



# CHILD PROTECTION AND SAFEGUARDING POLICY AND PROCEDURE

REVIEWED – Continuous review, Reviewed Sept 2023

RATIFIED 5th September 23

## REGULATIONS

PART 3: Welfare, Health and safety.

PART 4: Suitability of staff, supply  
staff and proprietors Part

8: Quality of leadership and  
Management

## TO BE READ IN CONJUNCTION WITH:

Allegations against staff policy,  
whistleblowing policy, safer  
recruitment of staff policy, work  
experience safeguarding policy

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## 1. Aims

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 children
- Staff are properly trained in recognising and reporting safeguarding issues
- To ensure all staff feel able to raise concerns about poor or unsafe practice and know that such concerns will be taken seriously and acted upon by the senior leadership team

## 2. Underpinning statutory guidance and legal duties.

This policy is underpinned by the following primary sources of statutory guidance for schools:

Keeping Children Safe in Education (2023):

[Keeping children safe in education 2023 \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115690/Keeping-children-safe-in-education-2023.pdf)

Working Together to Safeguard Children (2018: updated July 2022)

[Working Together to Safeguard Children 2018 \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/71714/Working-Together-to-Safeguard-Children-2018.pdf)

The Policy additionally reflects the significance of the OFSTED (June 2021) 'Review into sexual abuse in schools and colleges'

[Review of sexual abuse in schools and colleges - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/98481/Review-of-sexual-abuse-in-schools-and-colleges-2021.pdf)

Other informing sources of legislation, statutory requirements and best practice are explicitly reference in individual sections throughout this document but specifically includes:

Behaviour in schools – Advice for headteachers and school staff (2022)

[Behaviour in Schools - Advice for headteachers and school staff \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115690/Behaviour-in-Schools-Advice-for-headteachers-and-school-staff-2022.pdf)

Searching, Screening and Confiscation: Advice for schools. (2022)

[Searching, Screening and Confiscation \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115690/Searching-Screening-and-Confiscation-Advice-for-schools-2022.pdf)

What to do if you're worried a child is being abused (2015)

[gov.uk/government/what to do if you think a child is being abused.](https://www.gov.uk/government/what-to-do-if-you-think-a-child-is-being-abused)

The Independent School Standards (2019): Part 3

[The Independent School Standards - Guidance for independent schools \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/81714/The-Independent-School-Standards-Guidance-for-independent-schools-2019.pdf)

Multi-agency statutory guidance on female genital mutilation (2020)

[HM Government - Multi-agency statutory guidance on Female Genital Mutilation \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/81714/HM-Government-Multi-agency-statutory-guidance-on-Female-Genital-Mutilation-2020.pdf)

Revised Prevent duty guidance: for England and Wales (2021)

[Revised Prevent duty guidance: for England and Wales - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/98481/Revised-Prevent-duty-guidance-for-England-and-Wales-2021.pdf)

Filtering and Monitoring Standards for Schools (2023)

[Meeting digital and technology standards in schools and colleges - Filtering and monitoring standards for schools and colleges - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115690/Meeting-digital-and-technology-standards-in-schools-and-colleges-Filtering-and-monitoring-standards-for-schools-and-colleges-Guidance-2023.pdf)

**NB:** This Policy document is supported by linked policies – See Section 15

## Underpinning values

***Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families and carers has a role to play. 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.'* (Keeping Children Safe in Education 2023. p6)**

- A child's welfare is paramount. Each child has a right to be protected from harm and exploitation and to have their welfare safeguarded.

- Each child is unique. Action taken by child welfare organisations should be child-centred, taking account of a child’s cultural, ethnic and religious background, their gender, their sexual orientation, their individual ability and any special needs.
- Children, parents and other carers should be made aware of their responsibilities and their rights, together with advice about the power of professionals to intervene in their family circumstances.
- Each child has a right to be consulted about actions taken by others on his/her behalf. The concerns of children and their families should be listened to and due consideration given to their understanding, wishes and feelings.
- Individual family members must be involved in decisions affecting them. They must be treated with courtesy and respect and with due regard given to working with them in a spirit of partnership in safeguarding children’s welfare.
- Open-mindedness and honesty must guide each stage of assessment and of operational practice. The strengths of individual family members, as well as their needs, should be given due consideration.
- Personal information is usually confidential. It should only be shared with the permission of the individual concerned, or unless the disclosure of confidential personal information is necessary in order to protect a child. In all circumstances, information must be confined to those people directly involved in the professional network of each individual child and on a strict “need to know” basis.
- Professionals should be aware of the effects of outside intervention upon children, upon family life and the impact and implications of what they say and do.
- Explanations by professionals to children, their families and other carers should be plainly stated and jargon-free. Unavoidable technical and professional terminology should be explained in simple terms.
- Sound professional practice is based upon positive inter-agency collaboration, evidence-based research and effective supervision and evaluation.
- Early intervention in providing support services under Section 17 of the Children Act (1989) is an important principle of practice in inter-agency arrangements for safeguarding the welfare of children.

### 3. Definitions

**Safeguarding and promoting the welfare of children** means:

- Protecting children from maltreatment
- Preventing impairment of children’s mental health and physical health or development (including mental wellbeing)
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

**Child protection** is part of this definition and refers to activities undertaken to prevent children suffering, or being likely to suffer, significant harm (s47 Children Act 1989). These are duties vested within the Local Authority relevant to where the child lives.

**Abuse** is a form of maltreatment of a child, and may involve inflicting harm or failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse.

**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.

**Sexting** (also known as youth produced sexual imagery) is the sharing of sexual imagery (photos or videos) by children and is an increasing feature of on-line behaviours between children and their peers (or adults)

**Children** includes everyone under the age of 18.

(See also: **Appendix 1**)

Under the **Children Act 2004**, as amended by the **Children and Social Work Act 2017**, Local Safeguarding Children’s Boards were replaced in 2019 by Safeguarding Children’s Partnerships. Under the new legislation, the three safeguarding partners (local authorities, chief officers of police, and clinical commissioning groups) make arrangements to work together with relevant agencies to safeguard and protect the welfare of children in the area.

Individual Local Authority Responsibilities and Duties will reflect the area within which a pupil lives (see section 7). However, in relation to allegations about members of staff this will always be the responsibility of the LADO and children's social care department relevant to where the school is located.

**This Policy should always be read in conjunction with the prevailing Safeguarding Children Partnership's (LSCB) policies and procedures for professionals.**

#### 4. Equality statement

Some children have an increased risk of being abused and additional barriers can exist for some children in respect of their recognition or disclosing that they are being harmed. Some children's circumstances bring about increased levels of vulnerability. We are committed to anti-discriminatory practice and recognize the diversity of children's diverse circumstances. We will ensure that all our pupils will be supported by a whole school approach to safeguarding and their well-being. However, we will remain additionally sensitized to those whose circumstances may require specific earlier support and help.

