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St Anne's R.C.

Nursery and Primary  
School

# Safeguarding Policy 2022-23

“To help every person here to **achieve** his or her best in **work** and in **play**.

To **celebrate** whatever is **good** and to **follow** in the footsteps of **Jesus** by supporting and forgiving each other,

For the honour and glory of God.”

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Policy Authors	Alicia Duffy and Stephanie Nally (Head Teacher and Deputy Head Teacher)
Last reviewed on	Reviewed and updated September 2020 in line with new legislation
Ratified by the Governing Body	Updated January 2021 To be ratified at March 2021 meeting
To be reviewed	by Senior leaders and Governors

PLEASE NOTE CHANGES FROM KCSIE 2019 ARE HIGHLIGHTED IN YELLOW/ 2020 BLUE AND UPDATED INFORMATION & GUIDANCE FROM SCHOOL LEADERS / GREEN-JAN 2021 CHANGES TO POLICY DUE TO WORKING TOGETHER TO KEEP CHILDREN SAFE (DEC 2020)

## INTRODUCTION AND AIMS:

At St Anne's RC Primary School, we recognise our responsibility, under Section 175 of the Education and Inspections Act 2002, to have arrangements for safeguarding and promoting the welfare of children. This policy demonstrates the school's commitment and compliance with safeguarding legislation. The procedures contained in this policy apply to all staff, volunteers, sessional workers, students, agency staff or anyone working on behalf of St Anne's RC Primary School. We expect that this policy takes primacy over other agency policies when work is being delivered on this site or on our behalf, as we maintain a duty of care to all in our school community. Any expected exception to this must be named and negotiated ahead of work being undertaken.

Safeguarding and promoting the welfare of children and young people is everyone's responsibility. Everyone who comes into contact with children, their families and carers has a role to play in safeguarding them and promoting their welfare. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child.

No single professional can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action. In line with this understanding, any adult working or volunteering in the school community has a responsibility to recognise when a child or young person may be in need or be vulnerable in some way, and to respond to this recognition in a timely and appropriate way.

The school aims to ensure that:

- Appropriate action is taken in a timely manner to safeguard and promote children's welfare
- All staff are aware of their statutory responsibilities with respect to safeguarding
- Staff are properly trained in recognising and reporting safeguarding issues

## STAFF INFORMATION:

Designated Safeguarding Leads (Level 3)	Safeguarding and LAC Governor
Alicia Duffy Headteacher  Stephanie Nally Deputy Headteacher	Teresa Smith- Governor

## DEFINITIONS:

### **Safeguarding**

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as: protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.

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## Child protection

Child Protection is a part of the safeguarding agenda. It refers to the action that is required to be undertaken to protect children who are suffering, or are likely to suffer, significant harm. **This policy encompasses child protection.**

### Abuse

Abuse is a form of maltreatment of a child and may involve inflicting harm or failing to act to prevent harm. Appendix 1 explains the different types of abuse.

### Neglect

Neglect is a form of abuse and 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. Appendix 1 defines neglect in more detail.

## EQUALITY STATEMENT:

Some children have an increased risk of abuse, and additional barriers can exist for some children with respect to recognising or disclosing it. We are committed to anti-discriminatory practice and recognise children's diverse circumstances. We ensure that all children have the same protection, regardless of any barriers they may face.

We give special consideration to children who:

- Have special educational needs or disabilities,
- Are young carers,
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality,
- Have English as an additional language,
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence,
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalization,
- Are asylum seekers.

## ROLES AND RESPONSIBILITIES:

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff, volunteers and governors in school. Our policy and procedures also apply to extended school and off-site activities.

### All staff

All staff will read and understand part 1 including Annex A of the Department for Education's statutory safeguarding guidance, [Keeping Children Safe in Education 2020](#), and review this guidance at least annually.

All staff will be aware of:

- Our systems which support safeguarding, including the staff code of conduct and the role of the designated safeguarding lead (DSL)
- The early help process and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment
- The process for making referrals to local authority children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play

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- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), FGM and radicalisation

### **The designated safeguarding leads (DSL)**

The DSLs will:

- Provide advice and support to other staff on child welfare and child protection matters
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so
- Contribute to the assessment of children
- Refer suspected cases, as appropriate, to the relevant body (local authority children's social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly
- The DSL will also liaise with local authority case managers and designated officers for child protection concerns as appropriate.
- The DSLs will help to promote educational outcomes by sharing information about the welfare, safeguarding and child protection issues that children (including those with a social worker) are experiencing, or have experienced, with teachers and other staff. This could be done by, for example:
- The DSLs will make sure that staff know who these children are, understand their academic progress and attainment, and maintain a culture of high aspirations for them
- The DSLs will support teaching staff to identify the challenges that children in this group might face, and the additional academic support and adjustments that they could make to best support them

### **The governing body**

The governing body will approve this policy at each review, and hold the Head Teacher to account for its implementation. The governing body will appoint a senior board level (or equivalent) lead to monitor the effectiveness of this policy in conjunction with the full governing body. This is always a different person from the DSL. Our Safeguarding Lead Governor is **Teresa Smith**. The chair of governors will act as the 'case manager' in the event that an allegation of abuse is made against the Head Teacher, where appropriate.

### **The Head Teacher**

The Head Teacher is responsible for the implementation of this policy, including:

- Ensuring that staff (including temporary staff) and volunteers are informed of this policy as part of their induction
- Communicating this policy to parents when their child joins the school and via the school website

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- Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent
- Ensuring that all staff undertake appropriate safeguarding and child protection training and update this regularly
- Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see appendix 3)
- Ensuring the relevant staffing ratios are met, where applicable
- Making sure each child in the Early Years Foundation Stage is assigned a key person

The Head Teacher/DSL will notify any Lead Social Worker if:

- a pupil subject to a Child Protection Plan (CPP) is excluded (fixed term or permanent)
- there is an unexplained absence of a pupil on a CPP of more than 2 days or 1 day following a weekend, or as agreed as part of a CPP.
- a child is missing and there is a need to follow Tameside's policy and any statutory guidance on Children Missing Education (CME).

### **KCSIE 2020 Part 2 – The Management of Safeguarding**

**This is for headteachers, designated safeguarding lead (DSL) teams and governors.**

New information on supporting children who need a social worker (paragraphs 109-112)

These paragraphs explain that:

- Children may need a social worker due to safeguarding or welfare needs, such as abuse, neglect and complex family circumstances
- These experiences can leave children vulnerable to further harm, as well as potentially creating barriers to attendance, learning, behaviour and mental health
- Your local authority should tell you if a child has a social worker, and the DSL should hold and use this information in the best interests of the child's safety, welfare and educational outcomes, such as when decisions are made on:

- 1) Responding to unauthorised absence or missing education where there are known safeguarding risks
- 2) The provision of pastoral and/or academic support

There's further information in the findings from the Children in Need review, including the steps the government is taking to support this

New information on supporting children who require mental health support (paragraphs 113-116)

As well as other guidance on this, the new KCSIE 2020 makes clear that:

- Schools have an important role to play in supporting the mental health and wellbeing of their pupils
- Governing boards should ensure there are clear systems and processes in place for identifying possible mental health problems, including routes to escalate and clear referral and accountability systems

The DfE will be supporting the costs of:

- A training programme for senior mental health leads to develop a whole school approach to mental health (this should be available by 2025)
- The national rollout of the Link Programme

### **Inspection**

Since September 2019, Ofsted's inspections of early years, schools and post-16 provision are carried out under: Ofsted's Education Inspection Framework. Inspectors will always report on whether or not arrangements for safeguarding children and learners are effective.

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In addition to the framework and inspections handbooks, Ofsted publishes specific guidance to inspectors on inspecting safeguarding: Inspecting safeguarding in early years, education and skills settings.

The designated safeguarding lead and any deputies should liaise with the three safeguarding partners and work with other agencies in line with [Working Together to Safeguard Children](#). NSPCC-[When to call the police](#) (see appendix 9 below) should help designated safeguarding leads understand when they should consider calling the police and what to expect when they do.

