fundamental British values;
- Acting as a source of support, advice and expertise for all staff.

#### **4. TRAINING**

##### **4.1. Induction**

- 4.1.1. When staff join our Academy they will be informed of the safeguarding children arrangements in place. They will be given a copy of this policy including its Annexes, Part 1 and Annex A of *Keeping Children Safe in Education*, the Academy's safeguarding response to children who go missing in education, the Behaviour and Discipline Policy and the Academy's Code of Conduct and told who the DSL is, what this role includes and who acts in their absence. Each new member of staff, or temporary or supply member of staff, will be required to sign to say they have read and understood these documents and their legal duties and responsibilities in relation to them.
- 4.1.2. All staff will receive induction in safeguarding children. The induction programme will include basic Child Protection information relating to signs and symptoms of abuse, how to manage a disclosure from a child, when and how to record a concern about the welfare of a child and advice on safe working practice. It will also detail the role of the DSL and his/her identity and contact details together with that of his/her Deputy DSL(s), and provide initial training on how to use MyConcern, the Academy's safeguarding reporting system.
- 4.1.3. All volunteers, supply staff and regular visitors to the Academy will be told where our policy is kept, the name of the DSL and Deputy DSL(s) and informed of the Academy's procedures for reporting concerns.

## 4.2. **Child Protection Training**

- 4.2.1. All Staff, including the Principal/Head of School will receive a copy of this policy and Part 1 and Annex A of *Keeping Children Safe in Education*, and will be required to confirm that they have read and understood these.
- 4.2.2. All staff will receive appropriate training in Child Protection and safe working practice, updated at least every three years. Training will include signs and symptoms of abuse and neglect, as well as specific safeguarding issues, such as CSE, FGM, Prevent, online safety and peer on peer abuse, including sexting and sexual violence and sexual harassment. Training will also include how to record and report abuse, both within the Academy and to Children's Social Care. In addition, they will receive safeguarding and Child Protection updates as required, but at least annually. Training will include guidance on the duties of staff in relation to both children in need and children at risk of harm.
- 4.2.3. Staff with specific responsibility for safeguarding children will undertake training at a level suitable to their role and responsibilities, updated every two years. In addition to formal training, the DSL and deputies will update their knowledge and skills via newsletters, briefings, network meetings and seminars at regular intervals, at least annually.
- 4.2.4. Staff with leadership responsibilities will undertake further relevant training in safeguarding related issues such as CSE, FGM, Radicalisation (WRAP training), Management of Allegations of Abuse and cascade the learning from this training to the rest of the staff.
- 4.2.5. Staff development training will also include training on online safety and, where they have not been able to access other Prevent training assessed as appropriate for them by the Academy, the online general awareness training module on Channel.
- 4.2.6. The nominated Safeguarding Governor and the Chair of Governors will receive appropriate training to enable them to fulfil their safeguarding responsibilities.

## 5. **INFORMATION SHARING, CONFIDENTIALITY AND RECORD KEEPING**

- 5.1. Information sharing is vital in identifying and tackling all forms of abuse.
- 5.2. All personal information will be processed fairly and lawfully in line with our duties under the Data Protection Act 2018 and GDPR and will be held safely and securely. Safeguarding teams across the Trust will adhere to GDPR and ensure that all documents containing personal or sensitive information are handled in line with the Academy's GDPR Policy. However, we recognise that this is not a barrier to sharing information where the failure to do so would result in a child being placed at risk of harm.
- 5.3. We recognise that all matters relating to Child Protection are confidential.
- 5.4. The Principal/Head of School or DSL will disclose any information about a pupil to other members of staff on a need to know basis only.
- 5.5. All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.
- 5.6. All staff must be aware that they cannot promise a child to keep secrets which might compromise the child's safety or well-being.
- 5.7. When a child about whom concerns have been raised and recorded leaves the Academy, the DSL will consider if it would be appropriate to share information with the new school in advance of the child leaving, in order to ensure that support is in place for when the child arrives.
- 5.8. Any member of staff receiving a disclosure of abuse from a child or young person, or noticing signs or symptoms of possible abuse, will make notes as soon as possible (within the hour, if

possible) writing down exactly what was said, using the child's own words as far as possible. Concerns will be recorded using the Academy's safeguarding children recording system.

- 5.9. All records of a Child Protection nature will be passed to the DSL including case conference or core group minutes, Child Protection plans and written records of any concerns. Child Protection records are kept securely with only appropriate persons having access to them.
- 5.10. Any referrals made to other agencies, including referrals to Children's Social Care, will be copied prior to sending and stored in the child's MyConcern file.
- 5.11 The DSL will maintain and regularly audit the Academy's Child Protection records and ensure that each stand-alone file includes a chronology of significant events and that information and contact details are accurate and up-to-date.
- 5.12 The DSL will ensure that the Child Protection record is transferred in a safe and timely manner when a child moves school, ensuring receipt of transfer is obtained.
- 5.13 The DSL may copy Child Protection records generated by the Academy, including the Child Protection chronology, prior to transfer and retain for as long as is necessary (usually until the child reaches the age of 25), where there is justification for believing that the records may be required as evidence of the school's involvement with the child for statutory purposes, e.g. court cases or serious case reviews. When the records are no longer required, they will be securely disposed of.
- 5.14 Despite upholding confidentiality of a child's complaint or abuse where possible, there will be circumstances where the DSL and the Principal/Head of School will need to disclose information to certain other staff and may need to refer a child to certain agencies.
- 5.15 The Academy is entitled to not release information under a subject access request if it deems that this would put someone at risk of harm.

## **6. SPECIFIC SAFEGUARDING ISSUES**

### **6.1 Children Missing from Education (CME)**

- 6.1.1 The Academy recognises that a child going missing from education is a potential indicator of abuse or neglect. The procedures in this policy will be followed when dealing with children who go missing from education, particularly on repeat occasions, to help to identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of them going missing in the future.
- 6.1.2 Our procedures for dealing with children that go missing from education are based on Local Authority and LSCB procedures (see Annex 5). Staff are made aware of these procedures at induction and through our Attendance Policy. We will make every attempt to obtain more than one emergency contact number for each child registered at the school to ensure we are able to make contact with a responsible adult when a child missing education is also identified as a welfare and/or safeguarding concern.
- 6.1.3 The Academy shall inform the applicable local authority of any pupil who fails to attend the Academy regularly, or has been absent without the Academy's permission for a continuous period of 10 school days or more, at such intervals as are agreed between the Academy and the local authority (or in default of such agreement, at intervals determined by the Secretary of State).
- 6.1.4 Where a child is going to be added to or deleted from the pupil roll, the Academy will inform the local authority in which the child resides in the applicable circumstances. We will inform the Local Authority when removing a child from the pupil roll at non-standard transition points.

## 6.2 **Child Sexual Exploitation (CSE)**

6.2.1 We recognise that CSE is a form of child sexual abuse involving criminal behaviours against children and young people which can have a long-lasting adverse impact on a child's physical and emotional health. Sexual exploitation involves an individual or group of adults taking advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity. Victims can be boys or girls. Children and young people are often unwittingly drawn into sexual exploitation through the offer of something they need or want, for example: friendship and care; gifts; drugs and alcohol; and sometimes accommodation. Child sexual exploitation does not always involve physical contact, it can also occur through the use of technology. It may also be linked to child trafficking.

6.2.2 The Academy addresses the risks of sexual exploitation in the PSHE and SRE curriculum. A common feature of sexual exploitation is that the child often doesn't recognise the coercive nature of the relationship and doesn't see themselves as a victim. The child may initially resent what they perceive as interference by staff, but staff must act on their concerns, as they would for any other type of abuse.

6.2.3 All staff, volunteers and governors are made aware of the indicators of sexual exploitation, the fact that the victim may have been sexually exploited even if the sexual activity appears consensual, and that it does not always involve physical contact but can occur through the use of technology. All concerns of CSE are reported immediately to the DSL.

## 6.3 **Child Criminal Exploitation – County Lines**

6.3.1 This is where children and young people are being exploited and drawn into drug-related activity by criminal gangs, groups or individuals. Typically, the gang exploits young or vulnerable people to store and/or supply drugs, move cash and secure the use of homes belonging to vulnerable adults. There is a crossover between CSE and county lines and young people are sometimes required to offer sex in order to pay off perceived debts. Concerns about young people being possibly involved should be passed to the DSL who will refer to Police and Children's Social Care.

## 6.4 **Domestic Abuse**

6.4.1 We recognise that exposure to 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. Domestic abuse affecting young people can occur within their personal relationships, as well as in the context of their home life. We will ensure that our pupils are educated so that they understand what a healthy relationship looks like. All concerns regarding Domestic Abuse will be reported to the DSL, who will ensure that appropriate support is available to the child/children and make referrals to Children's Social Care where the threshold for social care intervention is met.

## 6.5 **Radicalisation and Extremism**

6.5.1 We are subject to the Prevent Duty under the Counter-Terrorism and Security Act 2015, which requires us to identify children who may be vulnerable to radicalisation and know what to do when they are identified. We recognise that children are vulnerable to extremist ideology and radicalisation and that safeguarding against radicalisation and extremism is no different to safeguarding against any other vulnerability in today's society.

6.5.2 The DSL has received Prevent training and will act as the point of contact within our Academy for any concerns relating to radicalisation and extremism. The DSL will make referrals in accordance to LSCB procedures and will represent the Academy at Channel meetings as required.

6.5.3 If a staff member, governor or volunteer becomes concerned about a child in relation to radicalisation or extremism, they will follow the procedures set out in Annex 8 of this document.

- 6.5.4 All staff, governors and volunteers will be given training in respect of having an understanding of what radicalisation and extremism are, why we need to be vigilant in school, and identifying and reporting concerns about a child and their individual obligations under the prevent duty.
- 6.5.5 We aim to help provide resilience to radicalisation by encouraging pupils to respect the fundamental British values of democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs. We ensure that partisan political views are not promoted in the teaching of any subject in the Academy and where political issues are brought to the attention of the pupils, reasonably practicable steps have been taken to offer a balanced presentation of opposing views to pupils.
- 6.5.6 We value freedom of speech and the expression of beliefs/ideology as fundamental rights underpinning our society's values. Both pupils and teachers have the right to speak freely and voice their opinions. However, freedom comes with responsibility and free speech that is designed to manipulate the vulnerable or that leads to violence and harm of others goes against the moral principles in which freedom of speech is valued. Free speech is not an unqualified privilege; it is subject to laws and policies governing equality, human rights, community safety and community cohesion.
- 6.5.7 We seek to protect children and young people against the messages of all violent extremism including, but not restricted to, those linked to Islamist ideology, Far Right/Neo Nazi/White Supremacist ideology, Irish Nationalist and Loyalist paramilitary groups, and extremist Animal Rights movements.
- 6.5.8 There are systems in place for keeping pupils safe from extremist material when accessing the internet in our school by using effective filtering and usage policies.
- 6.5.9 We will use relevant information, tools and resources to help staff and parents/carers recognise and address extremism and radicalisation in young people, for example the [Educate Against Hate](#) website.
- 6.6 **'Honour Based' Violence (HBV) and Female Genital Mutilation (FGM)**
- 6.6.1 We recognise that our staff are well placed to identify concerns and take action to prevent children from becoming victims of Female Genital Mutilation (FGM) and other forms of so-called 'honour-based' violence (HBV) and provide guidance on these issues through our safeguarding training. If staff have a concern regarding a child that might be at risk of HBV they should inform the DSL who will activate local safeguarding procedures, using existing national and local protocols for multiagency liaison with police and children's social care.
- 6.6.2 Where FGM has taken place, since 31<sup>st</sup> October 2015 there has been a mandatory reporting duty placed on teachers or other persons employed or engaged to carry out teaching work. 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 in England and Wales, to personally 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 will face disciplinary sanctions. We will provide guidance and support to our teachers on this requirement and further information on when and how to make a report can be found in the following Home Office guidance: ['Mandatory Reporting of Female Genital Mutilation - procedural information'](#) (October 2015).
- 6.6.3 Breast ironing, also known as breast flattening, is the pounding and massaging of a pubescent girl's breasts using hard or heated objects to try to stop them developing, or to make them disappear entirely. Much like FGM, breast ironing is a harmful cultural practice and while there is no specific law within the UK around breast ironing, it is a form of physical abuse. If professionals are concerned that a child may be at risk of, or is suffering, significant harm, they should inform the DSL.
- 6.7 **Modern Slavery**
- 6.7.1 The Modern Slavery Act 2015 places a statutory duty on public authorities, including schools, to notify the National Crime Agency (NCA) (section 52 of the Act) on observing signs or



receiving intelligence relating to modern slavery. The public authority, including schools, bears this obligation where it has 'reasonable grounds to believe that a person may be a victim of modern slavery or human trafficking'. Staff need to be aware of this duty and inform the DSL should they suspect or receive information that either parents/carers or their children may be victims of modern slavery. The DSL will then contact the NCA.

## 6.8 Peer on Peer Abuse (including Sexual Violence and Sexual Harassment)

- 6.8.1 We recognise that children are vulnerable to physical, sexual and emotional abuse by their peers or siblings. This is most likely to include, but not limited to: bullying (including cyber bullying), sexting (also known as youth produced sexual imagery), sexual violence and sexual harassment, initiation/hazing type violence and rituals, and physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm. Abuse perpetrated by children can be just as harmful as that perpetrated by an adult, so it is important to remember the impact on the victim of the abuse as well as to focus on support for the child or young person exhibiting the harmful behaviour. Such abuse will always be taken as seriously as abuse perpetrated by an adult and the same safeguarding children procedures will apply in respect of a child who is suffering or likely to suffer significant harm; staff must never tolerate or dismiss concerns relating to peer on peer abuse and such abuse must never be passed off as 'banter', 'just having a laugh' or 'part of growing up'.
- 6.8.2 We will ensure, through training, that staff, volunteers and governors will have an understanding of the range of peer on peer abuse, including sexual violence and sexual harassment, and will be made aware of how to recognise and manage such issues. Staff will be given the skills to identify and manage harmful sexual behaviour using resources such as the [Brook Traffic Light Tool](#). Staff should be aware that some groups are potentially more at risk, for example girls, children with SEND and LGBTQ children.
- 6.8.3 Staff should be aware that such incidents and/or behaviours can be associated with factors outside the Academy and can occur between children outside the Academy. Staff, and particularly the DSL, should always consider the context in which such incidents and/or behaviours occur.
- 6.8.4 Where the abuse is physical, verbal, bullying or cyber-bullying, recording of such incidents and sanctions will be applied in line with our Behaviour and Discipline and Anti-Bullying policies.
- 6.8.5 Where a child discloses safeguarding allegations of a sexual nature against another pupil in the same setting, the DSL should refer to the guidance on sexual violence and sexual harassment in Annex 11 and seek advice from the LSCB before commencing their own investigation or contacting parents. This may mean, on occasions, that the school is unable to conduct its own investigation into such incidents. All such incidents will be recorded using MyConcern.
- 6.8.6 Reports of sexual violence or sexual harassment will be responded to in line with Part 5 of *Keeping Children Safe in Education* and the DfE guidance '[Sexual violence and harassment between children in schools and colleges](#)'.
- 6.8.7 Support for the victims of abuse will be in line with support outlined in the school's Behaviour and Discipline and Anti-Bullying policies. For victims of sexual abuse, the Academy should follow advice given by Children's Social Care and consider using external agencies to support any strategies that they may be able to provide within school.
- 6.8.8 Depending on the nature of abuse, the Academy may need to consider providing measures to protect and support the victim, the alleged perpetrator, staff and/or other pupils in the school by means of a risk assessment (see Annex 15 for a template). The risk assessment should be recorded and kept under review.