We ensure a particular awareness and give special consideration to any child who:

- has special educational needs (whether or not they have a statutory Education, Health and Care Plan);
- is disabled or has certain health conditions and has specific additional needs
- has a mental health need;
- is a young carer;
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups or county lines;
- is frequently missing/goes missing from care or from home;
- is at risk of modern slavery, trafficking, sexual or criminal exploitation;
- is at risk of being radicalised or exploited;
- has a family member in prison, or is affected by parental offending;
- is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse;
- is misusing drugs or alcohol themselves;
- has returned home to their family from care;
- is at risk of 'honour'-based abuse such as Female Genital Mutilation or Forced Marriage;
- is a privately fostered child; and
- is persistently absent from education, including persistent absences for part of the school day.

#### 5. Roles and responsibilities

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff, including supply/agency staff and volunteers (including critical friends) in the school and is consistent with the procedures of the local Safeguarding Children Partnership. Our policy and procedures also apply to extended school and off-site activities. There is a commitment to bring about a 'whole school' approach to safeguarding within which there is a discernible culture to promoting pupil's well-being and safety at all times.

##### 5.1 All staff

All staff will read and understand Part 1 and Annex B of the Department for Education's statutory safeguarding guidance, [Keeping children safe in education 2023 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/101333/keeping-children-safe-in-education-2023.pdf). They will confirm in writing that they have done so and will be additionally required to undergo termly safeguarding training events as part of their CPD and to ensure they remain familiar with emerging themes and new source of risk. Keeping Children Safe in Education Part 1 and appendix B will additionally be the subject of specific training to all staff at the beginning of the academic year (September) and provided to new staff who may join the school staff team part way through the year. All staff receive formal termly safeguarding training, All staff will receive appropriate safeguarding and child protection training (including online safety which, amongst other things, includes an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring) at induction, annually and more frequently when appropriate.

All staff will be aware of:

- Our systems which support safeguarding, including this child protection and safeguarding policy, the staff code of conduct, the role and identity of the designated safeguarding lead (DSL) and deputy, the behaviour policy and the safeguarding response to children who go missing from education.
- The early help process (and associated assessments) and the importance of their role within that, including identifying emerging problems, liaising with the DSL and sharing information with other professionals to support early identification and assessment activity.
- 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 in formal plans or linked activities.
- 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 Female Genital Mutilation (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), child criminal exploitation (CCE), FGM and Honour-based abuse, radicalization and extremism, County Lines, Domestic Abuse and harmful/criminal behaviours supported by specific legislation, for example ‘Upskirting’ (see Appendix 2).
- “In schools, it is important that staff are 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” (Working Together to Safeguard Children” 2018 p14). It is an expectation that all staff members recognise the significance of children’s mental health alongside other indicators of abuse (see para 45 to 47 KCSiE 2023). [Mental health and behaviour in schools - GOV.UK \(www.gov.uk\)](http://www.gov.uk).

**5.2 The designated safeguarding lead (DSL)**

The DSL is a member of the senior leadership team. The DSL’s take lead responsibility for child protection and wider safeguarding. During term time, either a DSL or DDSL (Deputy DSL) will always be available during school hours for staff to discuss any safeguarding concerns.

**Rebecca Carter (Group Safeguarding lead) acts as DSL for each school and oversees the DSLs and DDSL.**

	<b>DSL</b>	<b>DDSL</b>	<b>DDSL</b>	<b>DDSL</b>
<b>Hopedale</b>	Hannah Holford (Head of School)	Dave Edwards (Deputy Head)	Vicky Bond (Assistant Head)	Rebecca Parton (Assistant Head)
<b>Bluebell</b>	Kay Banks (Head of School)	Daniel Smith (Assistant Head)	Lauren Ash (Assistant Head)	Chris Rowley (Assistant Head)
<b>Heather Field</b>	Richard Leech (Head of School)	Jennifer Newton (Deputy Head)	Karl High (Assistant Head)	
<b>Lavender Field</b>	Neil Smith (Head of School)	Lauren David (Deputy Head)	Felicity Bayley (Assistant Head)	Nicole Leese (Assistant Head)
<b>Poppy Field School</b>	Nicky Hadfield (Head of School)	Alex Hornby (Deputy Head)		
<b>Cherry Tree School</b>	Kelly Butler (Head of School)			

The DSL’s will be given the time, funding, training, resources and support to:

- 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, the Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly

The DSL will also keep the senior leadership team informed of any issues, and liaise with local authority designated officer (LADO) and act as ‘case manager’ in relation to concerns about staff members.

The DSL will maintain a particular attunement to children who have a social worker and are subject to statutory children's social care activities. These children will be at a potentially greater risk of harm and effective engagement with the allocated social worker and linked professionals is an essential component to ensuring effective safeguarding arrangements are maintained.

The full responsibilities of the DSL and DDSL are set out in their job descriptions and are at all times consistent with Annex 'C' of KCSiE (2023).

### 5.3 The Proprietorial Board

The proprietorial board will approve this policy at each review, ensure it complies with the law and hold the head of school and group safeguarding lead to account for its implementation.

The proprietorial board will appoint a senior board level (or equivalent) lead to monitor the effectiveness of this policy in conjunction with the full governing board. This is always a different person from the DSL.

The proprietorial board will act as the 'case manager' in the event that an allegation of abuse is made against the head of school, where appropriate (see appendix 3).

All proprietorial board members will read the current version of 'Keeping Children Safe in Education' and ensure regular reviews and updates (at least annually) of all relevant safeguarding policies.

### 5.4 The Head of School

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

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

## 6. Confidentiality

- Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children. The Data Protection Act (DPA) 2018 and UK GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe (see para 57. KCSiE 2023)
- If staff need to share 'special category personal data', the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information without consent if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk
- Staff should never promise a child that they will not tell anyone about a report of abuse, as this may not be in the child's best interests
- The government's **information sharing advice for safeguarding practitioners** includes 7 'golden rules' for sharing information, and will support staff who have to make decisions about sharing information
- If staff are in any doubt about sharing information, they should speak to the designated safeguarding lead (or deputy)
- Confidentiality is also addressed in this policy with respect to record-keeping in section 12, and allegations of abuse against staff in appendix 3

See pages 18 to 21 in [Working Together to Safeguard Children 2018 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/671422/Working-Together-to-Safeguard-Children-2018.pdf)

## 7. Recognising abuse or harm and taking action.

All Staff, including supply/agency teachers, volunteers and critical friends, must follow the procedures set out below in the event of a safeguarding issue or concern.

**Please note** – in this and subsequent sections, you should take any references to the DSL to mean "the DSL (or deputy DSL)".

### 7.1 If a child is suffering or likely to suffer from harm, or in immediate danger

Make a referral to children's social care and/or the police **immediately** if you believe a child is suffering or likely to suffer from harm, or in immediate danger. **Anyone can and should make a referral.**

Tell the DSL (see section 5.2) as soon as possible if you make a referral directly.

In the majority of circumstances any observation or situation of suspected abuse or harm should be discussed with the DSL immediately reflecting the constant availability of DL/DDSL throughout the school day. The DSL/DDSL will ordinarily give advice and/or decide upon next steps and actions.

If in any rare circumstances whereby a staff member cannot contact a DSL or DDSL and /or it is appropriate to externalise the concern (eg concern relates to the Head or SLT member) then the Chair of Proprietorial Board should be contacted directly: This is also an appropriate contact person for any issue that may fall within the whistleblowing framework.