### **Multi-agency working (KCSIE 2020)**

Schools and colleges have a pivotal role to play in multi-agency safeguarding arrangements. Governing bodies and proprietors should ensure that the school or college contributes to multi-agency working in line with statutory guidance Working Together to Safeguard Children. New safeguarding partners and child death review partner arrangements are now in place. Locally, the three safeguarding partners (the local authority; a clinical commissioning group for an area within the local authority; and the chief officer of police for an area (any part of which falls) within the local authority area) will make arrangements to work together with appropriate relevant agencies to safeguard and promote the welfare of local children, including identifying and responding to their needs.

It is especially important that schools and colleges understand their role in the three safeguarding partner arrangements. Governing bodies, proprietors and their senior leadership teams, especially their designated safeguarding leads, should make themselves aware of and follow their local arrangements.

The three safeguarding partners have a shared and equal duty to work together to safeguard and promote the welfare of children. To fulfil this role they must set out how they will work together and with any relevant agencies.<sup>22</sup> Relevant agencies are those organisations and agencies whose involvement that the three safeguarding partners consider may be required to safeguard and promote the welfare of children with regard to local need. The three safeguarding partners will have set out in their published arrangements which organisations and agencies they will be working with and the expectations placed on any agencies and organisations by the arrangements.

78. The three safeguarding partners should make arrangements to allow all schools (including those in multi-academy trusts) and colleges in the local area to be fully engaged, involved and included in safeguarding arrangements. It is expected that, locally, the three safeguarding partners will name schools and colleges as relevant agencies and will reach their own conclusions on the best way to achieve the active engagement with individual institutions in a meaningful way.

### **CONFIDENTIALITY**

St Anne's recognises the importance of sensitivity and confidentiality when dealing with safeguarding issues. It also recognises that:

- Timely information sharing is essential to effective safeguarding
- Information must be shared on a 'need-to-know' basis, but you do not need consent to share information if a child is suffering, or at risk of, serious harm
- Staff should never promise a child that they will not tell anyone about an allegation, as this may not be in the child's best interests
- Confidentiality is also addressed in this policy with respect to record-keeping

**NOTE:** It is the responsibility of all staff to follow data protection protocol. It is the school's responsibility to store and share and not providing information appropriately in accordance with

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Data Protection Act 2018 and the GDPR. This will include assessing risk against the HARM TEST. The Data Protection Act 2018 and GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children. In KCSIE 2020 there is a link to [Data protection: toolkit for schools](#) - Guidance to support schools with data protection activity, including compliance with the GDPR for further information.

In December 2020's Working Together to Safeguard Children, information has been refined in response to the Data Protection Act 2018 and General Data Protection Regulation (GDPR). This includes guidance about appropriate information sharing of safeguarding and child protection concerns, including the explicit statement that data protection legislation does not prevent the sharing of information to keep a child safe and that consent is not required when sharing information for safeguarding and protecting the welfare of a child (p.19).

In making decisions about appropriate information sharing, the guidance recommends using GDPR lawful bases for sharing, i.e. legal obligation (the exercise of official authority) or public task (a task performed in the public interest). Further information about this is available in the new appendices of this document in Appendix B, and includes a useful myth busting guide to information sharing (p.21).

It is also stated that (p.15), while encouraged, the agreement of the child and parents is not required to share information, although it is important to explain the reasons for this.

#### **WORKING TOGETHER TO SAFEGUARD CHILDREN (DEC 2020) CLEARLY STATES:**

##### **Myth-busting guide to information sharing**

Sharing information enables practitioners and agencies to identify and provide appropriate services that safeguard and promote the welfare of children. Below are common myths that may hinder effective information sharing.

##### **Data protection legislation is a barrier to sharing information**

No – the Data Protection Act 2018 and GDPR do not prohibit the collection and sharing of personal information, but rather provide a framework to ensure that personal information is shared appropriately. In particular, the Data Protection Act 2018 balances the rights of the information subject (the individual whom the information is about) and the possible need to share information about them.

##### **Consent is needed to share personal information**

No – you do not need consent to share personal information. It is one way to comply with the data protection legislation but not the only way. The GDPR provides a number of bases for sharing personal information. It is not necessary to seek consent to share information for the purposes of safeguarding and promoting the welfare of a child provided that there is a lawful basis to process any personal information required. The legal bases that may be appropriate for sharing data in these circumstances could be 'legal obligation', or 'public task' which includes the performance of a task in the public interest or the exercise of official authority. Each of the lawful bases under GDPR has different requirements.<sup>15</sup> It continues to be good practice to ensure transparency and to inform parent/carers that you are sharing information for these purposes and seek to work cooperatively with them.

##### **Personal information collected by one organisation/agency cannot be disclosed to another**

No – this is not the case, unless the information is to be used for a purpose incompatible with the purpose for which it was originally collected. In the case of children in need, or children at risk of significant harm, it is difficult to foresee circumstances where information law would be a barrier to sharing personal information with other practitioners<sup>16</sup>.

##### **The common law duty of confidence and the Human Rights Act 1998 prevent the sharing of**

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### personal information

No – this is not the case. In addition to the Data Protection Act 2018 and GDPR, practitioners need to balance the common law duty of confidence and the Human Rights Act 1998 against the effect on individuals or others of not sharing the information.

### IT Systems are often a barrier to effective information sharing

No – IT systems, such as the Child Protection Information Sharing project (CP-IS), can be useful for information sharing. IT systems are most valuable when practitioners use the shared data to make more informed decisions about how to support and safeguard a child.

## RECOGNISING ABUSE AND TAKING ACTION

Staff, volunteers and governors must follow the procedures set out below in the event of a safeguarding issue.

### If a child is in immediate danger

Make a referral to children’s social services and/or the police **immediately** if a child is in immediate danger or at risk of harm. **Anyone can make a referral.**

Tell the DSL as soon as possible if you make a referral directly. (See ‘reporting child abuse to your local council’ at <https://www.gov.uk/report-child-abuse-to-local-council-for-further-details>.)

### If a child makes an allegation about someone to you

If a child raises a safeguarding issue to you, you should:

- Listen to them. Allow them time to talk freely and do not ask leading questions,
- Stay calm and do not show that you are shocked or upset,
- Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner,
- Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret,
- Write up your conversation as soon as possible in the child’s own words. Stick to the facts, and do not put your own judgement on it,
- Sign and date the write-up and add it to CPOMS. Alternatively, if appropriate, make a referral to children’s social care and/or the police directly and tell the DSL as soon as possible that you have done so.

### Concerns about extremism

If a child is not at immediate risk of harm, where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children’s social care directly if appropriate (see ‘Referral’ above).

Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include [Channel](#), the government’s programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority children’s social care team.

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, that school staff and governors can call to raise concerns about extremism with respect to a pupil. The school can also email [counter.extremism@education.gov.uk](mailto:counter.extremism@education.gov.uk). (Note that this is not for use in emergency situations.)

In an emergency, 999 should be called or the confidential anti-terrorist hotline on 0800 789 321 if you:

- Think someone is in immediate danger,

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- Think someone may be planning to travel to join an extremist group
- See or hear something that may be terrorist-related
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### **If you discover that FGM has taken place or a pupil is at risk of FGM**

The Department for Education's Keeping Children Safe in Education explains that FGM comprises "all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs".

FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as 'female genital cutting', 'circumcision' or 'initiation'.

Possible indicators that a pupil has already been subjected to FGM, and factors that suggest a pupil may be at risk, are set out in appendix 2.

**Any teacher** who discovers that an act of FGM appears to have been carried out on a **pupil under 18** must immediately report this to the police, personally. This is a statutory duty, and teachers will face disciplinary sanctions for failing to meet it.

The duty above does not apply in cases where a pupil is *at risk* of FGM or FGM is suspected but is not known to have been carried out. Staff should not examine pupils.

**Any other member of staff** who discovers that an act of FGM appears to have been carried out on a **pupil under 18** must speak to the DSL and follow our local safeguarding procedures.

**Any member of staff** who suspects a pupil is *at risk* of FGM, must speak to the DSL and follow our local safeguarding procedures.