## **7. LOOKED AFTER CHILDREN AND PREVIOUSLY LOOKED AFTER CHILDREN**

- 7.1 The most common reason for children becoming looked after is as a result of abuse or neglect. The Academy ensures that staff have the necessary skills, knowledge and understanding to keep looked after children safe. Appropriate staff have information about a child's looked after legal status and contact arrangements with birth parents or those with parental responsibility. They also have information about the child's care arrangements, including the level of authority delegated to the carer by the authority looking after the child. The designated teacher for looked after children and the DSL have details of the child's social worker and the name and contact details of the Local Authority's Virtual Head for children in care and previously looked after children.
- 7.2 The Academy's Designated Teacher for Looked After Children and Previously Looked After Children has the appropriate training and experience of working with this group of children.
- 7.3 We recognise that a previously looked after child potentially remains vulnerable and therefore ensure that staff have the skills, knowledge and understanding to keep previously looked after children safe.
- 7.4 The designated teacher for looked after children and the DSL will obtain details of the Local Authority Personal Adviser appointed to guide and support each care leaver and will liaise with them as necessary regarding any issues of concern affecting the care leaver.

## **8. PRIVATE FOSTERING ARRANGEMENTS**

- 8.1 A private fostering arrangement occurs when someone other than a parent of a close relative cares for a child for a period of 28 days or more, with the agreement of the child's parents. It applies to children under the age of 16, or aged 18 if the child is disabled. Children looked after by the Local Authority or who are placed in a residential school, children's home or hospital are not considered to be privately fostered.
- 8.2 Private fostering occurs in all cultures, including British culture and children may be privately fostered at any age.
- 8.3 Most privately fostered children remain safe and well, but safeguarding concerns have been raised in some cases so it is important that schools are alert to possible safeguarding issues, including the possibility that a child has been trafficked into the country.
- 8.4 By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify Children's Services as soon as possible.
- 8.5 If we become aware of a private fostering arrangement, we will check that Children's Services have been informed.

## **9. SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND)**

- 9.1. We recognise that children with Special Educational Needs and Disabilities can face additional safeguarding challenges and these are discussed in staff training. These additional barriers can include:
- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
  - being more prone to peer group isolation than other children;
  - children with SEND can be disproportionately impacted by behaviours such as bullying without outwardly showing any signs;
  - communication barriers and difficulties in overcoming these barriers.
- 9.2 We will always consider extra pastoral support for children with SEND to address these additional challenges.

## **10. RACIST INCIDENTS**

- 10.1 Our policy on racist incidents is set out in a separate policy (Anti-Bullying Policy) and acknowledges that repeated racist incidents or a single serious incident may lead to consideration under Child Protection procedures. We maintain a log of racist incidents in school.

## **11. ANTI-BULLYING**

- 11.1 Our policy on anti-bullying is set out in a separate policy and acknowledges that to allow or condone bullying may lead to consideration under Child Protection procedures. All incidences of bullying, including cyber-bullying, racist, homophobic and gender related bullying, will be dealt with in accordance with our Anti-Bullying Policy. We recognise that children with special needs and/or disabilities are more susceptible to being bullied. We maintain a log of bullying incidents in school.
- 11.2 We recognise that there will be occasions when bullying incidents will fall within Child Protection procedures or may be deemed criminal activity and that it may be necessary to report the concerns to Social Care or to the Police.

## **12. E-SAFETY**

- 12.1. The DSL understands the unique risks associated with online safety and has the relevant knowledge and up to date capability required to keep children safe whilst they are online at school.
- 12.2. The DSL is able to recognise the additional risks that children with special educational needs and disabilities face online, for example from online bullying, grooming and radicalisation, and has the capability to support SEND children to stay safe online.
- 12.3. All members of staff are trained in and receive regular updates in e-safety and recognising and reporting concerns.
- 12.4. Our Acceptable Use Policy, available on our website, recognises that internet safety is a whole academy responsibility (staff, pupils, parents, and governors).
- 12.5. In line with *Keeping Children Safe in Education*, we proactively monitor pupils' internet use. This requires safeguarding teams across the Trust to access websites that pupils are attempting to access and therefore unrestricted internet access is needed for certain staff. Internal logs of all staff internet access is still maintained.
- 12.6. Children and young people may expose themselves to danger, whether knowingly or unknowingly, when using the internet and other technologies. Additionally, some young people may find themselves involved in activities which are inappropriate or possibly illegal.
- 12.7. We therefore recognise our responsibility to educate our pupils, teaching them the appropriate behaviours and critical thinking skills to enable them to remain both safe and legal when using the internet and related technologies.
- 12.8. We will ensure that filters are in place to prevent access to unsuitable sites and we will monitor the use of the Academy network and internet to ensure that any pupil or staff member attempting to access inappropriate, abusive or harmful material is appropriately advised and/or supported.
- 12.9. The Academy provides advice to staff regarding their personal online activity and has strict rules regarding online contact and electronic communication with pupils. Staff found to be in breach of these rules may be subject to disciplinary action or Child Protection investigation.

## **13. PHOTOGRAPHY AND USE OF IMAGES (INCLUDING HAND HELD DEVICES)**

- 13.1. The welfare and protection of our children is paramount and consideration should always be given to whether the use of photography will place our children at risk. Images may be used

to harm children, for example as a preliminary to 'grooming' or by displaying them inappropriately on the internet, particularly social networking sites.

- 13.2. For this reason, consent is always sought when photographing children using any means and including iPads, smart phones or cameras, and additional consideration given to photographing vulnerable children, particularly Looked After Children or those known to be fleeing domestic violence. Consent must be sought from those with parental responsibility (this may include the Local Authority in the case of Looked After Children).
- 13.3. Many pupils own or have access to hand held devices and parents are encouraged to consider measures to keep their children safe when using the internet and social media at home and in the community.

#### **14. SAFER HANDLING**

- 14.1 Our policy on the safer handling of pupils is set out in Annex 14 and acknowledges that staff must only ever use physical intervention as a last resort, and that at all times it must be the minimum force necessary to prevent injury or damage to property.
- 14.2 We acknowledge that when applying reasonable force in response to risks presented by incidents involving children with special educational needs or disabilities or with medical conditions, it is important to recognise their additional vulnerability and make every effort to reduce the occurrence of challenging behaviour and the need to use reasonable force.
- 14.3 We understand that physical intervention of a nature that causes injury or distress to a child may be considered under management of allegations or disciplinary procedures.
- 14.4 Staff who are likely to need to use physical intervention will be appropriately trained in Safer Handling methods, or equivalent. Each Academy maintains a list of staff who have completed this training.
- 14.5 All incidences of physical intervention will be recorded in accordance with Safer Handling recommended procedures.
- 14.6 We recognise that touch is appropriate in the context of working with children and all staff have been given 'safer working practice' guidance to ensure they are clear about their professional boundaries. We recognise that the adoption of a 'no contact' policy could leave staff unable to fully support and protect our pupils.
- 14.7 Any member of staff may use reasonable force as a first resort where it is necessary and proportionate to the circumstances to prevent a greater harm or greater perceived harm from occurring.

#### **15. SUPPORTING CHILDREN**

- 15.1. We recognise that children who are abused or witness violence may find it difficult to develop a sense of self-worth. They may feel helplessness, humiliation and some sense of blame.
- 15.2. We acknowledge that the Academy may be the only stable, secure and predictable element in the lives of children who have been abused or who are at risk of harm.
- 15.3. We are aware that research shows that at the Academy their behaviour may be challenging and defiant or they may be withdrawn.
- 15.4. The Academy will endeavour to support all children by:
- encouraging self-esteem and self-assertiveness through the curriculum, as well as promoting respectful relationships, challenging bullying and humiliating behaviour;
  - promoting a positive, supportive and secure environment giving pupils a sense of being valued;

- a consistently applied Academy Behaviour and Discipline Policy, available on our website, which is aimed at supporting vulnerable pupils. The Academy will ensure that the pupil knows that some behaviour is unacceptable but that they are valued and not to be blamed for any abuse which has occurred;
- liaising with other agencies that support the pupil such as Children's Social Care Services, Child and Adult Mental Health Service (CAMHS), Educational Psychology Service and those agencies involved in the safeguarding of children;
- the use of Early Help Services, or local equivalent services, when appropriate;
- notifying Children's Social Care Services immediately there is a significant concern;
- providing continuing support to a child about whom there have been concerns who leaves the Academy by ensuring that appropriate information is forwarded under confidential cover to the child's new setting.

## **16. SUPPORTING AND SUPERVISION OF STAFF**

- 16.1 We recognise that staff working in the Academy who have become involved with a child who has suffered harm, or appears to be likely to suffer harm, may find the situation stressful and upsetting.
- 16.2 We will support such staff by providing an opportunity to talk through their anxieties with the DSL and to seek further support such as counselling or regular supervision, as appropriate.
- 16.3 We will enable supervision for the DSL through safeguarding teams, network meetings or direct consultation with the Safeguarding in Education Adviser in order to promote best practice and challenge unsatisfactory or poor practice.
- 16.4 In order to reduce the risk of allegations being made against staff, and ensure that staff are competent, confident and safe to work with children, they will be made aware of safer working practice guidance and will be given opportunities in training to develop their understanding of what constitutes safe and unsafe behaviour.

## **17. SAFER RECRUITMENT AND SELECTION OF STAFF**

- 17.1. The Academy has a written recruitment and selection policy statement and procedures linking explicitly to this policy. The statement is included in all job advertisements, publicity material, recruitment websites, and candidate information packs:

*The recruitment process is robust in seeking to establish the commitment of candidates to support the school's measures to safeguard children and to identify, deter or reject people who might pose a risk of harm to children or are otherwise unsuited to work with them.*

- 17.2. References are requested and scrutinised for all candidates prior to interview and any discrepancies or concerns are raised and discussed during interview, including for any volunteers and internal candidates. References are always requested directly from the referee and verified as being from a senior person with appropriate authority and electronic references are checked to ensure they originate from a legitimate source. Where specific questions have not been answered satisfactorily or insufficient evidence is provided, the referee will be contacted directly for further clarification. Where references are not forthcoming, despite reminders, the candidate will be asked to provide an alternative referee.
- 17.3. All staff working within our Academy who have substantial access to children have been checked as to their suitability, including verification of their identity, qualifications and a satisfactory barred list check, enhanced DBS check and a right to work in the UK.
- 17.4. All teachers working within our Academy have been checked using the Teacher Services website to ensure they have been awarded QTS, they have completed their teacher induction and that there are no prohibitions, sanctions or restrictions in place that might prevent them from taking part in certain activities or working in specific positions, e.g. management posts.

- 17.5. The Academy seeks written assurance from supply and third-party agencies, alternative providers, initial teacher training providers and contractors that they have undertaken all appropriate checks on any of their staff that work with or have regular contact with our pupils.
- 17.6. Our governors are subject to an enhanced DBS check without barred list check and have been checked to ensure they are not disqualified from holding office under a section 128 direction.
- 17.7. The Academy maintains a single central record of recruitment checks for audit purposes.
- 17.8. Any member of staff working in regulated activity prior to receipt of a satisfactory DBS check will not be left unsupervised and will be subject to a risk assessment.
- 17.9. Volunteers who are not working in regulated activity, will be supervised at all times. A risk assessment will be undertaken to help decide whether or not an enhanced DBS check, without barred list check, is required (see Annex 16 for risk assessment template).

## **18. ALLEGATIONS AGAINST STAFF**

- 18.1. We acknowledge that a pupil may make an allegation against a member of staff. The procedure for dealing with such an allegation is set out in our Procedure for Dealing with Allegations against Staff, the Principal/Head of School, Governors or Volunteers (see Annex 3).
- 18.2. If such an allegation is made, which meets the criteria as identified in Part 4 of *Keeping Children Safe in Education*, the member of staff receiving the allegation will immediately inform the Principal/Head of School, unless the allegation concerns the Principal/Head of School, in which case the Chair of Governors will be informed immediately.
- 18.3. The Principal/Head of School (or Chair of Governors) on all such occasions will discuss the content of the allegation with the LA's Senior Adviser for Safeguarding Children in Education or the LADO, prior to undertaking any investigation.
- 18.4. The Academy will follow the DfE and LA procedures for managing allegations against staff.
- 18.5. The case manager will be guided by the Senior Adviser and/or LADO in all matters relating to the case, including suspension, sharing of information and any follow up investigation.

## **19. ABUSE OF POSITION OF TRUST**

- 19.1. We recognise that as adults working in the Academy, we are in a relationship of trust with the pupils in our care and acknowledge that it could be considered a criminal offence to abuse that trust.
- 19.2. We acknowledge that the principle of equality embedded in the legislation of the Sexual Offenders Act 2003 applies irrespective of sexual orientation: neither homosexual nor heterosexual relationships are acceptable within a position of trust.
- 19.3. We acknowledge that where a teacher over the age of 18 engages in activity with a pupil under the age of 18, then this constitutes a specific breach of trust offence.
- 19.4. We recognise that the legislation is intended to protect young people in education who are over the age of consent but under 18 years of age.

## **20. WHISTLEBLOWING**

- 20.1 We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so.
- 20.2 All staff should be aware of their duty to raise concerns, where they exist, about the attitude or actions of colleagues using the Academy's confidential Whistleblowing Policy.
- 20.3 Whistleblowing concerns about the Principal/Head of School should be raised with the Chair of Governors.

20.4 Staff will be made aware that if they feel unable to raise a Child Protection failure internally, they can contact the NSPCC whistleblowing helpline on 0800 028 0285 or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

## **21. COMPLAINTS OR CONCERNS EXPRESSED BY PUPILS, PARENTS, STAFF OR VOLUNTEERS**

21.1. We recognise that listening to children is an important and essential part of safeguarding them against abuse and neglect. To this end, any expression of dissatisfaction or disquiet in relation to an individual child will be listened to and acted upon in order to safeguard his/her welfare.