**Sarah Deaville: 0797 0900 529**

**Depending upon which local authority children's services area the child resides within and for concerns which relate to their home circumstances, the procedure/referral pathway for referral will be slightly different \*\* Please see the purple safeguarding file in the school's main office, or the wall display in the main office or follow the link below.**

<https://www.gov.uk/report-child-abuse-to-local-council>

**The main safeguarding partners currently relevant to pupils at the school are Staffordshire, Stoke on Trent, Cheshire East, Halton and Walsall:**

Staffordshire: Staffordshire Children's Advice and Support Team (FRT): 0300 111 8007 (OPTION 1)

Stoke on Trent: Children's Advice and Duty Service (ChAD): 01782 235100

Cheshire East: Cheshire East Consultancy Service (ChECS): 0300 123 5012 (option 3)

Halton: Halton: Integrated Contact and Referral Team (iCART) 0151 907 8305

Walsall: Multi-Agency Safeguarding Hub: 0300 555 2866

## **7.2 If a child makes a disclosure to you**

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

- Listen to and believe 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
- Speak to the DSL or DDSL without delay (immediately): Also see 7.1 above
- Write up your conversation as soon as possible in the child's own words as far as possible. Stick to the facts, and do not put your own judgement on it. Use the Cause for Concern document.
- Sign and date the write-up the CfC and pass it on to the DSL/DDSL. Alternatively, and if appropriate, make a referral to children's social care and/or the police directly (see 7.1), and tell the DSL as soon as possible that you have done so

## **Additional and specific responsibilities:**

### **7.3 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'.

**Any teacher** (Qualified Teacher Status) who discovers (either through disclosure by the victim or other evidence) that an act of FGM appears to have been carried out on a **pupil under 18** must immediately report this to the police themselves personally. This is a statutory duty, and teachers will face disciplinary sanctions for failing to meet it.

**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.

The local safeguarding referral procedures are explained in section 7.1



#### **7.4 If you have concerns about extremism or radicalisation**

If a child is not suffering or likely to suffer from harm, or in immediate danger, where possible speak to the DSL first to agree a course of action.

If in exceptional circumstances the DSL is not available, speak to a member of the senior leadership team and/or seek advice from local authority children's social care. 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. An individual will be required to provide their consent before any support delivered through the Channel programme is provided.

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, which school staff and critical friends can call to raise concerns about extremism with respect to a pupil. You 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, call 999 or the confidential anti-terrorist hotline on 0800 789 321 if you:

- Think someone is in immediate danger
- Think someone may be planning to travel to join an extremist group
- See or hear something that may be terrorist-related

In the majority of circumstances the details relevant to the concern should be referred to the relevant Local Authority Children's services (see 7.1)

#### **7.5 If you have concerns about a child which appear to fall short of significant harm or imminent danger.**

Figure 1 on page 11 illustrates the procedure to follow if you have concerns about a child's welfare.

Where possible always speak to the DSL /DDSL to agree a course of action and next steps. If in exceptional circumstances the DSL is not available, speak to a member of the senior leadership team and/or take advice directly from the relevant local authority children's social care.

You can also seek advice at any time from the NSPCC helpline on 0808 800 5000.

##### **Early help**

If early help is appropriate, the DSL will support you in liaising with other agencies and setting up a multi-agency assessment as appropriate. In many cases the DSL will undertake the role of lead professional and help to oversee an Early Help Assessment prior to deciding what further support may be required

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.

##### **Referrals and next steps.**

If it is appropriate to refer the case to local authority children's social care or the police, the DSL will make the referral or support you to do so.

If you make a referral directly (see section 7.1), you must tell the DSL as soon as possible.

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 follow local escalation procedures to ensure their concerns have been addressed and that the child's situation improves.

The local escalation policy will vary child to child depending on which authority they are from – please see the purple Safeguarding file and contact the relevant Local Authority children's front door service.

The DSL / DDSL will be responsible for ensuring that the relevant information, the associated actions and outcome are recorded within the child's Child Protection file.

##### **Non-collection of children**

If a child is not collected at the end of the session/day, we will:

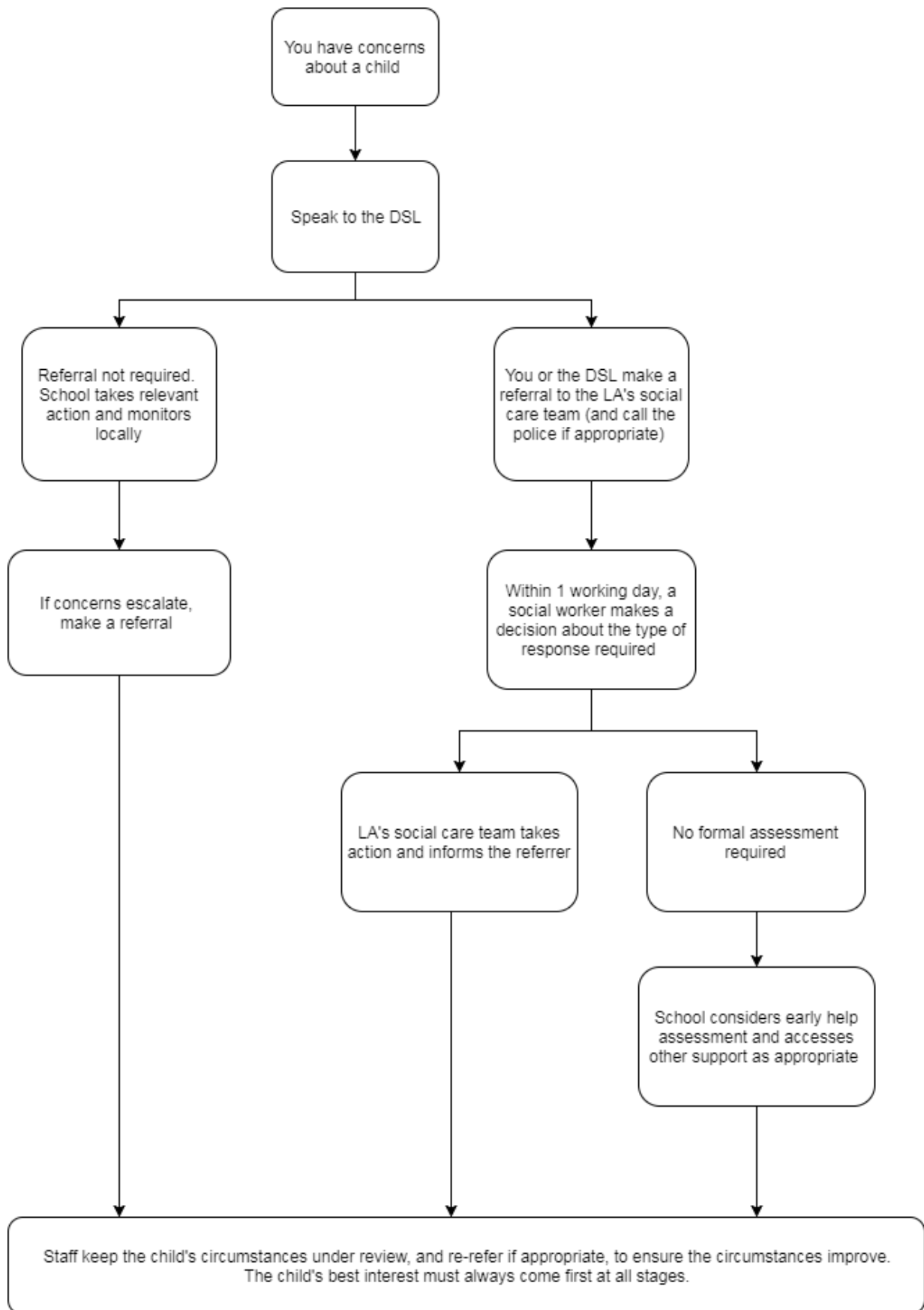
Contact their carer or parent immediately to inform them that they have not been collected by their transport, if there is no answer we will try the second contact that we hold for that child.