### **If you have concerns about a child (as opposed to a child being in immediate danger)**

Figure 1 illustrates the procedure to follow if you have concerns about a child's welfare and the child is not in immediate danger.

Where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly (see 'Referral' below).

You can also contact the charity NSPCC on 0808 800 5000 if you need advice on the appropriate action. If early help is appropriate, the DSL will liaise with other agencies and will set up an inter-agency assessment as appropriate. The DSL will keep the case under constant review and the school will consider a referral to local authority children's social care if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed. (See 'Early Help' section for further details.)

### **(KCSIE 2020) Contextual Safeguarding**

- All staff, especially DSLs, should be aware that safeguarding incidents and/or behaviours can be associated with factors outside school and/or can occur between children outside of the school or home environment.
- All staff should consider whether children are at risk of abuse or exploitation in situations outside their families (e.g. sexual exploitation, criminal exploitation, serious youth violence)

Contextual safeguarding was renamed in Working Together to Safeguard Children (Dec 20) as "assessment of risk outside the home" (p.25) and teenage relationship abuse has been added as an area of risk.

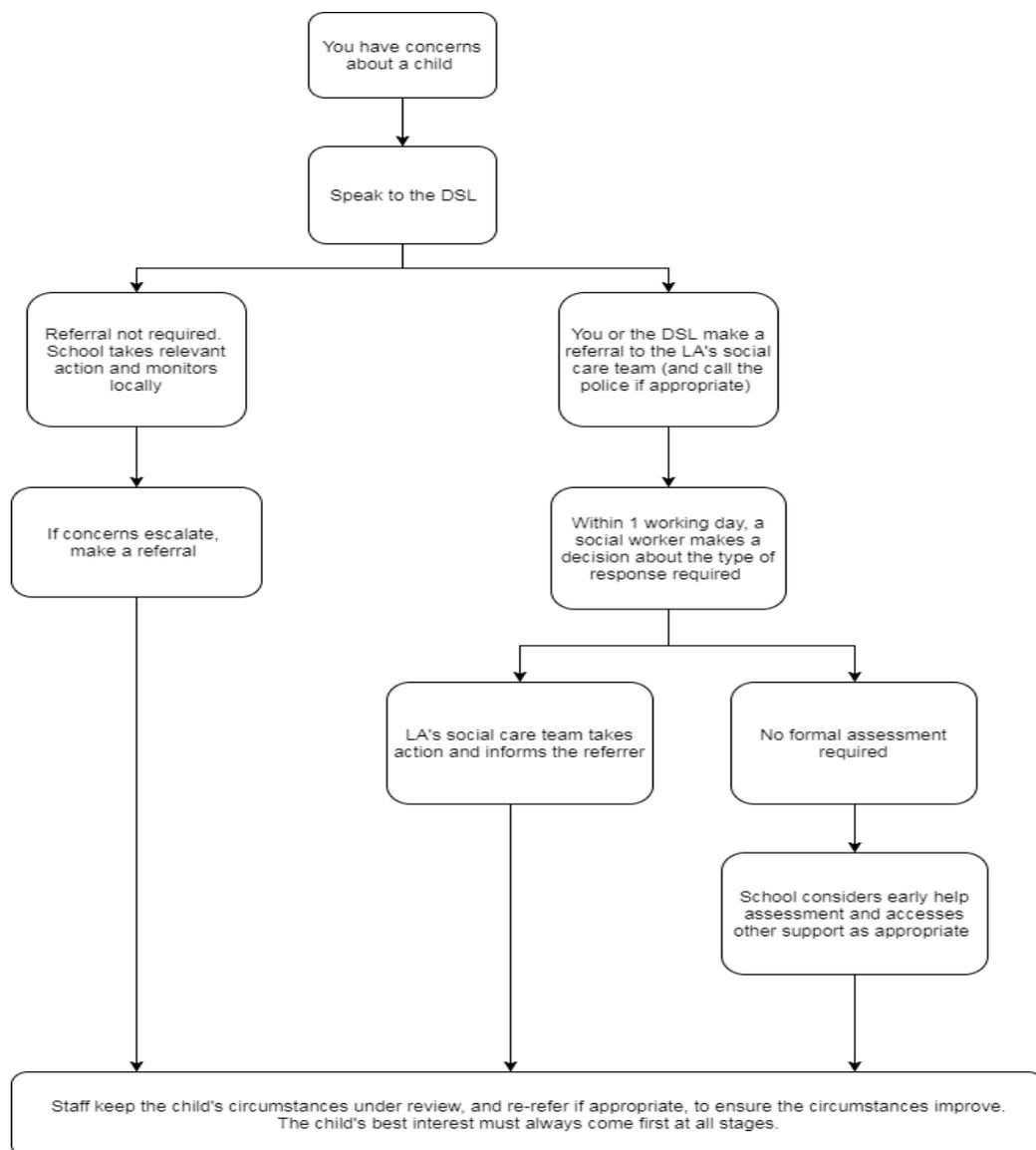
### **Referral**

If it is appropriate to refer the case to local authority children’s social services or the police, the DSL will make the referral or support the member of staff to do so.

The local authority will make a decision within 1 working day of a referral about what course of action to take and will let the person who made the referral know the outcome. The DSL or person who made the referral must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

If the child’s situation does not seem to be improving after the referral, the DSL or person who made the referral must contact the local authority and make sure the case is reconsidered to ensure the concerns have been addressed and the child’s situation improves.

**Figure 1: procedure if you have concerns about a child’s welfare (no immediate danger)**



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### **Concerns about a staff member or volunteer**

If you have concerns about a member of staff or volunteer, speak to the Head Teacher. If you have concerns about the Head Teacher, speak to the chair of governors.

You can also discuss any concerns about any staff member or volunteer with the DSL. Changes in KCSIE 2020 now means that the procedures set out in part 4 of KCSIE should apply to anyone working in the school who has behaved, or may have behaved, in a way that indicates they may not be suitable to work with children. The example given in KCSIE 2020 (Annex H) is of a member of staff involved in domestic violence at home where no children were involved, but you would need to consider what triggered these actions and whether a child in school could trigger the same reaction and be put at risk.

Where concerns or allegations concern someone who works in the school but is not directly employed by the school, KCSIE 2020 states that:

- School should make sure allegations are dealt with properly, and you shouldn't decide to stop using a supply teacher due to safeguarding concerns without finding out the facts and liaising with your LADO to determine a suitable outcome
- the Headteacher or governing body should discuss with the agency whether it's appropriate to suspend the supply teacher, or redeploy them to another part of the school, while they carry out their investigation
- Agencies/employers should be fully involved and co-operate in any enquiries, but that the school will usually take the lead as the agency won't be able to collect the necessary information
- The allegations management meeting should address issues such as information sharing, to ensure previous concerns or allegations known to the agency are taken into account
- When using an agency, the school should inform them of our process for managing allegations, including inviting the agency's HR manager or equivalent to meetings and keeping them up to date with information about your policies

The Head Teacher/chair of governors/DSL will then follow the procedures set out in appendix 3 of our policy, if appropriate. Where appropriate, the school will inform Ofsted of the allegation and actions taken, within the necessary timescale (see appendix 3 for more detail).

### **Allegations of abuse made against other pupils**

We recognise that children are capable of abusing their peers. Abuse will never be tolerated or passed off as “banter” or “part of growing up”.

This section of the document outlines each staff members’ statutory obligations and therefore it is to be read in conjunction with Part 1 of the KCSIE 2020 document. All staff need to read and understand both sections and will be asked to sign to say they have done so. Any queries must be raised before signing. The DSL and safeguarding team want staff to deal confidently with safeguarding issues and are happy to provide any additional training required.