21.2. We will also seek to ensure that the child or adult who makes a complaint is informed not only about the action the Academy will take but also the length of time that will be required to resolve the complaint. The Academy will also endeavour to keep the child or adult regularly informed as to the progress of his/her complaint. The Academy's complaints procedures are readily available.

## **22. HEALTH & SAFETY**

22.1. Our Health & Safety Policy, set out in a separate document, reflects the consideration we give to the safeguarding of our children both within the school environment and when away from the school, for example when undertaking school trips and visits.

22.2. Risk assessments are undertaken and reviewed regularly, in respect of site security, risk of children being drawn into terrorism or exposed to extremist behaviour, risk to and from children displaying harmful behaviour.

## **23. SAFE ENVIRONMENT**

23.1. The Academy undertakes appropriate risk assessments and checks in respect of all equipment and of the building and grounds in line with local and national guidance and regulations concerning health and safety.

23.2. The Academy has adequate security arrangements in place in respect of the use of its grounds and buildings by visitors both in and out of school hours.

23.3. Visitors to the Academy, for example visiting speakers, theatre groups or curriculum specialists, will be appropriately checked and vetted, to ensure they are not linked to extremist groups or promoting extremist or other harmful material. See Annex 17 for the Academy's checking procedure.

## **24. CHALLENGE AND ESCALATION**

24.1 We recognise that professional disagreements may arise between any agencies and resolving problems is an integral part of co-operation and joint working to safeguard children.

24.2 As part of our responsibility for safeguarding children, we acknowledge that we must be prepared to challenge each other if we feel that responses to concerns, assessments or the way in which plans are implemented are not safeguarding the child and promoting their welfare.

24.3 We are aware of the LSCB escalation procedures for raising concerns in respect of poor practice and recognise our responsibility to utilise these as and when necessary, in the interests of safeguarding and promoting the welfare of children.

## **25. MONITORING AND EVALUATION**

25.1 Our Safeguarding Children Policy and procedures will be monitored and evaluated by:

- completion of the annual safeguarding audit;

- completion and return to the LA of the annual safeguarding report to the Governing Body;
- pupil surveys and questionnaires;
- discussions with children and staff;
- scrutiny of data and risk assessments;
- scrutiny of the Academy's single central record of recruitment checks;
- scrutiny of Governing Body minutes;
- monitoring of logs of bullying/racist/behaviour incidents and Safer Handling records;
- supervision of staff involved in Child Protection;
- case file audits undertaken by the DSL and Safeguarding Governor.

## **26. OTHER RELEVANT POLICIES**

26.1. The Governing Body's statutory responsibility for safeguarding the welfare of children goes beyond basic Child Protection procedures.

26.2. The duty is now to ensure that safeguarding permeates all activity and functions. This policy therefore complements and supports a range of other policies, including:

- Allegations of Abuse against Teachers and other Staff;
- Anti-Bullying Policy (including cyber-bullying and racist incidents);
- Behaviour and Discipline Policy;
- Complaints Procedure;
- Equality and Diversity Policy;
- E-safety and Acceptable Internet Use;
- First aid and the Administration of Medicines;
- Health and Safety Policy;
- Off-site Educational Visits Policy;
- Sex and Relationships Education Policy;
- Special Educational Needs Policy;
- Staff Code of Conduct;
- Supporting pupils with Medical Conditions Policy;
- Whistleblowing Policy (Confidential Reporting);
- Recruitment and Selection Policy.

The above list is not exhaustive, but when undertaking development or planning of any kind the Academy will need to consider safeguarding matters.



## 27. KEY CONTACTS

### Internal

Designated Safeguarding Lead for Child Protection: Sharon Harper

Deputy Designated Safeguarding Lead(s): Ann-Marie Dunleavy and Jayne Selby

Chair of Governors: Angela Pocock

Governor responsible for safeguarding children: Michelle Sadler

### External

Children's Services: 0121 788 4300

Out of Hours Emergency Duty Team: 0121 605 6060

Police Public Protection Unit:

24hrs non-emergency	101
Emergency	999

Local Authority Education Adviser: 0121 704 8000

Local Authority Designated Officer (LADO): 0121 788 4310

NSPCC Helpline: 0808 800 5000

NSPCC Whistleblowing Advice Line: 0800 028 0285

Childline: 0800 1111

Ofsted: 0300 123 1231

Women's Aid 24 hour helpline: 0800 2000 247

### Channel/Prevent contacts

Local Authority: 0121 704 6620

Police: 0121 251 0241

## Recognition and Identification of Abuse

*Definitions taken from Working Together to Safeguard Children 2018, Appendix A*

### What is abuse?

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by others. Abuse can take place wholly online or technology may be used to facilitate offline abuse. They may be abused by an adult or adults, or another child or children.

### Indicators of Abuse

Caution should be used when referring to lists of signs and symptoms of abuse. Although the signs and symptoms listed below may be indicative of abuse there may be alternative explanations. In assessing the circumstances of any child any of these indicators should be viewed within the overall context of the child's individual situation including any disability.

### EMOTIONAL ABUSE

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children 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 the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber-bullying), 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, though it may occur alone.

Emotional abuse is difficult to:

- define;
- identify/recognise;
- prove.

Emotional abuse is chronic and cumulative and has a long-term impact. Indicators may include:

- physical, mental and emotional development lags;
- sudden speech disorders;
- continual self-depreciation ('I'm stupid, ugly, worthless, etc.');
- overreaction to mistakes;
- extreme fear of any new situation;
- inappropriate response to pain ('I deserve this');
- unusual physical behaviour (rocking, hair twisting, self-mutilation) - consider within the context of any form of disability such as autism;
- extremes of passivity or aggression;
- children suffering from emotional abuse may be withdrawn and emotionally flat. One reaction is for the child to seek attention constantly or to be over-familiar. Lack of self-esteem and developmental delay are again likely to be present;
- babies – feeding difficulties, crying, poor sleep patterns, delayed development, irritable, non-cuddly, apathetic, non-demanding;
- toddler/pre-school – head banging, rocking, bad temper, 'violent', clingy. From overactive to apathetic, noisy to quiet. Developmental delay – especially language and social skills;

- school age – wetting and soiling, relationship difficulties, poor performance at school, non-attendance, antisocial behaviour. Feels worthless, unloved, inadequate, frightened, isolated, corrupted and terrorised;
- adolescent – depression, self-harm, substance abuse, eating disorder, poor self-esteem, oppositional, aggressive and delinquent behaviour;
- child may be underweight and/or stunted;
- child may fail to achieve milestones, fail to thrive, experience academic failure or under achievement;
- also consider a child's difficulties in expressing their emotions and what they are experiencing and whether this has been impacted on by factors such as age, language barriers or disability.

## **NEGLECT**

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

There are occasions when nearly all parents find it difficult to cope with the many demands of caring for children. But this does not mean that their children are being neglected. Neglect involves ongoing failure to meet a child's needs.

Neglect can often fit into six forms which are:

- medical – the withholding of medical care including health and dental;
- emotional – lack of emotional warmth, touch and nurture;
- nutritional – either through lack of access to a proper diet which can affect in their development;
- educational – failing to ensure regular school attendance that prevents the child reaching their full potential academically;
- physical – failure to meet the child's physical needs;
- lack of supervision and guidance – meaning the child is in dangerous situations without the ability to risk assess the danger.<sup>1</sup>

## **Common Concerns**

With regard to the child, some of the regular concerns are:

- the child's development in all areas including educational attainment;
- cleanliness;
- health;
- children left at home alone and accidents related to this;
- taking on unreasonable care for others;
- young carers.

Neglect can often be an indicator of further maltreatment and is often identified as an issue in serious case reviews as being present in the lead up to the death of the child or young person. It is important to recognise that the most frequent issues and concerns regarding the family in relation to neglect relate to parental capability. This can be a consequence of:

- poor health, including mental health or mental illness;
- disability, including learning difficulties;
- substance misuse and addiction;

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<sup>1</sup> Source: Horwath, J (2007): Child neglect: identification and assessment: Palgrave Macmillan

- domestic violence.

School staff need to consider both acts of *commission* (where a parent/carer deliberately neglects the child) and acts of *omission* (where a parent's failure to act is causing the neglect). This is a key consideration with regard to school attendance where parents are not ensuring their child attend school regularly.

Many of the signs of neglect are visible. However school staff may not instinctively know how to recognise signs of neglect or know how to respond effectively when they suspect a pupil is being neglected. Children spend considerable time in school so staff have opportunities to identify patterns over time and recognise and respond to concerns about their safety and welfare. All concerns should be recorded and reflected upon, not simply placed in a file.

Here are some signs of possible neglect:

### **Physical signs:**

- constant hunger;
- poor personal hygiene;
- constant tiredness;
- emaciation;
- untreated medical problems;
- the child seems underweight and is very small for their age;
- the child is poorly clothed, with inadequate protection from the weather;
- neglect can lead to failure to thrive, manifest by a fall away from initial centile lines in weight, height and head circumference. Repeated growth measurements are crucially important;
- signs of malnutrition include wasted muscles and poor condition of skin and hair. It is important not to miss an organic cause of failure to thrive; if this is suspected, further investigations will be required;
- infants and children with neglect often show rapid growth catch-up and improved emotional response in a hospital environment;
- failure to thrive through lack of understanding of dietary needs of a child or inability to provide an appropriate diet; or may present with obesity through inadequate attention to the child's diet;
- being too hot or too cold – red, swollen and cold hands and feet or they may be dressed in inappropriate clothing;
- consequences arising from situations of danger – accidents, assaults, poisoning;
- unusually severe but preventable physical conditions owing to lack of awareness of preventative health care or failure to treat minor conditions;
- health problems associated with lack of basic facilities such as heating;
- neglect can also include failure to care for the individual needs of the child including any additional support the child may need as a result of any disability.

### **Behavioural signs:**

- no social relationships;
- compulsive scavenging;
- destructive tendencies;
- if they are often absent from school for no apparent reason;
- if they are regularly left alone, or in charge of younger brothers or sisters;
- lack of stimulation can result in developmental delay, for example, speech delay, and this may be picked up opportunistically or at formal development checks;
- craving attention or ambivalent towards adults, or may be very withdrawn;
- delayed development and failing at school (poor stimulation and opportunity to learn);
- difficult or challenging behaviour.

## PHYSICAL ABUSE

Physical abuse 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.

When dealing with concerns regarding physical abuse, refer any suspected non-accidental injury to the DSL without delay so that they are able to seek appropriate guidance from the police and/or Children's Services in order to safeguard the child.

Staff must be alert to:

- unexplained recurrent injuries or burns; improbable excuses or refusal to explain injuries;
- injuries that are not consistent with the story: too many, too severe, wrong place or pattern, child too young for the activity described.

### Physical signs:

- bald patches;
- bruises, black eyes and broken;
- untreated or inadequately treated injuries;
- injuries to parts of the body where accidents are unlikely, such as thighs, back, abdomen;
- scalds and burns;
- general appearance and behaviour of the child may include:
  - concurrent failure to thrive: measure height, weight and, in the younger child, head circumference;
  - frozen watchfulness: impassive facial appearance of the abused child who carefully tracks the examiner with his eyes.
- bruising:
  - bruising patterns can suggest gripping (finger marks), slapping or beating with an object;
  - bruising on the cheeks, head or around the ear and black eyes can be the result of non-accidental injury.
- other injuries:
  - bite marks may be evident from an impression of teeth;
  - small circular burns on the skin suggest cigarette burns;
  - scalding inflicted by immersion in hot water often affects buttocks or feet and legs symmetrically;
  - red lines occur with ligature injuries;
  - retinal haemorrhages can occur with head injury and vigorous shaking of the baby;
  - tearing of the frenulum of the upper lip can occur with force-feeding. However, any injury of this type must be assessed in the context of the explanation given, the child's developmental stage, a full examination and other relevant investigations as appropriate;
  - fractured ribs: rib fractures in a young child are suggestive of non-accidental injury;
  - other fractures: spiral fractures of the long bones are suggestive of non-accidental injury.

### Behavioural signs:

- wearing clothes to cover injuries, even in hot weather;
- refusal to undress for gym;
- chronic running away;
- fear of medical help or examination;
- self-destructive tendencies;
- fear of physical contact - shrinking back if touched;
- admitting that they are punished, but the punishment is excessive (such as a child being beaten every night to 'make him study');
- fear of suspected abuser being contacted;
- injuries that the child cannot explain or explains unconvincingly;
- become sad, withdrawn or depressed;
- having trouble sleeping;

- behaving aggressively or be disruptive;
- showing fear of certain adults;
- having a lack of confidence and low self-esteem;
- using drugs or alcohol;
- repetitive pattern of attendance: recurrent visits, repeated injuries;
- excessive compliance;
- hyper-vigilance.

## **SEXUAL ABUSE**

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may 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 in education.

Sexual abuse is usually perpetrated by people who are known to and trusted by the child – e.g. relatives, family friends, neighbours, and people working with the child in school or through other activities.

### **Characteristics of child sexual abuse:**

- it is usually planned and systematic – people do not sexually abuse children by accident, though sexual abuse can be opportunistic;
- grooming the child – people who abuse children take care to choose a vulnerable child and often spend time making them dependent. This can be done in person or via the internet through chat-rooms and social networking sites;
- grooming the child's environment – abusers try to ensure that potential adult protectors (parents and other carers especially) are not suspicious of their motives. Again, this can be done in person or via the internet through chat-rooms and social networking sites.

### **In young children behavioural changes may include:**

- regressing to younger behaviour patterns such as thumb sucking or bringing out discarded cuddly toys;
- being overly affectionate - desiring high levels of physical contact and signs of affection such as hugs and kisses;
- lack of trust or fear of someone they know well, such as not wanting to be alone with a babysitter or child minder;
- they may start using sexually explicit behaviour or language, particularly if the behaviour or language is not appropriate for their age;
- starting to wet again, day or night/nightmares.

### **In older children behavioural changes may include:**

- extreme reactions, such as depression, self-mutilation, suicide attempts, running away, overdoses, anorexia;
- personality changes such as becoming insecure or clinging;
- sudden loss of appetite or compulsive eating;
- being isolated or withdrawn;
- inability to concentrate;
- become worried about clothing being removed;
- suddenly drawing sexually explicit pictures;

- trying to be 'ultra-good' or perfect; overreacting to criticism;
- genital discharge or urinary tract infections;
- marked changes in the child's general behaviour. For example, they may become unusually quiet and withdrawn, or unusually aggressive. Or they may start suffering from what may seem to be physical ailments, but which can't be explained medically;
- the child may refuse to attend school or start to have difficulty concentrating so that their schoolwork is affected;
- they may show unexpected fear or distrust of a particular adult or refuse to continue with their usual social activities;
- the child may describe receiving special attention from a particular adult, or refer to a new, "secret" friendship with an adult or young person;
- children who have been sexually abused may demonstrate inappropriate sexualised knowledge and behaviour;
- low self-esteem, depression and self-harm are all associated with sexual abuse.