If the child has an allocated social worker, they will be contacted to inform them that they haven't been collected.

If the child doesn't have an allocated social worker, we would contact the local safeguarding team.

In the interim of the child being uncollected a member of the Senior Leadership Team or the class team would remain with them.

**Figure 1: procedure if you have concerns about a child's welfare (as opposed to believing a child is suffering or likely to suffer from harm, or in immediate danger)**



## 7.6 Concerns about a staff member or volunteer (Allegations)

If you have concerns about a member of staff or volunteer (including a supply/agency teacher), or an allegation is made about a member of staff or volunteer posing a risk of harm to children, speak directly to the head of school. If the concerns/allegations are about the head of school, speak to the Chair of the Proprietorial Board - **Sarah Deaville: 0797 0900 529**

The head of school/ proprietorial board will then follow the procedures set out in Appendix 3 (Allegations Management: LADO) for matters where the relevant threshold criteria (set out in KCSiE (2023) page 87, may have been met. This requires formal or informal advice seeking from the Local Authority Designated Officer relevant to the area within which the school is located.

If you have concerns about a member of staff or volunteer, or an allegation is made about a member of staff or volunteer posing a risk of harm to children, speak to the head of school. If the concerns/allegations are about the head of school, speak to the proprietor. The head of school/proprietor will then follow the procedures set out in **Appendix 3**.

However, Keeping Children Safe in Education (2023) - pages 100 to 104 – additionally requires all schools to have policies and processes to manage concerns or allegations about staff members (including volunteers or other adults within the school including contractors), the nature of which do not meet the threshold of harm or suitability (transferable risk). These are referred to as ‘low level concerns’

The school is committed to bringing about a culture where staff feel able to raise any concern about adults, even those which may not require referral to the LADO and including conduct outside of work or inconsistent with the Code of Conduct. The Policy in relation to ‘Low level’ concerns is also included within **Appendix 3**.

## 7.7 ‘Child on Child’ abuse including child sexual violence and sexual harassment.

- In June 2021, OFSTED published their review of ‘Sexual violence and sexual harassment between children in schools and colleges’. [Review of sexual abuse in schools and colleges - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- Part 5 of Keeping Children Safe in Education (2023) sets out the specific framework for schools to respond to ALL reports of child –child sexual violence and harassment within and outside of the school, and including on-line activity.
- Part 5 of KCSiE provides clear advice on what constitutes such behaviour, how to minimise its occurrence and what to do if it occurs or is suspected of occurring.
- Child on Child abuse can include a range of non-sexualised behaviour such as bullying or cyberbullying.

It is clear that behaviours of this nature have become increasingly common and many children have not felt listened to or supported when they have reported such experiences. Many incidents occur via on-line interactions (through internet-enabled devices) as well as through face to face or ‘off line’ contact. For many peers it may have become normalized and can capture activities that are clearly exploitive, abusive and may have a criminal component.

- The School is committed to zero tolerance approach to peer behaviours of this nature but will remain, where appropriate, to an approach primarily of responding to all known, reported or suspected incidents with an educative supportive intervention allowing pupils to better understand the unacceptability of such conduct.
- We will adopt an approach of **‘it could happen here’** and maintain a whole school approach.
- We recognize that more girls than boys will be ‘victims than boys, but not exclusively so.
- We will take any report of sexual violence or sexual harassment as a serious matter and ensure that all ‘victims’ are reassured that they are being listened to and taken seriously.
- Staff members should ensure they report any suspected incident to the DSL without delay
- The School will record all reports of sexual violence and sexual harassment and ensure the appropriate level of intervention is undertaken, including referrals to specialized services, children’s social care and the Police where it is appropriate.
- The School recognizes that sexually abusive behaviours and incidents of sexual harassment will typically involve 4 possible scenarios:
  - ✓ Internally Managed
  - ✓ Early Help
  - ✓ Referral to children’s services
  - ✓ Report to the Police (in parallel to children’s social care)

See pages 118 to 121 of KCSiE (2023)

**It is imperative that in all cases of known or suspected child on child (peer-peer) abuse, staff members must immediately report any known behaviours to the DSL and record the relevant information on the Cause for Concern (CfC) form (see 7.1 and 7.2)**

### **7.8 Sexting (Sharing of ‘nudes’ or ‘semi-nudes’ images and videos)**

There are additional complexities when responding to circumstances involving images or videos of children that might be ‘indecent’ (illegal) irrespective of whether a pupil indicates they are linked to consensual activity.

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

If you are made aware of an incident involving sexting (also known as ‘youth produced sexual imagery’), or more current terminology of sending nudes or semi nudes, you must report it to the DSL immediately.

You must **not**:

- View, download or share the imagery yourself, or ask a pupil to share or download it. If you have already viewed the imagery by accident, you must report this to the DSL
- Delete the imagery or ask the pupil to delete it
- Ask the pupil(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL’s responsibility)
- Share information about the incident with other members of staff, the pupil(s) it might implicate, nor initially speak to the child’s parents / carers prior to speaking to the DSL.
- Say or do anything to blame or shame any young people involved

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

#### **Initial review meeting**

Following a report of an incident, the DSL will hold an initial review meeting/discussion with appropriate school staff. The Group Safeguarding Lead should be included within any discussions. This meeting will consider the initial evidence and aim to determine:

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

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

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

If none of the above apply then the DSL, in consultation with the head of school and other members of staff as appropriate, may decide to respond to the incident without involving the police or children’s social care. The DSL will inform parents at an early stage and keep them involved in the process, unless there is a good reason to believe that involving them would put the pupil at risk of harm.

#### **Referring to the police**

If it is necessary to refer an incident to the police, this will be done through contacting our local police community support officer unless a more urgent response is required.

#### **Recording incidents**

All sexting incidents and the decisions made in responding to them will be recorded. The record-keeping arrangements set out in section 12 of this policy also apply to recording incidents of sexting.

## **Curriculum coverage**

Pupils are taught about the issues surrounding sexting as part of our PSHE education and computing programmes. Teaching covers the following in relation to sexting:

- What it is
- How it is most likely to be encountered
- The consequences of requesting, forwarding or providing such images, including when it is and is not abusive
- Issues of legality
- The risk of damage to people's feelings and reputation
- Pupils also learn the strategies and skills needed to manage:
- Specific requests or pressure to provide (or forward) such images
- The receipt of such images

Where appropriate this policy on sexting and sending images with sexualised content will also be explained /shared with pupils so they are aware of the processes the school will follow in the event of an incident.