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

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- Is serious, and potentially a criminal offence
- Could put pupils in the school at risk
- Is violent
- Involves pupils being forced to use drugs or alcohol
- Involves sexual exploitation or sexual abuse, such as indecent exposure, sexual assault, or sexually inappropriate pictures or videos (including sexting)

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

- It is essential that the pupil is reassured that s/he is being taken seriously and that they will be supported and kept safe.
- You must tell the DSL and record the allegation, but do not investigate it
- The DSL will contact the local authority children's social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence
- The DSL will put a risk assessment and support plan into place for all children involved – both the victim(s) and the child(ren) against whom the allegation has been made – with a named person they can talk to if needed
- The DSL will ask parents/carers to contact the children and adolescent mental health services (CAMHS), if appropriate via their GP

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

- Challenging any form of derogatory or sexualised language or behaviour,
- Being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female pupils, and initiation or hazing type violence with respect to boys,
- Ensuring our curriculum helps to educate pupils about appropriate behaviour and consent,
- Ensuring pupils know they can talk to staff if they are worried or concerned,
- Ensuring staff are trained to understand that a pupil harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy,
- Completing risk assessments to keep children safe.

## NOTIFYING PARENTS

Where appropriate, we will discuss any concerns about a child with the child's parents. The DSLs will normally do this in the event of a suspicion or allegation. Other staff will only talk to parents about any such concerns following consultation with the DSL.

If we believe that notifying the parents would increase the risk to the child, we will discuss this with the local authority children's social care team before doing so. In the case of allegations of abuse made against other children, we will normally notify the parents of all the children involved.

## PROCEDURES AND RECORD-KEEPING:

St Anne's RC Primary School we ensure that:

Safeguarding information including Child Protection information is stored and handled in line with the principles of the Data Protection Act 1998 ensuring that information is:

- used fairly and lawfully,
- for limited, specifically stated purposes,
- used in a way that is adequate, relevant and not excessive,
- accurate,
- kept for no longer than necessary,
- handled according to people's data protection rights,
- kept safe and secure.

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Any concerns about a child will be recorded in writing as soon as possible and in any circumstance within 24 hours. The inability to record a concern of risk or an allegation should not delay the sharing of urgent information to the DSL (police or social care if required) verbally. Written records should then be made as soon as possible.

All records will provide a factual, evidence-based account using the child's words. Timely, accurate recording of every episode/incident/concern/activity/actions will be made including telephone calls to other professionals. Records will be signed, dated and where appropriate, witnessed. Support and advice will be sought from Children's Social Care, Senior Advisor for Safeguarding in Education (SASE) or the Local Area Designated Officer (MCC DO), whenever necessary.

Hard copies of records or reports relating to safeguarding and child protection concerns will be kept in a separate, confidential file, securely stored away from the main pupil file. Authorisation to access these or electronic records will be controlled by the Headteacher and Designated Safeguarding Leads.

There is always a DSL on hand who has the necessary seniority and skills, has undertaken appropriate safeguarding training, and is given the time to carry out this important role. In the case of child protection referral the DSL will contact the Contact Centre (alongside any other emergency or support services that may be required). In the case of poorly explained serious injuries or where behaviour or concerns arouse suspicion or if in any doubt, the Designated Safeguarding Lead/deputies should contact the Contact Centre for advice.

The DSL will keep written, signed and dated records detailing any allegations and action taken as near to the time of the allegation as possible even when no investigation is undertaken; following up any verbal referral.

Conversations with a child who alleges abuse should follow the basic principles:

- listen rather than directly question, remain calm,
- never stop a child who is recalling significant events,
- make a record of discussion to include time, place, persons present and what was said (in their own words),
- advise the child you will have to pass the information on,
- never take photographs of any injury or record conversations electronically,
- Never promise confidentiality to a child or adult.

Safeguarding issues and concerns are also recorded on CPOMS (a secure electronic child protection monitoring tool). When a child transfers to another school, any existing CPOMS records and safeguarding files are securely transferred to the new safeguarding lead who signs a document to confirm they have received them.

#### SAFER USE OF THE INTERNET AND DIGITAL TECHNOLOGY:

St Anne's RC Primary School recognises that in a modern learning environment, use of the Internet, multimedia devices and digital imaging facilities are part of everyday requirements. However, a child/young person's safety will remain the priority of the school.

As schools and colleges increasingly work online, it is essential that children are safeguarded from potentially harmful and inappropriate online material. As such, governing bodies and proprietors should ensure appropriate filters and appropriate monitoring systems are in place. Additional

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information to support governing bodies and proprietors keep their children safe online (including when they are online at home) is provided in Annex C of KCSIE 2020.

All staff are aware that any items that have capability for use of the Internet or the creation of digital images (including mobile phones) must be used by children/young people under appropriate supervision. If any such item that belongs to a member of staff is brought onto the school site, it is the responsibility of that staff member to ensure that these items contain nothing of an inappropriate nature and that they are used in line with school policy (see Acceptable User Policy (AUP)).

If there is any suspicion that any multimedia device or computer contains any images or content of an inappropriate nature it will be locked, secured and, the Head Teacher or DSL should be informed immediately.

All staff must make themselves aware of the new Online Safety Guidance June 2019 DfE- Teaching online Safety in school. All phase leaders will have a reference copy and one will be on the Staff Shared Drive.

### **KCSIE 2020 Annex C: Online safety**

The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm.

An effective approach to online safety empowers us as a school community to protect and educate the whole school community in their use of technology and establishes mechanisms to identify, intervene in, and escalate any incident where appropriate.

The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

- content: being exposed to illegal, inappropriate or harmful material; for example pornography, fake news, racist or radical and extremist views;
- contact: being subjected to harmful online interaction with other users; for example commercial advertising as well as adults posing as children or young adults; and
- conduct: personal online behaviour that increases the likelihood of, or causes, harm; for example making, sending and receiving explicit images, or online bullying.

### **Education**

Opportunities to teach safeguarding, including online safety, are discussed at paragraph 88-90.

Resources that could support schools and colleges include:

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

**Reviewing online safety:** Technology in this area evolves and changes rapidly. A free online safety self-review tool for schools can be found via the 360 safe website. UKCIS has published Online safety

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in schools and colleges: Questions for the governing board to help responsible bodies assure themselves that their online safety arrangements are effective.

**Education at home:** Where children are being asked to learn online at home the department has provided advice to support schools and colleges do so safely: safeguarding-in-schools-colleges-and-other-providers and safeguarding-and-remote-education especially during the pandemic- COVID 19. See KCSIE 2020 Annex C.

**Staff training:** Governors will ensure that, as part of the requirement for staff to undergo regularly updated safeguarding training (paragraph 84) and the requirement to ensure children are taught about safeguarding, including online safety (paragraph 87), that online safety training for staff is integrated, aligned and considered as part of the overarching safeguarding approach.

### **Use of mobile phones**

Mobile phones have a place in settings, especially on outings when they are often the only means of contact available to school and can be helpful in ensuring children are kept safe. Staff are allowed to bring their personal phones to school for their own use; but will limit such use to non-contact time when pupils are not present. As a rule, Staff members' personal phones will remain in their bags or cupboards during contact time with pupils. However, during Covid 19 where the need to follow timetables with time accuracy, mobile phones may remain in staff pockets on silent for the use of accurate time-keeping only. This is only appropriate where staff are working with a group of children and is not appropriate for one-to-one work.

Staff will not take pictures or recordings of pupils on their personal phones or cameras.

We will follow the Data Protection Act 1998 when taking and storing photos and recordings for use in the school. When taking photographs, staff must use school owned equipment- the school i-pad- that has been assigned to them. There must be no one-to-one photographs taken.

Staff (including volunteers, contractors and anyone else otherwise engaged by the school) are not permitted to make or receive calls, or send texts, while children are present. Use of personal mobile phones must be restricted to non-contact time.

Staff must refrain from giving their personal contact details to parents or pupils, including connecting through social media and messaging apps.

Staff must avoid publicising their contact details on any social media platform or website, to avoid unwanted contact by parents or pupils.

Staff should also refer to the school's Social Media Policy and Acceptable ICT use and Online Safety Policy.

It is appropriate for staff to use personal mobile phones for work. Such circumstances may include:

- Emergency use e.g. evacuations/ Invacuations,
- Supervising off-site trips if the school mobiles are not available,
- Supervising residential visits if the school mobiles are not available,
- COVID 19- For time accuracy to ensure safe systems.

We will:

- Only use mobile phones appropriately, and ensure staff have a clear understanding of what constitutes misuse and know how to minimise the risk.
- Ensure the use of a mobile phone does not detract from the quality of supervision and care of children.