### **Physical signs and symptoms for any age child could be:**

- medical problems such as chronic itching, pain in the genitals, venereal diseases;
- stomach pains or discomfort walking or sitting;
- sexually transmitted infections;
- any features that suggest interference with the genitalia. These may include bruising, swelling, abrasions or tears;
- soreness, itching or unexplained bleeding from penis, vagina or anus;
- sexual abuse may lead to secondary enuresis or faecal soiling and retention;
- symptoms of a sexually transmitted disease such as vaginal discharge or genital warts, or pregnancy in adolescent girls.

### **Sexual Abuse by Young People**

The boundary between what is abusive and what is part of normal childhood or youthful experimentation can be blurred. The determination of whether behaviour is developmental, inappropriate or abusive will hinge around the related concepts of true consent, power imbalance and exploitation. This may include children and young people who exhibit a range of sexually problematic behaviour such as indecent exposure, obscene telephone calls, fetishism, bestiality and sexual abuse against adults, peers or children.

Developmental Sexual Activity encompasses those actions that are to be expected from children and young people as they move from infancy through to an adult understanding of their physical, emotional and behavioural relationships with each other. Such sexual activity is essentially information gathering and experience testing. It is characterised by mutuality and of the seeking of consent.

Inappropriate Sexual Behaviour can be inappropriate socially, inappropriate to development, or both. In considering whether behaviour fits into this category, it is important to consider what negative effects it has on any of the parties involved and what concerns it raises about a child or young person. It should be recognised that some actions may be motivated by information seeking, but still cause significant upset, confusion, worry, physical damage, etc. It may also be that the behaviour is "acting out" which may derive from other sexual situations to which the child or young person has been exposed.

If an act appears to have been inappropriate, there may still be a need for some form of behaviour management or intervention. For some children, educative inputs may be enough to address the behaviour.

Abusive sexual activity includes any behaviour involving coercion, threats, aggression together with secrecy, or where one participant relies on an unequal power base.

### **Assessment**

In order to more fully determine the nature of the incident the following factors should be given consideration. The presence of exploitation in terms of:

- **Equality** – consider differentials of physical, cognitive and emotional development, power and control and authority, passive and assertive tendencies;
- **Consent** – agreement including all the following:
  - understanding that is proposed based on age, maturity, development level, functioning and experience;
  - knowledge of society's standards for what is being proposed;
  - awareness of potential consequences and alternatives;
  - assumption that agreements or disagreements will be respected equally;
  - voluntary decision;
  - mental competence.
- **Coercion** – the young perpetrator who abuses may use techniques like bribing, manipulation and emotional threats of secondary gains and losses that is loss of love, friendship, etc. Some may use physical force, brutality or the threat of these regardless of victim resistance.

In evaluating sexual behaviour of children and young people, the above information should be used only as a guide.



### Managing a disclosure- Practical Information

Teachers and other staff in academies are in a unique position to observe children's behaviour over time and often develop close and trusting relationships with pupils. If a child discloses directly to a member of staff, the following procedures will be followed:

- listen carefully to what is said;
- ask only open questions such as:
  - 'Tell me what happened.'
  - 'Please explain what you mean when you say .....
  - 'Can you describe the person?' or 'Can you describe the place?'
- do not ask questions which may be considered to suggest what might have happened, or who has perpetrated the abuse, e.g. 'Did your Dad hit you?';
- do not force the child to repeat what he/she said in front of another person;
- do not begin an investigation – for example by asking the child to record what happened in writing or taking a photograph of any injuries; and
- report immediately to the DSL and complete a written record as soon after the disclosure as possible and in any case within 24 hours, using the child's words as far as possible. Use body maps to record any observed injuries.

## **Procedure for Dealing with Allegations against Staff, the Principal/Head of School, Governors or Volunteers**

### **THE ACADEMY'S PROCEDURES**

The Academy's procedures for dealing with allegations made against staff will be used where the member of staff, the Principal/Head of School, a Governor or volunteer has:

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm if he or she work regularly or closely with children.

Any allegations not meeting these criteria will be dealt with in accordance with the Local Safeguarding Children Board procedures. Advice from the Local Authority Designated Officer (LADO) will be sought in borderline cases.

All such allegations must be dealt with as a priority so as to avoid any delay.

Allegations against a teacher who is no longer teaching and historical allegations will be referred to the police.

### **REPORTING AN ALLEGATION AGAINST STAFF, THE PRINCIPAL/HEAD OF SCHOOL, A GOVERNOR OR VOLUNTEER**

Where an allegation or complaint is made against any member of staff or volunteer, the matter should be reported immediately to the Principal/Head of School, or in his/her absence to the Nominated Safeguarding Governor. The allegation will be discussed immediately with the LADO before further action is taken. Where appropriate, the Principal/Head of School will consult with the DSL.

Where an allegation or complaint is made against the Principal/Head of School, the matter should be reported immediately to the Chair of Governors, or the Nominated Safeguarding Governor, without first notifying the Principal/Head of School. Again, the allegation will be discussed immediately with the LADO before further action is taken.

Where an allegation is made against any Governor, the matter should be reported immediately to the Chair of Governors or the Nominated Safeguarding Governor. If either the Chair of Governors or the Nominated Safeguarding Governor are the subject of an allegation, the matter should be reported to the other. The allegation will be discussed immediately with the designated officer before further action is taken. Where appropriate, the Chair of Governors will consult the Nominated Safeguarding Governor, and vice versa.

If it is not possible to report to the Principal/Head of School or Chair of Governors or Nominated Safeguarding Governor in the circumstances set out above, a report should be made immediately to the DSL or, if he/she is unavailable, a Deputy DSL. The DSL will take action in accordance with these procedures and will as soon as possible inform the Principal/Head of School or, where appropriate, the Chair of Governors and the Nominated Safeguarding Governor.

The person taking action in accordance with the procedures in this Annex is known as the "Case Manager" and will be guided by the LADO in all matters relating to the case.

### **DISCLOSURE OF INFORMATION**

The case manager will inform the accused person of the allegation as soon as possible after the designated officer has been consulted.

The parents/carers of the child/children involved will be informed of the allegation as soon as possible if they do not already know of it. They will also be kept informed of the progress of the case, including the

outcome of any disciplinary process. The timing and extent of disclosures, and the terms on which they are made, will be dependent upon and subject to the laws on confidence and data protection and the advice of external agencies.

Where the LADO advises that a strategy discussion is needed, or the police or the local authority's social care services need to be involved, the case manager will not inform the accused or the parents or carers until these agencies have been consulted and it has been agreed what information can be disclosed.

The reporting restrictions preventing the identification of a teacher who is the subject of such an allegation in certain circumstances will be observed.

## **FURTHER ACTION TO BE TAKEN BY THE ACADEMY**

An Academy has a duty of care towards its employees and as such, it must ensure that effective support is provided for anyone facing an allegation. The Academy will act in accordance with part four of 'Keeping Children Safe in Education' and the Academy's employment procedures.

## **CEASING TO USE STAFF**

If the Academy ceases to use the services of a member of staff or volunteer because they are unsuitable to work with children, a settlement agreement will not be used and there will be a prompt and detailed report to the Disclosure and Barring Service (DBS). Any such incidents will be followed by a review of the safeguarding procedures within the Academy, with a report being presented to the Governors without delay.

If a member of staff (or a governor or volunteer) tenders his or her resignation, or ceases to provide his or her services, any Child Protection allegations will still be followed up by the Academy in accordance with this policy and a prompt and detailed report will be made to the Disclosure and Barring Service in appropriate circumstances.

Where a teacher has been dismissed, or would have been dismissed had he / she not resigned, separate consideration will be given as to whether a referral to the National College for Teaching and Leadership should be made.

In the case of any Early Years and Foundation Stage provision at the Academy:

The Academy will inform Ofsted of any allegations of serious harm or abuse by any person living, working or looking after children on the premises of any Early Years and Foundation Stage provision (whether that allegation relates to harm or abuse committed on the premises or elsewhere), and will provide details of the action taken in respect of those allegations.

These notifications will be made as soon as reasonably practicable, but in any event within 14 days of the allegations being made.

## **UNSUBSTANTIATED FALSE OR MALICIOUS ALLEGATIONS**

Where an allegation by a pupil is shown to have been deliberately invented or malicious, the Principal/Head of School will consider whether to take disciplinary action in accordance with the Academy's Behaviour and Discipline Policy.

Whether or not the person making the allegation is a pupil or a parent (or other member of the public), the Academy reserves the right to contact the police to determine whether any action might be appropriate.

## **RECORD KEEPING**

Details of allegations found to be malicious will be removed from personnel records.

For all other allegations, full details will be recorded on the confidential personnel file of the person accused.

An allegation proven to be unsubstantiated, unfounded or malicious will not be referred to in employer references. In accordance with 'Keeping children safe in education', history of repeated concerns or

allegations which have all been found to be false, unsubstantiated, or malicious will also not be included in any reference.

The Academy will retain all safeguarding records and relevant personnel records for so long as reasonably required.<sup>2</sup>

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<sup>2</sup> In accordance with the terms of reference of the Goddard Inquiry all academies are required to retain information which relates to allegations (substantiated or not) of organisations and individuals who may have been involved in, or have knowledge of child sexual abuse or child sexual exploitation; allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children; institutional failures to protect children from sexual abuse or other exploitation.



# Report a Concern

Name(s) of Pupil(s)

Concern Summary (Briefly summarise the concern/incident, naming the Pupil(s) involved.)

Concern Date/Time (Please enter the date/time when the concern/incident first came to your notice.)

Details of Concern (If required, you can add more detail about the concern/incident, giving times, dates, location, who was present and a Pupil's actual words if relevant.)

Is this urgent?

If YES, please check this box.

If your concern is urgent you may also wish to consider contacting the DSL personally.

N.B. IF, AT ANY POINT, THERE IS A RISK OF IMMEDIATE SERIOUS HARM TO A PUPIL YOU MUST PERSONALLY INFORM THE DSL IMMEDIATELY.

Action taken (Please describe any action(s) you have taken, or plan to take, in relation to this concern.)

Staff Reporting Concern

Name...

Signature...

Date...

## Children Missing Education

As a member of staff at the academy you are asked to stay vigilant about any child who is or could potentially become missing from education. Children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities, including abuse, neglect, mental health problems, child sexual exploitation, female genital mutilation, etc.

Staff may overhear discussions amongst pupils about planned absence or the whereabouts of other pupils who are absent. The context of the discussion could include:

- going on holiday to an unusual or potentially dangerous destination
- the route that will be taken to reach the destination
- going on holiday and parents are going to call them in sick
- homes being packed up to move
- moving home and not knowing where to
- the whereabouts of a student who is not in school
- why a student is regularly absent from school

You must report any concerns to the appropriate member(s) of staff, who will address the concern through the academy's safeguarding procedures.

- Safeguarding team through MyConcern
- College Leader / Principal / Head of School
- Attendance Welfare Officer

Do not assume that the matter is being addressed or leave it to another person to pass on the information.

Once the information has been received, the relevant staff will start making appropriate enquiries to ensure the pupil(s) are safe and well.

- Telephone calls home
- Text messages
- Emails
- Home visits
- Contacting relatives
- Police safe and well checks

If there is no acceptable conclusion to the investigations, the matter is referred to the appropriate external agencies.

After 10 days of continuous, unauthorised absence the academy has to notify the local authority's children missing education team.

## Child Sexual Exploitation (CSE)

Child Sexual Exploitation is a form of abuse which involves children (male and female, of different ethnic origins and of different ages) receiving something in exchange for sexual activity.

Child Sexual Exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology. (Department for Education, February 2017)

The definition and further guidelines can be found in the DfE document '[Child sexual exploitation - Definition and a guide for practitioners](#)'

### Who is at risk?

Child Sexual Exploitation can happen to any young person from any background. Although the research suggests that the females are more vulnerable to CSE, boys and young men are also victims of this type of abuse.

The characteristics common to all victims of CSE are not those of age, ethnicity or gender, rather their powerlessness and vulnerability. Victims often do not recognise that they are being exploited because they will have been groomed by their abuser(s). As a result, victims do not make informed choices to enter into, or remain involved in, sexually exploitative situations but do so from coercion, enticement, manipulation or fear. Sexual exploitation can happen face to face and it can happen online. It can also occur between young people.

In all its forms, CSE is child abuse and should be treated as a Child Protection issue.

### WARNING SIGNS AND VULNERABILITIES CHECKLIST<sup>3</sup>

The evidence available points to several factors that can increase a child's vulnerability to being sexually exploited. The following are typical vulnerabilities in children prior to abuse:

- living in a chaotic or dysfunctional household (including parental substance use, domestic violence, parental mental health issues, parental criminality);
- history of abuse (including familial child sexual abuse, risk of forced marriage, risk of 'honour'-based violence, physical and emotional abuse and neglect);
- recent bereavement or loss;
- gang association either through relatives, peers or intimate relationships (in cases of gang-associated CSE only);
- attending school with young people who are sexually exploited;
- learning disabilities;
- unsure about their sexual orientation or unable to disclose sexual orientation to their families;
- friends with young people who are sexually exploited;
- homeless;
- lacking friends from the same age group ;
- living in a gang neighbourhood;
- living in residential care;

<sup>3</sup> The Office of the Children's Commissioner (2012) Interim Report - Inquiry into Child Sexual Exploitation in Group and Gangs.

- living in hostel, bed and breakfast accommodation or a foyer;
- low self-esteem or self-confidence;
- young carer.

The following signs and behaviour are generally seen in children who are already being sexually exploited:

- missing from home or care;
- physical injuries;
- drug or alcohol misuse;
- involvement in offending;
- repeat sexually-transmitted infections, pregnancy and terminations;
- absent from school;
- evidence of sexual bullying and/or vulnerability through the internet and/or social networking sites;
- estranged from their family;
- receipt of gifts from unknown sources;
- recruiting others into exploitative situations;
- poor mental health;
- self-harm;
- thoughts of or attempts at suicide.

Evidence shows that any child displaying several vulnerabilities from the above lists should be considered to be at high risk of sexual exploitation.

All schools should ensure that there is a dedicated lead person with responsibility for implementing local guidance in respect of child sexual exploitation. This would normally be the DSL.

The DSL must ensure they are aware of any guidance on Child Sexual Exploitation on their LSCB website, as well as follow their LSCB pathway for dealing with issues of CSE, including completion of any screening tool.

The DSL must ensure that all staff are aware of signs and symptoms of CSE and know that these must be reported and recorded as Child Protection concerns.



## Effects of domestic abuse on children and young people

**The impact of domestic abuse on the quality of a child's or young person's life is very significant. Children and young people who live with domestic abuse are at increased risk of behavioural problems, emotional trauma, and mental health difficulties in adult life.**

The impact of domestic abuse on children and young people can be wide-ranging and may include effects in any or all of the following areas:

**Physical:** Children and young people can be hurt either by trying to intervene and stopping the violence or by being injured themselves by the abuser. They may develop self-harming behaviour, or eating disorders. Their health could be affected, as they may not be being cared for appropriately. They may have suicidal thoughts or try to escape or blank out the abuse by using drugs, alcohol or by running away.