## **8. Notifying parents**

Where appropriate, we will discuss any concerns about a child with the child's parents. The DSL will normally do this in the event of a suspicion, reported event/concern or specific disclosure. It is the schools overriding objective to engage with parents and seek their consent to any referrals or information sharing with other agencies. However, the child's needs and the need to protect a pupil from harm/abuse may not always be compatible with informing parents.

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 front door/advice service 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 and seek to engage their support in configuring an appropriate response.

## **9. Pupils with special educational needs and disabilities**

We recognise that pupils with special educational needs (SEN) and disabilities can face additional safeguarding challenges and are at an increased risk of abuse and neglect. Indicators of abuse can be harder to identify reflecting, for example:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
- Pupils being more prone to peer group isolation than other pupils
- The potential for pupils with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
- Communication barriers and difficulties in overcoming these barriers

## **10. Mobile phones and cameras**

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. Staff members' personal phones will remain in their bags or cupboards during contact time with pupils.

Staff should not take pictures or recordings of pupils on their personal phones or cameras for any reason unless with the express permission of the Head.

We will follow the UK General Data Protection Regulation and Data Protection Act 2018 when taking and storing photos and recordings for use in the school.

## **11. Complaints and concerns about school safeguarding policies**

### **11.1 Complaints against staff**

Complaints against staff that are likely to require a child protection investigation will be handled in accordance with our procedures for dealing with allegations of abuse made against staff (see appendix 3).

### **11.2 Other complaints**

Please refer to the Complaints policy for further details on procedures regarding other safeguarding related complaints not including complaints against staff.

### **11.3 Whistle-blowing**

Please refer to the Whistleblowing policy for further details.

## **12. Record-keeping**

We will hold records in line with our records retention schedule.

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them.

Safeguarding records relating to individual children will be retained for a reasonable period of time after they have left the school.

If a child for whom the school has, or has had, safeguarding concerns moves to another school, the DSL will ensure that their child protection file is forwarded promptly and securely, and separately from the main pupil file. In addition, if the concerns are significant or complex, and/or social services are involved, the DSL will speak to the DSL of the receiving school and provide information to enable them to have time to make any necessary preparations to ensure the safety of the child.

In addition:

- Appendix 3 sets out our policy on record-keeping with respect to allegations of abuse made against staff

## **13. Training**

### **13.1 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 the Safeguarding Children Partnership relevant to the local authority in which the school is housed.

All staff will receive training relating to essential safeguarding training and Part 1 of KCSiE at the beginning of each academic year. Every staff member will be provided with an appropriate understanding of expectations, applicable roles and responsibilities in relation to filtering and monitoring as consistent with KCSiE (2023) and prevailing standards (2023) - [Meeting digital and technology standards in schools and colleges - Filtering and monitoring standards for schools and colleges - Guidance - GOV.UK \(www.gov.uk\)](#)

All staff will have training relating to Prevent, to help enable them to identify children at risk of being drawn into terrorism.

Staff will also receive regular safeguarding and child protection updates (for example, through a termly Safeguarding Newsletter, emails, and staff meetings) as required, but at least annually.

Volunteers will receive appropriate training, if applicable.

### **13.2 The DSL and Deputy**

The DSL and deputy 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 and specific training relating to emerging trends and sources of risk. The designated safeguarding lead will have lead responsibility for safeguarding and child protection (including online safety and understanding the filtering and monitoring systems and processes in place)

### **13.3 Critical Friends & Proprietary Board**

All critical friends and members of the proprietary board receive training about safeguarding, to make sure they have the knowledge and information needed to perform their functions and understand their responsibilities.

As the lead critical friend may be required to act as the 'case manager' in the event that an allegation of abuse is made against the head of school, they receive training in managing allegations for this purpose.

### **13.4 Recruitment – interview panels**

At least one person conducting any interview 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 (part 3), and will be in line with local safeguarding partner procedures and guidance.

#### **14. Monitoring arrangements**

This policy will be reviewed no less than **annually** by Rebecca Carter (Group Safeguarding Lead). Following every review it will be approved by the full proprietorial board.

#### **15. Links with other policies**

This policy links to the following policies and procedures:

- Behaviour
- Staff code of conduct
- Complaints
- Health and safety
- Attendance
- Online safety
- Equality
- Sex and relationship education
- First aid
- Curriculum
- Privacy notices
- Allegations Management and Whistle blowing

#### **16. Post 18 Pupils**

The key statutory guidance and underpinning legislation reflected within this Policy document applies until a young person reaches their 18<sup>th</sup> birthday. In general terms, legislative frameworks concede increasing levels of responsibility and autonomy to the maturing child (eg age of sexual consent is 16), notwithstanding the potential complexities for individual children such as their level of maturity and ‘capacity’ to make informed decisions for themselves.

However, the notion of an age related ‘cliff edge’, at which point a child becomes an ‘adult’ is wholly contrary to the overarching safeguarding principles of this policy and to the ethos of The School. It is nevertheless recognized that in purely process terms, pupils who reach 18 years of age will, in some circumstances, invite or necessitate the support of agencies explicitly configured for adults.

For those who have been the recipients of recent or previous statutory support from a local authority children’s services, then they are likely to remain the continuing lead agency should any safeguarding concern arise (eg leaving care services), Some young people may already have identified care and support needs beyond their 18<sup>th</sup> birthday and in such cases it is likely that transitional arrangements will be in place between the relevant local authority children and adult services. It will be then appropriate for the local authority to identify who and which particular service will co-ordinate any necessary safeguarding activity

Some pupils may have no previous involvement with statutory services, or have no eligibility to continuing services, in such cases their entitlement to be protected from harm and abuse is set out principally within the Care Act 2014. Associated statutory duties and responsibilities fall to local authority ‘adult services’ and the local procedures geographically relevant to the school will apply (see table below).

In the absence of current and on-going support from children’s services, referrals or request for advice in relation to safeguarding concerns for pupils who have reached their 18<sup>th</sup> birthday should be referred to adult services detailed in the table below.

In circumstances where a post 18 pupil makes an allegation relating to a member of staff, then this should be initially managed in the same manner as for any other pupil by making a referral to the LADO.

It is additionally recognized that circumstances may occasionally arise within the school environment whereby an incident, or reported behaviours between pupils, technically reflects parties which might be distinguished as ‘children’ and ‘adults’. Where external referrals may need to be made, the DSL should seek to ensure that a single coordinated process appropriately captures the vulnerabilities and potential risks posed by the individuals concerned irrespective of age.