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- Ensure all mobile phone use is open to scrutiny.
- Ensure staff are vigilant and alert to any potential warning signs of the misuse of mobile phones.
- Ensure staff are responsible for their own behaviour regarding the use of mobile phones and should avoid putting themselves into compromising situations, which could be misinterpreted and lead to potential allegations.
- Ensure the use of mobile phones on outings is included as part of the risk assessment, for example, how to keep personal numbers that may be stored on the phone safe and confidential.
- Adhere to the school policy on the recording of images and the use of equipment – Acceptable Use Policy

### **Visitors**

Visitors are not permitted to use mobile phones or other camera/ internet enabled devices without the express permission of the Headteacher and only then under supervision.

### **Children and acceptable use of phones**

Children are not allowed to bring mobile phones to school, unless they are walking home alone (Years 5 and 6 only) and school has obtained signed consent from their parents/ carers giving permission for the child to bring a mobile to school and agreeing to it being stored securely in the school office. When in school they must be switched off.

### **Cameras: Photography and Images**

The vast majority of people who take or view photographs or videos of children do so for entirely innocent, understandable and acceptable reasons. However, due to cases of abuse to children through taking or using images, we must ensure that we have safeguards in place.

To protect children, we will:

- Obtain parents' and carers' consent for photographs to be taken used for or published (for example, on our website or displays).
- Ensure that children are appropriately dressed, and only use the child's first name with an image.
- Ensure that personal cameras are not used to take photographs, video or audio recordings in our school without prior explicit consent from the school, for example, for a special event, such as a Christmas play.
- Ensure where professional photographers are used DBSs, references and parental consent will be obtained prior to photographs being taken.
- Ensure 'acceptable use' rules regarding the use of cameras by children are embedded in practice.
- Ensure the use of cameras is closely monitored and open to scrutiny.

### **Sexting**

'Sexting' (self-generated inappropriate images) is one of a number of 'risk-taking' behaviours associated with the use of digital devices, social media or the internet. It is accepted that young people experiment and challenge boundaries and therefore the risks associated with 'online' activity can never be completely eliminated. However, St Anne's takes a pro-active approach in its ICT to help students to understand, assess, manage and avoid the risks associated with 'online activity'. The school recognises its duty of care to its young people who do find themselves involved in such activity as well as its responsibility to report such behaviours where legal or safeguarding boundaries are crossed.

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There are a number of definitions of 'sexting' but for the purposes of this policy sexting is simply defined as:

- Inappropriate images or videos generated by children under the age of 18, or
- Of children under the age of 18 that are of a sexual nature or are indecent.
- These images are shared between young people and/or adults via a mobile phone, hand held device, computer, 'tablet' or website with people they may or may not know.

There are many different types of sexting and it is likely that no two cases will be the same. It is necessary to carefully consider each case on its own merit. However, it is important that St Anne's RC Primary School applies a consistent approach when dealing with an incident to help protect young people and the school. For this reason the Designated Safeguarding Lead needs to be informed of any 'sexting' incidents. The range of contributory factors in each case also needs to be considered in order to determine an appropriate and proportionate response.

Further advice can be found here:

<http://swgfl.org.uk/magazine/Managing-Sexting-Incidents/Sexting-Advice.aspx>

### EARLY HELP

"Early help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the teenage years."

Working Together to Safeguard Children (DfE, 2018)

In line with Tameside City Council's Early Help strategy, St Anne's recognises the importance of early identification and early help for families and is committed to working with other agencies in order to provide this support. These agencies include, school nursing, speech and language therapy, paediatricians, health visitors, GPs, Educational Psychologists, CAMHS and social services. St Anne's coordinates and attends multi-agency meetings such as TACs (Team around the Child meetings) in order to ensure a robust and coordinated response towards supporting families in need.

St Anne's provides both universal interventions and targeted interventions to prevent the needs of families from escalating.

#### **Targeted support and interventions include:**

- Play Therapist: works with children and their parents to support with social and emotional needs and parenting strategies (1 day/week)
- Breakfast club (every morning)
- Education Welfare Officer: supports with monitoring attendance and leading panel meetings
- Support with transport for families in times of need (when needed)
- Home visits for vulnerable families and for children with poor attendance
- Fair share food parcels for low income and vulnerable families
- Christmas gifts for vulnerable families
- Signposting to foodbanks

### SUPPORTING VULNERABLE PUPILS:

The school will endeavour to support vulnerable pupils through:

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- Its ethos and culture which promotes a positive, supportive and secure environment; giving pupils a sense of being valued.
- Its behaviour policy -aimed at supporting vulnerable pupils in school. All staff will agree a consistent approach, working to support children in developing positive behaviour.
- Liaison with other appropriate agencies which support the pupil.
- Developing supportive relationships.
- Recognition that children living in difficult home environments are vulnerable and are in need of support and protection.
- Monitoring pupil welfare, keeping accurate records and notifying appropriate agencies when necessary.
- Ensuring designated safeguarding staff and their team have the opportunity to attend face to face safeguarding training and network updates.
- Ensuring information is transferred safely and securely when a pupil with a child protection record transfers to another school. Also notifying Key Workers or Social Workers where a child leaves the school (as appropriate).

## TRAINING

Staff and volunteers are updated on safeguarding issues frequently across the year –

- Safeguarding is on the weekly agenda for every whole school staff meeting,
- Safeguarding is on the weekly Agenda for each SLT meeting,
- Volunteers are provided with a leaflet on safeguarding issues and the school's procedures, including a flow chart with guidance,
- Safeguarding procedures are highlighted to all staff annually,
- All new staff received Safeguarding Level 1 training,
- Ongoing staff training with regard to specific and localised safeguarding issues in provided by the DSLs for all staff,
- Annual training includes: Prevent, Part 1 KCSIE 2020 as part of updating Safeguarding training,
- DSL training renewed every 2 years.

In school we have staff that are trained and can support colleagues to identify and respond to:

- Neglect
- Drug/substance/alcohol misuse (both pupil and parent)
- Child sexual exploitation / trafficked children
- Children missing from education
- Domestic abuse
- Peer relationship abuse
- Peer on peer abuse
- Risky behaviours
- Sexual health needs
- Obesity/malnutrition
- Online grooming
- Inappropriate behaviour of staff towards children
- Bullying, including homophobic, racist, gender and disability. Breaches of the Equality Act 2010.
- Self-Harm
- Female Genital Mutilation
- Breast Ironing
- Forced Marriage

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- Young carers
- The potential additional needs of some learners such as- Looked After Children (LAC), previously LAC, those who have Special Educational Needs or Disabilities (SEND) and children whose families are seeking asylum.

### **All staff**

All staff members will undertake safeguarding and child protection training at induction, including on whistle-blowing procedures, to ensure they understand the school's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect. This training will be regularly updated and will be in line with advice from our local safeguarding children board.

All staff will have training on the government's anti-radicalisation strategy, Prevent, to enable them to identify children at risk of being drawn into terrorism and to challenge extremist ideas. Staff will also receive regular safeguarding and child protection updates (for example, through emails, e-bulletins and staff meetings) as required, but at least annually.

### **The DSLs**

The DSL and Deputy DSLs will undertake child protection and safeguarding training at least every 2 years. In addition, they will update their knowledge and skills at regular intervals and at least annually (for example, through e-bulletins, meeting other DSLs, or taking time to read and digest safeguarding developments). They will also undertake Prevent awareness training.

### **Governors**

All governors receive training about safeguarding, to make sure they have the knowledge and information needed to perform their functions and understand their responsibilities.

### **Recruitment – interview/appointment panels**

At least one person on any interview/appointment panel for a post at the school will have undertaken safer recruitment training. This will cover, as a minimum, the contents of the Department for Education's statutory guidance, Keeping Children Safe in Education, and be in line with local safeguarding procedures.

## **EXTREMISM AND RADICALISATION**

St Anne's RC Primary School seeks to protect children and young people from the influences of all violent extremism.