**Sexual:** There is a high risk that children and young people will be abused themselves where there is domestic abuse. In homes where living in fear is the norm, and situations are not discussed, an atmosphere of secrecy develops and this creates a climate in which sexual abuse could occur. In addition to this, children and young people may sometimes be forced to watch the sexual abuse of their mother/carer. This can have long-lasting effects on the sexual and emotional development of the child/young person.

**Economic:** The parent or carer of the child or young person may have limited control over the family finances. Therefore, there might be little or no money available for extracurricular activities, clothing or even food, impacting on their health and development.

**Emotional:** Children and young people will often be very confused about their feelings – for example, loving both parents/carers but not wanting the abuse to continue. They may be given negative messages about their own worth, which may lead to them developing low self-esteem. Many children and young people feel guilty, believing that the abuse is their fault. They are often pessimistic about their basic needs being met and can develop suicidal thoughts. Some children and young people may internalise feelings and appear passive and withdrawn or externalise their feelings in a disruptive manner.

**Isolation:** Children and young people may become withdrawn and isolated; they may not be allowed out to play; and if there is abuse in the home they are less likely to invite their friends round. Schooling may be disrupted in many ways, and this may contribute to their growing isolation. They may frequently be absent from school as they may be too scared to leave their mother alone. They may have to move away from existing friends and family – e.g. into a refuge or other safe or temporary accommodation.

**Threats:** Children and young people are likely to have heard threats to harm their mother/father. They may have been directly threatened with harm or heard threats to harm their pet. They also live under the constant and unpredictable threat of violence, resulting in feelings of intimidation, fear and vulnerability, which can lead to high anxiety, tension, confusion and stress.

This clearly highlights that living with domestic abuse has a significant impact on a child's ability to achieve the five outcomes as outlined in the *Every Child Matters* agenda:

- be healthy;
- stay safe;
- enjoy and achieve;
- make a positive contribution;
- achieve economic well-being.

### What you might see in school

- unexplained absences or lateness – either from staying at home to protect their parent or hide their injuries, or because they are prevented from attending school;
- children and young people attending school when ill rather than staying at home;

- children and young people not completing their homework, or making constant excuses, because of what is happening at home;
- children and young people who are constantly tired, on edge and unable to concentrate through disturbed sleep or worrying about what is happening at home;
- children and young people displaying difficulties in their cognitive and school performance;
- children and young people whose behaviour and personality changes dramatically;
- children and young people who become quiet and withdrawn and have difficulty in developing positive peer relations;
- children and young people displaying disruptive behaviour or acting out violent thoughts with little empathy for victims;
- children and young people who are no trouble at all.

This list is not exhaustive – this is intended to give you an idea of some of the types of behaviour that could be presented.

### **What schools can do**

Schools can create an environment which both promotes their belief and commitment that domestic abuse is not acceptable, and that they are willing to discuss and challenge it.

For many victims, the school might be the one place that they visit without their abusive partner.

It would help if schools displayed posters or had cards/pens available with information about domestic abuse and contact details for useful agencies: for example, NSPCC 0808 800 5000; ChildLine 0800 1111; Parentline 0808 800 2222; Women's Aid 0808 2000 247.

Research shows that the repeated use of physical, sexual, psychological and financial abuse is one of the ways in which male power is used to control women. The underlying attitudes which legitimate and perpetuate violence against women should be challenged by schools as part of the whole school ethos.

### **Schools can support individual children and young people by:**

- introducing a whole-school philosophy that domestic abuse is unacceptable;
- responding to disclosures and potential Child Protection concerns; recognising that domestic abuse and forced marriage may be a Child Protection concern; policies and procedures must include domestic abuse;
- giving emotional support – the child or young person might need referral to a more specialist service or need additional support to complete coursework, exams etc;
- facilitating a peer support network – children and young people can become isolated but often welcome talking to friends about their problems;
- offering practical support – if children or young people are new to the school they may not yet have a uniform, they may also need financial help with extra-curricular activities, or they may be unfamiliar with the syllabus, the area, where to hang out, etc.;
- providing somewhere safe and quiet to do their homework or just to sit and think;
- Improving the self-esteem and confidence of children and young people by:
  - offering them opportunities to take on new roles and responsibilities;
  - offering tasks which are achievable and giving praise and encouragement;
  - monitoring their behaviour and setting clear limits;
  - criticising the action, not the person;
  - helping them to feel a sense of control in their school lives;
  - involving them in decision making;
  - helping them to be more assertive;
  - respecting them as individuals;

- encouraging involvement in extra-curricular activities.

From The Expect Respect Education Toolkit – Women’s Aid

## **Advice for schools on receiving notification of a domestic abuse incident**

### **Background**

Following a call to a domestic abuse incident where children are involved, Police notify Social Care and Health. Children’s Services will sort the notifications into low, medium and high risk, depending on the perceived level of risk to the children. For those cases that are classified medium or high, the school DSL will usually receive an e-mail via their secure e-mail link from Children’s Services informing them that an incident has taken place and giving them a copy of the Police log. For high risk cases, they will also be contacted by telephone and asked whether they have any concerns about the children at school. Social Care will also inform parents that the notification has been received and shared with other agencies that the information will be treated confidentially.

### **School action**

On receiving this information, the DSL should:

- Log the information and keep the record alongside other information/concerns that the school has on this child/family, with all other confidential CP records in a secure place. This will allow the school to recognise any pattern and/or frequency of notifications and take appropriate action. **Please note that school may receive further communication about this same incident, once further assessment of the situation has been undertaken by Police – be careful not to log this as a separate incident.**
- Inform any staff of notification on a ‘need to know’ only basis – e.g. class teacher/form tutor.
- Alert all staff who teach pupil with minimum of information – e.g. ‘This pupil may need extra support / may need extra time to complete homework’.
- Monitor pupil behaviour in school (including attendance) and should concerns arise which may be attributed to the impact of the incident, consult with Social Care through the Access Centre as the concerns may be significant and lead to new safeguarding action, or to seek advice on how to proceed.
- Provide appropriate support for child, **if required** – do not question pupil about the incident. Respect the child’s decision on whether or not they wish to discuss the situation.
- Provide appropriate support for adult, **if asked** – e.g. helpline number or website address.

### **Bear in mind**

- Victim of incident may be anxious that the information will be shared inappropriately.
- Notification may not give details as to which parent is the perpetrator/victim – any disclosure to the ‘wrong’ parent could heighten risk.
- Need to be aware who is ‘connected’ to the child – e.g. TA/lunchtime supervisor may be child’s relative / friend of the family.
- **Inappropriate sharing of information could heighten the risk for the victim and/or the child.**

**If in doubt, consult with either Children’s Services or the Senior Adviser for Safeguarding Children in Education.**

## Radicalisation and Extremism

### Preventing Radicalisation

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harm and abuse, protecting children from this risk should be a part of a school's safeguarding approach.

**Extremism** is the vocal or active opposition to our fundamental values, including 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.

### What is Prevent?

Prevent is the Government's strategy to stop people becoming terrorists or supporting terrorism, **in all its forms**. Prevent works at the pre-criminal stage by using early intervention to encourage individuals and communities to challenge extremist and terrorist ideology and behaviour.

The Counter-Terrorism and Security Act (2015), places a duty on specified authorities, including schools and colleges, to have due regard to the need to prevent people from being drawn into terrorism ("the Prevent duty"). The Prevent duty reinforces existing duties placed upon educational establishments for keeping children safe by:

- ensuring a broad and balanced curriculum is in place schools to promote the spiritual, moral, social and cultural development of pupils;
- assessing the risk of pupils being drawn into extremist views;
- ensuring safeguarding arrangements by working in partnership with local authorities, police and communities;
- training staff to provide them with the knowledge and ability to identify pupils at risk;
- keeping pupils safe online, using effective filtering and usage policies.

### Warning Signs/Indicators of Concern

There is no such thing as a "typical extremist": those who become involved in extremist actions come from a range of backgrounds and experiences, and most individuals, even those who hold radical views, do not become involved in violent extremist activity.

Pupils may become susceptible to radicalisation through a range of social, personal and environmental factors. It is vital that school staff are able to recognise those vulnerabilities. However, this list is not exhaustive, nor does it mean that all young people experiencing the above are at risk of radicalisation for the purposes of violent extremism.

Factors which may make pupils more vulnerable may include:

- **Identity Crisis:** the pupil is distanced from their cultural/religious heritage and experiences discomfort about their place in society.
- **Personal Crisis:** the pupil may be experiencing family tensions; a sense of isolation; low self-esteem; they may have dissociated from their existing friendship group and become involved with a new and different group of friends; they may be searching for answers to questions about identity, faith and belonging.
- **Personal Circumstances:** migration; local community tensions and events affecting the pupil's country or region of origin may contribute to a sense of grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy.
- **Unmet Aspirations:** the pupil may have perceptions of injustice; a feeling of failure; rejection of civic life.
- **Experiences of Criminality:** involvement with criminal groups, imprisonment, poor resettlement or reintegration.

- **Special Educational Need:** pupils may experience difficulties with social interaction, empathy with others, understanding the consequences of their actions and awareness of the motivations of others.

Pupils who are vulnerable to radicalisation may also be experiencing:

- substance and alcohol misuse;
- pressure;
- influence from older people or via the Internet;
- bullying;
- domestic violence;
- race/hate crime.

**Behaviours which may indicate a child is at risk of being radicalised or exposed to extremist views could include:**

- being in contact with extremist recruiters and/or spending increasing time in the company of other suspected extremists;
- loss of interest in other friends and activities not associated with the extremist ideology, group or cause;
- pupils accessing extremist material online, including through social networking sites;
- possessing or accessing materials or symbols associated with an extremist cause;
- using extremist narratives and a global ideology to explain personal disadvantage;
- pupils voicing opinions drawn from extremist ideologies and narratives, this may include justifying the use of violence to solve societal issues;
- graffiti symbols, writing or art work promoting extremist messages or images;
- significant changes to appearance and/or behaviour increasingly centred on an extremist ideology, group or cause;
- changing their style of dress or personal appearance to accord with the group;
- Attempts to recruit others to the group/cause;
- using insulting to derogatory names for another group;
- increase in prejudice-related incidents committed by that person – these may include:
  - physical or verbal assault;
  - provocative behaviour;
  - damage to property;
  - derogatory name calling;
  - possession of prejudice-related materials;
  - prejudice related ridicule or name calling;
  - inappropriate forms of address;
  - refusal to co-operate;
  - attempts to recruit to prejudice-related organisations;
  - condoning or supporting violence towards others;
  - Parental reports of changes in behaviour, friendship or actions and requests for assistance;
  - Partner schools, local authority services, and police reports of issues affecting pupils in other schools.

## **Referral Process**

All concerns about young people vulnerable to radicalisation should be referred to the DSL in the first instance. The DSL will follow safeguarding procedures to gather information and determine if further action is required. This may include:

- talking to the young person about their behaviour/views/on-line activity/friends etc;
- discussion with parents/carers about the concerns;
- checking out on-line activity, including social media if possible;
- providing in-house support, if available;
- providing Early Help targeted support if necessary.

If concerns persist, then the DSL should follow their LSCB local procedures in relation to referrals to the Channel Panel. Further information can be found at: <http://www.solihulllscb.co.uk>

## Female Genital Mutilation (FGM) – a form of Human Rights Abuse

### What is FGM?

FGM includes procedures that intentionally alter or injure the female genital organs for non-medical reasons.

There are four known types of FGM, all of which have been found in the UK:

**Type 1** – clitoridectomy: partial or total removal of the clitoris and, in very rare cases, only the prepuce (the fold of skin surrounding the clitoris)

**Type 2** – excision: partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora (the labia are the ‘lips’ that surround the vagina)

**Type 3** – infibulation: narrowing of the vaginal opening through the creation of a covering seal. The seal is formed by cutting and repositioning the inner, or outer, labia, with or without removal of the clitoris

**Type 4** – other: all other harmful procedures to the female genitalia for non-medical purposes, e.g., pricking, piercing, incising, scraping and cauterising the genital area.

FGM is sometimes known as ‘female genital cutting’ or female circumcision. Communities tend to use local names for this practice, including ‘sunna’.

### Why is FGM carried out?

It is believed that:

- it brings status and respect to the girl and that it gives a girl social acceptance, especially for marriage;
- it preserves a girl’s virginity/chastity;
- it is part of being a woman as a rite of passage;
- it upholds the family honour;
- it cleanses and purifies the girl;
- it gives the girl and her family a sense of belonging to the community;
- it fulfils a religious requirement believed to exist;
- it perpetuates a custom/tradition;
- it helps girls and women to be clean and hygienic;
- it is cosmetically desirable;
- it is mistakenly believed to make childbirth safer for the infant.

Religion is sometimes given as a justification for FGM. For example, some people from Muslim communities argue that the Sunna (traditions or practices undertaken or approved by the prophet Mohammed) recommends that women undergo FGM, and some women have been told that having FGM will make them ‘a better Muslim’. However, senior Muslim clerics at an international conference on FGM in Egypt in 2006 pronounced that FGM is not Islamic, and the London Central Mosque has spoken out against FGM on the grounds that it constitutes doing harm to oneself or to others, which is forbidden by Islam.

### Within which communities is FGM known to be practised?

According to the Home Office it is estimated that up to 24,000 girls under the age of 15 are at risk of FGM.

UK communities that are most at risk of FGM include Kenyan, Somali, Sudanese, Sierra Leonei, Egyptian, Nigerian and Eritrean, as well as non-African communities including Yemeni, Afghani, Kurdish, Indonesian and Pakistani.

Obviously, this not to say that all families from the communities listed above practise FGM, and many parents will refuse to have their daughters subjected to this procedure. However, in some communities a great deal of pressure can be put on parents to follow what is seen as a cultural or religious practice.

## **Is FGM harmful?**

FGM is extremely harmful and is often described as brutal because of the way it is carried out, and its short and long term effects on physical and psychological health.

FGM is carried out on children between the ages of 0 and 15, depending on the community in which they live. It is often carried out without any form of sedation and without sterile conditions. The girl or young woman is held down while the procedure of cutting takes place and survivors describe extreme pain, fear and feelings of abandonment.

Where the vagina is cut and then sewn up, only a very small opening may be left. This is often seen as a way to ensure that when the girl enters marriage, she is a virgin. In some communities the mother of the future husband and the girl's own mother will take the girl to be cut open before the wedding night.

Repeat urinary tract infections are a common problem for women who have undergone FGM, and for some, infections come from menstruation being restricted. Many women have problems during pregnancy and childbirth. The removal of the clitoris denies women physical pleasure during sexual activity and some groups will practise complete removal to ensure chastity.