School	LADO		Concerns about an Adult Guidance
	Email	Telephone	
Hopedale	<a href="mailto:staffordshire.lado@staffordshire.gov.uk">staffordshire.lado@staffordshire.gov.uk</a>	0300 111 8007	<a href="http://www.ssaspb.org.uk/Home.aspx">www.ssaspb.org.uk/Home.aspx</a> <a href="http://www.ssaspb.org.uk/Reporting-Abuse/Reporting-Abuse.aspx">www.ssaspb.org.uk/Reporting-Abuse/Reporting-Abuse.aspx</a>
Bluebell		Out of Hours - 0845	
Heather Field		6042 886	
Lavender Field	<a href="mailto:LADO@cheshireeast.gov.uk">LADO@cheshireeast.gov.uk</a>	01606 288931	<a href="http://About.us(stopadultabuse.org.uk)">About us (stopadultabuse.org.uk)</a> <a href="http://Concerned.about.an.adult(cheshireeast.gov.uk)0300.123.5010">Concerned about an adult (cheshireeast.gov.uk) 0300 123 5010</a>
Poppy Field	<a href="mailto:lado@halton.gov.uk">lado@halton.gov.uk</a>	0151 511 7925	<a href="http://www3.halton.gov.uk/Pages/adultsocialcare/neglect.aspx">www3.halton.gov.uk/Pages/adultsocialcare/neglect.aspx</a>
Cherry Tree	<a href="mailto:lado@walsall.gov.uk">lado@walsall.gov.uk</a>	0300 555 2866 / 07432 422205	<a href="http://walsallsp.walsall.gov.uk/Report-a-concern/Report-a-concern-for-an-adult">walsallsp.walsall.gov.uk/Report-a-concern/Report-a-concern-for-an-adult</a>

For post 18 pupils particular consideration should also be given to the notions of informed consent and respect for their wishes and feelings. For example, information sharing with parents or carers may require careful navigation and the DSL will seek appropriate advice where conflicting viewpoints are evident.

## 17. Visitors

### Checking the identity and suitability of visitors

All visitors will be required to verify their identity to the satisfaction of school staff. An Identification Badge or other formal sources of identity (with corroborating image) must be provided unless in exceptional circumstances.

If the visitor is previously unknown to the school setting and there is uncertainty about their identity and reason for visiting, further enquiries will be undertaken to check the genuineness of the individual and circumstances for entering the school.

Visitors to the school who are visiting for a professional purpose, such as social workers, educational psychologists, local authority education officers and regulatory inspectors (OFSTED) will ALWAYS be required to show photo ID and complete the usual signing procedure.

All visitors, including visiting speakers/trainers, will be accompanied by a member of staff at all times. Only with the agreement of the school Head, and typically reflecting specific circumstances relating to statutory duties by recognised agencies, will any professional be allowed unsupervised access to children.

Should any individual seek to gain access to the school grounds or buildings, who appears not have reasonable cause, then the Police will be called without delay

## Appendix 1: Types of abuse

Abuse, including neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap.

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

**Emotional abuse** is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Emotional abuse 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
- Not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate
- 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
- Seeing or hearing the ill-treatment of another
- Serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children

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

Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- 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

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

### **Contextualised Safeguarding (Assessment of risk outside of the family)**

There is an increasing awareness that children face significant levels of risk outside of the family home. This risks may include elements of on-line association but in many respects are location (place) based risk.

All staff, but especially the designated safeguarding lead (and deputies) should be considering the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. Children's social care assessments should consider such factors so it is important that schools and colleges provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse.

See

<https://www.csnetwork.org.uk/toolkit>

<https://contextualsafeguarding.org.uk/>

### **Child criminal exploitation: including county lines**

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. Key to identifying potential

involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism should be considered.

Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
- can affect any vulnerable adult over the age of 18 years;
- can still be exploitation even if the activity appears consensual;
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
- can be perpetrated by individuals or groups, males or females, and young people or adults; and
- is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

## **Annex 2: Further information**

The following information is taken entirely from KCSiE (2023): pages 141 to 163

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- Preventing radicalisation
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- Serious Violence
- So-called 'honour'-based abuse (including Female Genital Mutilation and Forced Marriage)
  - FGM
  - FGM mandatory reporting duty for teachers
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## **Child abduction and community safety incidents**

Child abduction is the unauthorised removal or retention of a minor from a parent or anyone with legal responsibility for the child. Child abduction can be committed by parents or other family members; by people known but not related to the victim (such as neighbours, friends and acquaintances); and by strangers.

Other community safety incidents in the vicinity of a school can raise concerns amongst children and parents, for example, people loitering nearby or unknown adults engaging children in conversation.

As children get older and are granted more independence (for example, as they start walking to school on their own) it is important they are given practical advice on how to keep themselves safe. Many schools provide outdoor-safety lessons run by teachers or by local police staff.

It is important that lessons focus on building children's confidence and abilities rather than simply warning them about all strangers. Further information is available at: [www.actionagainstabduction.org](http://www.actionagainstabduction.org) and [www.clevernevergoes.org](http://www.clevernevergoes.org).

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

We know that different forms of harm often overlap, and that perpetrators may subject children and young people to multiple forms of abuse, such as criminal exploitation (including county lines) and sexual exploitation.

In some cases the exploitation or abuse will be in exchange for something the victim needs or wants (for example, money, gifts or affection), and/or will be to the financial benefit or other advantage, such as increased status, of the perpetrator or facilitator.

Children can be exploited by adult males or females, as individuals or in groups. They may also be exploited by other children, who themselves may be experiencing exploitation – where this is the case, it is important that the child perpetrator is also recognised as a victim.

Whilst the age of the child may be a contributing factor for an imbalance of power, there are a range of other factors that could make a child more vulnerable to exploitation, including, sexual identity, cognitive ability, learning difficulties, communication ability, physical strength, status, and access to economic or other resources.

Some of the following can be indicators of both child criminal and sexual exploitation where children:

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

Children who have been exploited will need additional support to help keep them in education.

Child Sexual Exploitation (CSE) can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence.

Some additional specific indicators that may be present in CSE are children who:

- have older boyfriends or girlfriends; and
- suffer from sexually transmitted infections, display sexual behaviours beyond expected sexual development or become pregnant.

Further information on signs of a child's involvement in sexual exploitation is available in Home Office guidance: [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 using dedicated mobile phone lines or other form of "deal line". This activity can happen locally as well as across the UK - no specified distance of travel is required. Children and vulnerable adults are exploited to move, store and sell drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims.

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

Children are also increasingly being targeted and recruited online using social media. Children can easily become trapped by this type of exploitation as county lines gangs can manufacture drug debts which need to be worked off or threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network. A number of the indicators for CSE and CCE as detailed above may be applicable to where children are involved in county lines. Some additional specific indicators that may be present where a child is criminally exploited through involvement in county lines are children who:

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

Further information on the signs of a child's involvement in county lines is available in guidance published by the [Home Office](#) and [The Children's Society County Lines Toolkit For Professionals](#)

## 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.

## Children missing from education

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

## 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. The National Information Centre on Children of Offenders, [NICCO](#) provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

## Cybercrime

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

Cyber-dependent crimes include:

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

Children with particular skills and interest in computing and technology may inadvertently or deliberately stray into cyber-dependent crime.

If there are concerns about a child in this area, the designated safeguarding lead (or a deputy), should consider referring into the **Cyber Choices** programme. This is a nationwide police programme supported by the Home Office and led by the National Crime Agency, working with regional and local

policing. It aims to intervene where young people are at risk of committing, or being drawn into, low-level cyber-dependent offences and divert them to a more positive use of their skills and interests. Note that **Cyber Choices** does not currently cover 'cyber-enabled' crime such as fraud, purchasing of illegal drugs on-line and child sexual abuse and exploitation, nor other areas of concern such as on-line bullying or general on-line safety.