The current threat from terrorism and extremist groups in the United Kingdom may include the exploitation of vulnerable people. Groups may seek to influence vulnerable children and involve them in terrorism or in activity in support of terrorism. The normalisation of extreme views may also make children and young people vulnerable to future manipulation and exploitation. St Anne's RC Primary School is clear that where there is concern in respect of exploitation of this kind it will be treated as a safeguarding concern.

Prevention work and reductions of risks will include the SMSC, PSHE curriculum, SEND policy, the application of the school behaviour policy and a commitment to building and maintaining an inclusive and fair school environment and community.

## SAFER RECRUITMENT AND SAFER WORKING PRACTICE

The school pays full regard to DfE guidance 'Keeping Children Safe in Education' 2020 and with reference to the 'Position of Trust' offence (Sexual Offences Act 2003). We ensure that all appropriate measures are applied in relation to everyone who works in the school who is likely to be perceived by the children as a safe and trustworthy adult.

We do this by:

Operating safer recruitment practices including appropriate Disclosure and Barring Service (DBS) and reference checks, verifying identity, academic and vocational qualifications, obtaining professional references, checking previous employment history and ensuring the person has the right to work in the UK. Our practice also includes undertaking interviews and checking if individuals are barred or prohibited from working with children in accordance with DBS and Department for Education (DfE) guidance. In line with statutory guidance, we maintain a single central record to evidence checks completed for staff and volunteers working in the school community. (See appendix 5 for further details on safer recruitment procedures.) **Interviews of candidates will be carried out on Microsoft Teams during the pandemic in the presence of a safer recruitment officer. See also Appendix 5 below and flowchart in KCSIE 2020 page 43**

## APPENDICES

### APPENDIX 1: TYPES OF ABUSE

All staff are aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases multiple issues may overlap with one another. Staff are trained and supported to understand the types of abuse that some children experience and work to the following definitions:

**Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children.

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

**Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development.

It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person.

It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.

It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction.

It may involve seeing or hearing the ill-treatment of another.

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It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.  
Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

**Hazing or initiation:** refers to ceremonies or the practice of rituals, challenges, and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group. Hazing may include physical or psychological abuse. It may also include nudity or sexual assault.

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

**Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers);
- ensure access to appropriate medical care or treatment.
- include neglect of, or unresponsiveness to, a child's basic emotional needs.

**Mental health** is now explicitly included in the definition of safeguarding, which now includes "preventing impairment of children's mental and physical health or development"

In **KCSIE 2020**, New paragraphs have been added to say:

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

o Only trained professionals should make a diagnosis of a mental health problem, but staff are well placed to observe children and identify those whose behaviour suggests they may be experiencing a mental health problem, or be at risk of developing one

o Abuse, neglect and other traumatic adverse childhood experiences can have a lasting impact, and it's key that staff are aware of how these experiences can affect children's mental health, behaviour and education

o Staff should take action on any mental health concerns that are also safeguarding concerns, following your school's **child** protection policy and speaking to the DSL or deputy

o There's DfE guidance available on **Preventing and Tackling Bullying and Mental Health and Behaviour in Schools**, as well as Public Health England guidance on **Promoting children and young**

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**people's emotional health and wellbeing.** It's resources include social media, forming positive relationships, smoking and alcohol and lesson plans. Teaching materials can be accessed from **Rise Above**.

In Working Together to Safeguard Children (updated Dec 20) the importance of mental health concerns for children has been emphasised throughout the revised document. Mental health has been added to physical health (p.7 & p.14) and the significance of mental health concerns about a child have been linked to abuse, neglect or exploitation. For school staff, the advice is to refer concerns about a child's mental health to children's services while not making mental health diagnoses (p.18).

**Children and young people who harm others:** the detriment caused to children by the harmful and bullying behaviour of other children can be significant. This may involve single incidents or ongoing physical, sexual or emotional (including verbal) harm perpetrated by a single child or by groups / gangs of children. Such harm or abuse will be referred to the Multi-agency Safeguarding and Support Hub (MASH) or Police and other agencies as appropriate and further advice and guidance sought.

## APPENDIX 2: SPECIFIC SAFEGUARDING ISSUES

### Children and the court system

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age-appropriate guides to support children 5-11-year olds and 12-17 year olds.

The guides explain each step of the process, support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online child arrangements information tool with clear and concise information on the dispute resolution service. This may be useful for some parents and carers.

### Non-attendance and poor attendance

Ongoing absence from school is worrying and could lead to safeguarding concerns. Where there are concerns about a child's attendance at school, the school will follow the attendance procedures which include first day calling and home visits. Where attendance is poor, proof of absence due to illness eg prescriptions or appointment evidence, is requested. Poor attendance could be due to a number of reasons:

- ongoing medical issues- the school will liaise with the school nurse service and other medical agencies to support the best needs of the child.
- Non-medical issues- the school will liaise with other agencies to resolve issues affecting the child's attendance. Where there is a concern of neglect or abuse, the school will follow all safeguarding protocols laid out in this policy.

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### **Children missing from education**

A child going missing from education is a potential indicator of abuse or neglect, and such children are at risk of being victims of harm, exploitation or radicalisation.

There are many circumstances where a child may become missing from education, but some children are particularly at risk. These include children who:

- Are at risk of harm or neglect,
- Come from Gypsy, Roma, or Traveller families,
- Come from the families of service personnel,
- Go missing or run away from home or care,
- Are supervised by the youth justice system,
- Cease to attend a school,
- Come from new migrant families.

We will follow our procedures for unauthorised absence and for dealing with children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. This includes informing the local authority if a child leaves the school without a new school being named and adhering to requirements with respect to sharing information with the local authority, when applicable, when removing a child's name from the admission register at non-standard transition points.

Staff will be trained in signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns which may be related to being missing, such as travelling to conflict zones, FGM and forced marriage.

If a staff member suspects that a child is suffering from harm or neglect, we will follow local child protection procedures, including with respect to making reasonable enquiries. We will make an immediate referral to the local authority children's social care team, and the police, if the child is in immediate danger or at risk of harm.

### **Children with family members in prison**

Approximately 200,000 children in England and Wales have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

### **Serious violent Crime (new to KCSIE 2019)**

All staff need to know the indicators that may signal that a child is at risk from, or is involved with, serious violent crime. These indicators include:

- Unexplained gifts/new possessions - these can indicate children have been approached by/involved with individuals associated with criminal networks/gangs
- Increased absence from school
- Change in friendship/relationships with others/groups
- Significant decline in performance
- Signs of self-harm/significant change in wellbeing
- Signs of assault/unexplained injuries

### **Child Criminal Exploitation (CCE)**

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CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology.

CCE can include children being forced to work in cannabis factories, being coerced into moving drugs or money across the country (county lines, see page 85 for more information), forced to shoplift or pickpocket, or to threaten other young people.

Some of the following can be indicators of CCE:

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

**In Working Together to Safeguard Children (Dec 20), Criminal exploitation has been added to the areas of risk in which practitioners should be developing their skills and knowledge to address (p.14) and will become part of our training programme this year.**

### **Child sexual exploitation**

Child sexual exploitation (CSE) is a form of sexual abuse where children are sexually exploited for money, power or status.

This can involve violent, humiliating and degrading sexual assaults, but does not always involve physical contact and can happen online. For example, young people may be persuaded or forced to share sexually explicit images of themselves, have sexual conversations by text, or take part in sexual activities using a webcam.

Children or young people who are being sexually exploited may not understand that they are being abused. They often trust their abuser and may be tricked into believing they are in a loving, consensual relationship.

If a member of staff suspects CSE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

Indicators of sexual exploitation can include a child:

- Appearing with unexplained gifts or new possessions
- Associating with other young people involved in exploitation
- Having older boyfriends or girlfriends
- Suffering from sexually transmitted infections or becoming pregnant
- Displaying inappropriate sexualised behaviour
- Suffering from changes in emotional wellbeing
- Misusing drugs and/or alcohol
- Going missing for periods of time, or regularly coming home late
- Regularly missing school or education, or not taking part in education

**The department provide: Child sexual exploitation: guide for practitioners**

## County lines

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”.