## **Is it illegal?**

FGM is internationally recognised as a violation of the human rights of girls and women, and is illegal in most countries – including the UK. The Female Genital Mutilation Act 2003 came into force in 2004:

The act makes it illegal to:

- practise FGM in the UK;
- take girls who are British nationals or permanent residents of the UK abroad for FGM, whether or not it is lawful in that country;
- aid and abet, counsel or procure the carrying out of FGM abroad.

The offence carries a penalty of up to 14 years in prison, and/or a fine.

## **Signs, symptoms and indicators**

The following list of possible signs and indicators are not diagnostic, but are offered as a guide as to what kind of things should alert professionals to the possibility of FGM.

Things that may point to FGM happening:

- a child talking about getting ready for a special ceremony;
- a family arranging a long break abroad;
- a child's family being from one of the 'at-risk' communities for FGM (see above);
- knowledge that an older sibling has undergone FGM;
- a young person talks of going abroad to be 'cut', or get ready for marriage.

Things that may indicate a child has undergone FGM:

- prolonged absence from school or other activities;
- behaviour change on return from a holiday abroad, such as the child being withdrawn and appearing subdued;
- bladder or menstrual problems;
- finding it difficult to sit still, and looking uncomfortable;
- complaining about pain between their legs;
- mentioning something somebody did to them that they are not allowed to talk about;
- secretive behaviour, including isolating themselves from the group;
- reluctance to take part in physical activity;



- repeated urinary tract infection;
- disclosure.

### **What should schools do?**

Where schools have a concern about a child, they should contact Children's Social Care Services. If the concerns are based on more concrete indicators – i.e., the young person says this is going to happen to them, or disclosure that it has happened to them or to an older sister – schools should make a Child Protection referral and inform the Police as required by the mandatory reporting duty. Schools should not:

- contact the parents before seeking advice from children's social care;
- make any attempt to mediate between the child/young person and parents.

It is important to keep in mind that the parents may not see FGM as a form of abuse; however, they may be under a great deal of pressure from their community and or family to subject their daughters to it. Some parents from identified communities may seek advice and support as to how to resist and prevent FGM for their daughters, and education about the harmful effects of FGM may help to make parents feel stronger in resisting the pressure of others in the community. Remember that religious teaching does not support FGM.

### **The 'one chance' rule**

In the same way that we talk about the 'one chance rule' in respect of young people coming forward with fears that they may be forced into marriage, young people disclosing fears that they are going to be sent abroad for FGM are taking the 'one chance', of seeking help.

It is essential that we take such concerns seriously and act without delay. Never underestimate the determination of parents who have decided that it is right for their daughter to undergo FGM. Attempts to mediate may place the child/young person at greater risk, and the family may feel so threatened at the news of their child's disclosure that they bring forward their plans or take action to silence her.

### **Mandatory Reporting Duty**

Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on 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 in England and Wales, to personally 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 will face disciplinary sanctions. Further information on when and how to make a report can be found in the following Home Office guidance: ['Mandatory Reporting of Female Genital Mutilation - procedural information'](#) (October 2015).

## **Forced Marriage – a form of domestic abuse and a crime in England and Wales**

### **Forced Marriage should be recognised as a human rights abuse – and should always invoke Child Protection procedures within the Academy.**

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, emotional or 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). Some communities use religion and culture as a way to coerce a person into marriage.

A forced marriage is not the same as an arranged marriage – in an arranged marriage the families take a leading role in choosing the marriage partner. The marriage is entered into freely by both people.

#### **Warning signs**

Warning signs can include a sudden drop in performance, truancy from lessons and conflicts with parents over continuation of the pupil's education.

There may be excessive parental restrictions and control, a history of domestic abuse within the family, or extended absence through sickness or overseas commitments. Pupils may also show signs of depression or self-harming, and there may be a history of older siblings leaving education early to get married.

#### **The justifications**

Most cases of forced marriage in the UK involve South Asian families. This is partially a reflection of the fact that there is a large established South Asian population in the UK. It is clear, however, that forced marriage is not a solely South Asian phenomenon — there have been cases involving families from East Asia, the Middle East, Europe and Africa.

Some forced marriages take place in the UK with no overseas element, while others involve a partner coming from overseas, or a British citizen being sent abroad. Parents who force their children to marry often justify it as protecting them, building stronger families and preserving cultural or religious traditions. They may not see it as wrong.

Forced marriage can never be justified on religious grounds: every major faith condemns it and freely given consent is a pre-requisite of Christian, Jewish, Hindu, Muslim and Sikh marriage.

#### **Culture**

Often parents believe that they are upholding the cultural traditions of their home countries, when in fact practices and values there have changed. Some parents come under significant pressure from their extended families to get their children married.

#### **The law**

Sexual intercourse without consent is rape, regardless of whether this occurs within the confines of a marriage. A girl who is forced into marriage is likely to be raped and may be raped until she becomes pregnant.

In addition, the Forced Marriage (Civil Protection) Act (2007) makes provision for protecting children, young people and adults from being forced into marriage without their full and free consent through Forced Marriage Protection Orders. Breaching a Forced Marriage Protection Order is a criminal offence.

The Anti-Social Behaviour, Crime and Policing Act 2014 makes it a criminal offence, with effect from 16<sup>th</sup> June 2014, to force someone to marry. This includes:

- taking someone overseas to force them to marry (whether or not the marriage takes place);
- marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured into it or not).

Forced marriage may involve other criminal offences. Perpetrators — usually parents or family members — could be prosecuted for offences including: threatening behaviour, assault, kidnap, abduction, imprisonment and in the worse cases murder.

### **What to do if a pupil seeks help**

- the pupil should be seen immediately in a private place, where the conversation cannot be overheard;
- the pupil should be seen on her own, even if she attends with others;
- develop a safety plan in case the pupil is seen i.e. prepare another reason why you are meeting;
- explain all options to the pupil and recognise and respect her wishes. If the pupil does not want to be referred to Children's Services, you will need to consider whether to respect the pupil's wishes — or whether the pupil's safety requires further action to be taken. If you take action against the pupil's wishes you must inform the pupil;
- establish whether there is a family history of forced marriage — i.e. siblings forced to marry;
- advise the pupil not to travel overseas and discuss the difficulties she may face;
- seek advice from the Forced Marriage Unit;
- liaise with Police and Children's Services to establish if any incidents concerning the family have been reported;
- refer to the local Police Child Protection Unit if there is any suspicion that there has been a crime or that one may be committed;
- refer the pupil with her consent to the appropriate local and national support groups, and counselling services.

### **What to do if the pupil is going abroad imminently**

The Forced Marriage Unit advises education professionals to gather the following information if at all possible — it will help the unit to locate the pupil and to repatriate her:

- a photocopy of the pupil's passport for retention — encourage her to keep details of her passport number and the place and date of issue;
- as much information as possible about the family (this may need to be gathered discretely);
- full name and date of birth of pupil under threat;
- pupil's father's name;
- any addresses where the pupil may be staying overseas;
- potential spouse's name;
- date of the proposed wedding;
- the name of the potential spouse's father if known;
- addresses of the extended family in the UK and overseas.

### **Specific information**

It is also useful to take information that only the pupil would know, as this may be helpful during any interview at an embassy or British High Commission — in case another person of the same age is produced pretending to be the pupil.

Professionals should also take details of any travel plans and people likely to accompany the pupil. Note also the names and addresses of any close relatives remaining in the UK and a safe means to contact the pupil — a secret mobile telephone, for example, that will function abroad.

### **Forced marriage: what educators should not do**

- treat such allegations merely as domestic issues and send the pupil back to the family home;
- ignore what the pupil has told you or dismiss the need for immediate protection;
- approach the pupil's family or those with influence within the community, without the express consent of the pupil, as this will alert them to your concern and may place the pupil in danger;
- contact the family in advance of any enquires by the Police, Children's Services or the Forced Marriage Unit, either by telephone or letter;

- share information outside Child Protection information sharing protocols without the express consent of the pupil;
- breach confidentiality except where necessary in order to ensure the pupil's safety;
- attempt to be a mediator.

Further guidance is available from The Forced Marriage Unit:

**Tel:** (+44) (0)20 7008 0151 between 9.00 a.m. and 5.00 p.m. Monday to Friday

**Emergency Duty Officer** (out of hours): (+44) (0)20 7008 1500

**E-mail:** [fmufco.gov.uk](mailto:fmufco.gov.uk)

**Website:** [www.fco.gov.uk/forcedmarriage](http://www.fco.gov.uk/forcedmarriage)

FMU publication: *'Multi-Agency Practice Guidelines: Handling Cases of Forced Marriage'* June 09

See also: *'The Right to Choose – Multi-Agency Guidance in relation to Forced Marriage'* Government Office - November 2008.

## Sexual Violence and Sexual Harassment Guidance

(Based on '*Sexual violence and sexual harassment between children in schools and colleges*', DfE May 2018)

Sexual violence refers to criminal acts: rape, assault by penetration and sexual assault, as defined by the Sexual Offences Act 2003.

Sexual harassment is defined as “unwanted conduct of a sexual nature.”

The Academy offers age-appropriate guidance to pupils through the curriculum, with a view to educating pupils about appropriate behaviour and consent and minimising and preventing the occurrence of incidents of sexual violence and sexual harassment. This includes guidance on healthy relationships, consent, sex education and how to report concerns about themselves or their peers.

It is important to note that:

- sexual violence and sexual harassment can occur between two children of any sex or 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;
  - can occur online and offline (both physical and verbal);
  - are never acceptable.
- it is important that all victims are taken seriously and offered appropriate support;
- it is more likely that girls will be the victims of sexual violence and more likely that sexual harassment will be perpetrated by boys, however all peer on peer abuse is unacceptable and should be taken seriously. Children who are lesbian, gay, bisexual or trans (LGBT), or perceived to be so, may also be particularly targeted by their peers;
- it should be made clear that it is not "part of growing up", "banter", "just having a laugh" or "boys being boys" and this behaviour should not be dismissed or tolerated;
- children with special educational needs (SEN) and disabilities are more vulnerable to sexual violence and harassment and additional barriers can exist when recognising abuse in these children.

### Responding to reports of sexual violence or sexual harassment

Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure.

The Academy's existing safeguarding reporting procedures should be followed with regard to incidents of sexual violence and sexual harassment. The victim should be reassured, looked after, kept safe and be listened to non-judgmentally. Throughout the management of the incident and into the future, the needs and wishes of the victim are paramount. The alleged perpetrator should also be safeguarded and supported. As with any safeguarding concern, confidentiality should not be promised. Ideally, two adults should be present, one of whom will preferably be the DSL.

When a report of an incident of sexual violence or sexual harassment is made, before deciding what to do next, the DSL should consider the following:

- the nature of the incident and if any possible criminal offences have been committed;
- the age, developmental stage and any power imbalance between children, including any ongoing risks;

- any pattern of abuse

One-off incidents may be dealt with under the Academy's Behaviour and Discipline Policy or Anti-Bullying Policy.

For incidents of non-violent harmful sexual behaviours, an Early Help intervention may be appropriate.

For all incidents where a child has been harmed, is at risk of harm or in immediate danger, the case should be referred to Children's Social Care.

All incidents of sexual violence (rape, assault by penetration or sexual assault) should be reported to the police.

It may be appropriate to complete a risk assessment (see Annex 15 for a template). In cases of sexual violence a risk assessment must be put in place immediately. In cases of sexual harassment, the risk assessment should be considered on a case-by-case basis and a decision should be made as to whether the victim and alleged perpetrator should be kept apart, with the emphasis on ensuring the victim can continue their normal routines. A risk assessment should consider the victim, the alleged perpetrator and other children and staff at the Academy. It should also be shared with parents/carers.

Appropriate disciplinary measures may be taken by the Academy. If there is an ongoing police or social care investigation this must not be jeopardised, but the Academy may still undertake its own disciplinary measures by considering the conduct of the alleged perpetrator as part of their Behaviour and Discipline Policy and applying appropriate and proportionate consequences based on their own conclusions about what happened on 'the balance of probabilities', unless it is prejudicial or unreasonable to do so. The alleged perpetrator must also be provided with support alongside any disciplinary measures.

If other pupils are affected, for example as witnesses, steps should be taken to provide support, to ensure the other children don't 'take sides' and to prevent victimisation of the victim or alleged perpetrator.

All concerns, discussion, decisions and reasons for decisions must be recorded on MyConcern. If one of the pupils involved moves schools, the DSL must liaise with the new school in relation to the incident.

The following situations are statutorily clear and must therefore always be referenced:

- a child under the age of 13 can never consent to any sexual activity;
- the age of consent is 16;
- sexual intercourse without consent is rape;
- rape, assault by penetration and sexual assault are defined in law;
- creating and sharing sexual photos and videos of under-18s is illegal (often referred to as sexting). This includes children making and sharing sexual images and videos of themselves.

### **Cases reported to the police**

In criminal investigations, the legal right to anonymity must be borne in mind, for example in relation to social media. The Academy will take steps to prevent this legal right being disregarded, as far as is possible.

If cases reported to the police result in a conviction or caution, the Behaviour and Discipline Policy will be followed. This may involve consideration of permanent exclusion. If the perpetrator remains in school, plans will be made for the future, including any required behavioural expectations or conditions. If the alleged perpetrator is found not guilty or if no further action is taken, arrangements will be made to support both the victim and the alleged perpetrator.

In cases of sexual violence, the alleged perpetrator should be moved from any shared classes with the victim. Consideration should also be given to any other shared spaces within the Academy and the journey from home to school and back again.

## Sexting

### What is sexting?

Sexting is the exchange of self-generated sexually explicit images, through mobile picture messages or webcams over the internet.

Sexting is often seen as flirting by children and young people who think that it's part of normal life.

Often, incidents of sexting are not clear-cut or isolated; schools may encounter a variety of scenarios. Sexting incidents can be divided into two categories – aggravated and experimental<sup>4</sup>:

**Aggravated incidents of sexting** involve criminal or abusive elements beyond the creation of an image. These include further elements, adult involvement or criminal or abusive behaviour by minors such as sexual abuse, extortion, threats, malicious conduct arising from personal conflicts, or creation or sending or showing of images without the knowledge or against the will of a minor who is pictured.

**Experimental incidents of sexting** involve youths taking pictures of themselves to share with established boy or girlfriends, to create romantic interest in other youth, or for reasons such as attention seeking. There is no criminal element (and certainly no criminal intent) beyond the creation and sending of the images and no apparent malice or lack of willing participation.

The consequences of sexting can be devastating for young people. In extreme cases it can result in suicide or a criminal record, isolation and vulnerability. Young people can end up being criminalised for sharing an apparently innocently image which may have, in fact, been created for exploitative reasons.

Because of the prevalence of sexting, young people are not always aware that their actions are illegal. In fact, sexting as a term is not something that is recognised by young people and the 'cultural norms' for adults can be somewhat different. Some celebrities have made comments which appear to endorse sexting – 'it's okay, as long as you hide your face' - giving the impression that sexting is normal and acceptable. However, in the context of the law it is an illegal activity and young people must be made aware of this.

**The Law** - Much of the complexity in responding to youth produced sexual imagery is due to its legal status. Making, possessing and distributing any imagery of someone under 18 which is 'indecent' is illegal. This includes imagery of yourself if you are under 18. 'Indecent' is not defined in legislation. For most purposes, if imagery contains a naked young person, a topless girl, and/or displays genitals or sex acts, including masturbation, then it will be considered indecent. Indecent images may also include overtly sexual images of young people in their underwear.

The law criminalising indecent images of children was created long before mass adoption of the internet, mobiles and digital photography. It was also created to protect children and young people from adults seeking to sexually abuse them or gain pleasure from their sexual abuse. It was not intended to criminalise children. Despite this, young people who share sexual imagery of themselves, or peers, are breaking the law.

The National Police Chiefs Council (NPCC) has made clear that incidents involving youth produced sexual imagery should primarily be treated as safeguarding issues. Schools may respond to incidents without involving the police. Where the police are notified of incidents of youth produced sexual imagery they are obliged, under the Home Office Counting Rules and National Crime Recording Standards, to record the incident on their crime systems. The incident will be listed as a 'crime' and the young person involved will be listed as a 'suspect.' ***This is not the same as having a criminal record.***

Every 'crime' recorded on police systems has to be assigned an outcome from a predefined list of outcome codes. As of January 2016 the Home Office launched a new outcome code (Outcome 21) to help formalise the discretion available to the police when handling crimes such as youth produced sexual imagery. This means that even though a young person has broken the law and the police could provide evidence that they have done so, the police can record that they chose not to take further action as it was not in the public interest.

<sup>4</sup> Reprinted from Wolak and Finkelhor 'Sexting: a Typology' March 2011

## Action to take in the case of an incident of sexting

### Step 1 – Disclosure by a pupil

Sexting disclosures should follow the normal safeguarding practices and protocols. A pupil is likely to be very distressed especially if the image has been circulated widely and if they don't know who has shared it, seen it or where it has ended up. They will need pastoral support during the disclosure and after the event. They may even need immediate protection or a referral to Social Care.

The following questions will help decide upon the best course of action:

- is the pupil disclosing about themselves receiving an image, sending an image or sharing an image?;
- what sort of image is it? Is it potentially illegal or is it inappropriate?;
- are the school Child Protection and safeguarding policies and practices being followed? For example, has the DSL been consulted and is their advice and support available?;
- how widely has the image been shared and is the device in their possession?;
- is it a school device or a personal device?;
- does the pupil need immediate support and or protection?;
- are there other pupils and or young people involved?;
- do they know where the image has ended up?

This situation will need to be handled very sensitively. Whatever the nature of the incident, ensure school safeguarding and Child Protection policies and practices are adhered to.

### Step 2 – Searching a device (for further information on searching, screening and confiscation, see Annex 13)

It is highly likely that the image will have been created and potentially shared through mobile devices. The image may not be on one single device, but may be on a website or on a multitude of devices; it may be on either a school-owned or personal device. It is important to establish the location of the image but be aware that this may be distressing for the young person involved, so be conscious of the support they may need.

When searching a mobile device the following conditions should apply:

- the action is in accordance with the school's Child Protection and safeguarding policies;
- the search is conducted by the head teacher or a person authorised by them;
- a member of the safeguarding team is present;
- the search is conducted by a member of the same sex.

If any illegal images of a child are found you should consider whether to inform the police. As a general rule it will almost always be proportionate to refer any incident involving "aggravated" sharing of images to the police, whereas purely "experimental" conduct may proportionately be dealt with without such referral, most particularly if it involves the child sharing images of themselves.

Any conduct involving, or possibly involving, the knowledge or participation of adults should always be referred to the police.

If an "experimental" incident is not referred to the police the reasons for this should be recorded in writing.

Always put the child first. Do not search the device if this will cause additional stress to the pupil/person whose image has been distributed.

If there is an indecent image of a child on a website or a social networking site then you should report the image to the site hosting it. In the case of a sexting incident involving a child or young person where you feel that they may be at risk of abuse then you should report the incident directly to CEOP [www.ceop.police.uk/ceop-report](http://www.ceop.police.uk/ceop-report), so that law enforcement can make an assessment, expedite the case with the relevant provider and ensure that appropriate action is taken to safeguard the child.



### **Step 3 – What to do and not do with the image**

If the image has been shared across a personal mobile device:

- confiscate and secure the device;
- don't view the image unless there is a clear reason to do so;
- don't send, share or save the image anywhere;
- don't allow pupils to view images or send, share or save them anywhere.

If the image has been shared across a school network, a website or social network:

- block the network to all users and isolate the image;
- don't send or print the image;
- don't move the material from one place to another;
- don't view the image outside of the protocols of your safeguarding policies and procedures.

### **Step 4 – Who should deal with the incident?**

Whoever the initial disclosure is made to must act in accordance with the school Safeguarding Policy, ensuring that the DSL or a senior member of staff is involved in dealing with the incident.

The DSL should always record the incident. Senior management should also always be informed. There may be instances where the image needs to be viewed and this should be done in accordance with protocols. The best interests of the child should always come first; if viewing the image is likely to cause additional stress, staff should make a judgement about whether or not it is appropriate to do so.

### **Step 5 - Deciding on a response**

There may be a multitude of reasons why a pupil has engaged in sexting – it may be a romantic/sexual exploration scenario or it may be due to coercion.

It is important to remember that it won't always be appropriate to inform the police; this will depend on the nature of the incident. However, as a school it is important that incidents are consistently recorded. It may also be necessary to assist the young person in removing the image from a website or elsewhere.

If indecent images of a child are found:

- act in accordance with your Child Protection and Safeguarding Policy, e.g. notify DSL;
- store the device securely;
- carry out a risk assessment in relation to the young person (see Appendix B of the Safeguarding Children in Education Guidance for a Sexting Risk Assessment pro-forma and flow chart)
- make a referral if needed;
- contact the police (if appropriate);
- put the necessary safeguards in place for the pupil, e.g. they may need counselling support, immediate protection and parents must also be informed;
- inform parents and/or carers about the incident and how it is being managed.

### **Step 6 – Contacting other agencies (making a referral)**

If the nature of the incident is high-risk, consider contacting Children's Social Care. Depending on the nature of the incident and the response you may also consider contacting local police or referring the incident to CEOP.

Understanding the nature of the incident, whether experimental or aggravated, will help to determine the appropriate course of action.

### **Step 7 – Containing the incident and managing pupil reaction**

Sadly, there are cases in which victims of sexting have had to leave or change schools because of the impact the incident has had on them. The pupil will be anxious about who has seen the image and where it has ended up. They will seek reassurance regarding its removal from the platform on which it was shared. They are likely to need support from the school, their parents and their friends. Education programmes can reinforce to all pupils the impact and severe consequences that this behaviour can have. Consider engaging with your local police and asking them to talk to the pupils.

Other staff may need to be informed of incidents and should be prepared to act if the issue is continued or referred to by other pupils. The school, its pupils and parents should be on high alert, challenging behaviour and ensuring that the victim is well cared for and protected. The pupils' parents should usually be told what has happened so that they can keep a watchful eye over their child, especially when they are online at home.

Creating a supportive environment for pupils in relation to the incident is very important.

### **Step 8 – Reviewing outcomes and procedures to prevent further incidences**

As with all incidents, a review process ensures that the matter has been managed effectively and that the school has the capacity to learn and improve its handling procedures. Incidents of sexting can be daunting for a school to manage, especially if the image has been widely shared between pupils in school.

Further information is available from the [NSPCC](#)

## Searching, Screening and Confiscation

### Searching

- All staff may search a pupil for any item if the pupil agrees.
- Where there is no consent then only staff authorized by the Principal/Head of School and the Principal/Head of School themselves may search a pupil or their possessions – **where they have reasonable grounds of suspicion that the pupil may have a prohibited item: knives or weapons; alcohol; illegal drugs; stolen items; tobacco and cigarette papers; fireworks; pornographic images; any article that staff reasonably suspect may be used to commit an offence or cause injury to another person or damage to property.**
- Principals/Heads of School and authorised staff can search for items banned by the school that are written into the rules.

### Confiscation

- School staff can seize any prohibited item found as a result of a search, or any other means if considered harmful or detrimental to school discipline.
- Under Article 8 of the European Convention for Human Rights ECHR – pupils have a right to respect for their private life and can expect a reasonable level of personal privacy.
- The right under Article 8 is not absolute, however, any interference must be justified and proportionate.
- Currently the powers to search in Education Act 1996 are compatible with Article 8.

### Screening

- Schools can require pupils to undergo screening via walk-through or hand-held metal detectors, even if there is no suspicion and without consent of the pupils.
- As a duty to staff, visitors and pupils' safety this type of screening can be imposed.
- Any member of staff can screen pupils.
- If a pupil refuses to be screened they can be refused entry to the premises, this would not be an exclusion but would be treated as an unauthorised absence, as the pupil should comply with the rules and attend.
- As there is no physical contact this type of screening is not subject to the same conditions as the search without consent.

### Search without consent

- The Principal/Head of School and authorised staff can search without consent, for items previously listed.
- Searches should be carried out by someone of the same sex if at all possible and a witness, preferably of the same sex.
- The law also states that: Grounds for search are based on a reasonable suspicion of possession of a prohibited item.
- There is no requirement to provide search authorisation in writing, and training can be provided if required by the Principal/Head of School.
- The powers allow staff to search regardless of whether the pupil is found to have that item.

- Searches without consent can only take place when in lawful control of the pupil, in school or on a school trip.
- The powers only apply in England.

### **Electronic Devices**

- Staff may lawfully search electronic devices without consent or parental permission, if there is a suspicion that the pupil has a device prohibited by school rules, or the staff member has good reason to suspect the device may be used to: cause harm; disrupt teaching; break school rules; commit an offence; cause personal injury; or damage property.
- Any data, files or images that are believed to be illegal must be passed to the police as soon as practicable, including pornographic images of children, without deleting them. These images should not be viewed by Academy staff, if avoidable.
- Any data, files or images that are not believed to be unlawful, may be deleted or kept as evidence of a breach of the school's Behaviour and Discipline Policy.

### **During the search**

- Pupils are only required to remove outer garments of clothing when being searched.
- Outer garments are those not worn against the skin or the layer immediately over underwear, but include hats; shoes; boots; gloves and scarves.
- A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk of serious harm if the search is not conducted immediately.
- The power to search without consent permits the removal of outer clothing and searching pockets: but not an intimate search going further than that, this is a Police matter.
- Members of staff can use force as is reasonable given the circumstances when conducting a search for the previously mentioned items.
- Force may not be used for items banned under the school rules.

### **Dealing with parents**

- Schools are not required to inform parents before a search takes place or to seek consent to search their child.
- There is no legal requirement to make or keep a record of a search, but to ensure a full audit trail is maintained, an incident report should be completed and uploaded onto ISAMs. The report should detail the circumstances of the incident and the outcome.
- Schools should inform parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so.
- Complaints about screening or searching should be dealt with through the normal school complaints procedure.

## Safer Handling Policy

Our qualified Safer Handling trainer and expert witness on the use of force with children is Doug Melia who has had input constructing this policy: [doug@safer-handling.co.uk](mailto:doug@safer-handling.co.uk) 03300 235636 / 07872500272.

This policy sets out the framework for the use of reasonable force in the form of holding, handling, escorting and in extreme circumstances physical intervening to prevent a greater harm from occurring, but it must be clearly understood that this should always be set within the school's overall behaviour management framework and is only used as a last resort under-pinned by sound risk assessment. Providing successful inclusion may necessitate physical restraint but only as one of the strategies available for the management of challenging behaviour. Only in the event of failure of clearly defined protocols to bring control to the situation, or imminent danger to persons, should such measures be considered. This does not prohibit force to be used as a first resort where it is necessary and proportionate to the circumstances to prevent a greater harm or greater perceived harm from occurring.

Legislation that came into force on 1 September 1998 (Section 550 of the Education Act 1996) together with national guidance (DfES Circular 10/98), establishes in a school setting the existing common law precedents allowing one to prevent harm to self, others and damage to property. It clearly sets out the powers of teachers and other staff to use reasonable force if required. This applies to all occasions when that member of staff is in charge of children both on and off school premises. The Criminal Justice and Immigration Act 2008 gives us the definition of reasonable force as using force only when necessary and then making sure that such force is proportionate to the harm, or perceived harm, avoided. There is no legal definition, reasonable force depends on the individual circumstances of each case and only a court may judge what is reasonable in terms of the amount of force used in physical handling or self-defence and obviously does so retrospectively.

Staff members are reminded that this is a “power” and not a duty, staff have a duty of care to themselves and others including the children in their care. Where a staff member feels that by exercising their power to intervene physically they may put themselves or the child in physical danger, or they feel that their intervening may cause a greater harm or is likely to fail, then they are advised to seek a safer alternative option.

Staff members should try to avoid injuring pupils, however in extreme circumstances this may not always be possible. Force cannot be used for revenge, retaliation, retribution or to teach someone a lesson. To reduce the risk of serious injury, methods of intervention to avoid include the following:

- holding a child around the neck, collar or other way that may restrict breathing;
- slapping, punching, kicking or tripping a child;
- holding or pulling a child by their hair or ear;
- twisting or forcing limbs against joints;
- indecently touching or holding;
- holding a child on the ground prone (face down) or supine (face up);
- use of basket holds – holding a child's arms across their body from behind (also known as a wrap);
- lifting a child off the floor in order to intimidate.

**Note. An adult in charge of children has a responsibility to intervene in the event of the following types of incident.** Types of incident where the use of force may be necessary are given as:

- action due to imminent risk of injury to themselves or others;
- action due to imminent risk of significant damage to property.

In some circumstances it may be possible to remove the rest of the children from the area and allow the child concerned to calm down safely. Where this presents a lesser risk of injury to all concerned this may be a more favourable option.

Definitions of restraint include: the positive application of force with the intention of overpowering the child or a positive containing experience for the child. Both refer to using holds or intervening only where it is absolutely necessary and where a non-physical method (verbal or non-verbal prompt) is either failing or is likely to fail.

The use of restraint requires skill, judgment and knowledge of a range of both non-harmful methods of control and restrictive methods of physical intervention. Reasonable force where used in circumstances which are necessary includes those methods taught and practised in the Edexcel Safer Handling (Care & Control) award certificate.

Where necessary, the degree of force employed must be in proportion to the perceived outcome of the incident, taking into consideration the severity of the behaviour or the consequences it is intended to prevent. Any force should always be the minimum needed to achieve the desired result with the highest degree of certainty (staff must use enough force for their intervention to be successful but not as to be excessive). The persons (unless it is an instinctive intervention or emergency action then there should always be a minimum of two staff physically intervening with a pupil) exercising the restraint must be authorised by the Principal/Head of School and those who have received appropriate Edexcel Safer Handling Care & Control approved training that is in date.

Staff must take into account if the child has an individual risk assessment or a medical need and follow any guidelines mentioned. Individual staff risk assessments must be considered (see template Risk Assessment for the Use of Restraint below).

In the event of restraint becoming necessary, where appropriate before touching the child, the member of staff should advise the child calmly and repeatedly about what they are going to do and why, and how the child might change his/her behaviour, in order that the restraint would become unnecessary. If appropriate any other children and adults present should also be warned. **Note: this warning must not compromise safety or instigate any threat of unlawful attack.**

A second adult should always be present to assist with any holds to reduce the risk of the member of staff or child suffering bodily harm and as a witness if allegations of assault are made later by the child. Single person interventions should not be used as they are inconsistent with UK Law including Manual Handling regulations (Management of Health and Safety Regulations 1999). They are very difficult to risk assess, dangerous for those involved and put staff and pupils at risk.

However, this would not take away from a person intervening in an emergency should they deem it to be absolutely necessary to prevent a greater harm occurring which couldn't be safely controlled with a non-physical alternative. Staff are encouraged to win time to call for help and manage their personal space as an alternative to physically intervening on their own.

While intervening, the member of staff must:

- minimise the amount of time where the child is restrained;
- avoid prolonged struggling;
- wherever possible keep talking to the child and give choices as to how they could behave in a manner that would end the need for restraint;
- always look to use the least intrusive method of intervention;
- remain calm and manage any verbal abuse professionally.

Pupils should not be restrained on the floor. Where a pupil drops to the ground they are to be held until it is safe to release and then, where safe to do so, monitored as they get back onto their feet. If it is not necessary to hold them, then staff should not.

If restraint is required for an extended period (for example, more than five minutes), a senior member of staff must monitor the situation closely with a view to safeguarding the child and the staff concerned.

After the incident, it is vital that a full report is completed by all concerned (see Incident Reporting and Recording Form below) and the agreed de-briefing procedures adhered to in order to support the child, the members of staff involved, the parents, any other children involved and in line with our Safeguarding Policy.

In the event of an incident when physical restraint is required, an incident form will be completed within 24 hours. If possible, all staff and children involved will undertake a de-briefing meeting with the Principal/Head of School within 24 hours. The parents/carers should meet with the Principal/Head of School as soon after the incident as possible. Copies of the form will be kept by the Academy and sent to all concerned in the incident including parents. If an injury has been incurred to anyone involved, the usual procedures regarding this will be followed.

In the event of physical restraint being necessary on more than one occasion to manage the behaviour of an individual, it would be appropriate to include safer handling advice in any plan regarding the child. It is also necessary to compile an individual risk assessment in discussion with all staff, parents and any relevant outside agencies. In the case of a child with an Education, Health and Care Plan, there will be opportunities to address issues of challenging behaviour at annual review meetings and an interim review organised in exceptional circumstances. Looked-After Children will have a Personal Education Plan which features planning and strategies to address challenging behaviour, where appropriate.

The Principal/Head of School, Senior Leadership Team and Governors need to ensure that all authorised teachers and other authorised staff are appropriately trained and updated by an Edexcel Safer Handling (Care & Control) Training provider and accept the responsibility of their role by being aware of the guidelines in this policy. Records are to be kept of any physical restraint or incident involving physical contact. These are to be clear, comprehensive and prompt (completed within 24 hours of incident). Parents must be informed and consulted each time a form is completed. These records will be part of an ongoing annual review procedure that examines practice and informs future planning. In addition a named safeguarding Governor will support the Principal/Head of School in monitoring and reviewing.

The Principal/Head of School, Senior Leadership Team and Governors need to ensure that, as far as possible, preparation and planning has taken place to identify areas where physical restraint might be used. However, the school may also have to intervene in circumstances where preparation and planning have not been possible. When physical restraint takes place, the school will always endeavour to protect children and adults from physical harm, however

there may be cases in which some discomfort and/or bruising may occur, to both staff and children, as a result of the restraint taking place. If, after receiving the report of an incident where physical intervention has occurred, the Principal/Head of School considers the Academy's guidelines have been seriously breached and that further investigation is warranted, the incident should not be pursued, but action in accordance with Child Protection procedures must be taken. In these circumstances, any school internal investigations must cease and no further statements should be taken. If the Academy's guidelines have been breached, the Principal/Head of School will contact the LA Personnel Division and advise the staff member to consult his/her professional association. Where necessary the Safer Handling trainer (Doug Melia) or local police should be informed of the circumstances as an impartial and competent professional's view on the force used would be preferential prior to taking action such as suspending the member of staff, as per the Employment Rights Act 1996, which makes it an offence to discipline or dismiss: "Members of staff should not be disciplined or dismissed for taking action to defend themselves or others in circumstances of serious or imminent danger."



## Risk Assessment for the Use of Restraint

The use of restraint would only be acceptable when the child is at serious risk of injuring themselves or other children.

<b>Risk</b>	<b>Control Measures</b>	<b>Staff/Children affected</b>
Risk of injury to adult	Restraint used only as a last resort. Safer Handling techniques used by trained personnel.	The individual adult
Risk of injury to child	Restraint used only as a last resort. Safer Handling techniques used by trained personnel.	The individual child
Risk of further injury to an existing staff medical condition	Any existing staff medical conditions must be disclosed to the Principal/Head of School and advice taken as to whether the use of restraint in any circumstances is viable.	The individual adult
Risk of distress to other children	Whenever possible, other pupils should be taken to another location or the child being restrained removed to a place of safety.	All
Risk of complaint from parent	Always call for assistance. Wherever possible, at least two adults should be present.	Trained staff
Risk of repeated incidents	In certain circumstances, a place/room of safety will be created and used where there is a risk of repeated/regular occurrences.	Individual pupils at significant risk

## Incident Reporting and Recording Form

<b>**** Name of School ****</b>			<b>Incident Number</b> _____			
<b>Serious Incident Record</b>						
<b>Name Of Young Person:</b>						
<b>Location of Incident:</b>				<b>Date:</b>		
<b>Full Names of Staff Involved:</b>						
<b>Start Time of Serious Incident:</b>	<b>Duration of Any Restraint:</b>	<b>Any Injuries:</b>	<b>Medical Check:</b>	<b>Incident Reviewed With Young Person:</b>		
	Mins:	<input type="checkbox"/> Child <input type="checkbox"/> Other	<input type="checkbox"/> Offered <input type="checkbox"/> Accepted	<input type="checkbox"/> Offered <input type="checkbox"/> Accepted		
<b>Nature Of Risk:</b>		<b>External Agencies Informed:</b>		<b>Supporting Records Completed:</b>		
<input type="checkbox"/> Injury To Person <input type="checkbox"/> Damage To Property <input type="checkbox"/> Criminal Offence <input type="checkbox"/> Serious Disruption <input type="checkbox"/> Absconding <input type="checkbox"/> Other Please State:		<input type="checkbox"/> Medical Staff <input type="checkbox"/> Parent/Guardian <input type="checkbox"/> Social Worker <input type="checkbox"/> Placing Authority <input type="checkbox"/> Police <input type="checkbox"/> Other Please State:		<input type="checkbox"/> Accident Report <input type="checkbox"/> Medical Report <input type="checkbox"/> Formal Statement <input type="checkbox"/> Other Please State:		
<b>Environments and Triggers:</b>						
Describe what was happening and what led up to a dangerous situation:						
Circle the level of potential risk:						
Low		Medium		High		
Circle and/or describe precisely what the risk was:						
Verbal abuse	Slap	Punch	Bite	Pinch	Spit	Kick
Hair Grab	Neck grab	Clothing grab	Body holds	Arm grab	Weapons/Missiles	
Other Please State:						

**Who was at risk?**

**Controlling Risk**

Describe any changes you made to routines, personnel or the environment in an attempt to reduce the risk of this happening:

**Diversion, Distractions and De-escalation Attempted** (please circle/highlight):

Verbal advice and support   Firm clear directions   Negotiation   Limited Choices  
Distraction   Diversion   Reassurance   Planned ignoring   Contingent Touch  
Calm Talking/Stance   Time Out   Withdrawal Offered   Withdrawal Directed  
Transfer Adult   Reminders about Consequences   Humour   Success Reminders  
Other Please State:

**Physical Intervention Strategies Attempted:**

**How Was Restraint Ended:**

**Young Persons Comments Throughout:**

**Outcome of Debrief and Strategies Implemented For Preventing Re-occurrence:**

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**Any Further Comments/Incidents During Restraint:**

--

**Report Completed By:**

**Signed:**

**Date:**

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**Principal/Head Comments:**

**Signed:**

**Date:**

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## Risk Assessment

Name of person completing the risk assessment					Date	
What are the hazards?	Who might be harmed and how?	What control measures are already in place?  Are they sufficient?	What additional control measures are needed?	Action by who?	Action by when?	Completed / Review Date and comments

Signed by school: \_\_\_\_\_ Date: \_\_\_\_\_ Signed by home: \_\_\_\_\_ Date: \_\_\_\_\_

**Risk Assessment for Volunteers**

This risk assessment should be completed when considering whether a person working as a volunteer at the school should be asked to apply for an enhanced DBS certificate.

Name of Volunteer: \_\_\_\_\_

Is the volunteer in Regulated Activity?

Yes  An enhanced DBS with Barred List check is required

No  Complete risk assessment below to decide if an enhanced DBS without Barred List check is required

**Areas to consider**

In what capacity will the volunteer be working with pupils?	
What is the age group of the pupils that the volunteer will work with?	
Are these pupils regarded as particularly vulnerable?	
How frequently will the volunteer be in school?	
Has the volunteer's identity been verified?	
What relevant information does the school already know about the volunteer and what is the connection of the volunteer to the school?	
Is the volunteer in paid employment or working in a voluntary capacity elsewhere with children?	
Can the volunteer provide at least one reference from someone other than a family member?	
Is the volunteer or school aware of any reason why they should not volunteer to work with children?	

**Decision**

Is an application for an enhanced DBS check required?

Yes

No

Reason:
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Principal/Head of School: \_\_\_\_\_ Date: \_\_\_\_\_

### Visiting Speakers Vetting Procedure

The Academy is part of a wider community. Occasionally we have speakers/performers from this community who enrich our pupils' experience of school, providing pupils with information that helps them to make decisions at different phases of their education, widening their understanding of world and global issues and providing motivational inspiration through the sharing of a speaker's/performer's experience. Our responsibility to our pupils is to ensure that they can critically assess the information they receive as to its value to themselves and that the information is aligned to the values of the school. We achieve this through the following protocols:

All requests for outside speakers/performers must be discussed with the College Leader/Head of School and a Visiting Speaker/Performer Form completed (see below). To complete this form the staff member organising the event must provide:

- a brief biography of the speaker/performer or institution with the purpose clearly defined as to the information the speaker/performer wishes to communicate. The information must align to the values of the Academy. This must be discussed with the organiser prior to the request being made and the Visiting Speaker/Performer Form being completed;
- a named 'link contact' for the speaker/performer who will be the liaison with school;
- the staff member responsible for arranging the visit must ascertain that all information communicated by the speaker/performer is lawful.

On receipt of the form the College Leader/Head of School will make a decision regarding permission for the speaker/performer to come to the Academy. Please note that, whenever possible, a period of no less than one month's notice should be given prior to the speaker/performer's proposed visit to the school. For secondary schools, once agreed, the form will be forwarded to the Principal/Head of School for final authorisation.

Please note: the staff member must send or give the speaker/performer a copy of the Visiting Speaker/Performer Agreement in advance of the visit (see below); this is to ensure the speaker/performer is able to prepare in advance of their visit regarding our values and will be familiar with the declaration before being required to sign it on arrival at school.

#### Further guidelines

Academy safeguarding procedures apply and the visiting speaker/performer will be asked for evidence of identity. Unless DBS status has been verified as clear prior to the visit, the speaker/performer will not be allowed unsupervised access to the school site. A member of school staff will therefore accompany the speaker/performer at all times. Speakers/performers will be issued with further safeguarding information on arrival at Reception to ensure they are familiar with the safeguarding arrangements within the Academy. They will be issued with a visitor's lanyard which they must wear at all times.

#### During the speech/performance - monitoring

A member of staff must be present during the event to monitor the speech/performance. In the unlikely event that the speech/performance does not meet the requirements of an educational setting, immediate action will be taken by the member of staff to balance the information given and to stop the performance in extreme circumstances.

### Visiting Speaker/Performer Form

Date of Event	
Time of Event	
Purpose of speech/ performance (including year groups involved)	
Name of speaker/performer and organisation How did you become aware of this visitor?	
Brief biography of speaker/performer/ organisation (continue on additional page if necessary)	
Confirm that research (e.g.: internet search) has been carried out on the speaker/event, and the organisation they are affiliated to – record detail	
Name of link person to liaise with school	
Contact details for link person	
Tudor Grange staff member responsible for visit	
Venue/Room	
Authorisation by College Leader/Head of School: Having assessed the level of risk I am satisfied that this speaker/visit is suitable and that the planned event can go ahead. OR Having completed this risk assessment I have reflected on the evidence, and made the decision that this visit <b>MUST NOT</b> go ahead. (College Leader/Head of School to take appropriate action)	..... (sign and date)  Event <b>MUST NOT</b> go ahead and has been cancelled by the College Leader/Head of School ..... (sign and date)
Confirm that you agree to ensure that the speaker is accompanied at all times, whilst on the premises	YES          NO

If speaker/performer will be unaccompanied at any time or if they are likely to visit again in the future please supply the following details:

DBS	
Position/job disclosure covers:	
Name of Employer:	
Name of Registered Body:	
Date of DBS Certificate:	



This is to confirm that all information communicated by the speaker/performer is lawful and will not undermine the values and ethos of the school.

Signed by College Leader/Head of School:		Date:	
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Post visit feedback:

### Visiting Speaker/Performer Agreement

We understand the importance of visitors and external agencies to enrich the experiences of our pupils.

In order to safeguard our children we expect all visiting speakers to read and adhere to the statements below.

- any messages communicated to pupils support fundamental British Values and our school values;
- any messages communicated to pupils are consistent with the ethos of the school and do not marginalise any communities, groups or individuals;
- any messages communicated to pupils do not seek to glorify criminal activity or violent extremism or seek to radicalise pupils through extreme or narrow views of faith, religion or culture or other ideologies;
- activities are properly embedded in the curriculum and clearly mapped to schemes of work to avoid contradictory messages or duplication;
- activities are matched to the needs of pupils;
- visitors will also be accompanied by a member of staff at all times.

Signed:.....

Date: .....