Additional advice can be found at: [Cyber Choices](#), '[NPCC- When to call the Police](#)' and [National Cyber Security Centre - NCSC.GOV.UK](#).

## **Domestic abuse**

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

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

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

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

## **Operation Encompass**

[Operation Encompass](#) operates in all police forces across England. It helps police and schools work together to provide emotional and practical help to children. The system ensures that when the 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 (or deputy)) in school before the child or children arrive at school the following day. This ensures that the school has up to date relevant information about the child's circumstances and can enable immediate support to be put in place, according to the child's needs. Operation Encompass does not replace statutory safeguarding procedures. Where appropriate, the police and/or schools should make a referral to local authority children's social care if they are concerned about a child's welfare. More information about the scheme and how schools can become involved is available on the [Operation Encompass website](#).



Operation Encompass provides an advice and helpline service for all staff members from educational settings who may be concerned about children who have experienced domestic abuse. The helpline is available 8AM to 1PM, Monday to Friday on 0204 513 9990 (charged at local rate).

### **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](#)
- [Safe Young Lives: Young people and domestic abuse | Safelives](#)
- [Domestic abuse: specialist sources of support](#) (includes information for adult victims, young people facing abuse in their own relationships and parents experiencing child to parent violence/abuse)
- [Home : Operation Encompass](#) (includes information for schools on the impact of domestic abuse on children)

### **Homelessness**

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead (and any deputies) should be aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and/or discussion with the Local Housing Authority should be progressed as appropriate, and in accordance with local procedures, this does not, and should not, replace a referral into local authority 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 the focus to early intervention and encourages 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. Local authority children's social care will be the lead agency for these children and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances. The Department for Levelling Up, Housing and Communities have published joint statutory guidance on the provision of accommodation for 16 and 17 year olds who may be homeless and/or require accommodation: [here](#).

## Mental health

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

## Modern Slavery and the National Referral Mechanism

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

Further information on the signs that someone may be a victim of modern slavery, the support available to victims and how to refer them to the NRM is available in Statutory Guidance. [Modern slavery: how to identify and support victims - GOV.UK](#)

## 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**<sup>145</sup> is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.

**Radicalisation** refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

**Terrorism** is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat **must** be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

Although there is no single way of identifying whether a child is likely to be susceptible to an extremist ideology, there are [possible indicators](#) that should be taken into consideration alongside other factors and contexts. 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.

Although not a cause for concern on their own, possible indicators when taken into consideration alongside other factors or context may be a sign of being radicalised. Further information and a list of such indicators can be found at [Radicalisation and Extremism - Examples and Behavioural Traits \(educateagainsthate.com\)](#)

## 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>148</sup> to the need to prevent people from being drawn into terrorism”.<sup>149</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 deputies) and other senior leaders in schools 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). Designated safeguarding leads (and deputies) and other senior leaders in colleges should familiarise themselves with the [Prevent duty guidance: for further education institutions in England and Wales](#). The guidance is set out in terms of four general themes: risk assessment, working in partnership, staff training, and IT policies. The school’s or college’s designated safeguarding lead (and any deputies) should be aware of local procedures for making a Prevent referral.

### **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 will be required to provide their consent before any support delivered through the programme is provided.

The designated safeguarding lead (or deputy) should consider if it would be appropriate to share any information with the new school or college in advance of a child leaving. For example, information that would allow the new school or college to continue supporting victims of abuse or those who are currently receiving support through the ‘Channel’ programme, and have that support in place for when the child arrives.

Statutory 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. London Grid for Learning have also produced useful resources on Prevent ([Online Safety Resource Centre - London Grid for Learning \(lgfl.net\)](#)).

### **Sexual violence and sexual harassment between children in schools and colleges**

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

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school or college. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and face to face (both physically and verbally) and are never acceptable.

It is essential that **all** victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report. Detailed advice is available in Part five of this guidance.

### **Serious Violence**

There are a number of indicators, which may signal children are at risk from, or are involved with, serious violent crime. These may include:

- increased absence from school
- a change in friendships or relationships with older individuals or groups
- a significant decline in performance
- signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries
- Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation.

The likelihood of involvement in serious violence may be increased by factors such as:

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

A fuller list of risk factors can be found in the Home Office's [Serious Violence Strategy](#).

Professionals should also be aware that violence can often peak in the hours just before or just after school, when pupils are travelling to and from school. These times can be particularly risky for young people involved in serious violence.

Advice for schools and colleges is provided in the Home Office's [Criminal exploitation of children and vulnerable adults: county lines](#) guidance. The [Youth Endowment Fund \(YEF\) Toolkit](#) sets out the evidence for what works in preventing young people from becoming involved in violence.

Home Office funded Violence Reduction Units (VRU) operate in the 20 police force areas across England and Wales that have the highest volumes of serious violence, as measured by hospital admissions for injury with a sharp object. A list of these locations can be found [here](#). As the strategic co-ordinators for local violence prevention, each VRU is mandated to include at least one local education representative within their Core Membership group, which is responsible for setting the direction for VRU activity. Schools and educational partners within these areas are encouraged to reach out to their local VRU, either directly or via their education Core Member, to better ingrain partnership working to tackle serious violence across local areas and ensure a joined up approach to young people across the risk spectrum.

The Police, Crime, Sentencing and Courts Act will introduce early in 2023 a new duty on a range of specified authorities, such as the police, local government, youth offending teams, health and probation services, to work collaboratively, share data and information, and put in place plans to prevent and reduce serious violence within their local communities. Educational authorities and prisons/youth custody authorities will be under a separate duty to co-operate with core duty holders when asked, and there will be a requirement for the partnership to consult with all such institutions in their area.

The Duty is not intended to replace or duplicate existing safeguarding duties. Local partners may choose to meet the requirements of the Duty through existing multi-agency structures, such as multi-agency safeguarding arrangements, providing the correct set of partners are involved.

### **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 who might be at risk of HBA or who has suffered from HBA, they should speak to the designated safeguarding lead (or deputy). As appropriate, the designated safeguarding lead (or deputy) will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with the police and local authority children's social care. Where FGM has taken place, since

31 October 2015 there has been a mandatory reporting duty placed on **teachers**<sup>150</sup> that requires a different approach (see below).

### **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 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. 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 local authority 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](#).

Further information can be found in the [Multi-agency statutory guidance on female genital mutilation](#) and the [FGM resource pack](#) particularly section 13.

## 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 to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

The Forced Marriage Unit (FMU) has created: Multi-agency practice guidelines: handling cases of forced marriage (pages 75-80 of which focus on the role of schools and colleges) and, Multi-agency statutory guidance for dealing with forced marriage, which can both be found at [The right to choose: government guidance on forced marriage - GOV.UK \(www.gov.uk\)](#) School and college staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email [fmu@fcdo.gov.uk](mailto:fmu@fcdo.gov.uk).