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move [and store] drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in a number of locations including schools, further and higher educational institutions, pupil referral units, special educational needs schools, children’s homes and care homes. Children are often recruited to move drugs and money between locations and are known to be exposed to techniques such as ‘plugging’, where drugs are concealed internally to avoid detection. Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

One of the ways of identifying potential involvement in county lines are missing episodes (both from home and school), when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism<sup>103</sup> should be considered. If a child is suspected to be at risk of or involved in county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation.

Further information on the signs of a child’s involvement in county lines is available in guidance published by the Home Office.

## KCSIE 2020 New information on child criminal exploitation (CCE) and child sexual exploitation (CSE) (paragraph 28 and in Annex A)

The new paragraph on CCE and CSE explains that:

- These are defined as forms of abuse where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity
- The imbalance can be due to age, as well as other factors like gender, sexual identity, cognitive ability, physical strength, status and access to economic or other resources
- In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (e.g. increased status) of the perpetrator or facilitator
- It can be perpetrated by individuals or groups, males or females, and children or adults
- It can be a one-off occurrence or be a series of incidents over time, and range from opportunistic to complex organised abuse
- It can involve force and/or enticement-based methods of compliance and can involve violence or threats of violence
- Victims can be exploited even when activity appears to be consensual
- It can happen online as well as in person

## Upskirting (KCSIE 2020)

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

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## **Child on Child Sexual Violence and Sexual Harassment (KCSIE 2020-keeping Children Safe in Education Part 5 page 69)**

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.

Ultimately, any decisions are for the school to make on a case by case basis, with the designated safeguarding lead (or a deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police as required.

The police will be important partners where a crime might have been committed. Where a report of rape, assault by penetration or sexual assault is made, the starting principle is that this should be referred on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice approach in these cases. Further information can be found in Sexual Violence and Sexual Harassment Between Children in Schools and Colleges further advice can be found in Annex A KCSIE 2020.

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

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

#### **Actions**

If staff have a concern regarding a child that might be at risk of HBA or who has suffered from HBA, they should speak to the designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on teachers

104 that requires a different approach (see following section).

#### **FGM**

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

#### **FGM mandatory reporting duty for teachers**

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

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how to make a report can be found at: Mandatory reporting of female genital mutilation procedural information.

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out.<sup>105</sup> Unless the teacher has good reason not to, they should still consider and discuss any such case with the school's or college's designated safeguarding lead (or deputy) and involve children's social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures. The following is a useful summary of the FGM mandatory reporting duty: FGM Fact Sheet.

The DSL will make sure that staff have access to appropriate training to equip them to be alert to children affected by FGM or at risk of FGM.

This policy sets out the procedures to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a pupil is at risk of FGM.

Indicators that FGM has already occurred include:

- A pupil confiding in a professional that FGM has taken place
- A mother/family member disclosing that FGM has been carried out
- A family/pupil already being known to social services in relation to other safeguarding issues
- A girl:
  - Having difficulty walking, sitting or standing, or looking uncomfortable
  - Finding it hard to sit still for long periods of time (where this was not a problem previously)
  - Spending longer than normal in the bathroom or toilet due to difficulties urinating
  - Having frequent urinary, menstrual or stomach problems
  - Avoiding physical exercise or missing PE
  - Being repeatedly absent from school, or absent for a prolonged period
  - Demonstrating increased emotional and psychological needs – for example, withdrawal or depression, or significant change in behaviour
  - Being reluctant to undergo any medical examinations
  - Asking for help, but not being explicit about the problem
  - Talking about pain or discomfort between her legs

Potential signs that a pupil may be at risk of FGM include:

- The girl's family having a history of practising FGM (this is the biggest risk factor to consider)
- FGM being known to be practised in the girl's community or country of origin
- A parent or family member expressing concern that FGM may be carried out
- A family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues
- A girl:
  - Having a mother, older sibling or cousin who has undergone FGM
  - Having limited level of integration within UK society
  - Confiding to a professional that she is to have a "special procedure" or to attend a special occasion to "become a woman"
  - Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents stating that they or a relative will take the girl out of the country for a prolonged period

- Requesting help from a teacher or another adult because she is aware or suspects that she is at immediate risk of FGM
- Talking about FGM in conversation – for example, a girl may tell other children about it (although it is important to take into account the context of the discussion)
- Being unexpectedly absent from school
- Having sections missing from her 'red book' (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication

The above indicators and risk factors are not intended to be exhaustive.

### Forced marriage

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

The Forced Marriage Unit has published statutory guidance and Multi-agency guidelines, pages 35-36 of which focus on the role of schools and colleges. School and college staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email [fmf@fco.gov.uk](mailto:fmf@fco.gov.uk). If a member of staff suspects that a pupil is being forced into marriage, they will speak to the pupil about their concerns in a secure and private place. They will then report this to the DSL.

The DSL will:

- Speak to the pupil about the concerns in a secure and private place
- Activate the local safeguarding procedures and refer the case to the local authority's designated officer
- Seek advice from the Forced Marriage Unit on 020 7008 0151 or [fmf@fco.gov.uk](mailto:fmf@fco.gov.uk)
- Refer the pupil to an education welfare officer, pastoral tutor, learning mentor, or school counsellor, as appropriate

### Domestic Abuse

The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to: psychological; physical; sexual; financial; and emotional.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. 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.

In the updated December 2020 Working Together to Safeguard Children, the impact of domestic abuse, including controlling or coercive behaviour, has been integrated throughout the revised guidance. Both domestic violence and controlling and coercive control have been added to the definitions within (p.110 & 111). The changes state (p.14) that practitioners need to develop their

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knowledge and skills in addressing the impact that domestic violence has upon children, both as witnesses and by being forced to collude in this. As a significant area of growth in reports throughout 2020, this is an area that NSPCC and CPSU will be providing increasing resources on to address and will form part of this year's CPD for staff.

### **Operation Encompass**

Operation Encompass operates in the majority of police forces across England. It helps police and schools work together to provide emotional and practical help to children. The system ensures that when police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the police will inform the key adult (usually the designated safeguarding lead) in school before the child or children arrive at school the following day. This ensures that the school has up to date relevant information about the child's circumstances and can enable support to be given to the child according to their needs. Police forces not signed up to operation encompass will have their own arrangements in place.

### **National Domestic Abuse Helpline**

Refuge runs the National Domestic Abuse Helpline, which can be called free of charge and in confidence, 24 hours a day on 0808 2000 247. Its website provides guidance and support for potential victims, as well as those who are worried about friends and loved ones. It also has a form through which a safe time from the team for a call can be booked.

Additional advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

- NSPCC- UK domestic-abuse Signs Symptoms Effects
- Refuge what is domestic violence/effects of domestic violence on children
- Safelives: young people and domestic abuse.

### **Homelessness**

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

The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The following factsheets usefully summarise the new duties: Homeless Reduction Act Factsheets. The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis.

In most cases school and college staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents or

guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's services will be the lead agency for these young people and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances. The department and the Ministry of Housing, Communities and Local Government have published joint statutory guidance on the provision of accommodation for 16 and 17 year olds who may be homeless and/or require accommodation.

The Homelessness duty has been added to Working Together to Safeguard Children December 2020 (p.23) in relation to local authorities' duties to intervene at an earlier stage in homelessness. Full information is found in the **Homelessness Code of Guidance**.

### **Preventing radicalisation**

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

- Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- Terrorism<sup>108</sup> is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media or the internet) and settings (such as within the home). However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead (or deputy) making a Prevent referral.

The school's or college's designated safeguarding lead (and any deputies) should be aware of local procedures for making a Prevent referral.

### **The Prevent duty**

All schools and colleges are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard<sup>109</sup> to the need to prevent people from being drawn into terrorism".<sup>110</sup> This duty is known as the Prevent duty. The Prevent duty should be seen as part of schools' and colleges' wider safeguarding obligations. Designated safeguarding leads and other senior leaders should familiarise themselves with the revised Prevent duty guidance: for England and Wales, especially paragraphs 57-76, which are specifically concerned with schools (and also covers childcare). The guidance is set out in terms of four general themes: risk assessment, working in partnership, staff training, and IT policies.