In addition, since February 2023 it has also been a crime to carry out any conduct whose purpose is to cause a child to marry before their eighteenth birthday, even if violence, threats or another form of coercion are not used. As with the existing forced marriage law, this applies to non-binding, unofficial 'marriages' as well as legal marriages

### **Appendix 3: (Part 1) Allegations of abuse made against staff (Part 2) Low level concerns**

**This Appendix must be read in conjunction with Part 4 Keeping Children Safe in Education (2023) and the local LADO procedures published by the Safeguarding Children's Partnership relevant to the location of the school.**

#### **Part 1: Allegations that meet a 'harm' threshold**

This section of this policy applies to all cases in which it is alleged that a current member of staff, including supply/agency teachers or volunteers has (or is suspected):

- 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 would pose a risk of harm to children
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children

Allegations against a teacher who is no longer teaching and/or historical allegations of abuse will be referred to both the local Police force and LADO.

We will seek to deal with any allegation of abuse against a member of staff or volunteer quickly, in a fair, robust 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.

In specific cases relating to allegations made against supply teachers or agency staff, then they will not be distinguished from any other staff members or volunteer working at the school and we will ensure that an appropriate referral is made to the LADO. The school will remain in communication with the supply agency and wholly supportive of any necessary investigation process and be at all times compliant with the specific expectations set out in KCSiE (2023): paras 373 to 376

#### **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

#### **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)
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made

## Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the Head teacher (or the Safeguarding Quality Assurance Officer where the Head teacher is the subject of the allegation) – the ‘case manager’ – will take the following steps:

- Immediately (within 24 hours) discuss/refer the allegation with the LADO service relevant to the school. The LADO will decide, in conjunction with the Police, Children’s Social Care and any other relevant agencies how the matter should be investigated. The LADO will also give advice around a number of additional parameters including when the alleged perpetrator may be informed, the need for suspension and/or deployment to alternative duties and maintaining the duty of care to the employee.
- **If immediate suspension is considered necessary**, agree and record the rationale for this with the LADO. 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 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 LADO 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 LADO 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 considering 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 the LADO/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
- Where appropriate, keep the parents or carers of the child/children involved informed of the progress of the case.
- Make a referral to the DBS where the statutory grounds for doing so are met. The LADO will advise if a discretionary referral to the DBS is appropriate.
- 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 Teaching Regulation Agency.

Where the police are involved, wherever possible the Head of school 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

The overriding expectation is that all investigatory activities are undertaken without undue delay which is consistent with the duty of care to the employee/adult who is subject to the allegation. All parties should be committed to ensuring necessary enquiries are completed as soon as is reasonable, consistent with a fair and robust process.

Current statutory guidance (KCSiE 2023) no longer sets out prescriptive expectations timescales for completion of any investigation type.

## Specific actions

### Action following a criminal investigation or prosecution



The case manager will discuss with the LADO 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.

### **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 designated officer whether to make a referral to the DBS. If the individual concerned is a member of teaching staff, the case manager and personnel adviser will discuss with the LAOD whether to refer the matter to the Teaching Regulation Agency (TRA).

### **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 of school, or other appropriate person in the case of an allegation against the head of school, 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 LADO and Police to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage community and media interest or speculation including the responsibilities of parents and carers in relation to confidentiality, particularly so where adverse social media attention might be apparent.
- See Paras 390 to 398 : KCSiE (2023)

### **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)

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all other 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 (LADO) 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

## **Part 2: 'Low level' concerns not meeting a harm threshold**

Keeping Children Safe in Education 2023 (pages 100-104) sets out the requirement for a policy and process to deal with concern or allegations which do NOT meet the statutory criteria set out in Part 1 of this Appendix.

It is an expectation that the school promotes an open and transparent culture within which all concerns about adults working in or on behalf of the school are dealt with promptly and appropriately.

### **What is a low level concern?**

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold criteria for LADO referral. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

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

Examples of such behaviour could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- humiliating pupils.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

Further examples are provided at : [low-level-concerns-guidance-2020.pdf \(farrer.co.uk\)](https://www.farrer.co.uk/wp-content/uploads/2020/06/Low-level-concerns-guidance-2020.pdf)

\*\*\* Concerns of this nature may reflect acts of omission or commission and behaviours within or external to the workplace.

\*\*\* All staff should make specific reference to the school's policy relating to expected standards of conduct ie, the schools Code of Conduct.

### **The low level concern process.**

- In many cases it will be necessary to seek advice and guidance from the LADO service relevant to the school's location. It is important that no concern is inappropriately or in error, considered to be low level and therefore not subjected to external scrutiny.
- In all circumstances any staff member who has any concern (even if it is described by the reporting staff member as 'gut instinct' or 'uneasy sense') will share the matter with the DSL or School Head. The DSL/Head will be responsible for undertaking an early discussion or meeting with an Executive Head and Group Safeguarding Lead to decide upon :
  - ✓ Weather to contact the LADO or to proceed on the basis of it not

meeting formal criteria for allegations management processes (will be managed internally as low level concern)

- ✓ To consider the most appropriate 'next steps' which will ordinarily include the possibility of obtaining more information, speaking with the subject of the concern, agreeing expectations / actions in order to minimise any further similar incidents.
- In every instance, the reported (low level) concern will be recorded and include the name of the person raising the concern (unless reasons for anonymity); the details of the concern and context; the action undertaken. This record will be confidential and retained securely by the School Head. Records will be periodically reviewed by the Head, an Executive Head and the Group Safeguarding Lead to identify any patterns of concerning, problematic or inappropriate behaviours. Consideration will be given to referring clear and discernible patterns of concern to the LADO for their formal consideration and review.
- Records pertaining to low-level concerns will be retained until the staff member leaves the school and will not be referred to in any reference unless they relate to issues that would normally be included in references, eg misconduct or poor performance. Any substantiated allegation (outcome confirmed by LADO) will be included in any reference provided by the school.

## Appendix 4 : Safer Recruitment and DBS checks – policy and procedures

The School is committed to the principles of Safer Recruitment and specifically Part 3 of KCSiE (2023) pages 52 to 86. It additionally recognizes and draws upon the continuing guidance provided by the Safer Recruitment Consortium.

[Home \(saferrecruitmentconsortium.org\)](http://saferrecruitmentconsortium.org)

All shortlisted candidates will be informed that on-line searches may be undertaken as part of the due diligence checks.

The School 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.

### **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
- 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.
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state

We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations 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.

We will ask for written information about previous employment history and check that information is not contradictory or incomplete.

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. The references requested will ask specific questions about the suitability of the applicant to work with children.

**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; or
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- 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. they may harm a child or vulnerable adult or put them at risk of harm)
- The individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#); and
- 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 includes contractors who are provided through a PFI or similar contract). 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.

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.

For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations 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.

### **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 2018 Childcare Disqualification Regulations 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
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment
- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations 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

### **Proprietorial Board**

All proprietors will have an enhanced DBS check without barred list information, and will also have a section 128 check (to check prohibition on participation in management under [section 128 of the Education and Skills Act 2008](#)).

They will have an enhanced DBS check with barred list information if working in regulated activity.

The proprietor will have their DBS check countersigned by the secretary of state.

All proprietors will also have the following checks:

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

### **Staff working in alternative provision settings**

Where we place a pupil with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

### **Adults who supervise pupils on work experience**

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.