There is additional guidance: Prevent duty guidance: for further education institutions in England and Wales that applies to colleges.

### **Channel**

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

Guidance on Channel is available at: [Channel guidance](#).

### **Additional support**

The department has published further advice for schools on the Prevent duty. The advice is intended to complement the Prevent guidance and signposts to other sources of advice and support.

The Home Office has developed three e-learning modules:

- Prevent awareness e-learning offers an introduction to the Prevent duty.
- Prevent referrals e-learning supports staff to make Prevent referrals that are robust, informed and with good intention.
- Channel awareness e-learning is aimed at staff who may be asked to contribute to or sit on a multi-agency Channel panel.

Educate Against Hate, is a government website designed to support school teachers and leaders to help them safeguard their students from radicalisation and extremism. The platform provides free information and resources to help school staff identify and address the risks, as well as build resilience to radicalisation.

For advice specific to further education, the Education and Training Foundation (ETF) hosts the Prevent for FE and Training. This hosts a range of free, sector specific resources to support further education settings comply with the Prevent duty. This includes the Prevent Awareness e-learning, which offers an introduction to the duty, and the Prevent Referral e-learning, which is designed to support staff to make robust, informed and proportionate referrals.

The ETF Online Learning environment provides online training modules for practitioners, leaders and managers, support staff and governors/Board members outlining their roles and responsibilities under the duty.

*There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period.*

*Staff will be alert to changes in pupils' behaviour.*

*The government website [Educate Against Hate](#) and charity [NSPCC](#) say that signs that a pupil is being radicalised can include:*

- Refusal to engage with, or becoming abusive to, peers who are different from themselves
- Becoming susceptible to conspiracy theories and feelings of persecution
- Changes in friendship groups and appearance
- Rejecting activities they used to enjoy
- Converting to a new religion
- Isolating themselves from family and friends

- - *Talking as if from a scripted speech*
  - *An unwillingness or inability to discuss their views*
  - *A sudden disrespectful attitude towards others*
  - *Increased levels of anger*
  - *Increased secretiveness, especially around internet use*
  - *Expressions of sympathy for extremist ideologies and groups, or justification of their actions*
  - *Accessing extremist material online, including on Facebook or Twitter*
  - *Possessing extremist literature*
  - *Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations*
- Children who are at risk of radicalisation may have low self-esteem, or be victims of bullying or discrimination. It is important to note that these signs can also be part of normal teenage behaviour – staff should have confidence in their instincts and seek advice if something feels wrong.*
- If staff are concerned about a pupil, they will follow our procedures set out in this policy, including discussing their concerns with the DSL.*
- Staff should **always** take action if they are worried.*

**Note: Additional advice and support can be found in Annex A of KCSIE 2020**

### APPENDIX 3: ALLEGATIONS OF ABUSE MADE AGAINST STAFF

This section of this policy applies to all cases in which it is alleged that a current member of staff or volunteer has:

- Behaved in a way that has harmed a child, or may have harmed a child, or
- 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 may pose a risk of harm to children

It applies regardless of whether the alleged abuse took place in the school. Allegations against a teacher who is no longer teaching and historical allegations of abuse will be referred to the police. We will deal with any allegation of abuse against a member of staff or volunteer very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

Our procedures for dealing with allegations will be applied with common sense and judgement.

#### **Suspension**

Suspension will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

- Redeployment within the school so that the individual does not have direct contact with the child or children concerned
- Providing an assistant to be present when the individual has contact with children
- Redeploying the individual to alternative work in the school so that they do not have unsupervised access to children
- Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted

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- Temporarily redeploying the individual to another role in a different location, for example to an alternative school or other work for the local authority

### Definitions for outcomes of allegation investigations

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)

### Procedure for dealing with allegations

Before the discussion with the LADO (Local Authority Designated Officer), the school leader in charge (eg HT, DHT or Chair of Governors) should:

- Confirm that the child/ren are safeguarded.
- Obtain a written account of the allegation from the person to whom the allegation was made.
- Record details of potential witnesses.
- Record the details of any discussions and the rationale for any decisions that have been made about the child/ren and/ or adults.

KCSIE 2020: It has also been clarified that staff should refer concerns or allegations about supply staff directly to the headteacher (paragraph 56).

In the event of an allegation that meets the criteria above, the Head Teacher (or chair of governors where the Head Teacher is the subject of the allegation) – the ‘case manager’ – will take the following steps:

- Immediately discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children’s social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children’s social care services, where necessary). Where the police and/or children’s social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the school is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children’s social care services, as appropriate
- **If immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1

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working day, and the individual will be given a named contact at the school and their contact details

- **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- **If it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action in school and/or liaise with the police and/or children's social care services as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and consider what other support is appropriate.
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice
- Keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

We will inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere), and any action taken in respect of the allegations. This notification will be made as soon as reasonably possible and always within 14 days of the allegations being made.

If the school is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the National College for Teaching and Leadership.

Where the police are involved, wherever possible the governing body will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the school's disciplinary process, should this be required at a later point.

#### **Timescales**

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week
- If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days

#### **Specific actions**

##### **Action following a criminal investigation or prosecution**

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

##### **Possible outcomes**

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

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

### **Conclusion of a case where the allegation is substantiated**

If the allegation is substantiated and the individual is dismissed or the school ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager and the school's personnel adviser will discuss with the LADO/designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required. **As part of this process the harm test must be applied. The harm test is applied. A person satisfies the harm test if they may harm a child or vulnerable adult or put them at risk of harm. It is something a person may do to cause harm or pose a risk of harm to a child or vulnerable adult.** Harm is considered in its widest context and may include: sexual harm; physical harm; financial harm; neglect; emotional harm; psychological harm and verbal harm. This is not a fully comprehensive list, harm can take many different forms. This is not defined in legislation, however, DBS view harm as its common understanding or the definition you may find in a dictionary.

If the individual concerned is a member of teaching staff, the case manager and personnel adviser will discuss with the designated officer whether to refer the matter to the NCTL to consider prohibiting the individual from teaching.

### **Individuals returning to work after suspension**

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending the school.

### **Unsubstantiated or malicious allegations**

If an allegation is shown to be deliberately invented, or malicious, the Head Teacher, or other appropriate person in the case of an allegation against the Head Teacher, will consider whether any disciplinary action is appropriate against the pupil(s) who made it, or whether the police should be asked to consider whether action against those who made the allegation might be appropriate, even if they are not a pupil.

### **Confidentiality**

The school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the local authority's designated officer, police and children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation

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- How to manage press interest if, and when, it arises

### **Record-keeping**

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case. Such records will include:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken and decisions reached (and justification for these, as stated above)

If an allegation or concern is not found to have been malicious, the school will retain the records of the case on the individual's confidential personnel file, and provide a copy to the individual. We will retain these records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

### **References**

When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated or malicious, or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

### **Learning lessons**

After any cases where the allegations are *substantiated*, we will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to the school's procedures or practice to help prevent similar events in the future. This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

## **APPENDIX 4: SAFER RECRUITMENT AND DBS CHECKS – POLICY AND PROCEDURES**

We will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

### **Appointing new staff**

When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate

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- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any teacher sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent

We will seek references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments.

We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

**Regulated activity** means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

**Existing staff**

If we have concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult:

- Where the 'harm test' is satisfied in respect of the individual (i.e. that no action or inaction occurred but the present risk that it could was significant)
- Where the individual has received a caution or conviction for a relevant offence
- If there is reason to believe that the individual has committed a listed relevant offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#)
- If the individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

**Agency and third-party staff**

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

**Contractors**

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check. This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors.

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We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the school.

### **Trainee/student teachers**

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006.

### **Volunteers**

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Obtain an enhanced DBS check without barred list information for all volunteers who are not in regulated activity, but who have an opportunity to come into contact with children on a regular basis, for example, supervised volunteers
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check for any volunteers not engaging in regulated activity
- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

### **Governors**

All governors will have an enhanced DBS check without barred list information. They will have an enhanced DBS check with barred list information if working in regulated activity.

All trustees, proprietors and local governors will have the following checks:

- Section 128 direction
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK