



**Newburgh**  
Primary School

**WARWICKSHIRE  
CHILDREN AND FAMILIES  
SAFEGUARING AND CHILD PROTECTION  
MODEL POLICY  
JULY 2023**

Yellow highlights are for edits from Keeping children in Education 2023 update, and other relevant legislation and guidance.

**This policy is accurate at the time of final edit on 24/07/2023**

**Most current version will be held online and updated**

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**Newburgh Primary School**  
Child protection and safeguarding policy

Date of publication: September 2023

Review date: September 2024

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## Reviewed by:

Designated Safeguarding Lead: Janice Simpkins  
Date: September 2023

Deputy Designated Safeguarding Lead/s Karen Turner, Neelam Chamba, Mark Porter, Asa Hicks  
Date: September 2023

Headteacher Janice Simpkins  
Date: 2023

Nominated Governor Sally Novak  
Date: September 2023

## 1. Policy statement and principles

Safeguarding children is taken extremely seriously at Newburgh. Any adult working in school is required to undertake relevant checks prior to starting work at Newburgh and we have clear procedures to make sure that children are safe and secure at all times.

This policy is one of a series in the school's integrated safeguarding portfolio. This includes the DSL arrangements on p9 of this document, Staff Behaviour Policy (Code of Conduct), safer recruitment policy, allegations against staff, complaints, pupil behaviour, children missing education and online safety.

The school's safeguarding arrangements are inspected by Ofsted under the judgements for leadership & management and also impact the judgement on the personal development, behaviour and welfare of children and learners.

This policy is available on the school's website and all staff and volunteers are required to read it and confirm they have done so in writing before commencing work in school.

This policy will be reviewed at least annually unless an incident, new legislation or guidance suggests the need for an interim review. Representatives of the whole school community of pupils, parents, staff, volunteers, and governors will be involved in reviewing, shaping, and developing the school's safeguarding arrangements and child protection policy.

This policy will reference online abuse and abuse that will take place in person, please be aware that they are not mutually exclusive, and children can experience these types of abuse simultaneously.

### Child protection statement

We recognise our moral and statutory responsibility to safeguard and promote the welfare of all pupils. We endeavour to provide a safe and welcoming environment where children are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection, and justice.

The procedures contained in this policy apply to all staff, volunteers, contractors and governors and are consistent with statutory guidance and those of the locally agreed multi-agency safeguarding arrangements put in place by Warwickshire Safeguarding

## Policy principles:

Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child centred. This means that they should consider, at all times, what is in the best interest of the child. (Keeping Children Safe in Education, **KCSiE, DfE, 2023**)

### 1.1

Safeguarding is everyone's responsibility. All practitioners regardless of their role are, professionally accountable for their actions and decision making in relation to keeping children safe. (Early help to Child Protection)

### 1.2

All Designated Safeguarding Leads should access Warwickshire's Early Help Pathway to Change training and ensure all staff are prepared to identify children that may benefit from early help. Early help is to put in the **right support at the right time** so that problems are less likely to escalate to a point where the child becomes vulnerable or in need. Early Help is sustainable so that problems are less likely to re-occur.

Early Help does not always mean early years. While research does show that most impact can be made in those crucial first few years of a child's life, Early Help can be needed and put in place at any time and at any age. All children, young people and families in Warwickshire are entitled to receive Early Help. This means offering information, advice, guidance, and support to families as soon as a concern emerges or seems likely to emerge.

This is not an additional responsibility for practitioners but an essential part of the 'day job' for all people working with children and families.

### 1.3

The school/college's responsibility to safeguard and promote the welfare of children is of paramount importance.

### 1.4

All children, regardless of age, gender, ability, culture, race, language, religion, or sexual identity, have equal rights to protection.

### 1.5

All staff have an equal responsibility to act on any suspicion or disclosure that may suggest a child is at risk of harm at home, in the community or in school. Children who are safe and feel safe are better equipped to learn.

### 1.6

Staff in school are uniquely placed to observe changes in children's appearance, behaviour, communication and the outward signs of abuse, neglect, exploitation, and radicalisation. Children may also turn to a trusted adult in school when they are in distress or at risk. It is vital that all school staff are alert to the signs of abuse, are approachable and trusted by pupils/students, listen actively to children, and understand the procedures for reporting their concerns. The school will act on identified concerns and will provide early help to prevent concerns from escalating.

### 1.7

All staff members will maintain an attitude of '**it could happen here**' where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the interests of the child.

### 1.8

If, at any point, there is a risk of immediate serious harm to a child a referral will be made to Children's Social Care and/or the Police immediately. **Anybody can make a referral.** If the child's situation does not appear to be improving, any staff member with concerns should challenge the designated safeguarding lead (DSL) to consider the child's needs and be provided with the escalation process to make sure they are confident in the response to the child's needs. If a member of staff remains concerned about a child, they can discuss their concerns with the headteacher, another DSL or contact the Children and Families Front Door for additional advice as necessary (contact details in section 28 below).

#### 1.9

All staff are professionally accountable and follow the staff code of conduct. Any concerns or allegations of mis conduct, including wellbeing concerns for staff are shared swiftly and at the earliest opportunity to **maintain a culture of vigilance**. All staff are aware of their responsibility to share low level concerns with equal urgency to ensure all children are supported in an **environment of openness, trust, and transparency**.

#### **Policy aims:**

- To provide all staff with the necessary information to enable them to meet their safeguarding and child protection responsibilities.
- To ensure consistent good practice, through training, auditing and development.
- To demonstrate the school's commitment with regard to safeguarding and child protection to pupils, parents, and other partners.
- To contribute to the school safeguarding portfolio.

## Terminology

**Safeguarding** and promoting the welfare of children refers to the process of protecting children from maltreatment; preventing the impairment of children's mental and physical health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.

**Child protection** refers to the processes undertaken to protect children who have been identified as suffering or at risk of suffering significant harm.

**Staff** refers to all those working for or on behalf of the school, full-time or part-time, temporary or permanent, in either a paid or voluntary capacity.

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

**Parent** refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents.

**Child-on-child** the abuse of a child by another child or children. All staff should be aware that children can abuse other children (often referred to as child-on-child abuse), and that it can happen both inside and outside of school or college and online.

**Harassment** is determined legally as behaviour from one person towards at least one other which is intended to cause alarm or distress. Sexual harassment is meant, in the context of this policy, as unwanted conduct of a sexual nature, whether occurring online or offline.

**Harm** is defined as the ill treatment or impairment of health and development. Health includes both physical and mental health. Development includes physical, intellectual, emotional, social and behavioural development.

**Significant Harm** is a term used in law that justifies compulsory intervention in family life in the best interests of children. **Assessing Significance** is done by comparing the child's health or development to what could be reasonably expected of a similar child. However, there is no absolute consideration in assessing significant harm.

**Victim** is a widely recognised and understood term. It is important that schools and colleges recognise that not everyone who has been subjected to abuse considers themselves a victim or would want to be described in this way. Ultimately, schools and colleges should be conscious of this when managing any incident and be prepared to use any term with which the individual child is most comfortable.

**'Alleged perpetrator(s)'** and where appropriate **'perpetrator(s)'**. These are widely used and recognised terms and the most appropriate to aid effective drafting of guidance. However, schools and colleges should think very carefully about terminology, especially when speaking in front of children, not least because in some cases the abusive behaviour will have been harmful to the perpetrator as well.

## 2. Safeguarding legislation and guidance

**Maintained schools** - Section 175 of the Education Act 2002 requires local education authorities and the governors of maintained schools and further education (FE) colleges to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.

The **Teachers' Standards** state that teachers, including headteachers, must have regard for the need to safeguard pupils' well-being, in accordance with statutory provisions; and uphold public trust in the teaching profession as part of their professional duties.

The statutory guidance **Working Together to Safeguard Children (DfE, 2018)** covers the legislative requirements and expectations of individual services (including schools and colleges) to safeguard and promote the welfare of children. It also provides the framework for the three local safeguarding partners (the local authority; a clinical commissioning group for an area, any part of which falls within the local authority; and the chief officer of Police for a Police area, any part of which falls within the local authority area) to make arrangements to work together to safeguard and promote the welfare of local children including identifying and responding to their needs. The guidance confirms that it applies, in its entirety, to all schools.

The statutory guidance **Keeping Children Safe in Education (DfE 2023)** is issued under Section 175 of the Education Act 2002, the Education (Independent School Standards) Regulations 2014 and the Non-Maintained Special Schools (England) Regulations 2015. Schools and colleges **must** have regard to this guidance when carrying out their duties to safeguard and promote the welfare of children.

Otherwise stated, '**school**' in this guidance means **all schools**, whether maintained, non-maintained or independent, including academies and free schools, alternative provision academies, maintained nursery schools unless and pupil referral units.

### 2.1

All staff **should** at the least read Part One of **Keeping Children Safe in Education 2023**. \*

'Governing bodies and proprietors, working with their senior leadership teams and especially their designated safeguarding lead, should ensure that those **staff who do not work directly with children read either Part one or Annex A** (a condensed version of Part one) of this guidance. This is entirely a matter for the school or college and will be based on their assessment of which guidance will be most effective for their staff to safeguard and promote the welfare of children. Governing bodies and proprietors should ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities as set out in Part one (or Annex A if appropriate) of this guidance.

Staff can find a copy in school in the staffroom, office and in the staff file.

\*In addition, all staff who work directly with children **should** read Annex B (*schools to make a judgement about which staff this applies to – as a minimum, it is recommended that it includes all school leaders, all classroom-based staff and all staff with defined pastoral responsibilities*).

**-What to do if you're worried a child is being abused 2015 - Advice for practitioners** is non-statutory advice which helps practitioners (everyone who works with children) to identify abuse and neglect and take appropriate action. Staff can find a copy in school in the staffroom, office and in the staff file.



## 2.2 Human Rights Act

The Human Rights Act 1998 (HRA) sets out the fundamental rights and freedoms that everyone in the UK is entitled to and contains the Articles and protocols of the European Convention on Human Rights (ECHR) (the Convention) that are deemed to apply in the UK. It compels public organisations to respect and protect an individual's human rights when they make individual decisions about them.

Under the HRA, it is unlawful for schools and colleges to act in a way that is incompatible with the Convention. The specific convention rights applying to schools and colleges are:

- Article 3: the right to freedom from inhuman and degrading treatment (an absolute right)
- Article 8: the right to respect for private and family life (a qualified right) includes a duty to protect individuals' physical and psychological integrity
- Article 14: requires that all of the rights and freedoms set out in the Act must be protected and applied without discrimination, 25 and
- Protocol 1, Article 2: protects the right to education.

Being subjected to harassment, violence and or abuse, including that of a sexual nature, may breach any or all of these rights, depending on the nature of the conduct and the circumstances. Further information (including on absolute and qualified rights) can be found at Human Rights | Equality and Human Rights Commission ([equalityhumanrights.com](http://equalityhumanrights.com)).

## Equality Act 2010

Schools and colleges have obligations under the Equality Act 2010 (the Equality Act)

According to the Equality Act, schools and colleges **must** not unlawfully discriminate against pupils because of their sex, race, disability, religion or belief, gender reassignment, pregnancy and maternity, or sexual orientation (protected characteristics).

Whilst all of the above protections are important, in the context of safeguarding, this guidance, and the **legal duties** placed on schools and colleges in relation to safeguarding and promoting the welfare of children, governing bodies and proprietors should carefully consider how they are supporting their pupils and students with regard to particular protected characteristics - including disability, sex, sexual orientation, gender reassignment and race.

Provisions within the Equality Act allow schools and colleges to take positive action, where it can be shown that it is proportionate, to deal with particular disadvantages affecting pupils or students with a particular protected characteristic in order to meet their specific need, this includes a duty to make reasonable adjustments for disabled children and young people, including those with long term conditions. A school or college, could, for example, consider taking positive action to support girls if there was evidence they were being disproportionately subjected to sexual violence or sexual harassment.

Guidance to help schools understand how the Equality Act affects them and how to fulfil their duties under the act can be found at Equality Act 2010: advice for schools - GOV.UK ([www.gov.uk](http://www.gov.uk)), it may also be useful for colleges. For further information Equality Act guidance | Equality and Human Rights Commission ([equalityhumanrights.com](http://equalityhumanrights.com)).

### 3. Roles and responsibilities

All schools are required to appoint a member of the senior leadership team as designated safeguarding lead (DSL) to co-ordinate child protection arrangements and to ensure that there are appropriate cover arrangements.

#### Key personnel

The **Designated Safeguarding Lead (DSL)** is \_\_\_\_\_ *Janice Simpkins* \_\_\_\_\_

Contact details: head2325@welearn365.com

Tel: 01926775453

The deputy Designated Safeguarding Lead is Karen Turner

Contact details: email: admin2325@welearn365.com

Tel: 01926775453

Other staff trained to undertake the functions of the Designated Safeguarding Lead :

Mark Porter

Neelam Chamba

Asa Hicks

Contact details:

Email: [admin2325@welearn365.com](mailto:admin2325@welearn365.com) or [pastoral2325@welearn365.com](mailto:pastoral2325@welearn365.com)

[Tel: 01926](tel:01926775453) 775453

#### The Designated Safeguarding Lead (DSL) (Link to **KCSiE 2023**, Annex C)

The designated safeguarding lead should have the appropriate status and authority within the school or college to carry out the duties of the post. The role of the designated safeguarding lead carries a significant level of responsibility, and they should be given the additional time, funding, training, resources and support they need to carry out the role effectively. Their additional responsibilities include providing advice and support to other staff on child welfare, safeguarding and child protection matters, taking part in strategy discussions and inter-agency meetings, and/or supporting other staff to do so, and to contributing to the assessment of children.' (**KCSiE 2023**)

Governing bodies and proprietors **should ensure an appropriate senior member of staff**, from the school's leadership team, is appointed to the role of DSL.

### 3.1

The DSL **should take lead responsibility for safeguarding and child protection (including online safety and understanding the filtering and monitoring systems and processes in place)**. This should be explicit in the role holder's job description. This will not be delegated although the activities of the DSL may be delegated to appropriately trained deputies.

### 3.2 Availability

During term time the DSL (or a deputy) **should** always be available (during school hours) for staff in the school to discuss any safeguarding concerns.

### 3.3 Manage Referral

The DSL is expected to refer cases:

- of suspected abuse and neglect to the local authority children's social care as required and support staff who make referrals to local authority children's social care
- to the Channel programme where there is a radicalisation concern as required and support staff who make referrals to the Channel programme
- where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required, and
- where a crime may have been committed to the Police as required. NPCC - When to call the police should help understand when to consider calling the police and what to expect when working with the police
- using the prescribed pro forma/system to Children's Social Care and the Prevent policing team for a joint assessment where there is a concern that a child is at risk of radicalisation; and to the Channel panel if subsequently advised to do so

### 3.4 Working with others

- act as a source of support, advice and expertise for all staff
- act as a point of contact with the safeguarding partners, having a working knowledge of locally agreed multi-agency safeguarding arrangements and procedures put in place by Warwickshire Safeguarding
- liaise with the headteacher or principal to inform him or her of issues- especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations. This should include being aware of the requirement for children to have an Appropriate Adult. Further information can be found in the Statutory guidance - PACE Code C 2019.
- as required, liaise with the "case manager" and the local authority designated officer(s) (LADO) for child protection concerns in cases which concern a staff member
- liaise with staff (especially teachers, pastoral support staff, school nurses, IT technicians, senior mental health leads and special educational needs coordinators (SENCO's), or the named person with oversight for SEND in a college and senior mental health leads) on matters of safety and safeguarding and welfare (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies so that children's needs are considered holistically.
- liaise with the senior mental health lead and, where available, the mental health support team, where safeguarding concerns are linked to mental health.

- promote supportive engagement with parents and/or carers in safeguarding and promoting the welfare of children, including where families may be facing challenging circumstances
- work with the headteacher and relevant strategic leads, taking lead responsibility for promoting educational outcomes by knowing the welfare, safeguarding and child protection issues that children in need are experiencing, or have experienced, and identifying the impact that these issues might be having on children's attendance, engagement and achievement at school or college.

This includes:

ensuring that the school knows who in its cohort of children have or have had a social worker are, understanding their academic progress and attainment, and maintaining a culture of high aspirations for this cohort, and

supporting teaching staff to provide additional academic support or reasonable adjustments to help children who have or have had a social worker reach their potential, recognising that even when statutory social care intervention has ended, there is still a lasting impact on children's educational outcomes.

- attends and/or contributes to child protection conferences, strategy meetings and multi-agency exploitation meetings
- develops effective links with relevant statutory and voluntary agencies including Warwickshire Safeguarding

### 3.5 Information sharing and managing the child protection file

The DSL is responsible for ensuring that child protection files are kept up to date.

The DSL **should** notify Children's Social Care if a child with a child protection plan is absent without explanation at intervals as defined in the plan.

Information **should** be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child.

Records **should** include:

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

They **should** ensure the file is only accessed by those who need to see it and where the file or content within it is shared.

The DSL ensures that the school holds more than one emergency contact number for every pupil/student.

Where children leave the school or college (including in year transfers) the DSL **should** ensure their child protection file is transferred to the new school or college as soon as possible, and **within 5 school days**.

This **should** be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be obtained.

On receiving information, the *school* **should** ensure key staff such as DSL and special educational needs co-ordinators (SENCO's) or the named person with oversight for SEND in colleges, are aware as required.

In addition to the child protection file, the DSL **should** also consider if it would be appropriate to share any additional information with the new school or college in advance of a child leaving to help them put in place the right support to safeguard this child and to help the child thrive in the school or college co-ordinates the *school's* contribution to child protection plans as part of core groups, attending and actively participating in core group meetings.

### 3.6 Raising awareness

The DSL **should**:

- ensure each member of staff has access to, and understands, the school's or college's child protection policy and procedures, especially new and part-time staff
- ensure the school's and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this
- ensure the child protection policy is available publicly and parents know that referrals about suspected abuse or neglect may be made and the role of the school or college in this , i.e. on the *school's* website or by other means
- link with the safeguarding partner arrangements to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements, and
- help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children who have or have had a social worker are experiencing with teachers and school and college leadership staff
- inform the headteacher of any serious safeguarding enquiries, especially under section 47 of the Children Act 1989 and any Police investigations (where the DSL role is not carried out by the headteacher)

### 3.7 Training, knowledge and skills

The DSL **should** maintain their knowledge engaging and sharing training throughout their time in post. The DSL **should** revisit their training at least every two years (including Prevent training), and regularly (at least annually) updates their knowledge and skills to keep up with any developments relevant to their role. *Our school is dedicated to maintaining our knowledge through accessing Warwickshire's network meetings and actively engaging with Warwickshire's integrated training offer. The information is shared with all staff through staff briefings, training, meetings. **We link this is the development of our ongoing culture of vigilance.***

Training **should** provide the DSL with a good understanding of their own role, how to identify, understand and respond to specific needs that can increase the vulnerability of children, as well as specific harms that can put children at risk, and the processes, procedures and responsibilities of other agencies, particularly local authority children's social care, so they:

- understand the assessment process for providing early help and statutory intervention, including local criteria for action and local authority children's social care referral arrangements.
- have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so

- understand the importance of the role the DSL has in providing information and support to local authority children social care in order to safeguard and promote the welfare of children
- understand the lasting impact that adversity and trauma can have, including on children's behaviour, mental health and wellbeing, and what is needed in responding to this in promoting educational outcomes
- are alert to the specific needs of children in need, those with special educational needs and disabilities (SEND), those with relevant health conditions and young carers
- understand the importance of information sharing, both within the school and college, and with the safeguarding partners, other agencies, organisations and practitioners
- understand and support the school or college with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation
- are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school or college
- can recognise the additional risks that children with special educational needs and disabilities (SEND) face online, for example, from bullying, grooming and radicalisation and are confident they have the capability to support children with SEND to stay safe online
- obtain access to resources and attend any relevant or update training courses, and
- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school or college may put in place to protect them.
- keeps a record of staff attendance at child protection training

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

### 3.8 Providing support to staff

Training **should** support the DSL in developing expertise, so they can support and advise staff and help them feel confident on welfare, safeguarding and child protection matters.

This includes specifically to:

- ensure that staff are supported during the referrals processes, and
- support staff to consider how safeguarding, welfare and educational outcomes are linked, including to inform the provision of academic and pastoral support.
- ensures that staff do everything they can to support social workers and contribute to assessments of children when Children's Social Care become involved
- ensures that all staff sign to indicate that they have read and understand the child protection and safeguarding policy; the staff behaviour policy (code of conduct); the behaviour policy; the school/college's safeguarding response to children who go missing from education; the role of the DSL (including the identity of the DSL and any deputies); and Part 1 of *Keeping Children Safe in Education* 2023 (and also Part 5 and Annex B of *Keeping Children Safe in Education* 2023 in

relation to staff who work directly with children)

- ensures that all staff understand that if they have **any concerns** about a child's welfare, they **should** act on them immediately, either by speaking to the DSL (or a deputy) or, in exceptional circumstances, taking responsibility to make a referral to Children's Social Care
- ensures that all staff know how to make a referral as in sections 27-29 of this policy has a working knowledge of relevant national guidance in respect of all specific safeguarding issues highlighted in sections 31-50 (pages 11-16) and Annex B (page 139) of *Keeping Children Safe in Education 2023*, ensuring that all staff receive necessary training, information and guidance.
- understands the unique risks associated with online safety and ensures that staff are trained to have the requisite knowledge and up to date capability to keep children safe whilst they are online. **This includes an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring**
- understands the relevance of data protection legislation and regulations, especially the Data Protection Act 2018 and General Data Protection Regulation (GDPR) in respect of safeguarding children
- liaises with the nominated governor and headteacher (where the DSL role is not carried out by the headteacher) as appropriate
- ensures that the headteacher is aware of the responsibility under *Working Together 2018* to refer all allegations that a child has been harmed by or that children may be at risk of harm from a member of staff or volunteer to the Local Authority Designated Officer (LADO) within one working day prior to any internal investigation; and to the Disclosure and Barring Service (DBS) as appropriate

### 3.9 Understanding the views of children.

It is important that all children feel heard and understood. Therefore, DSL's (and deputies) should be supported in developing knowledge and skills to:

- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, and in any measures the school or college may put in place to protect them, and,
- understand the difficulties that children may have in approaching staff about their circumstances and consider how to build trusted relationships which facilitate communication
- work closely with pastoral support staff; the SENCo; the designated teacher for children who are looked after or were previously looked after; staff with designated responsibility for promoting children's mental health and emotional wellbeing; the ICT lead and any ICT support staff; and school nurses in relation to safeguarding matters (including online and digital safety) and whether to make referrals to relevant partner agencies
- All staff **should** be aware that children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated, or being threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This should not prevent staff from having a professional curiosity and speaking to the DSL if they have concerns about a child. It is also important that staff determine how best to build trusted relationships with children and young people which facilitate communication

### 3.10 Holding and sharing information

The DSL **should** be equipped to:

- understand the importance of information sharing, both within the school and college, and with other schools and colleges on transfer including in-year and between primary and secondary education, and with the safeguarding partners, other agencies, organisations and practitioners
- understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR), and
- be able to keep detailed, accurate, secure written records of concerns and referrals and understand the purpose of this record-keeping.
- ensure that, when a pupil under the age of 18 years leaves the school/college, all child protection records are passed to the new school/college (separately from the main pupil file and ensuring secure transit) and confirmation of receipt is obtained. If the child is the subject of an open case to Children's Social Care, the pupil's social worker is also informed
- consider whether to share any information about a child leaving the school with the receiving school/college/education provider in advance so that the receiving setting is appropriately informed in order to support the child as effectively as possible and plan for her/his arrival

#### The Deputy Designated Safeguarding Lead(s)

It is a matter for individual schools and colleges as to whether they choose to have one or more deputy designated safeguarding leads. Any deputies **should** be trained to the same standard as the DSL and the role should be explicit in their job description. Whilst the activities of the DSL can be delegated to appropriately trained deputies, the ultimate lead responsibility for child protection, as set out above, remains with the DSL, this lead responsibility **should** not be delegated.

In the absence of the DSL, the DDSL carries out those functions necessary to ensure the ongoing safety and protection of pupils. In the event of the long-term absence of the DSL, the deputy will assume all the functions of the DSL as above.

#### The Governing Body

Governing bodies and proprietors have a strategic leadership responsibility for their school's safeguarding arrangements and **must** ensure that they comply with their duties under legislation. They **must** have regard to this guidance, ensuring policies, procedures and training in their schools or colleges are effective and comply with the law at all times.

Headteachers and principals **should** ensure that the policies and procedures, adopted by their governing bodies and proprietors (particularly those concerning referrals of cases of suspected abuse and neglect), are understood, and followed by all staff.

Governing bodies and proprietors **should** ensure that all governors and trustees receive appropriate safeguarding and child protection (including online) training at induction. This training **should** equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place in schools and colleges are effective and support the delivery of a robust whole school approach to safeguarding. **Their training should be regularly updated.**

Governing bodies and proprietors **should**:

- ensure an appropriate **senior member** of staff, from the school or college **leadership team**, is appointed to the role of designated safeguarding lead. It is not appropriate for the proprietor to be the DSL. The DSL **should** take **lead responsibility** for safeguarding and child protection



(including online safety which, amongst other things, includes an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring). This should be explicit in the role holder's job description.

- ensure the DSL has the appropriate status and authority within the school or college to carry out the duties of the post. The role carries a significant level of responsibility and the postholder **should** be given the additional time, funding, training, resources, and support needed to carry out the role effectively.
- It is for individual schools and colleges to decide whether they choose to have one or more deputy DSL. Any deputy (or deputies) **should** be trained to the same standard as the DSL.
- ensure that the DSL role is explicit in the role holder's job description (and also the job description of any Deputy Designated Safeguarding Leads) and that safeguarding responsibilities are identified explicitly in the job/role descriptions of every member of staff and volunteer.
- Ensure that the DSL or a Deputy DSL is always available during *school* hours for staff to discuss any safeguarding concerns. The DSL or a Deputy DSL will generally be expected to be available in person but in exceptional circumstances availability will be via telephone and/or Teams or other such media.
- ensure that the DSL or a Deputy DSL is always available at least via telephone or other media as above during any out of hours/out of term school activities.
- ensure that the school or college contributes to multi-agency working in line with statutory guidance Working Together to Safeguard Children 2018.
- Ensure that the *school* has a child protection policy and procedures, including a staff code of conduct, that are consistent with local safeguarding partnership and statutory requirements, reviewed annually and made available publicly on the school's website or by other means.
- ensure that the *school* has procedures for dealing with allegations of abuse made against members of staff and volunteers including allegations made against the headteacher and allegations against other children.
- follow safer recruitment procedures that include statutory checks on the suitability of staff to work with children and disqualification from providing childcare regulations.
- develop an induction strategy that ensures all staff, including the headteacher, and volunteers receive information about the school's safeguarding arrangements, Staff Behaviour Policy (Code of Conduct) and the role of the DSL on induction.
- develop a training strategy that ensures all staff, including the headteacher, and volunteers receive appropriate and regularly updated safeguarding and child protection training (including online safety) and updates as required (at least annually) to provide them with the relevant skills and knowledge to safeguard children effectively in line with any requirements of Warwickshire Safeguarding. The training strategy will also ensure that the DSL receives refresher training and regular updates as defined under the DSL's duties above.
- ensure that all staff, including temporary staff and volunteers, are provided with copies of or access to the school's child protection and safeguarding policy and Staff Behaviour Policy (code of conduct) before they start work at the school.
- appoint a designated teacher to promote the educational achievement of children in care of the Local Authority and who have left care through adoption, special guardianship or child

arrangement orders or who were adopted from state care outside England and Wales; and ensures that the designated teacher has appropriate training

- ensure that the *school* contributes to inter-agency working and plans
- ensure that the *school* provides effective pastoral care and participates in the early help Pathway to Change process for pupils/students with additional needs in order to provide a co-ordinated offer of early help
- teaches pupils about safeguarding and how to keep themselves safe at all times, including when online, as part of a broad and balanced curriculum

The governing body nominates a member (normally the chair) to be responsible for liaising with the Local Authority and other agencies in the event of an allegation being made against the headteacher.

The governing body also identifies a named governor to take leadership responsibility for the *school's* safeguarding arrangements. That governor will maintain regular contact with the DSL and will ensure that the governing body receives regular reports about safeguarding activity at the *school*.

It is the responsibility of the governing body to ensure that the school's safeguarding, recruitment and managing allegations procedures take into account the procedures and practice of the Local Authority, local safeguarding partnership and national guidance.

The school will submit a response to Warwickshire Safeguarding's annual schools' safeguarding audit. This will highlight how the governing body's duties have been carried out. An action plan will be drawn up and any weaknesses will be rectified in accordance with that plan.

### **The headteacher (or head of school):**

- ensures that the child protection policy and procedures are understood and implemented by all staff.
- allocates sufficient time, training, support, and resources, including cover arrangements, when necessary, to enable the DSL and deputy/s to carry out their roles effectively, including the assessment of pupils and attendance at strategy discussions and other necessary meetings.
- supports the designated teacher for children in care to promote the educational achievement of any pupils who are children in care of the Local Authority and who have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care outside England and Wales
- ensures that all staff have the skills, knowledge and understanding necessary to keep children in care and previously children in care safe
- ensures that all staff feel able to raise concerns about poor or unsafe practice and that such concerns are handled sensitively and in accordance with the whistleblowing procedure
- ensures that the culture of the school/college supports the provision of effective pastoral care and early help
- ensures that staff do everything they can to support social workers when Children's Social Care become involved
- ensures that pupils are provided with opportunities throughout the curriculum to learn about safeguarding and how to keep themselves safe at all times, including when online, as part of a

broad and balanced curriculum

- refers all allegations that a child has been harmed by or that children may be at risk of harm from a member of staff or volunteer to the LADO within one working day prior to any internal investigation
- ensures that anyone who has harmed or may pose a risk of harm to a child is referred to the Disclosure and Barring Service, as advised by the LADO
- appoints a case officer who will be a member of the senior leadership team to investigate allegations concerning members of staff and volunteers and/or act as a point of contact for the member of staff/volunteer against whom the allegation is made

## 4. Good practice guidelines and staff code of conduct

To meet and maintain our responsibilities towards pupils, we identify standards of good practice and set out our expectations of staff in the staff behaviour policy, which all members of staff and volunteers are required to read and sign before starting work in the school.

In summary, our expectations of staff include:

- treating all pupils with respect
- setting a good example by conducting ourselves appropriately
- involving pupils in decisions that affect them
- encouraging positive, respectful, and safe behaviour among pupils
- being a good listener
- being alert to changes in pupils' behaviour and to signs of abuse and neglect and exploitation
- recognising that challenging behaviour and mental health difficulties may be an indicator of abuse
- reading and understanding the school's child protection policy, staff behaviour policy (code of conduct) and guidance documents on wider safeguarding issues, for example bullying, behaviour, physical contact, criminal and sexual exploitation, extremism, online safety, and information-sharing
- asking the pupil's permission before initiating physical contact, such as assisting with dressing, physical support during PE or administering first aid
- maintaining appropriate standards of conversation and interaction with and between pupils and avoiding the use of sexualised or derogatory language
- *not participating in, tolerating, or dismissing sexual violence or sexual harassment as "banter", "part of growing up", "just having a laugh" or "boys being boys".*
- *making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up; and*
- *challenging behaviours (potentially criminal in nature) which constitute sexual harassment, such as grabbing bottoms, breasts, and genitalia, flicking bras, and lifting skirts.*

- being aware that the personal and family circumstances and lifestyles of some pupils lead to an increased risk of abuse
- applying the use of reasonable force and physical intervention only as a last resort and in compliance with school procedures and Warwickshire Safeguarding guidance
- referring all concerns about a pupil's safety and welfare to the DSL or, if necessary, directly to the Police or Children's Social Care
- following the school's rules regarding communication and relationships with pupils, including via social media
- referring all allegations against members of staff, volunteers or other adults that work with children and any concerns about breaches of the staff behaviour policy directly to the headteacher; and any similar allegations against or concerns about the headteacher directly to the chair of governors

## 5. Abuse of position of trust

A breach of trust occurs when the boundaries of the relationship between a professional and a child or young person is broken due to inappropriate behaviour by the professional, which involves an abuse of power.

All school staff are aware that inappropriate behaviour towards pupils is unacceptable and that their conduct towards pupils must be beyond reproach.

In addition, staff should understand that, under the Sexual Offences Act 2003, it is an offence for a person over the age of 18 to have a sexual relationship with a person under the age of 18, where that person is in a position of trust, even if the relationship is consensual. This means that any sexual activity between a member of the school staff and a pupil under 18 may be a criminal offence, even if that pupil is over the age of consent.

## 6. Children who may be particularly vulnerable

Some children are more vulnerable to abuse and neglect than others. Several factors may contribute to that increased vulnerability, including prejudice and discrimination; isolation; social exclusion; communication issues; a reluctance on the part of some adults to accept that abuse can occur; as well as an individual child's personality, behaviour, disability, mental and physical health needs, and family circumstances.

To ensure that all our pupils receive equal protection, we will give special consideration to children who are:

- disabled, have special educational needs or have mental health needs.
- young carers
- affected by parental substance misuse, domestic abuse and violence or parental mental health needs
- asylum seekers
- looked after by the Local Authority, otherwise living away from home or were previously looked after
- in receipt of support and services from a social worker
- vulnerable to being bullied, or engaging in bullying behaviours
- living away from home or in temporary accommodation
- living transient lifestyles
- living in chaotic and unsupportive home situations
- vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion, disability,

or sexuality

- at risk of child sexual exploitation (CSE) and/or child criminal exploitation
- at risk from or are involved with serious violent crime
- do not have English as a first language
- at risk of female genital mutilation (FGM)
- at risk of forced marriage
- at risk of being drawn into extremism

This list provides examples of additionally vulnerable groups and is not exhaustive. Special consideration includes the provision of safeguarding information and resources in community languages and accessible formats for children and parents/carers with communication needs.

## 7. Children with special educational needs and disabilities or have mental health needs

Children with special educational needs and disabilities (SEND) or who have mental health needs can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group of children, which can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability or mental health issues without further exploration
- the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in overcoming those barriers

Staff are trained to manage these additional barriers to ensure this group of children are appropriately safeguarded; and are aware that mental health difficulties can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Staff are not expected or trained to diagnose mental health conditions or issues, but they will record and report any concerns about a child's mental health to the DSL as with any other safeguarding concern, recognising that mental health concerns may be an outcome and/or indicator of wider safeguarding issues and concerns.

## 8. Early Help and use of the Pathway to Change process

School and college staff are particularly important as they are in a position to identify concerns early, provide help for children, promote children's welfare, and prevent concerns from escalating.

The school recognises that providing timely early help is more effective in promoting the welfare of children than reacting later. DSLs are accountable and responsible for ensuring the identified needs of children are acted upon early; without delay and as soon as the problem emerges which may be at any point in a child's life.

*Keeping Children Safe in Education 2023* emphasises that **all** staff should be aware of the early help process and understand their role in it. All DSLs should be trained in the Warwickshire Early Help Processes. All school/college staff are therefore trained and required to notice any concerns about children which may help to identify those that would benefit from early help.

Schools should record concerns using their safeguarding recording systems.

(See section 21 below); and to share their concerns with the DSL (or a Deputy DSL), who is most likely to have a complete picture and be the most appropriate person to decide how best to respond to any

concerns. The DSL may delegate the initiation of the Early Help Pathway to Change process to an appropriate trained member of the school staff. The DSL is responsible and accountable for overseeing and managing early help but the process including acting as lead professional can be undertaken by for example your teaching assistants, SENDCo, teaching staff, pastoral staff, seen to be appropriate for your setting.

Early help might be simple pastoral support and something the *school* is able to address with parents so that the child's needs are met quickly and easily. The *school* will keep a record of any such help to record clear targets, actions for all parties including parents and progress, using Pathway to Change documentation as appropriate. Early help paperwork is available for schools/settings to use in order to support families prior to the requirement of formalised early help being initiated. Warwickshire's Spectrum of Support document will enable practitioners to understand the level of needs presented by families and what support may be required. The document can be found [here](#).

It will be necessary to take time to understand a child and family's needs and to fully appreciate their circumstances in a more structured way. Children and families may also need support from a range of local agencies beyond *school*, where it has been identified that a multi-agency coordinated response would best meet their needs and support their family, with parental consent.

- The Early Help Pathway to Change is a restorative approach which helps to identify what support the family require by working WITH them, through the use of a coordinated assessment. The Early Help Pathway to Change aims to prevent the child's needs escalating to a point where intervention would be required via a statutory assessment under the Children Act 1989. Practitioners should seek to reassure Children and Families that this approach is designed to prevent needs from escalating and should be looked on as a positive and proactive way of addressing needs early in partnership with the family.

The *school* is committed to working in partnership with children, parents and other agencies to:

- identify situations in which children and/or their families would benefit from early help;
- act without delay by signposting to the Family Support Line or Family Information Service for earlier identified needs;
- undertake an assessment of the need for early help when that is appropriate, using the Pathway to Change process; and
- provide targeted early help services to address the assessed needs of a child and their family, developing an action plan that will focus on activity to improve the child's outcomes.

The *school* will be alert that any child may benefit from early help, but all school and college staff should be particularly alert to the potential need for early help for a child who:

- is disabled or has certain health conditions and has specific additional needs
- has special educational needs (whether or not they have a statutory Education, Health and Care Plan)
- 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 alcohol and other drugs 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.

The Early Help process can only be effective if it is undertaken with the agreement of the child's parents/carers. Young people in secondary schools or FE colleges may consent to early help, possibly including an Early Help Pathway to Change process in their own right, subject to *Information sharing - Advice for practitioners providing safeguarding services to children, young people, parents and carers (HMG 2018)*.

The *school* should seek advice from a Targeted Support Officer or Front Door Education Lead in those circumstances. The Early Help Pathway to Change process must involve the child and family as well as all the practitioners who are working with them.

The *school* will keep the needs and circumstances of children receiving early help under constant review. If the child's situation does not improve and/or the child's parents and/or the child do not consent to early help, the *school* will make a judgement about whether, without help, the needs of the child will escalate. If so, the *school* may wish to consult with:

- Targeted Support Officers
- Early Help Social Worker
- Front Door Education Lead
- Early Help Team Leaders
- Children and Families Front Door

Consultations are available in the Children and Families Front Door for practitioners seeking advice about children they are concerned about. If you have a concern that a child or young person may be in need of protection or significant harm the DSL/lead professional should contact the Front Door and submit a referral.

## 9. Attendance

We recognise that full attendance at school is important to the well-being of all our pupils and enables them to access the opportunities made available to them at school. Attendance is monitored closely, and we address poor or irregular attendance without delay, working in partnership with the Warwickshire Attendance Service when patterns of absence give rise to concern. Early help is recommended to support families with attendance concerns at the emergence of an issue to prevent escalation. Our attendance policy is set out in a separate document and is reviewed regularly by the governing body.

## 10. Children who are absent from their education

Children being absent from education for prolonged periods and/or on repeat occasions can act as a vital warning sign to a range of safeguarding issues including neglect, child sexual and child criminal exploitation - particularly county lines. It is important the school or college's response to persistently absent pupils and children missing education supports identifying such abuse, and in the case of absent pupils, helps prevent the risk of them becoming a child missing education in the future. This includes when problems are first emerging, but also where children are already known to local authority children's social care and need a social worker (such as a child who is a child in need or who has a child protection plan, or is a looked after child), where being absent from education may increase known safeguarding risks within the family or in the community. Further information and support, includes:

- Guidance on school attendance 'Working together to improve school attendance' including information on how schools should work with local authority children's services where school absence indicates safeguarding concerns
- Information regarding schools' duties regarding children missing education, including information schools must provide to the local authority when removing a child from the school roll at standard and non-standard transition points, can be found in the department's statutory guidance: [Children Missing Education](#)
- further information for colleges providing education for a child of compulsory school age can be found in: Full-time-Enrolment of 14- to 16-year-olds in Further Education and Sixth Form Colleges
- general information and advice for schools and colleges can be found in the Government's Missing Children and Adults Strategy

## Children Missing from Education

|   |   |
|---|---|
| Child is missing education and their whereabouts is <b>Known</b>                    | It is the school's responsibility to follow their attendance procedures. They can seek support from the Warwickshire Attendance Service |
| Child is <b>absent from their education</b> and their whereabouts is <b>Unknown</b> | A referral must be made the Children Missing Education Team   |

All children, regardless of their circumstances, are legally entitled to an efficient, full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have.

For most children, including those that are vulnerable, attendance in school is a protective factor and is essential aspect of keeping them safe. Children who are missing education (CME) have increased vulnerability and can be at more risk of neglect, abuse, exploitation radicalisation and mental health

problems. Staff will also be alert to signs of children at risk of travelling to conflict zones, female genital mutilation and forced marriage.

*Schools* **must** have an attendance policy that outlines how they monitor:

- attendance
- unauthorised absences
- children who go missing during the school day

*Schools* **should** follow the DfE legal requirements in respect of recording and reporting those children who leave their school with an unknown future destination. Where a pupil has 10 consecutive school days of unexplained absence, without permission and their whereabouts is unknown, schools and colleges should take all reasonable steps\* to establish their whereabouts. If unsuccessful, the school will make an immediate referral to Warwickshire County Council's Children Missing Education Team on 01926 736323 or via email [cme@warwickshire.gov.uk](mailto:cme@warwickshire.gov.uk).

\*Reasonable steps include:

Telephone calls to all known contacts. Parents and carers are asked to provide at least three emergency contacts in the event of children not arriving at school without prior notification and also for other emergencies;

- Letters home (preferably by recorded delivery);



- Contact with other schools where siblings may be registered;
- Home visits where safe to do so;
- Enquiries to friends, neighbours etc. through school contacts;
- Enquiries with any other service known to be involved with the pupil/family;
- Consideration of information about the child in social media;
- All contacts and outcomes will be recorded on the pupil's file.

If the Local Authority is able to contact the pupil with the child/children and their parents and carers, arrangements will be made with the school and family for a return to education. This may include a re-integration programme where necessary. If the pupil has registered at a new school, the previous school will delete the child's name from their roll and transfer the child's educational records to the new school in the normal way. Any child protection records will be transferred separately and securely for the attention of the DSL in the new school and a receipt secured.

Visit [www.warwickshire.gov.uk/childrenmissingeducation](http://www.warwickshire.gov.uk/childrenmissingeducation) for information or to access the referral form.

The school operates in accordance with statutory guidance *Children Missing Education (DfE 2016)* – [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550416/Children\\_Missing\\_Education\\_-\\_statutory\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf)

The school is required by law to have an admission register and, with the exception of schools where all pupils are boarders, an attendance register. All pupils must be placed on both registers.

The school (including academies and independent schools) is required to inform the Local Authority when they are about to remove a pupil's name from the school admission register at non-standard transition points irrespective of the reason. The Local Authority may also require the school to provide information about pupils who are going to be removed from the register at standard transition points.

## **Non-standard transition point**

We, the *school* will inform the local authority that we plan to take a child off roll when they leave school to be home educated; move away from the school's location; remain medically unfit beyond compulsory school age; are in custody for four months or more (and will not return to school afterwards); or are permanently excluded.

If a parent has informed you of their intention to remove their child in order to elective home educate their child, the school should notify the Elective Home Education Team imminently by email ([eh@warwickshire.gov.uk](mailto:eh@warwickshire.gov.uk) / tel. 01926 736323). School and colleges are advised to allow the parent or carer a 2-week period of reflection prior to removing their child from the school roll as this is best practice.

The *school* will also notify the local authority within five days of adding a pupil's name to the admission register at a non-standard transition point. The Local Authority may also require the school to provide information about pupils added to the register at a standard transition point.

It is essential for the school to comply with this duty so that the Local Authority can, as part of its duty to identify children of compulsory school age who are missing education, follow up with any child who might be in danger of not receiving an education and who might be at risk of abuse or neglect.

If no confirmation is received the above Children Missing Education procedures will apply.

We will ensure that pupils who are expected to attend the school, but fail to take up the place are referred to the Local Authority.

When a pupil leaves the school, we will record the name of the pupil's new school and their expected start date.

Deletions from school roll in liaison with the Local Authority will normally be backdated to the first day of absence.

For more information <https://www.gov.uk/government/publications/children-missing-education>

## 11. Children who run away or go missing from home or care

The *school* recognises that children who run away or go missing (particularly repeatedly) and are thus absent from their normal residence are potentially vulnerable to abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It could also indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage.

*Keeping Children Safe in Education 2023* highlights that '[Statutory Guidance on Children who Run Away or go Missing from Home or Care](#)' (DfE 2014) that every child or young person who runs away or goes missing must be offered a Return Home Interview (RHI). RHIs are intended to ascertain the factors that triggered the young person's absence. Those factors may include difficulties at home, in school and in the community. The short timescale is 72 hours which is imposed in order to ensure that the RHI remains relevant to the young person and enables any required action to be initiated at the earliest opportunity. When necessary and in conjunction with the Local Authority, the *school* will facilitate RHIs, both in terms of releasing the young person from their normal timetable to participate in an interview and in providing an appropriate and safe space on the *school* site for the interview to take place.

RHI's are undertaken by practitioners who are independent in order to facilitate a discussion with the young person that is as open as possible. As soon as the Local Authority receives notification that a young person has gone missing from home or care, a letter will be sent to parents/carers seeking their consent. If the Local Authority has been unable to secure consent from parents/carers, the school and college will contact the parent/carer and seek to secure their consent for the RHI. Direct contact will then be made to make arrangements for the interview.

Young people aged 16 and 17 years old are generally considered to be able to consent and withhold consent to their own information being shared and therefore they can choose to participate or not in an RHI. With reference to the Fraser Guidelines, younger children may also be deemed able to give consent. However, if the child/young person is assessed as not being capable of giving their own consent (Fraser Guidelines) or they are withholding informed consent, the *school* should seek consent from parents and carers for the RHI to go ahead. Schools and Colleges are advised to seek expert advice if they are unsure as to whether a child or young person has the necessary capacity to make such decisions for themselves.

Parents may also choose to accompany their child/young person during interviews and the *school* will facilitate that as appropriate.

(New Section)

*The school works in partnership with Warwickshire Police and Warwickshire Children's Services to support pupils who are Missing from Home.*

*This scheme is called Operation Missing From Home*

*When the Police become aware of a child missing from home, the headteacher and deputy headteacher will receive a confidential and secure email, notifying them simply that there has been a report the child is missing from home.*

*On receipt of any such notification, the headteacher and/or DSL will ensure that teachers and other staff directly in contact with affected children support them (or their peer group) with due kindness, care and sensitivity. In addition to supporting children, the process means that the school will also be able to offer parents and carers support as appropriate, **if they reach out.***

*The information will be managed and stored with the utmost sensitivity and discretion consistent with all other confidential safeguarding records.*

## **12. Helping children to understand and recognise risk and identify available support**

*Keeping Children Safe in Education 2023* requires governing bodies and proprietors to ensure that children are taught about safeguarding, including online safety, and recognise that a one size fits all approach may not be appropriate for all children, and a more personalised or contextualise approach for more vulnerable children, victims of abuse and some SEND children might be needed as part of providing a 'broad and balanced curriculum.'

Children are taught to understand and manage risk through our personal, social, health and economic (PSHE) programme; *relevant topics will be included within Relationships Education and Health Education and through all aspects of school life.* Our school/ college approach is designed to help children to think about risks they may encounter, recognise when they are at risk and with the support of staff work out how to get help when they need it and how risks might be reduced or managed. Discussions about risk are empowering and enabling for all children and promote sensible behaviour rather than fear or anxiety. Children are taught how to conduct themselves and how to behave in a responsible manner. Children are also reminded regularly about online safety, the risks of sharing content and images online and tackling bullying, including cyber bullying procedures. The school continually promotes an ethos of respect for children and pupils are encouraged to speak to a member of staff of their choosing about any worries they may have.

Discussions about risk will include talking to children about the risks and issues associated with young people sending, receiving and/or disseminating indecent images of themselves and other young people, which is widely referred to as 'sexting' (please refer to *Youth produced sexual imagery ['sexting']* in section 30 below.

It is recognised that a young person may choose to share indecent images with another young person in the context of a romantic relationship and that she or he may do so without any intention to cause harm or distress to anybody. Although technically an offence, 'sexting' of that nature is referred to as 'experimental sexting' and it is usually not necessary or appropriate to criminalise young people in those circumstances.

However, there are clear risks associated with such behaviour. Staff are trained to be vigilant and to notice and record any concerns about young people sending and receiving indecent images, which includes listening to what young people say to each other and to staff, as they do with any other safeguarding concern.

When concerns are identified, staff will always speak to children and will inform parents about their concerns unless there is good reason to believe that doing so would place the child at increased risk of significant harm. The DSL will also need to consider the Fraser guidelines in making a judgement about whether or not to respect a young person's request not to inform his/her parents/carers.

N.B. Children under the age of 13 are unable to consent to sexual activity. Any imagery containing sexual activity involving under 13-year-olds will therefore be referred to the Police.

*We have adopted the personal safety programme Taking Care (based on the Protective Behaviours Process) for Foundation/Key Stage 1 and Key Stage 2, which is designed to fit in with the requirements of the PSHE Curriculum. This programme reinforces essential skills for every child.*

*Self-esteem and confidence building, thinking independently and making assessments of risk based on their own judgements are encouraged throughout the course.*

*We have adopted [Discovery Education](#) to teach children about health and relationships.*

*Children are also taught about online safety, issues of consent and healthy relationships, fundamental British values, grooming, how children can keep themselves safe from all forms of bullying including online bullying, child criminal and sexual exploitation including issues of informed consent, sexting, drugs and alcohol, risks associated with gang activity, risks associated with county lines.*

### **Children who are lesbian, gay, bi, or trans (LGBT)**

The fact that a child or a young person may be LGBT is not in itself an inherent risk factor for harm. However, children who are LGBT can be targeted by other children. In some cases, a child who is perceived by other children to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT.

Risks can be compounded where children who are LGBT lack a trusted adult with whom they can be open. It is therefore vital that staff endeavour to reduce the additional barriers faced and provide a safe space for them to speak out or share their concerns with members of staff.

LGBT inclusion is part of the statutory Relationships Education, Relationship and Sex Education and Health Education curriculum and there is a range of support available to help schools counter homophobic, biphobic and transphobic bullying and abuse.

In our organisation, the named staff are **Poonam Wainwright, Asa Hicks, Kim Brandrick**

Their contact information is shared directly with children to encourage them reach out for support and guidance.

## **13. Support for pupils, families and staff involved in a child protection issue**

Child abuse is devastating for the child and can also result in distress and anxiety for staff who become involved.

We will support pupils, their families, and staff by:

- taking all suspicions and disclosures seriously;
- nominating a link person (*usually the DSL*) who will keep all parties informed and be the central point of contact;
- Where a member of staff is the subject of an allegation made by a pupil, separate link people will be nominated to avoid any conflict of interest;
- responding sympathetically to any request from pupils or staff for time out to deal with distress or anxiety;
- maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies;
- storing records securely;
- offering details of helplines, counselling or other avenues of external support;
- following the procedures laid down in our child protection, whistleblowing, complaints and disciplinary procedures;

- co-operating fully with relevant statutory agencies

## 14. Safeguarding concerns and allegations made about staff, including supply teachers, volunteers and contractors

Schools and colleges **should** have their own procedures for dealing with safeguarding concerns or allegations against those working in or on behalf of schools and colleges in a paid or unpaid capacity, this includes, members of staff, supply teachers, volunteers and contractors.

This part of the guidance has two sections covering the two levels of allegation/concern:

1. Allegations that may meet the harm threshold.
2. Allegations/concerns that do not meet the harm threshold – referred to for the purposes of this guidance as ‘low-level concerns’.

These procedures should be consistent with local safeguarding procedures and practice guidance.

When an allegation is made against a member of staff, set procedures must be followed. The full procedures for dealing with allegations against staff can be found in Part 4 of *Keeping Children Safe in Education 2023* and para 1.14 of Warwickshire Safeguarding inter-agency safeguarding procedures *Allegations against staff or volunteers* –

<https://www.safeguardingwarwickshire.co.uk/safeguarding-children/i-work-with-children-and-young-people/interagency-safeguarding-procedures>.

Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly and consistently and to be kept informed of its progress.

Suspension is not the default option and alternatives to suspension will always be considered. However, in some cases staff may be suspended where this is deemed to be the best way to ensure that allegations are investigated fairly, quickly and consistently and that all parties are protected. In the event of suspension, the school will provide support and a named contact for the member of staff.

Staff, parents and governors are reminded that publication of material that may lead to the identification of a teacher who is the subject of an allegation is prohibited by law. Publication includes verbal conversations or writing, including content placed on social media sites.

Allegations concerning staff who no longer work at the school or historical allegations will be reported to the Police.

In accordance with *Keeping Children Safe in Education 2023*, the school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

As required by *Keeping Children Safe in Education 2023* all allegations in respect of an individual who works at the school, including supply teachers, volunteers and contractors that fulfil any of the following criteria will be reported to the LADO within one working day. **If they have:**

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates they may 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. (Includes behaviour that may have happened outside of school that might make an individual unsuitable to work with children, this is known as transferable risk)

The LADO contact number is **01926 745376**. Referrals to the LADO should be submitted on a Position of Trust (POT) MARF form and sent to [lado@warwickshire.gov.uk](mailto:lado@warwickshire.gov.uk).

NB it is the headteacher/principal's responsibility to contact and refer to the LADO when necessary. The only exception is when the allegation is against the headteacher/principal, in which instance the nominated governor will undertake that responsibility.

## Low level concerns

The term 'low-level' concern does not mean that it is insignificant. 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 harm threshold or is otherwise not 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, contrary to school policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door,
- or
- humiliating pupils

Schools and colleges **should** ensure that their procedure for dealing with low-level concerns contains a process for timely and appropriate information sharing which is confidential, clear, easy to understand and implement. An effective low-level concerns process will simply be a reflection and extension of the school's staff code of conduct and safeguarding and child protection policy.

All low-level concerns are shared initially with the DSL, or with the headteacher, then the DSL should inform the headteacher of all the low-level concerns and in a timely fashion according to the nature of each particular low-level concern. The headteacher should be the ultimate decision maker in respect of all low-level concerns.

Low-level concerns which are shared about supply staff and contractors **should** be notified to their employers, so that any potential patterns of inappropriate behaviour can be identified.

If schools and colleges are in any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, they **should** consult with their LADO.

## 15. Complaint's procedure

Our complaints procedure will be followed where a pupil or parent raises a concern about poor practice towards a pupil that initially does not reach the threshold for child protection action. Poor practice examples include unfairly singling out a pupil or attempting to humiliate them, bullying or belittling a

pupil or discriminating against them in some way. Complaints are managed by the headteacher, other members of the senior leadership team and governors. An explanation of the complaint's procedure is included in the safeguarding information for parents and pupils.

Complaints from staff are dealt with under the school's complaints and disciplinary and grievance procedures. (Also refer to Low level concerns).

Complaints which escalate into a child protection concern will automatically be managed under the school's child protection procedures.

## 16. Staff reporting concerns about a colleague or other adult who works with children (Whistleblowing)

Staff who are concerned about the conduct of a colleague – including visiting practitioners and volunteers – towards a pupil are undoubtedly placed in a very difficult situation. They may worry that they have misunderstood a situation and they will wonder whether a report could jeopardise a colleague's career. **All staff must remember that the welfare of the child is paramount.**

The school's **whistleblowing** policy enables staff to raise concerns or allegations, initially in confidence, and for a sensitive enquiry to take place.

Staff are expected to report all concerns about poor practice or possible child abuse by colleagues - including what may seem minor contraventions of the school's staff behaviour policy (code of conduct) – to the headteacher; to facilitate proactive and early intervention in order to maintain appropriate boundaries and a safe culture that protect children and reduce the risk of serious abuse in school.

The recommended format for all staff in schools to record any such poor practice or possible child abuse by colleagues or other adults who work with children is the pro forma '*Logging A Concern about the behaviour of an adult who works with children*', also known as the '*Yellow form*'.

All such forms should be **passed directly to the headteacher**. Alternatively, staff are free to approach the headteacher directly to discuss their concerns.

**Concerns or complaints about the headteacher should be reported to the chair of governors**, whose contact details are displayed in the staff room for any member of staff to use in such an instance. *The 'Yellow form' should also be used for that purpose as above.*

Staff may also report concerns about suspected abuse or neglect directly to Children's Social Care or the Police if they believe direct reporting is necessary to secure action to safeguard children.

**Staff can also contact the Local Authority Designated Officer, (LADO)** who is responsible for the co-ordination of responses to allegations against people who work with children (see contact and referral details in section 16 below). The LADO contact details are displayed on the safeguarding noticeboard in the staff room.

The NSPCC whistleblowing helpline is also available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 between 8.00a.m. and 8.00p.m., Monday to Friday or e mail [help@nspcc.org.uk](mailto:help@nspcc.org.uk). Information is also available on the NSPCC website at <https://www.nspcc.org.uk/what-you-can-do/report-abuse/dedicated-helplines/whistleblowing-advice-line/>.



The NSPCC whistleblowing helpline and contact numbers for Children's Social Care, the Police and LADO are all displayed in the staff room.

## 17. Staff training

### Training, knowledge, and skill

All staff **should** receive appropriate safeguarding and child protection training (including online safety) at induction. **The training should be regularly updated.** In addition, all staff **should** receive safeguarding and child protection (including online safety) updates (for example, via email, e-bulletins, and staff meetings), as required, and at least annually, to continue to provide them with relevant skills and knowledge to safeguard children effectively.

It is important that all staff have training to enable them to recognise the possible signs of abuse, neglect, exploitation and radicalisation and to know what to do if they have a concern.

New staff, governors who will have direct contact with children and volunteers will receive an explanation during their induction which will include:

- *the school's* child protection and safeguarding policy including Early Help support
- signs and indicators of abuse and neglect
- responding to disclosure of abuse or neglect by a child
- reporting and recording arrangements
- the staff behaviour policy (code of conduct)
- the identity and role of the DSL and all Deputy DSLs
- *the school's* safeguarding response to children who go missing from education.
- *the school's* whistleblowing policy

NB: All of the above will be explained **before** a new member of staff, governor or volunteer has direct contact with children in school. The school's child protection policy and staff behaviour policy (code of conduct) will be sent with the letter confirming an appointment with a written requirement that the individual reads the two policies in advance of starting work at the school.

The individual will be given an opportunity to clarify any issues on their first day at work and then asked to sign to confirm that they have read and understood both policies and undertake to comply with them.

All staff, including the headteacher (unless the headteacher is the DSL), volunteers and governors will receive appropriate, **regularly updated safeguarding and early help and child protection training** and thematic updates to include online safety as required (at least annually) during inset days and regular discussions at staff meetings, to provide them with the requisite skills and knowledge to safeguard children effectively in line with statutory guidance and any requirements of the local safeguarding partnership.

**All staff should be aware** that children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated, or being threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This should not prevent staff from having a professional curiosity and speaking to the DSL if they have concerns about a child. It is also important that staff determine how best to build trusted relationships with children and young people which facilitate communication.

**All staff will be made aware** of the increased risk of abuse to certain groups, including children with special educational needs and disabilities, children in care, previously children in care and young carers, as well as risks associated with specific safeguarding issues including child sexual exploitation, child criminal exploitation, county lines activity, peer on peer abuse, sexual harassment and sexual violence in



school, extremism, so-called honour based abuse including female genital mutilation and forced marriage; and will receive training in relation to keeping children safe online.

In addition, the headteacher (and/or other school leaders as appropriate) and at least one governor (usually the chair) will attend safer recruitment training and the school will ensure that there are at least two school leaders and/or governors that have attended safer recruitment training within the past three years.

Supply staff and other visiting staff will be given the school's **Visiting Staff** on arrival.

DSL Training see section 3

Governor Training see section 3

## 18. Safer recruitment

Our school endeavours to ensure that we do our utmost to employ only 'suitable' staff and allow only 'suitable' volunteers to work with children by complying with the requirements of *Keeping Children Safe in Education 2023* together with the school's and the Warwickshire Safeguarding [Safer Recruitment procedures](#).

Safer recruitment means that all applicants will:

- complete an application form which includes their employment history and explains any gaps in that history;
- provide two referees, including at least one who can comment on the applicant's suitability to work with children;
- provide evidence of identity and qualifications;
- if offered employment, be checked in accordance with the Disclosure and Barring Service (DBS) regulations as appropriate to their role. This will include:
  - an enhanced DBS check and a barred list check for those including unsupervised volunteers engaged in Regulated Activity;
  - an enhanced DBS check without a barred list check for all volunteers not involved in Regulated Activity but who have the opportunity of regular contact with children;
  - an enhanced DBS check for all governors (not including associate members), which will only include a barred list check for governors involved in Regulated Activity.
- if offered employment, provide evidence of their right to work in the UK;
- be interviewed by a panel of at least two school leaders/governors, if shortlisted

Schools are 'specified places' which means that the majority of staff and volunteers will be engaged in Regulated Activity. A fuller explanation of Regulated Activity can be found in Part 3 of *Keeping Children Safe in Education 2023* and in Annex E

The school will also

- ensure that every job description and person specification for roles in school includes a description of the role holder's responsibility for safeguarding;
- ask at least one value-based question at interview for every role in school about the candidate's attitude to safeguarding and motivation for working with children;
- verify the preferred candidate's mental and physical fitness to carry out their work responsibilities;
- obtain references for all shortlisted candidates, including internal candidates
- consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at

interview. Schools and colleges should inform shortlisted candidates that online searches may be done as part of due diligence checks

- carry out additional or alternative checks for applicants who have lived or worked outside the UK;
- ensure that applicants for teaching posts are not subject to a prohibition order issued by the Secretary of State;
- *academies, independent schools and free schools* – check that an applicant for a management position is not the subject of a section 128 direction made by the secretary of state prohibiting or restricting her/him from taking part in the management of an independent school, academy or free school;
- *maintained schools* – check that governors are not the subject of a section 128 direction made by the Secretary of State prohibiting or restricting her/him from taking part in the management of an independent school, academy or free school because a person subject to any such prohibition or restriction is disqualified from being a governor

At least one member of each recruitment panel will have attended safer recruitment training.

All new members of staff and volunteers will undergo an induction that includes familiarisation with the school's child protection and safeguarding policy, staff behaviour policy (code of conduct), other issues as in section 17 of this policy and identification of their child protection training needs.

All staff are required to sign to confirm they have received a copy of the child protection and safeguarding policy and staff behaviour policy (code of conduct).

All relevant staff (teachers, teaching assistants, other classroom-based staff, lunchtime supervisors and members of the senior leadership team, and all those who work in before or after school care for children under eight) are made aware of the disqualification from providing childcare legislation (*state how awareness is raised e.g. with a staff/volunteer briefing, a clause in employment contracts for new staff etc.*).

The school obtains written confirmation from supply agencies and third-party organisations that they have satisfactorily undertaken all appropriate checks in respect of individuals they provide to work in the school that the school would have undertaken if they were employing the individual directly; and that those individuals are suitable to work with children.

Trainee teachers will be checked either by the school or by the training provider, from whom written confirmation will be obtained confirming their suitability to work with children.

The school maintains a Single Central Record (SCR) of recruitment checks undertaken and ensures that the record is maintained in accordance with Part 3 of **KCSiE 2023** and guidance issued by the Local Authority.

## **Volunteers**

Volunteers will undergo checks commensurate with their work in the school and contact with pupils.

Under no circumstances will a volunteer who has not been appropriately checked be left unsupervised or be allowed to engage in Regulated Activity.

The DBS does not charge for checks on volunteers. However, if schools or colleges use an external organisation to carry out the check, there may be an administration charge.

## **Supervised volunteers**

Volunteers who work only in a supervised capacity and are not in Regulated Activity will undergo the safer recruitment checks appropriate to their role, in accordance with the school's risk assessment process and statutory guidance.

## Contractors

The *school* checks the identity of all contractors and their staff on arrival at the *school* and requests DBS checks where appropriate. As required by statutory guidance, where contractors and/or their staff are engaged in Regulated Activity, barred list checks are also requested. Contractors and any of their staff who have not undergone checks will not be allowed to work unsupervised or in Regulated Activity.

## 19. Site security

Visitors to the *school*, including contractors, are asked to sign in and are given an identity badge, which confirms they have permission to be on site. Parents who are simply delivering or collecting their children do not need to sign in. All visitors are expected to observe the *school's* safeguarding and health and safety regulations to ensure children in *school* are kept safe. The headteacher will exercise professional judgement in determining whether any visitor should be escorted or supervised while on site.

### Use of school or college premises for non-school/college activities

Where governing bodies or proprietors hire or rent out school or college facilities/premises to organisations or individuals (for example to community groups, sports associations, and service providers to run community or extra-curricular activities) they should ensure that appropriate arrangements are in place to keep children safe.

When services or activities are provided by the governing body or proprietor, under the direct supervision or management of their school or college staff, their arrangements for child protection will apply. However, where services or activities are provided separately by another body this is not necessarily the case. The governing body or proprietor should therefore seek assurance that the provider concerned has appropriate safeguarding and child protection policies and procedures in place (including inspecting these as needed); and ensure that there are arrangements in place for the provider to liaise with the school or college on these matters where appropriate. This applies regardless of whether or not the children who attend any of these services or activities are children on the school roll or attend the college. The governing body or proprietor should also ensure safeguarding requirements are included in any transfer of control agreement (i.e. lease or hire agreement), as a condition of use and occupation of the premises; and that failure to comply with this would lead to termination of the agreement. The guidance on [Keeping children safe in out-of-school settings](#) details the safeguarding arrangements that schools and colleges should expect these providers to have in place.

## 20. Behaviour Management

Our behaviour policy is set out in a separate document and is reviewed regularly by the governing body. It is shared with all staff before they start working with children as part of their induction. The policy is transparent to staff, parents and pupils.

*[It is important to ensure that the school's behaviour policy appropriately addresses the use of reasonable force with reference to statutory guidance and the document 'Guidance on the Use of Force and Physical Intervention', which can be accessed in Warwickshire's inter-agency safeguarding procedures at <https://www.safeguardingwarwickshire.co.uk/safeguarding-children/i-work-with-children-and-young-people/interagency-safeguarding-procedures>.]*

KCSiE (DfE, 2023) highlights that there are circumstances when it is appropriate for staff in schools and colleges to use reasonable force to safeguard children and young people. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil

by the arm out of the classroom.

The school operates in accordance with Warwickshire County Council's *Guidance on the Use of Force and Physical Intervention*, which highlights that staff should deploy every possible strategy to prevent the need for physical intervention. Those strategies would include de-escalation whenever there is a threat of violence or aggression towards an individual or property; communicating calmly with children; using non-threatening verbal and body language; helping children to recognise their own 'triggers' and 'early warning signs', and distracting or helping children to see a positive way out of a difficult situation.

However, the school supports staff to intervene physically and to use reasonable force when all of those strategies are unsuccessful in calming a situation; and a risk of physical harm to other children, adults or the child her/himself, serious damage to property or serious disruption to the school remains. Staff **should** always be able to demonstrate that any such intervention is reasonable, proportionate and necessary in the circumstances, is used for the shortest possible period of time, deploys the minimum force that is necessary and is never used as a sanction.

## **Searching, screening, confiscation, and the role of the Appropriate Adult**

**Make sure a child or young person's wishes and feelings are known and focus on the safeguarding needs of the child/children. June 2023 update report [Child Q](#)**

The DSL should liaise with the headteacher or principal to inform him or her of issues- especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations. This should include being aware of the requirement for children to have an Appropriate Adult. Further information can be found in the Statutory guidance - PACE Code C 2019.

In accordance with [DfE guidance Searching, screening and confiscation - Advice for headteachers, school staff and governing bodies](#) – staff can search a pupil for any item if the pupil agrees. The headteacher and any member of staff authorised by the headteacher also has a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have one or more of the following prohibited items in their possession: knives or weapons; alcohol; illegal drugs; stolen items; tobacco and cigarette papers; fireworks; pornographic images; indecent images of children; any article that a member of staff reasonably suspects has been, or is likely to be, used to commit an offence or to cause personal injury to or damage to the property of any person (including the pupil).

The headteacher and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.

School staff can confiscate any prohibited item found as a result of a search. They can also confiscate any item they consider harmful or detrimental to school discipline.

In the event that a member of staff suspects that a confiscated device contains indecent images of children, they will pass the device to the DSL and will not examine the device themselves. The DSL will take advice from the Police and/or the Front Door before examining the device – see 'Viewing the Imagery' on page 50 below.

## **21. Record Keeping**

The school will maintain safeguarding (including early help) and child protection records in accordance with the guidance document *Child Protection Record Keeping Guidance*.

The school will:

- keep clear detailed written records of concerns about children (noting the date, event and action taken), even where there is no need to refer the matter to Children's Social Care immediately;
- keep records in a meticulous chronological order, either on paper or electronically;
- ensure all records are kept secure and in locked locations;
- ensure all safeguarding records are transferred - separately from the child's main pupil file – to the receiving school, college or other education establishment when a pupil moves. The DSL will do this as soon as possible, ensuring secure transit, and will ensure that confirmation of receipt of the records is obtained;
- the DSL will also consider whether it is appropriate to share any information with a child's receiving school/setting in advance of the child leaving so that the receiving school/setting is able to support the child as effectively as possible and plan for her/his arrival;
- ensure that incoming safeguarding records are brought to the attention of the DSL, Deputy DSLs and other key staff such as the SENCO when a child transfers in from another school/setting.

Safeguarding and child protection records will be maintained independently from the pupil's school file and the school file will be 'tagged' to indicate that separate information is held. Such records will only be accessible to the DSL and school leaders who need to be aware.

The format for all staff in schools to record any safeguarding or child protection observations or concerns about a child is the pro forma *Logging A Concern About A Child's Safety and Welfare* (Form C) also known as the 'Green form'. The same format will be used by staff to record and report any observations or concerns that suggest a child might benefit from early help. In school, CPoms is the electronic recording system for record keeping and is available to all staff working in the school. Should visitors, contractors that do not have access to CPoms will record on a 'green form' and this will be uploaded to the recording system by the DSL to allow for effective recording and auditing.

The records will include, in addition to the name, address and age of the child, timed and dated observations describing the child's behaviour, appearance, statements/remarks made to staff or other children and observations of interactions between the child, other children, members of staff and/or parents/carers that give rise to concern. Where possible and without interpretation, the exact words spoken by the child or parent/carer will be recorded. The contextual location should also be recorded. Records will be signed, dated and timed by the member of staff making the record.

Records of safeguarding/child protection observations or concerns can be completed electronically or as a paper version, but it is most important that **one consistent system for the recording of concerns is readily accessible to every member of staff irrespective of role and that all records are passed to the DSL**, who should complete the form to confirm what action has been taken.

Child protection records form a part of a child's pupil record, which parents ordinarily have a right to see. Any pupil or parent wishing to access the pupil's child protection records will need to submit a request to the school for consideration. Access to the record will then be arranged but records may be redacted in line with the requirements of the General Data Protection Regulation (GDPR) if releasing information would place the child, or any other person, at risk of significant harm.

The Data Protection Act 2018 and GDPR do not prevent school staff from sharing information with relevant agencies without the consent of parents, where that information may help to protect a child.

## 22. Confidentiality and Information Sharing

The school will manage and share confidential information about children in line with *Information sharing* – [Advice for practitioners providing safeguarding services to children, young people, parents and](#)

All staff will understand that child protection issues warrant a high level of confidentiality, not only out of respect for the pupil, family and staff involved but also to ensure that information being released into the public domain does not compromise evidence.

The Data Protection Act 2018 (DPA) and the GDPR places duties on the school and individual staff to process personal information fairly and lawfully and to keep the information they hold safe and secure.

However, neither the DPA nor the GDPR prevent or limit the sharing of information for the purposes of keeping children safe. **KCSiE 2023** states clearly that “Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare of children”.

Staff will ensure confidentiality protocols are adhered to and information is shared appropriately. If in any doubt about confidentiality, staff will seek advice from the DSL, another SLT member or outside agency as required for example the Front Door Education Lead.

It is reasonable for staff to discuss day-to-day concerns about pupils with colleagues in order to ensure that children’s general needs are met in school. However, staff should report all child protection and safeguarding concerns to the DSL or headteacher or – in the case of concerns about the headteacher – to the chair of governors. The person receiving the referral will then decide who else needs to have the information and they will disseminate it on a ‘need-to-know’ basis.

**Keeping Children Safe in Education 2023** emphasises that the DSL or a deputy DSL should always be available to discuss safeguarding concerns but in exceptional circumstances where neither the DSL nor any appointed deputy DSL are available, that should not delay appropriate action being taken and staff should speak to a member of SLT or take advice from Children’s Social Care if they are concerned about a child.

The GDPR and the Data Protection Act 2018 do not prevent school staff from sharing information with relevant agencies, where that information may help to protect a child. All staff must be aware that they have a professional responsibility to share information with other agencies to safeguard children.

Where children leave the school or college, the DSL **should** ensure their child protection file is transferred to the new school or college as soon as possible, and within 5 days for an in-year transfer or within the first 5 days of the start of a new term to allow the new school or college to have support in place for when the child arrives. The DSL **should** ensure secure transit, and confirmation of receipt should be obtained. For schools, this **should** be transferred separately from the main pupil file. Receiving schools and colleges should ensure key staff such as designated safeguarding leads and special educational needs co-ordinators (SENCO’s) or the named persons with oversight for special educational needs and disability (SEND) in a college, are aware as required.

In addition to the child protection file, the DSL **should** also 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 children who have had a social worker and been victims of abuse, or those who are currently receiving support through the ‘Channel’ programme and can have that support in place for when the child arrives. More information on the child protection file is in Annex C of **KCSiE 2023**.

The DSL will normally obtain consent from the pupil and/or parents to share sensitive information within the school or with outside agencies. Where there is good reason to do so, the DSL may share information *without* consent, and will record the reason for not obtaining consent.

If any member of staff receives a request from a pupil or parent to see child protection records, they will refer the request to the DSL and data protection officer.

Information sharing will take place in a timely and secure manner and where:

- it is necessary and proportionate to do so; and
- the information to be shared is relevant, adequate and accurate

Information sharing decisions will be recorded, whether or not the decision is taken to share.

All staff must be aware that they cannot promise a child/parent to keep secrets.

All safeguarding and child protection information will be handled in line with the principles of the Data Protection Act 2018, which require that sensitive information is:

- processed for limited purposes
- adequate, relevant and not excessive
- accurate
- kept no longer than necessary
- processed in accordance with the data subject's rights
- secure.

Record of concern forms (Form C – Green forms) and other written information will be stored in a locked facility and any electronic information will be password protected and only made available to relevant individuals.

Every effort will be made to prevent unauthorised access to sensitive information. Any sensitive information that needs to be stored on portable devices such as laptop computers or tablets or on portable media such as a CD or flash drive will be password protected or encrypted and kept in locked storage.

The school's policy on confidentiality and information-sharing is available to parents and pupils on request.

## **23. Extended school and off-site arrangements**

All extended and offsite activities are subject to a risk assessment to satisfy health and safety and safeguarding requirements. When our pupils attend off-site activities, including day and residential visits and work-related activities, we will check that effective child protection and whistleblowing arrangements are in place.

Where extended school activities are provided by and managed by the school, the school's child protection policy and procedures apply. If other organisations provide services or activities on the school site, the school will check that those organisations have appropriate procedures in place, including safer recruitment procedures.

The DSL will maintain an overview of all pupils accessing the children's club/breakfast club/wraparound provision and will ensure that robust arrangements are in place for timely and effective two-way sharing of safeguarding information - including records of all safeguarding concerns - between the school and the safeguarding lead for the children's club/breakfast club/wraparound provision.

The DSL will also take responsibility for ensuring that robust procedures are in place to confirm attendance and swift reporting of non-attendance and children going missing from the children's club/breakfast club/wraparound provision at any time when they should be there. The DSL will also ensure that effective quality assurance arrangements are in place in order to monitor the ongoing effectiveness of all safeguarding arrangements that the children's club/breakfast club/wraparound provision *has in place*.



## 24. Photography and images

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

To protect pupils we will:

- seek their consent for photographs or video images to be taken;
- seek parental consent;
- ensure pupils are appropriately dressed; and
- encourage pupils to tell us if they are worried about any photographs/images that are taken of them.

Furthermore, when using images for publicity purposes (e.g. on our website or in newspapers or publications), we will:

- avoid naming children when possible;
- if it is necessary to name children, use first names rather than surnames;
- if children are named, avoid using their image;
- establish whether the image will be retained for further use, where and for how long;
- ensure that images are stored securely and used only by those authorised to do so.

For the protection of pupils and staff, only school owned equipment will be used to record and store images taken by staff or volunteers on the school site or during offsite school activities including residential visits.

*Parents are welcome to take still photographs of their **own children only** during school activities, subject to other restrictions notified to parents in advance in writing or verbally (e.g. parents may be asked not to take photographs during concerts/performances in order not to distract children who are performing or other audience members). Parents must not publish (including on social media) photographs of other children inadvertently captured during school events without the express permission of the parents of those children.*

*Parents are welcome to video record their **own children only** during school activities, subject to the same terms and conditions as for photographs above.*

*Visiting practitioners who work directly with children are subject to the same restrictions as school staff and volunteers in respect of recording and storing images of children. However, some visiting professionals are permitted to record images of the premises only specifically for professional purposes and in order to support the school, e.g. professionals providing advice or preparing quotations for work such as maintenance, health and safety and building.*

## 25. Online Safety

Children and young people commonly use electronic equipment including mobile phones, tablets and computers on a daily basis to access the internet and share content and images via social networking sites such as Facebook, Twitter, TickTock, Snapchat and Instagram. Refer to **KCSIE 2023** Para 134-147

Those technologies and the internet are a source of fun, entertainment, communication and education. Unfortunately, however, some adults and young people will use those technologies to harm children and the use of technology has become a significant component of many safeguarding issues. Technology often provides the platform that facilitates harm through child criminal and sexual exploitation; county lines activity; radicalisation; sexual predation and cyber bullying.



The following resources, plus many more listed in Annex B (KCSiE 2023) may also help schools and colleges understand and teach about safeguarding:

- DfE advice for schools: teaching online safety in schools
- UK Council for Internet Safety (UKCIS) guidance: Education for a connected world
- UKCIS guidance: Sharing nudes and semi-nudes: advice for education settings working with children and young people
- The UKCIS external visitors guidance will help schools and colleges to ensure the maximum impact of any online safety sessions delivered by external visitors
- National Crime Agency's CEOP education programme: Thinkuknow
- Public Health England: Every Mind Matters
- Harmful online challenges and online hoaxes - this includes advice on preparing for any online challenges and hoaxes, sharing information with parents and carers and where to get help and support.

KCSiE 2023, p 34-35

It is essential that children are safeguarded from potentially harmful and inappropriate online material.

Online safety should include appropriate filtering and monitoring on school devices and school networks. School is directly responsible for ensuring the appropriate level of security protection procedures in place in order to safeguard the systems, including reference to the cyber security standards.

An effective whole school and college approach to online safety empowers a school or college to protect and educate pupils, students, and staff in their use of technology and establishes mechanisms to identify, intervene in, and escalate any concerns where appropriate. The breadth of issues within online safety is considerable, but can be categorised into four areas of risk:

- content: being exposed to illegal, inappropriate or harmful content, for example: pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation and extremism.
- contact: being subjected to harmful online interaction with other users; for example: peer to peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes.
- conduct: personal online behaviour that increases the likelihood of, or causes, harm; for example, making, sending and receiving explicit images (e.g. consensual and non-consensual sharing of nudes and semi-nudes and/or pornography, sharing other explicit images and online bullying; and
- commerce - risks such as online gambling, inappropriate advertising, phishing and or financial scams. If you feel your pupils, students or staff are at risk, please report it to the Anti-Phishing Working Group (<https://apwg.org/>).

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Chatrooms and social networking sites are the more obvious sources of inappropriate and harmful behaviour and pupils are not allowed to access those sites in school. Many pupils own or have access to

handheld devices and parents are encouraged to consider measures to keep their children safe when using the internet and social media at home and in the community.

*Mobile phones and devices are not permitted for pupils in school. Devices should be handed in to the office on arrival and collected on departure. They must not be used on the school premises.*

Schools and colleges are likely to be in regular contact with parents and carers. Those communications should be used to reinforce the importance of children being safe online and parents and carers are likely to find it helpful to understand what systems schools and colleges use to filter and monitor online use. It will be especially important for parents and carers to be aware of what their children are being asked to do online, including the sites they will be asked to access and be clear who from the school or college (if anyone) their child is going to be interacting with online.

The school is unable to filter activity on devices not owned by the school. Parents may find it useful to refer to <https://www.internetmatters.org/blog/parental-controls/broadband-mobile/> for guidance on putting some restrictions in place to keep children safe online.

Nonetheless, all staff receive online safety training and are trained to be vigilant about and to report any concerns about risk to children online in the same way that they notice and report offline concerns. The school's **online safety policy** explains how we try to keep pupils safe in school, learning remotely and protect and educate pupils in the safe use of technology. The school has appropriate filters and monitoring systems in place to protect children from potentially harmful online material.

Online bullying and sexting by pupils will be treated as seriously as any other type of bullying and will be managed through our anti-bullying procedures (see 'Youth produced sexual imagery ('sexting')' in section 31 below). Serious incidents may be managed in line with our sexual exploitation policy or child protection procedures.

*The school's online safety co-ordinator is: Richard Cunningham*

### **Safeguarding pupils in online learning and communication between staff and pupils**

Where school staff are delivering lessons online or virtually (e.g. to children unable to attend school due to COVID-19 or ill health), all such lessons will be delivered in accordance with the school's safeguarding and child protection, staff behaviour (code of conduct) and acceptable use of ICT policies. This will ensure that the school's filtering and monitoring software is enabled.

The school will take account of guidance from DfE in relation to the planning and delivery of online learning when it is issued; as well as nationally recognised guidance including [guidance from the UK Safer Internet Centre on safe remote learning](#) and [London Grid for Learning on the use of videos and livestreaming](#).

Staff will always use school/service owned devices and accounts for the delivery of online/virtual lessons/tutorials. Where possible, applications that facilitate the recording of lessons will be used subject to data protection and retention/storage guidelines. School leaders will randomly sample recorded lessons in order to safeguard pupils/students and staff and to ensure that policies are being followed.

When delivering online/virtual lessons on a one-to-one basis or communicating with vulnerable children who are not attending school via video chat, staff will speak to parents/carers before lessons/conversations commence and when they finish before logging off.

The school will request and obtain written consent from parents/carers including consent to record lessons and video conversations before staff communicate with children online.

It is important that all staff who interact with children online continue to look out for signs that a child may be at risk, distressed for some reason or vulnerable in some other way; and report and record any

concerns to the DSL in the normal way. The DSL will respond to any such concern as they would any other safeguarding concern.

The school will ensure that online learning tools and systems are used in line with privacy and data protection/GDPR requirements.

Online/virtual lessons should be timetabled and the headteacher or DSL will be able to drop into any virtual lesson at any time – the online version of entering a classroom for pupil/student welfare and safeguarding purposes. Staff delivering online/virtual teaching will be expected to display the same standards of dress and conduct that they would when working face to face in school, modelling appropriate behaviour and presentation to pupils/students and parents.

Below are other issues that staff need to take into account when delivering online/virtual lessons or communicating with children online, particularly where webcams are used:

- Staff and children must be fully dressed and wear suitable clothing, as should anyone else in the household.
- Any computers used should be in appropriate areas, for example not in bedrooms; and the background should be blurred. If it is not possible to blur the background, staff must consider what children can see in the background and whether it would be appropriate in a classroom. This includes photographs, artwork, identifying features, mirrors etc.
- Staff will ensure that resources and videos used are age appropriate – the child may not have support immediately to hand at home if they feel distressed or anxious about content.
- Live classes should be recorded so that if any issues were to arise, the video can be reviewed.
- Live classes will be kept to a reasonable length of time so that children do not have too much screen time and in order to minimise disruption for the family.
- Language must be professional and appropriate, including that used by any family members in the background.
- Staff must only use platforms specified by senior managers and approved by the school's ICT manager/co-ordinator for communication with pupils/students.
- Staff should record the length, time, date and attendance of any sessions held.

Staff members delivering lessons or communicating with children online/virtually will raise any issues in respect of inappropriate dress, setting, behaviour etc with the child and/or parent immediately and will end the online interaction if necessary. Any such incident will be recorded and reported to the DSL.

If a staff member believes that a child or parent is recording a lesson or conversation without prior consent, the lesson will be brought to an end, or the child will be logged out immediately.

In **rare and exceptional circumstances** where staff urgently need to contact a pupil or parent by telephone and do not have access to a school-owned device, they will discuss this with a senior member of staff. If it is agreed there is no alternative to using a personally owned device, staff members will always use 'caller withheld' to ensure the pupil and/or parent is not able to identify the staff member's personal contact details.

Staff also receive advice regarding their personal online activity, use of social networking and electronic communication with pupils, about which there are strict rules [*please refer to WCC guidance 'Policy on Staff/Governor Use of Social Networking and Internet Sites'; WCC model staff behaviour policy and add your school's advice/rules here*]. Staff found to be in breach of these rules may be the subject of a referral to the LADO and/or may be subject to disciplinary action.

### **Filtering and monitoring**

Considering the schools responsibility to safeguard and promote the welfare of children and provide them with a safe environment in which to learn, governing bodies and proprietors should be doing all that they reasonably can to limit children's exposure to the above risks from the school's or college's IT system. As part of this process, governing bodies should ensure the school has appropriate filters and

monitoring systems in place and **regularly review their effectiveness**. They should ensure that the leadership team and relevant staff have an awareness and understanding of the provisions in place and manage them effectively and know how to escalate concerns when identified. Governing bodies should consider the age range of their children, the number of children, how often they access the IT system and the proportionality of costs versus safeguarding risks.

The appropriateness of any filters and monitoring systems has been agreed by the schools and is informed in part, by the risk assessment required by the Prevent Duty.

To meet this duty, in reference to the Department for Education filtering and monitoring standards our schools will endeavour to:

- identify and assign roles and responsibilities to manage filtering and monitoring systems.
- review filtering and monitoring provision at least annually.
- block harmful and inappropriate content without unreasonably impacting teaching and learning.
- have effective monitoring strategies in place that meet their safeguarding needs

Governing bodies and proprietors will review the standards and discuss with IT staff and service providers what more needs to be done to support schools and colleges in meeting this standard.

## 26. Child protection procedures

### Recognising abuse

To ensure that our pupils are protected from harm, we need to understand what types of behaviour constitute abuse and neglect.

Abuse and neglect are forms of maltreatment of children. Somebody may abuse or neglect a child by inflicting harm, for example by hitting them, or by failing to act to prevent harm, for example by leaving a small child home alone.

Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by adult men or women or by other children or young people. Staff are trained to understand and recognise indicators of all four categories of abuse as defined below.

**There are four categories of abuse: physical abuse, emotional abuse, sexual abuse and neglect**

### Physical abuse

A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child (this used to be called Munchausen's Syndrome by Proxy, but is now more usually referred to as fabricated or induced illness).

### Emotional abuse

The persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability

as well as overprotection and limitation of exploration and learning or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

### **Sexual abuse**

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education (see section 31).

### **Neglect**

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

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

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

### **Indicators of abuse**

Physical signs define some types of abuse, for example bruising, bleeding or broken bones resulting from physical or sexual abuse, or injuries sustained while a child has been inadequately supervised. The identification of physical signs is complicated, as children may go to great lengths to hide injuries, often because they are ashamed or embarrassed, or their abuser has threatened further violence or trauma if they 'tell'. It is also quite difficult for anyone without medical training to categorise injuries into accidental or deliberate with any degree of certainty. For those reasons it is vital that staff are also aware of the range of behavioural indicators of abuse and report any concerns to the DSL.

**It is the responsibility of staff to report their concerns. It is not their responsibility to investigate or decide whether a child has been abused.**

- - A child who is being abused or neglected may:
  - have bruises, bleeding, burns, fractures or other injuries;
  - show signs of pain or discomfort;
  - keep arms and legs covered, even in warm weather;
  - be concerned about changing for PE or swimming;
  - look uncared for;
  - change their eating habits;
  - have difficulty in making or sustaining friendships;
  - appear fearful;
  - be reckless with regard to their own or other's safety;
  - self-harm;
  - frequently miss school or arrive late;
  - show signs of not wanting to go home;

- display a change in behaviour – from quiet to aggressive, or happy-go-lucky to withdrawn;
- challenge authority;
- become disinterested in their school work;
- be constantly tired or preoccupied;
- be wary of physical contact;
- be involved in, or particularly knowledgeable about drugs or alcohol;
- display sexual knowledge or behaviour beyond that normally expected for their age and/or stage of development; and/or
- acquire gifts such as money or a mobile phone from new ‘friends’ or adults recently acquainted with the child’s family.

Individual indicators will rarely, in isolation, provide conclusive evidence of abuse. They should be viewed as part of a jigsaw and each small piece of information will help the DSL to decide how to proceed.

**It is very important that staff report all of their concerns, however minor or insignificant they may think they are – they do not need ‘absolute proof’ that the child is at risk.**

### **Impact of abuse**

The impact of child abuse, neglect and exploitation **should not** be underestimated. Many children do recover well and go on to lead healthy, happy and productive lives, although most adult survivors agree that the emotional scars remain, however well buried. For some children, full recovery is beyond their reach and the rest of their childhood, and their adulthood may be characterised by one or more of the following: anxiety, depression or other mental health difficulties, self-harm, eating disorders, alcohol and substance misuse, unequal and destructive relationships, unfulfilled potential and long-term physical health difficulties.

### **Taking action**

**Any child in any family in any school could become a victim of abuse. Staff should always maintain an attitude of “It could happen here”.**

Key points for staff to remember when taking action are:

- in an emergency take the action necessary to help the child, for example, call 999;
- report your concern to the DSL as quickly as possible – immediately when there is evidence of physical or sexual abuse and certainly by the end of the day;
- do not start your own investigation; share information on a need-to-know basis only – do not discuss the issue with colleagues, friends or family;
- complete a record of concern, using your school’s designated safeguarding reporting system and
- seek support for yourself if you are distressed or need to debrief.

### **If a member of staff or volunteer is concerned about a pupil’s welfare**

There will be occasions when staff may suspect that a pupil may be at risk without unequivocal evidence. The pupil’s behaviour may have changed, their artwork could be unusual or bizarre, they may write stories or poetry that reveal confusion or distress, or physical but inconclusive signs may have been noticed. In these circumstances, staff will try to give the pupil the opportunity to talk. The signs they have noticed may be due to a variety of factors, for example a parent has moved out, a pet has died, a grandparent is very ill, or an accident has occurred. Staff are encouraged and supported to ask pupils if they are OK, if there is anything the child would like to talk to them about and if they can help in any way. Staff are trained to do this by asking appropriate open questions which do not lead the child in any particular direction, but invite the child to talk about anything if they wish to.

*Staff should use CPOMS to record these early concerns. If the pupil does begin to reveal that they are being harmed, staff should follow the advice below. Following an initial conversation with the pupil, if the member of staff remains concerned, they should discuss their concerns with the DSL.*

Concerns which do not meet the threshold for child protection intervention will be managed through the Early Help process as in section 8 of this policy.

### **If a pupil discloses to a member of staff or volunteer**

It takes a lot of courage for a child to disclose that they are being abused. They may feel ashamed, particularly if the abuse is sexual. Their abuser may have threatened what will happen if they tell. They may have lost all trust in adults. Or they may believe, or have been told, that the abuse is their own fault. Sometimes they may not be aware that what is happening is abusive.

If a pupil talks to a member of staff about any risks to their safety or wellbeing, **the staff member will need to let the pupil know that they must pass the information on** – staff are not allowed to keep unsafe secrets. The point at which they tell the pupil this is a matter for professional judgement. If they jump in immediately the pupil may think that they do not want to listen but if left until the very end of the conversation, the pupil may feel that they have been misled into revealing more than they would have otherwise.

If pupils have been completing the Taking Care curriculum they will have been taught about confidentiality and will generally understand the concept of safe and unsafe secrets. They should have a good knowledge and understanding of why staff cannot keep some information confidential but also know that information is passed on to specific people on a 'need to know' basis only.

During their conversations with pupils, staff will:

- allow the child to speak freely;
- remain calm and not overreact – the pupil may stop talking if they feel they are upsetting their listener.
- give reassuring nods or words of comfort – **'I'm glad you told me'/'Thank you for telling me'; 'You're doing very well'; 'I believe you'; 'What happened to you is not your fault'/'This isn't your fault'; 'I'm going to do what I can to help you';**
- not be afraid of silences – staff must remember how hard this must be for the pupil;
- **under no circumstances** ask investigative questions – such as how many times this has happened, whether it happens to siblings too, or what does the pupil's mother think about it; (**however**, it is reasonable to ask questions to clarify understanding and to support a meaningful referral if that is required, e.g., 'when did this happen', 'where did this happen?')
- at an appropriate time tell the pupil that in order to help them, the member of staff must pass the information on;
- not automatically offer any physical touch as comfort. It may be anything but comforting to a child who has been abused;
- avoid admonishing the child for not disclosing earlier. Saying things such as 'I do wish you had told me about this when it started' or 'I can't believe what I'm hearing' may be the staff member's way of being supportive but may be interpreted by the child to mean that they have done something wrong;
- tell the pupil what will happen next;
- let the pupil know that someone (either the member of staff or another named person, e.g. the DSL) will come to see them before the end of the day;
- report verbally to the DSL (or headteacher if the child has made an allegation against a member of staff);
- write up their conversation as soon as possible on CPOMS and submit it to the DSL (or headteacher if the child has made an allegation against a member of staff); and
- seek support if they feel distressed or need to debrief.

Schools and colleges **should** carefully consider any report of sexual violence and/or sexual harassment. The DSL (or deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the school's or college's initial response. Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however need to be balanced with the school's or college's duty and responsibilities to protect other children;
- the nature of the alleged incident(s), including whether a crime may have been committed and consideration of harmful sexual behaviour;
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, is the alleged perpetrator(s) significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
- if the alleged incident is a one-off or a sustained pattern of abuse (sexual abuse can be accompanied by other forms of abuse and a sustained pattern may not just be of a sexual nature);
- that sexual violence and sexual harassment can take place within intimate personal relationships between peers;
- are there ongoing risks to the victim, other children, adult students or school or college staff; and
- other related issues and wider context, including any links to child sexual exploitation and child criminal exploitation
- 

### Notifying parents

The school will normally seek to discuss any concerns about a pupil with their parents. This **must** be handled sensitively, and the DSL will make contact with the parent in the event of a concern, suspicion or disclosure.

Our focus is the safety and wellbeing of the pupil. Therefore, if the school believes that notifying parents could increase the risk to the child or exacerbate the problem, advice will be sought first from Children and Families Front Door.

## 27. Making a referral to Children's Social Care

**KCSiE 2023** emphasises that the DSL (and any deputies) are most likely to have a complete safeguarding picture and be the most appropriate person to advise on the response to safeguarding concerns. The DSL will make a referral to Children's Social Care (and if appropriate the Police) if it is believed that a pupil is suffering or is likely to suffer significant harm.

The pupil (subject to their age and understanding) and the parents will be told that a referral is being made, unless to do so would increase the risk to the child or create undue delay. **KCSiE 2023** also emphasises that **all** staff **should** be aware of the process for making referrals to Children's Social Care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments.

### Statutory assessments

#### Children in need

A child in need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under Section 17 of the Children Act 1989.



## Children suffering or likely to suffer significant harm

Local authorities, with the help of other organisations as appropriate, have a duty to make enquiries under Section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. In addition, children and young people may be at risk of significant harm from outside of their home environment (extra familial harm), this too could constitute that the child may suffer significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare (child protection or MASE) and must be initiated where there are concerns about maltreatment, including all forms of abuse and neglect, female genital mutilation or other so-called honour-based violence, and extra-familial threats like radicalisation and sexual exploitation.

## 28. Submitting child protection referrals

All child protection referrals should be made to the Children and Families Front Door by completing a Multi-Agency Contact (MAC) form and submitting it to the Front Door at **triagehub@warwickshire.gov.uk**

The form can also be completed online.

All urgent child protection referrals, i.e. where there is an immediate concern about a child's safety should be made in the **first instance by telephoning the Front Door on 01926 414144**. This should be followed by submission of a MAC as above.

NB: If a child is already the subject of an open case to Children's Social Care, the DSL will have the name and contact details of the allocated social worker. Further child protection concerns about any child in those circumstances must be referred directly to the allocated social worker, **not** to the Front Door again

Where there is a concern about a child, the DSL **should** contact the social worker by telephone in the first instance. Any difficulties in contacting the social worker must be escalated to their line manager, **not** to the Front Door

Outside of office hours, immediate concerns about a child should be referred to the Emergency Duty Team on telephone number 01926 886922.

If staff are ever concerned that a child is in immediate danger, they will contact the Police by dialling 999.

Staff may seek support directly from the Front Door Education Lead via 01926 418608 should they consider that necessary.

## 29. Staff reporting directly to child protection agencies

Staff **should** ordinarily follow the reporting procedures outlined in this policy.

However, as highlighted above, **all staff should** be aware of the early help process and understand their role in it; and **all staff should** be aware of the process for making referrals to Children's Social Care and for statutory assessments under the Children Act 1989. **Any member of staff may therefore refer their concerns directly to Children's Social Care and/or the Police if:**

- the situation is an emergency and the DSL, the deputy DSL, the headteacher and/or the chair of governors are all unavailable;
- they are convinced that a direct report is the only way to ensure the child's safety; or
- for any other reason they make a judgement that a direct referral is in the best interests of the child.

In any of those circumstances, staff may make direct child protection referrals and share information without being subject of censure or disciplinary action. However, staff **should** inform the DSL and/or headteacher at the earliest opportunity that they have made a direct referral unless in their judgement doing so would increase the risk of harm to the child.

If in any doubt, members of staff may consult or seek support from the Front Door and / or Education Lead via 01926 418608

### 30. What will Children's Social Care do?

Children's Social Care should make a decision about the type of response that is required within one working day of a referral being made; and should let the referrer know the outcome. This will include determining whether:

- the child requires immediate protection and urgent action is required;
- whether the child is in need, and should be assessed under section 17;
- there is reasonable cause to suspect the child is suffering, or likely to suffer, significant harm, and whether enquiries must be made and the child assessed under section 47; (Chapter one of Working Together to Safeguard Children provides details of the assessment process)
- any services are required by the child and family and what type of services; and
- further specialist assessments are required in order to help the local authority to decide what further action to take.

The school will follow up if this information is not forthcoming and if, after a referral, the child's situation does not appear to be improving, the school will consider following the Warwickshire Safeguarding escalation protocol to ensure the referred concerns have been addressed and, most importantly, that the child's situation improves.

If Children's Social Care decide to carry out a statutory assessment, school staff will do everything they can to support that assessment, led and supported by the DSL (or deputy) as required.

### 31. Bullying, Child-on-child abuse and harmful sexual behaviour

This *school* believes that all children have a right to attend school and learn in a safe environment. Children should be free from harm, both from adults and other students in the school.

Part 5 of KCSiE 2023 sees the integration of guidance on sexual violence and sexual harassment. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/719902/Sexual\\_violence\\_and\\_sexual\\_harassment\\_between\\_children\\_in\\_schools\\_and\\_colleges.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719902/Sexual_violence_and_sexual_harassment_between_children_in_schools_and_colleges.pdf)

Children may be harmed by other children or young people. All staff recognise that children can abuse other children and are trained to understand and implement the school's policy and procedures regarding child-on-child abuse. All child-on-child abuse is unacceptable and will be taken seriously. It is most likely to include, but is not limited to:

- bullying (including online bullying prejudice-based and discriminatory bullying);
- abuse in intimate personal relationships between peers;

- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse;
- Consensual and non-consensual sharing of nudes and semi nude images and or videos (also known as sexting or youth produced sexual imagery);
- upskirting, which typically involves taking a picture under a person's clothing (not necessarily a skirt) without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm (upskirting is a criminal offence and may constitute sexual harassment). Anyone of any gender can be a victim;
- teenage relationship abuse – defined as a pattern of actual or threatened acts of physical, sexual or emotional abuse, perpetrated against a current or former partner;
- initiation/hazing - (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element. For example, can be used to induct newcomers into an organisation such as sports team or school groups by subjecting them to a series of potentially humiliating, embarrassing or abusing trials which promote a bond between them; and
- prejudiced behaviour – a range of behaviours which causes someone to feel powerless, worthless or excluded and which relates to prejudices around belonging, identity and equality, in particular prejudices linked to disabilities, special educational needs, ethnic, cultural and religious backgrounds, gender and sexual identity.

Bullying is a very serious issue that can cause children considerable anxiety and distress. At its most serious level, bullying can have a disastrous effect on a child's well-being and in very rare cases has been a feature in the suicide of some young people.

All incidences of bullying, including cyber-bullying and prejudice-based bullying **should** be reported and will be managed through the school/college's anti-bullying procedures which can be accessed *in the staff file or on the school's website*. All pupils and parents receive a copy of the procedures on joining the school and the subject of bullying is addressed at regular intervals in PSHE education. All members of staff receive a copy of the school's behaviour policy, which contains the anti-bullying procedures, as part of their induction and are trained to be aware of the harm caused by bullying and to respond to all incidents of bullying and peer on peer abuse proactively.

Abuse is abuse and will not be tolerated, minimised or dismissed as 'banter'; 'just having a laugh'; 'part of growing up'; 'boys being boys'; or 'girls being girls'. Different gender issues can be prevalent when dealing with peer-on-peer abuse, for example girls being sexually touched/assaulted or boys being subject to initiation/hazing type violence. Whilst mindful of the particular vulnerability of women and girls to violence, it is also recognised that boys as well as girls can be abused by members of the opposite as well as the same gender group.

We recognise that some students will sometimes negatively affect the learning and wellbeing of others

and their behaviour will be dealt with under the school's behaviour policy. However, there will be occasions when a pupil's behaviour warrants a response under child protection rather than anti-bullying procedures. In particular, research suggests that up to 30 per cent of child sexual abuse is committed by someone under the age of 18.

Occasionally, allegations may be made against students by others in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation. Members of staff to whom such allegations are made and/or who become concerned about a pupil's sexualised behaviour, including any known online sexualised behaviour, **should** record their concerns in the usual way on CPOMS and report them to the DSL as soon as possible, as with any other safeguarding concern.

It is likely that for an allegation or concern to be addressed under child protection procedures, some of the following features will be found. The allegation or concern:

- is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil;
- is of a serious nature, possibly including a criminal offence;
- raises risk factors for other pupils in the school;
- indicates that other pupils may have been affected by this student;
- indicates that young people outside the school may be affected by this student.

It is important for the *school* to consider the wider environmental factors and context within which child-on-child abuse occurs (please also see Contextual Safeguarding below). Such factors may include the potential for bullying and child-on-child abuse to take place across a number of social media platforms and services; and for things to move from platform to platform online. The *school* will also consider the potential for the impact of the incident to extend further than *the school's* local community (e.g., for images or content to be shared around neighbouring schools/colleges) and for a victim (or alleged perpetrator(s)) to become marginalised and excluded by both online and offline communities. There is also the strong potential for repeat victimisation in the future if abusive content continues to exist somewhere online. Online concerns can be especially complicated. Support is available from **The UK Safer Internet Centre** at 0344 381 4772 and [helpline@saferinternet.org.uk](mailto:helpline@saferinternet.org.uk) and the **Internet Watch Foundation** at <https://www.iwf.org.uk/>

## Child-on-child sexual violence and sexual harassment

Sexual violence and sexual harassment can occur between two children of any age and gender and between children of the opposite or the same gender from primary through to secondary stage and into colleges. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable. As set out in Part one of KCSiE 2023, all staff working with children are advised to maintain an attitude of **'it could happen here'**.

Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physically and verbally) and are never acceptable. While it is important that **all** victims are taken seriously and offered appropriate support, staff are trained to be aware that it is more likely

that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys. All staff **should** be able to reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim **should** never be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment. Nor **should** a victim ever be made to feel ashamed for making a report.

This policy largely refers to sexual violence and sexual harassment between pupils/students at the school/college. However, there may be occasions when pupils/students report sexual violence and/or harassment perpetrated by other young people who attend a different educational provision. In that situation, the DSL will liaise with the DSL at the alleged perpetrator(s) school/college as well as the victim's parents, the Police and Children's Social Care. Support for the victim will be provided as described below, irrespective of which educational provision the alleged perpetrator(s) attends.

### **What is sexual violence and sexual harassment?**

When referring to sexual violence, this policy uses the definitions of sexual offences in the Sexual Offences Act 2003 as follows:

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

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

**Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

**What is consent?** Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

- a child under the age of 13 can never consent to any sexual activity;
- the age of consent is 16;
- sexual intercourse without consent is rape.

**Sexual harassment** in the context of child-on-child behaviour is unwanted conduct of a sexual nature that can occur online and offline. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Online sexual harassment may happen on its own or as part of a wider pattern of sexual harassment and/or sexual violence.

Sexual harassment creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence. The *school* therefore recognises the importance of recognising the nature of, identifying and challenging sexual violence and sexual harassment in its wider approach to safeguarding and promoting the welfare of children; through policies and through the curriculum.

## Minimising the risk of sexual violence and sexual harassment at the *school* through a mandatory planned curriculum

The *school* is responsible for the delivery of relationships and sex education; other named citizenship/PSHE programmes; behaviour policy; pastoral support system; and staff behaviour policy.

This will vary from setting to setting and will be dependent upon phase but nursery and infant schools must be mindful of the principle that children of all ages need to learn about respect, consent, body autonomy and healthy relationships; and can harm other children.

## How the school/college will respond to reports of sexual violence and sexual harassment

The school/college will respond to reports in accordance with Part 5 of *Keeping Children Safe in Education 2023*. Schools may also find it useful to refer to the peer-on-peer abuse toolkit available at <https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/farrer--co-safeguarding-peer-on-peer-abuse-toolkit-2019.pdf>.

It is not possible to anticipate every particular set of circumstances and therefore what the *school's* response will be to every case. This policy sets out a set of principles which the *school* will consider in responding on a case-by-case basis.

All responses to reports of sexual violence will be subject to an immediate risk and needs assessment undertaken by the DSL (or a deputy), using her/his professional judgement and supported by other agencies, such as Children's Social Care and the Police. The need for a risk and needs assessment in relation to reports of sexual harassment will be considered on a case-by-case basis.

Advice may also be sought from the Front Door Education Lead.

It is essential that **all** victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward, and that they will be supported and kept safe. Abuse that occurs online or outside of the school or college should not be downplayed and should be treated equally seriously. 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. **It is important to explain that the law is in place to protect children and young people rather than criminalise them**, and this should be explained in such a way that avoids alarming or distressing them.

## Risk assessment

The risk and needs assessment will consider:

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

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

## Action following a report of sexual violence and/or sexual harassment - what to consider

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

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims will be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. However, if the victim asks the school/college not to tell anyone about the sexual violence or sexual harassment, the DSL (or a deputy) will have to balance the victim's wishes against their duty to protect the victim and other children. It is likely to be justified and lawful to share the information if doing so is in the public interest, e.g. to protect the victim and other young people from harm and to promote the welfare of children;
- the nature of the alleged incident(s), including: whether a crime may have been committed and consideration of harmful sexual behaviour;
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, is the alleged perpetrator(s) /significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?;
- if the alleged incident is a one-off or a sustained pattern of abuse;
- that sexual violence and sexual harassment can take place within intimate personal relationships between children
- importance of understanding intra familial harms and any necessary support for siblings following incidents
- whether there are ongoing risks to the victim, other children, adult students or school/college staff;
- informing parents/carers (unless this would put the victim at greater risk);
- only sharing information with those staff who need to know in order to support the children involved and/or be involved in any investigation. For instance, teachers may be asked to monitor the victim's welfare without needing to know that they are a victim of sexual violence or harassment.

### **Children sharing a classroom – initial considerations following a report of sexual violence**

Any report of sexual violence is likely to be traumatic for the victim. However, reports of rape and assault by penetration are likely to be especially difficult for the victim and close proximity with the alleged perpetrator(s) is/are likely to be especially distressing. Whilst the *school* establishes the facts of the case and starts the process of liaising with Children's Social Care and the Police, the alleged perpetrator(s) will usually be removed from any classes they share with the victim. Consideration will also be given to how best to keep the victim and alleged perpetrator(s) a reasonable distance apart on school/college premises and on transport to and from the *school*, where appropriate. These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of the alleged perpetrator(s).

For other reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator(s) and considerations regarding shared classes, sharing *school* premises and transport, will be considered immediately.

In all cases, the initial report **should** be carefully evaluated, reflecting the consideration set out at paragraph 470 KCSIE 2023, the wishes of the victim, the nature of the allegations and the protection of all children in the school or college will be especially important when considering any immediate actions.

Consideration also needs to be given to the fact that the alleged perpetrator may also be a victim of exploitation and may be in a position of coercion and control.

## Responding to the report

If an offence has been committed, the Police will be informed. It is the prerogative of parents and victims to make complaints to the Police directly but the *school* will also speak to the Police in order to ensure effective action is taken to safeguard other young people as well as the victim.

If a child has suffered significant harm, a referral will be made to Children's Social Care via the Front Door in order to ensure that the needs of both the victim and perpetrator(s)/s are the subject of professional risk assessments by social workers. Similarly, any instance of sexual activity between pupils on the school site will always be referred to Children's Social Care.

Responses to all incidents of both sexual violence and sexual harassment will be underpinned by the principles of:

- zero tolerance of sexual violence and sexual harassment;
- support for both the victim and alleged perpetrator(s), particularly pending the outcome of investigations;
- all parties have an ongoing right to an education and are safest if they remain in school/college subject to appropriate risk assessments and risk management;
- exclusion will be avoided unless that is the only realistic option to keep one or more parties safe.

In principle, there are four possible responses to an allegation or concern about sexual violence or harassment on the part of a pupil/student:

### 1. Manage internally

In some cases of sexual harassment, e.g., one-off incidents, the school or college may take the view that the children concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally, perhaps through utilising the behaviour policy and anti-bullying procedures, speaking to the child and her/his parents, making expectations of future behaviour clear (in writing where appropriate) and by providing pastoral support. Careful consideration will be given to the need to separate the victim and alleged perpetrator(s) in lessons (as with sexual assaults) pending investigation.

### 2. Early Help

The *school* may decide that the child/ren involved do not require statutory interventions but may benefit from early help, which can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.

A safeguarding record will be maintained of all concerns, discussions, decisions and reasons for decisions for all responses as in 1. And 2.

School/college **should** be part of discussions with statutory safeguarding partners to agree the levels for the different types of assessment and services to be commissioned and delivered, as part of the local arrangements. School refers to and follows the Warwickshire safeguarding partners local threshold document (Spectrum of Support) which includes the process for the local early help assessment and the type and level of early help services to be provided, and DSLs (and their deputies) will need to familiarise themselves with this document.

### 3. Referrals to Children's Social Care

Where a child has been harmed, is at risk of harm, or is in immediate danger, the *school* will make a referral to Children's Social Care. All instances of sexual activity between pupils/students on the school



premises will be referred to Children's Social Care. All instances of sexual violence perpetrated by a child under ten years of age will be referred to Children's Social Care. This will facilitate a consultation about the role of the Police. Whilst the age of criminal responsibility is 10 years, the starting principle of reporting to the Police via the Front Door remains. The Police will take a welfare, rather than a criminal justice, approach.

The school will generally inform parents or carers, unless there are compelling reasons not to (i.e. if informing a parent or carer is going to put the child at additional risk or create undue delay). Any such decision should be made with the support of Children's Social Care.

Collaborative working will help ensure that the best possible package of co-ordinated support is implemented for the victim and, where appropriate, the alleged perpetrator(s) and any other children that require support.

However, the *school* will not wait for the outcome (or even the start) of a Children's Social Care investigation before protecting the victim and other children in the school/college. The DSL (or a deputy) will work closely with Children's Social Care (and other agencies as required) to ensure any actions the school/college takes do not jeopardise a statutory investigation. The risk assessment as above will help inform any decision. Consideration of safeguarding the victim, alleged perpetrator(s), any other children directly involved in the safeguarding report and all children at the *school* **should** be **immediate**.

In some cases, Children's Social Care will review the evidence and decide a statutory intervention is not appropriate. The *school* (generally led by the DSL or a deputy) will refer again if we believe the child remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the DSL (or a deputy) will consider other support mechanisms such as early help, specialist support and pastoral support.

#### 4. Reporting to the Police

Any report to the Police will generally be in parallel with a referral to Children's Social Care (as above).

Where the *school* receives a report of rape, assault by penetration or sexual assault, the starting point is this should be passed on to the Police. It is the prerogative of victims and their parents/carers to make direct complaints to the Police. However, the school **should** also be very clear with victims and parents/carers that the school has a duty to ensure the Police are informed when an alleged crime has been committed in order to safeguard other young people.

Where a serious crime is reported, the *school* can report directly to the local Police. However, in most circumstances, the *school* will consult with the Front Door in the first instance in order to ensure that both the Police and Children's Social Care are informed.

Where a report has been made to the Police, the *school* should consult the Police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator(s) and their parents or carers. They should also discuss the best way to protect the victim and their anonymity.

In some cases, it may become clear very quickly, that the Police (for whatever reason) will not take further action. In such circumstances, it is important that the school or college continue to engage with specialist support for the victim as required.

The school will also be informed by the Police or Children's Social Care about referrals made directly to those agencies from other sources (e.g. family members, family friends, parents of other children) in relation to alleged sexual offences or harmful sexual behaviours displayed by pupils/students inside and/or outside school.

In all such circumstances, the school may be required to attend a strategy meeting under Warwickshire Safeguarding inter-agency child protection procedures in order to facilitate risk management and planning with other agencies.

The school is committed to participating in plans both to provide pupils who are at risk from other children and those pupils who may present a risk to other children with appropriate services to address any concerns and, wherever possible, to facilitate ongoing access to education in school for all children concerned, subject to appropriate risk assessments and risk management plans.

### **Subsequent considerations**

The needs and wishes of the victim **should** continue to be paramount (along with protecting the child) as the case progresses. Wherever possible, the victim if they wish, should be able to continue in their normal routine. Overall, the priority **should** be to make the victim's daily experience as normal as possible, so that the school or college is a safe space for them.

Similarly, the alleged perpetrator(s)/s has an ongoing right to an education and **should** be able to continue in their normal routine subject to the ongoing risk assessment and the needs of the victim.

Where a student is subject of bail conditions, the *school* will work with Children's Social Care and the Police to manage any implications and safeguard all pupils/students concerned without jeopardising the Police investigation.

If a student is convicted or receives a caution for a sexual offence, the *school* will update its risk assessment, ensure relevant protections are in place for all students and consider any suitable action in light of the behaviour policy. If the perpetrator(s) remains at the *school* along with the victim, the *school* will meet with the student and her/his parents/carers to revisit and reiterate in writing expectations of the perpetrator(s) in terms of future behaviour and complying with any restrictions and arrangements put in place to safeguard the victim and other students.

In the light of possible publicity, speculation and interest within the student and parent body, the school will consider any other measures necessary to safeguard both the victim and perpetrator(s), especially from any bullying or harassment (including online).

In respect of a not guilty verdict or a decision not to progress with a criminal prosecution, the *school* recognises that this will likely be traumatic for the victim and will continue to offer support. The alleged perpetrator(s) is also likely to require ongoing support for what will have likely been a difficult experience.

Support will be tailored on a case-by-case basis. Support can include emotional and practical support for victims from Children and Young People's Independent Sexual Violence Advisors in the specialist sexual violence sector; and/or provision of a designated trusted adult in the *school* of the student's choice to talk to about their needs. Every effort will be made to avoid isolating the victim, in particular from supportive peer groups, but it is recognised that there may be times when a victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. The *school* will provide a physical space for the victim to withdraw.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the *school* will consider any suitable sanctions in light of the behaviour policy, including consideration of permanent exclusion. In all but the most exceptional of circumstances, the rape or assault will constitute a serious breach of discipline and lead to the view that allowing the perpetrator(s) to remain in the *school* would seriously harm the education or welfare of the victim (and potentially other pupils or students).

Where the perpetrator(s) is/are going to remain at the *school*, the principle would be to continue keeping the victim and perpetrator(s) in separate classes and continue to consider the most appropriate

way to manage potential contact on school and college premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

The *school* will have a difficult balancing act to consider. On one hand it needs to safeguard the victim (and the wider pupil/student body) and on the other hand provide the alleged perpetrator(s) with an education, safeguarding support as appropriate and implement any disciplinary sanctions. Support (and sanctions) will be considered on a case-by-case basis. An alleged perpetrator(s) may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other children. Harmful sexual behaviours in young children may be (and often are) a symptom of either their own abuse or exposure to abusive practices and or materials. Advice will be taken, as appropriate, from Children's Social Care, specialist sexual violence services and the Police.

If a perpetrator(s) (alleged or convicted) does move to another educational institution (for any reason), the school/college will make the new educational institution aware of any ongoing support needs and, where appropriate, potential risks to other children and staff. The DSL will take responsibility to ensure this happens as well as transferring the child protection file.

### **Youth produced sexual imagery ('sexting')**

The school will act in accordance with advice endorsed by DfE '*Sexting in schools and colleges: responding to incidents and safeguarding young people*' (UK Council for Child Internet Safety 2017) – [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/609874/6\\_2939\\_SP\\_NCA\\_Sexting\\_In\\_Schools\\_FINAL\\_Update\\_Jan17.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf)

All incidents of youth produced sexual imagery (YPSI) will be dealt with as safeguarding concerns. The primary concern at all times will be the welfare and protection of the young people involved. [UKCIS](#)

Young people who share sexual imagery of themselves or their peers are breaking the law. However, as highlighted in national guidance, it is important to avoid criminalising young people unnecessarily. The school will therefore work in partnership with external agencies with a view to responding proportionately to the circumstances of any incident.

All incidents of YPSI should be reported to the DSL as with all other safeguarding issues and concerns. Staff will not make their own judgements about whether an issue relating to YPSI is serious enough to warrant a report to the DSL. What may seem like less serious concerns to individual members of staff may be more significant when considered in the light of other information known to the DSL, which the member of staff may not be aware of.

If staff become concerned about a YPSI issue in relation to a device in the possession of a student (e.g. mobile phone, tablet, digital camera), the member of staff will secure the device (i.e. it should be confiscated). **This is consistent with DfE advice *Searching, Screening and Confiscation – Advice for headteachers, school staff and governing bodies* (DfE 2022), page 11 'After the search'.**

Staff will not look at or print any indecent images. The confiscated device will be passed immediately to the DSL (see 'Viewing the imagery' below).

The DSL will discuss the concerns with appropriate staff and speak to young people involved as appropriate. Parents will be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the young person at risk of harm.

If, at any point in the process, there is concern that a young person has been harmed or is at risk of harm a referral will be made to Children's Social Care and/or the Police via the Front Door immediately.

The Police will always be informed when there is reason to believe that indecent images involve sexual acts and/or any child in the imagery is under 13 years of age.

The DSL will make a judgement about whether a reported YPSI incident is 'experimental' as in section 12 above or 'aggravated'.

Aggravated incidents involve criminal or abusive elements beyond the creation, sending or possession of sexual images created by young people. These include possible adult involvement; criminal or abusive behaviour by young people such as sexual abuse, extortion or threats; malicious conduct arising from personal conflicts; coercion; an imbalance of power, e.g. an older student pressurising a younger or vulnerable student to create and share an indecent image; or creation or sending or showing of images without the knowledge or against the will of a young person who is pictured.

Aggravated incidents of sexting will usually be referred to the Front Door for advice about whether or not a response by the Police and/or Children's Social Care is required. This will facilitate consideration of whether:

- there are any offences that warrant a Police investigation
- child protection procedures need to be invoked
- parents/carers require support in order to safeguard their children
- a Multi-Agency Child Exploitation (MACE) meeting is required
- any of the perpetrator(s) and/or victims require additional support. This may require the initiation of an Early Help Pathway to change

Examples of aggravated incidents include:

- evidence of adult involvement in acquiring, creating or disseminating indecent images of young people (possibly by an adult pretending to be a young person known to the victim)
- evidence of coercing, intimidating, bullying, threatening and/or extortion of students by one or more other students to create and share indecent images of themselves
- pressure applied to several students (e.g. all female students in a class or year group) to create and share indecent images of themselves
- pressurising a student who does not have the capacity to consent (e.g. due to their age, level of understanding or special educational needs) or with additional vulnerability to create and share indecent images of themselves
- dissemination of indecent images of young people to a significant number of others with an intention to cause harm or distress (possibly as an act of so-called 'revenge porn', bullying or exploitation)
- what is known about the imagery suggests the content depicts sexual acts which are unusual for the young person's developmental stage or are violent
- sharing of indecent images places a young person is at immediate risk of harm, for example the young person is presenting as suicidal or self-harming

The DSL will make a judgement about whether or not a situation in which indecent images have been shared with a small number of others in a known friendship group with no previous concerns constitutes an aggravated incident; or whether the school is able to contain the situation in partnership with all parents of the students involved, arrange for the parents to ensure that all indecent images are deleted and that the young people involved learn from the incident in order to keep themselves safe in future.

In the latter instance, the DSL will usually consult with the Police and/or Children's Social Care through the Front Door to check that no other relevant information is held by those agencies and to ensure an agreed response is documented before proceeding.

**Viewing the imagery** – adults should **not** view youth produced sexual imagery unless there is good and clear reason to do so. Wherever possible, the DSL's responses to incidents will be based on what they

have been told about the content of the imagery.

Any decision to view imagery will be based on the DSL's professional judgement. Imagery will never be viewed if the act of viewing will cause significant distress or harm to a pupil.

If a decision is made to view potentially indecent images, the DSL will be satisfied that viewing:

- is the only way to make a decision about whether to involve other agencies (i.e. it is not possible to establish the facts from the young people involved)
- is necessary to report the image to a website, app or suitable reporting agency to have it taken down, or to support the young person or parent in making a report
- is unavoidable because a young person has presented an image directly to a staff member or the imagery has been found on a school device or network

If it is necessary to view the imagery, then the DSL will:

- discuss and agree the decision to do so beforehand with the headteacher, Children's Social Care or the Education Lead
- ensure viewing is undertaken by the DSL or Deputy DSL with delegated authority from the headteacher
- ensure viewing takes place with another member of staff present in the room, ideally the headteacher, another DSL or a member of the senior leadership team. The other staff member does not need to view the images
- wherever possible ensure viewing takes place on school or college premises, ideally in the headteacher or DSL's office
- ensure wherever possible that images are viewed by a staff member of the same sex as the young person in the imagery
- record the viewing of the imagery in the pupil's safeguarding record, including who was present, why the image was viewed and any subsequent actions; and ensure this is signed and dated and meets the wider standards set out by Ofsted for recording safeguarding incidents

**Deletion of images** – if the school has decided that other agencies do not need to be involved, then consideration will be given to deleting imagery from devices and online services to limit any further sharing of the imagery.

#### (New Section )

*The school/college works in partnership with Warwickshire Police and Warwickshire Children's Services to support pupils who are affected by **self generated indecent imagery of themselves in an online space.***

*This scheme is called Operation Guarding.*

*When the Police become aware of an indecent image linked to a pupil, the headteacher and the/another senior Designated Safeguarding Lead will receive a confidential and secure Email, notifying them simply that there has been an incident and that the child may need support.*

*On receipt of any such notification, the headteacher and/or DSL will ensure that teachers and other staff directly in contact with affected children support them with due kindness, care and sensitivity. In addition to supporting children, the process means that the school will also be able to offer parents and carers support as appropriate, **if they reach out.***

*The information will be managed and stored with the utmost sensitivity and discretion consistent with all other confidential safeguarding records.*

## 32. Serious violence

All staff are made aware of indicators that children are at risk from or are involved with serious violent crime; and are trained to record and report any concern about children at risk of or involved in perpetrating serious violence as with any other safeguarding concern. Indicators may include increased absence, 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 could also indicate that children have been approached by or are involved with individuals associated with criminal gangs and/or criminal exploitation.

## 33. Contextual safeguarding

Safeguarding incidents and/or behaviours can be associated with factors both outside children's home environments and outside school or college; and/or can occur between children outside the school or college. The DSL, deputy DSLs and all staff **will consider the context** within which such incidents and/or behaviours occur. Contextual safeguarding means that assessments of children should consider wider environmental factors present in a child's life that are a threat to their safety and/or welfare. Staff will listen to children and be vigilant about any signs or indicators that would suggest children may be at risk in the community and will share intelligence with the Police in order to prevent children suffering harm. The *school* will provide as much information as possible when asked to do so as part of a police investigation and/or when making referrals to Children's Social Care, thus allowing any investigation or assessment to consider all the available evidence and the full context of any abuse.

## 34. Child sexual exploitation and child criminal exploitation

**Child sexual exploitation (CSE)** is a form of child sexual abuse. **Child criminal exploitation (CCE)** is a form of child abuse. Both occur where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual and/or criminal activity:

- (a) in exchange for something the victim needs or wants; and/or
- (b) for the financial advantage or increased status of the perpetrator(s) or facilitator; and/or
- (c) through violence or the threat of violence
- (d) grooming behaviour

The victim may have been sexually and/or criminally exploited even if the sexual/criminal activity appears consensual. CSE and CCE do not always involve physical contact; they can also occur through the use of technology.

CSE and CCE can affect any child or young person, female or male, under the age of 18 years, including 16 and 17-year olds who can legally give consent to have sex.

Sexual exploitation can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they may have created and posted on social media).

CSE is a serious crime and can have a long-lasting adverse impact on a child's physical and emotional health.

It may also be linked to other criminal activity including trafficking and illegal drugs. 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.

Criminal exploitation of children can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence. It can be perpetrated by individuals or groups; males or females; and young people or adults. It is typified by some form of power imbalance in favour of those perpetrating the exploitation. As well as age, the power imbalance can also be due to other factors including gender, cognitive ability, physical strength, status and access to economic or other resources.

Children and young people are often unwittingly drawn into sexual and/or criminal exploitation through grooming which may present as the offer of friendship and care, gifts, drugs, alcohol and sometimes accommodation.

Child criminal exploitation may include activities such as:

- a child travelling outside the area in which she/he lives in order to transport, distribute or sell drugs or money for others by whom they are being exploited. This form of criminal activity and exploitation is referred to as **county lines** (see below);
- a child committing crimes on behalf of or at the behest of others because they, their friends or relatives have been threatened, deceived or manipulated;
- a child being forced to shoplift or pickpocket;
- a child being forced to threaten other young people;
- a child being forced to work in a cannabis factory;
- a child being forced or manipulated into committing vehicle crime or threatening/coming serious violence of others;
- a child can be threatened (and their families) with violence or entrap and coerce them into debt.
- They may be coerced into carrying weapons or begin to carry a knife for protection;
- a child being forced to commit crime in order to settle actual or fabricated debts;
- gang membership, which may lead to the child being exploited to do something illegal or dangerous in return for kudos/status in the gang;
- a child being encouraged or manipulated to commit crime via social media;
- a child receiving food, money, kudos or status in return for storing a weapon or drugs for others;
- It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of CCE too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

All staff are trained to be vigilant about and report indicators of CSE and CCE including:

- children appearing with money, clothes, mobile phones, etc. without plausible explanation;

- children who associate with other young people involved in exploitation;
- children in relationships with controlling or significantly older individuals or groups;
- children frequenting areas known for sex work and/or criminal activity;
- children who associate with gangs and/or become isolated from their peers/social networks;
- children receiving excessive texts/phone calls;
- multiple callers (unknown adults or peers) to children;
- concerning use of internet or other social media by children;
- increasing secretiveness around children's behaviours;
- children presenting inappropriate sexualised behaviour for their age and/or with sexually transmitted infections and/or becoming pregnant;
- children self-harming or presenting with significant changes in their emotional well-being;
- children who misuse drugs and alcohol;
- children who go missing for periods of time or regularly come home late;
- children who regularly miss school or education, have unexplained absences or do not take part in education;
- children being exposed to or perpetrating serious levels of violence; and/or being manipulated or forced into violence towards others by somebody who is exploiting them (for further information see );
- evidence of/suspicions of children suffering physical or sexual assault.

Although the following vulnerabilities increase the risk of child sexual and/or criminal exploitation, not all children with these indicators will be exploited and child sexual and criminal exploitation can occur without any of these issues:

- having a prior experience of neglect, physical and/or sexual abuse;
- lack of a safe/stable home environment, now or in the past (domestic violence or parental substance misuse, mental health issues or criminality, for example);
- recent bereavement or loss;
- social isolation or social difficulties;
- absence of a safe environment to explore sexuality;
- economic vulnerability;
- homelessness or insecure accommodation status;
- connections with other children and young people who are being sexually and/or criminally exploited;
- family members or other connections involved in adult sex work and/or other criminal activity;
- having a physical or learning disability;
- being looked after (particularly those in residential care and those with interrupted care histories);
- issues/anxieties about sexual identity.

The school teaches children about consent and the risks of sexual and criminal exploitation in the PSHE and SRE curriculum. A common feature of sexual and criminal exploitation is that the child often does

not recognise the coercive nature of the relationship and does not see her/himself as a victim. The child may initially resent what she/he perceives as interference by staff but staff must act on their concerns, as they would for any other type of abuse.

All staff are trained to report all concerns about CSE and CCE to the DSL immediately. The DSL will consider the need to make a referral to Children's Social Care via the Front Door (see sections 27 and 28 above) as with any other child protection concern and with particular reference to Warwickshire Safeguarding procedures. Parents will be consulted and notified as above.

Following a referral to Children's Social Care, a Multi-Agency Child Exploitation (MACE) meeting may be convened under Warwickshire Safeguarding inter-agency safeguarding procedures. The school will



attend and share information at MACE meetings as required. Parents and young people will be invited to attend MACE meetings by Children's Social Care as appropriate.

## **County Lines**

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

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move [and store] drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims.

Children can easily become trapped by this type of exploitation and become victims of modern slavery as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

For further information see:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/741194/HOCountyLinesGuidanceSept2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/741194/HOCountyLinesGuidanceSept2018.pdf).

County Lines Toolkit for Professionals - The Children's Society in partnership with Victim Support and National Police Chiefs' Council

## **35. So-called 'honour based' abuse**

So-called 'honour-based' abuse (HBA) encompasses crimes which have been committed to protect or defend the honour of a family and/or community. Such crimes include 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 perpetrator(s). It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take.

Staff will be alert to the possibility of a child being at risk of HBA or already having suffered HBA.

All forms of so-called HBA are abuse (regardless of the motivation) and staff will record and report any concerns about a child who might be at risk of HBA to the Designated Safeguarding Lead as with any other safeguarding concern. The DSL will consider the need to make a referral to the Police and/or Children's Social Care as with any other child protection concern; and may also contact the Forced Marriage Unit on 020 7008 0151 or via email at [fmu@fco.gov.uk](mailto:fmu@fco.gov.uk) for advice as necessary.

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](http://www.gov.uk))

## **Female genital mutilation**

Female genital mutilation (FGM) is a form of child abuse. It is the collective name given to a range of procedures involving the partial or total removal of the external female genitalia for non-medical reasons or other injury to the female genital organs. It has no health benefits and harms girls and women in many ways. The practice, which is most commonly carried out without anaesthetic, can cause intense pain and distress with long-lasting harmful consequences, including difficulties in childbirth.

FGM is carried out on girls of any age, from young babies to older teenagers and adult women, so school staff are trained to be aware of risk indicators. Many such procedures are carried out abroad and staff will be particularly alert to suspicions or concerns expressed by female pupils about going on a long holiday during the summer vacation period.

In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003. Any person found guilty of an offence under the Female Genital Mutilation Act 2003 is liable to a maximum penalty of 14 years imprisonment or a fine, or both.

(See <https://www.gov.uk/government/publications/female-genital-mutilation-guidelines> for further information).

If staff have a concern that a girl may be at risk of FGM, they will record their concern and inform the DSL as they would any other safeguarding concern. The DSL will discuss the concern with Children's Social Care with a view to making a referral and will inform the Police as appropriate.

Indications that FGM may already have taken place may include a child:

- having difficulty or looking uncomfortable when walking, sitting or standing;
- spending longer than normal in the bathroom or toilet due to difficulties urinating;
- spending long periods of time away from a classroom during the day with bladder or menstrual problems;
- having frequent urinary, menstrual or stomach problems;
- having prolonged or repeated absences from school or college, especially with noticeable behaviour changes (e.g. withdrawal or depression) on the girl's return;
- being reluctant to undergo normal medical examinations;
- confiding in a member of staff without being explicit about the problem due to embarrassment or fear;
- talking about pain or discomfort between her legs.

Teachers are subject to a statutory duty defined by Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) to report to the Police personally where they discover (e.g. by means of a disclosure) that an act of FGM appears to have been carried out on a girl who is aged under 18. This is known as mandatory reporting. Information on when and how to make a report can be found at: <https://www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information>.

Teachers in that situation will record their concerns and inform the DSL, who will support the teacher in making a direct report to the Police. A referral will also be made to Children's Social Care.

### **Forced Marriage**

A forced marriage is a marriage in which a female (and sometimes a male) does not consent to the marriage but is coerced into it. Coercion may include physical, psychological, financial, sexual and emotional pressure. It may also involve physical or sexual violence and abuse.

A forced marriage is not the same as an arranged marriage. In an arranged marriage, which is common in several cultures, the families of both spouses take a leading role in arranging the marriage but the choice of whether or not to accept the arrangement remains with the prospective spouses.

In a forced marriage situation, children may be married at a very young age, and well below the age of consent in England. School staff will be particularly alert to suspicions or concerns raised by a pupil about being taken abroad and not being allowed to return to England.

Since June 2014 forcing someone to marry has become a criminal offence in England and Wales under s.121 of the Anti-Social Behaviour, Crime and Policing Act 2014, 2023 – see <https://www.gov.uk/forced-marriage> for further information).

## **36. Protecting Children from Radicalisation and Extremism**

All schools and colleges are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have 'due regard to the need to prevent

people from being drawn into terrorism’. This duty is known as the **Prevent duty**.

Some children are vulnerable to extremist ideology and radicalisation. Protecting children from the risk of radicalisation is part of the school’s wider safeguarding duties and is similar in nature to protecting children from other forms of harm and abuse. As such, the DSL is responsible for the school’s strategy for protecting children from those risks.

Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups. Extremism is the vocal or active opposition to fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces. Even very young children have been exposed, in rare circumstances, to extremism at home and elsewhere including online.

As children get older, they look for adventure and excitement and they may start to ask questions about their identity and belonging. During that stage of their development, they are vulnerable to extremist groups that may claim to offer answers, identity and a social network apparently providing a sense of belonging. Many of those extremist groups make sophisticated use of the internet and social media to target young people and spread their ideology, making young people more vulnerable to being influenced by extremist ideas. Young people who feel isolated or disaffected in some way are particularly vulnerable to radicalisation as they are other forms of abuse and exploitation.

The school has defined responsibilities to ensure that children are safe from terrorist and extremist material when accessing the internet in school.

During the process of radicalisation, it is possible to intervene to prevent vulnerable people being radicalised. The school is committed to preventing pupils from being radicalised and drawn into any form of extremism or terrorism. The school promotes the values of democracy, the rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs by providing pupils with opportunities through the curriculum to discuss issues of religion, ethnicity and culture and learn how to discuss and debate points of view; and by ensuring that all pupils are valued and listened to within school.

School staff receive training that provides them with both the information they need to understand the risks affecting children and young people in this area; and a specific understanding of how to identify individual children who may be at risk of radicalisation and how to support them. Staff are trained to report all concerns about possible radicalisation and extremism to the DSL immediately as they would any other safeguarding concern, identifying early indicators of possible radicalisation including changes in behaviour and attitudes to learning; and expressions of interest in extremist ideas along with a tolerance towards potential violence to certain members of society.

The school recognises the importance of providing a safe space for children to discuss controversial issues; and building their resilience and the critical thinking skills they need in order to challenge extremist perspectives. However, the DSL (or deputy) will make appropriate referrals to the Police PREVENT team and Channel programme in respect of any pupil whose behaviour or comments suggest that they are vulnerable to being radicalised and drawn into extremism and terrorism in order to ensure that children receive appropriate support.

Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for schools to make referrals if they are concerned that an individual might be vulnerable to radicalisation. An individual’s engagement with the programme is entirely voluntary at all stages.

As a Channel partner, the school or college may be asked to attend a Channel panel to discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support.

The school will discuss any concerns about possible radicalisation identified in school with a child's parents/carers as with any other safeguarding or child protection issue unless there is reason to believe that doing so would place the child at risk; and will also support parents/carers who raise concerns about their children being vulnerable to radicalisation. Subject to consultation with the Police PREVENT team and in the interests of making proportionate responses, the school may offer support to children and their families through the provision of early help as appropriate.

The school expects all staff, volunteers, governors, visiting practitioners, contractors and individuals or agencies that hire school premises to behave in accordance with the school's Staff Behaviour Policy (code of conduct), will challenge the expression and/or promotion of extremist views and ideas by any adult on school premises or at school events and, when necessary, will make appropriate referrals in respect of any such adult.

Parents and staff may find the website [www.educateagainsthate.com](http://www.educateagainsthate.com) informative and useful. The website is designed to equip school and college leaders, teachers and parents with the information, tools and resources they need to recognise and address extremism and radicalisation in young people and how best to support them. The website provides information on training resources for teachers, staff and school and college leaders.

As part of the school's overall safeguarding arrangements and ongoing action plan for improvement, the DSL will consider identified local issues; intelligence from pupils, parents, staff and partner agencies; and new information from national issues and learning to review practice and procedures in order to keep pupils safe.

## **37. Children who are children in care, were previously children in care or who have a social worker**

The most common reason for children becoming children in care is as a result of abuse or neglect. Children who were previously children in care potentially remain vulnerable. Schools **should** consider extra pastoral support and attention for these children, along with ensuring any appropriate support for communication is in place. The school ensures that staff have the necessary skills and understanding to keep children in care and children who were previously in care safe and ensures that appropriate staff have information about a child's in care status and care arrangements, including the level of authority delegated to the carer by the authority looking after the child. The designated teacher for children who are children in care and previously children in care and the DSL hold details of the social workers for all children who are children in care or were previously children in care; and the name and contact details of the Local Authority's virtual head for children who are children in care.

### **Children with a social worker**

The school/setting recognises that when a child has a social worker, that is an indicator that she/he may be more vulnerable to harm than other children as well as facing barriers to educational attainment in relation to attendance, learning, behaviour and poor mental health issues.

The school/setting will take those issues and needs into account when making plans to support children who have a social worker.

### **Care leavers**

*Local authorities have ongoing responsibilities to young people who cease to be children in care and become care leavers. That includes keeping in touch with them, preparing an assessment of their needs and appointing a Personal Advisor who develops a pathway plan with the young person. This plan describes how the local authority will support the care leaver to participate in education or training. The DSL will have details of the local authority Personal Advisor appointed to guide and support all care leavers; and should liaise with them as necessary regarding any issues of concern affecting a care leaver.*

## 38. Private fostering arrangements

A private fostering arrangement is one that is made privately (without the involvement of a local authority) for the care of a child under the age of 16 years (*under 18 if the child has a disability*) by someone other than a parent or close relative\*, in their own home, with the intention that it should last for 28 days or more. Children looked after by the local authority or who are placed in a residential school, children's home or hospital are not considered to be privately fostered.

\*A close relative is defined as a 'grandparent, brother, sister, uncle or aunt' and includes half-siblings and step-parents; it does not include great-aunts or uncles, great grandparents or cousins.

On admission to the school, we will take steps to verify who has parental responsibility for the child and the relationship of the adults accompanying the child who is being registered.

Private fostering occurs in all cultures including British culture and a private fostering arrangement may start at any age.

Whilst most privately fostered children are appropriately supported, looked after and remain safe and well, they are a potentially vulnerable group who should be monitored by the local authority, particularly when the child has come from another country. In some cases, privately fostered children are affected by abuse and neglect; have been trafficked; are sexually or criminally exploited; or suffer modern-day slavery.

Parents and private foster carers both have a legal duty to inform Children's Social Care in the relevant local authority at least six weeks before the arrangement is due to start. Not to do so is a criminal offence.

Schools have a mandatory duty to report to Children's Social Care in the local authority where they are aware or suspect that a child is subject to a private fostering arrangement.

School staff **should** notify the DSL when they become aware of or suspect private fostering arrangements. The DSL lead will speak to the family of the child involved to check that they are aware of their duty to inform the LA. The school will also fulfil its duty to inform the local authority of the private fostering arrangement.

## 39. Related safeguarding portfolio policies

*[delete/add as appropriate (your school may organise your policies differently in which case you may wish to delete this section altogether)]*

- Staff Behaviour Policy (code of conduct)
- Physical intervention and the use of reasonable force
- Relationships and Behaviour
- Personal and intimate care
- Complaints procedure
- Anti Bullying
- Physical contact
- Whistleblowing
- SEND
- Missing children
- Safer recruitment and selection
- Managing allegations
- Grievance and disciplinary

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

#### **Domestic Abuse Act 2021**

The Act creates a statutory definition of domestic abuse based on the [existing cross-government definition](#).

**‘Abusive behaviour’** is defined in the act as any of the following:

- physical or sexual abuse
- violent or threatening behaviour
- controlling or coercive behaviour
- economic abuse
- psychological, emotional or other abuse

For the definition to apply, both parties must be aged 16 or over and ‘personally connected’.

**‘Personally connected’** is defined in the act as parties who:

- are married to each other
- are civil partners of each other
- have agreed to marry one another (whether or not the agreement has been terminated)
- have entered into a civil partnership agreement (whether or not the agreement has been terminated)
- are or have been in an intimate personal relationship with each other have, or there has been a time when they each have had, a parental relationship in relation to the same child are relatives

The Act recognises children as victims of domestic abuse in their own right, statutory obligations to victims of domestic abuse are afforded to children too.

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

Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result. Domestic abuse affecting young people can also occur within their personal relationships, as well as in the context of their home life.

All concerns about children being affected by domestic abuse will be reported to the DSL as with any other safeguarding concern. The DSL will respond to the report by consulting Children’s Social Care in order to establish whether a referral is required or the situation should be managed by discussion with parents/carers and possibly the offer of early help.

*The school works in partnership with Warwickshire Police and Warwickshire Children’s Services to support pupils who are affected by incidents of domestic violence and abuse. This scheme is called Operation Encompass.*

*When the Police attend any incident of domestic violence or abuse in any household in which a pupil of the school lives, the headteacher and deputyheadteacher will receive a confidential and secure Email on the morning of the next school day, notifying them simply that there has been an incident and that the child may need support.*

*On receipt of any such notification, the headteacher and/or DSL will ensure that teachers and other staff directly in contact with affected children support them with due kindness, care and sensitivity. In addition to supporting children, the process means that the school will also be able to offer parents and carers support as appropriate, **if they reach out.***

*The information will be managed and stored with the utmost sensitivity and discretion consistent with all other confidential safeguarding records.*

## **41. Homelessness**

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

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 that in some cases 16 and 17-year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's services will be the lead agency for these young people and the DSL (or a deputy) will ensure appropriate referrals are made based on the child's circumstances.

## **42. Special Circumstances** (to be included as appropriate for your school)

### **Alternative Provision**

*KCSiE 2022 states that "Where a school places a pupil with an alternative provision provider, the school continues to be responsible for the safeguarding of that pupil and should be satisfied that the provider meets the needs of the pupil. Schools should obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the school would otherwise perform in respect of its own staff." The school will act in accordance with that guidance.*

*The DSL will maintain an overview of all pupils accessing any part of their learning from an alternative provider or via delivery online or offsite provided by any organisation or individual not employed by the school. The DSL will ensure that robust arrangements are in place for timely and effective two-way sharing of safeguarding information - including records of all safeguarding concerns - between the school and alternative/external providers.*

*The DSL will also take responsibility for ensuring that robust procedures are in place to confirm attendance and to enable the swift reporting of non-attendance and children going missing from alternative/ external providers at any time when they should be with that provider. The DSL will also ensure that effective quality assurance arrangements are in place in order to monitor the ongoing effectiveness of all safeguarding arrangements that alternative/external providers have in place.*

### **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. The school will access guidance highlighted in Keeping Children Safe in Education 2023, which explain each step of the process and 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 with family members in prison**

*Approximately 200,000 children 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 school will seek to support pupils/students in this position through pastoral care, early help and discussions with parents/carers and other family members as appropriate.*

### **Local issues**

*Insert information about any issues that may be specific to the school's local area or population, for example gang activity, youth violence or any active extremist groups from which children may need to be safeguarded.*



## Suggested wording for information about Child Protection and Safeguarding to be included in School\* Prospectus

Schools are strongly advised to inform parents/carers of their safeguarding and child protection procedures, their statutory responsibilities to safeguard and promote the welfare of children and the requirements to report child protection concerns to Children's Social Care. *Keeping Children Safe in Education 2023* requires the Designated Safeguarding Lead to ensure that the school's safeguarding and child protection policy is available publicly (e.g. via the school website); that parents know that referrals about suspected abuse or neglect may be made; and the role of the school in that process.

The following information can be used in the school's brochure:

***'Under the Education Act 2002 (Section 175 for maintained schools/Section 157 for academies/free/independent schools), schools must make arrangements to safeguard and promote the welfare of children. Parents/carers should know that the law (Children Act 1989) requires all school staff to pass on information which gives rise to a concern about a child's welfare, including risk from neglect, physical, emotional or sexual abuse. Staff will seek, in general, to discuss any concerns with the parent/carer and discuss the need to make a referral to Children's Social Care if that is considered necessary. This will only be done where such discussion will not place the child at increased risk of significant harm or cause undue delay. The school will seek advice from Children's Social Care when they have reasonable cause to suspect a child may be suffering or likely to suffer significant harm. Occasionally, concerns are passed on which are later found to be unfounded. Parents/carers will appreciate that the school's Designated Safeguarding Lead carries out their responsibilities in accordance with the law and acts in the best interests of all children.'***

\* The word 'school' is used throughout. This includes all schools whether maintained, non-maintained or independent schools, including academies and free schools, alternative providers of education, further education colleges and sixth-form colleges; and relates to children under the age of 18 years.

## Standards for Effective Child Protection Practice in Schools

*The school's child protection and safeguarding responsibilities are inspected under the 'Leadership and Management' judgement in Ofsted inspections. The following standards may assist schools in evaluating their practice. They should be used jointly by the Designated Safeguarding Lead and the Designated Governor for Safeguarding to ensure the school is effective in safeguarding and child protection matters.*

In best practice, schools:

1. Have an ethos in which children feel secure, their viewpoints are valued, and they are encouraged to talk and are listened to;
2. Provide suitable support and guidance so that pupils have a range of appropriate adults to whom they can turn if they are worried or in difficulties;
3. Work with parents to build an understanding of the school's responsibilities to safeguard and promote the welfare of all children and a recognition that this may occasionally require children to be referred to investigative agencies as a constructive and helpful measure;
4. Ensure all staff are able to identify children who may benefit from early help; provide co-ordinated offers of early help; and ensure that children receive the right help at the right time to address concerns and risks and prevent issues escalating;
5. Are vigilant in cases of suspected child abuse, recognising the signs and symptoms, have clear procedures whereby all members of staff report such cases to the Designated Safeguarding Lead or – in her/his absence – the deputy Designated Safeguarding Lead, and are aware of Local Authority and Warwickshire Safeguarding procedures so that information is passed on effectively to the relevant professionals;
6. Monitor children who have been identified as in need of early help or at risk; maintain clear records of pupils' progress and welfare *in a secure place*; maintain sound policies on confidentiality; provide appropriate information to other professionals; and submit reports to and attend child protection conferences;
7. Provide and support regular child protection training and updates for **all** school staff and ensure that Designated Safeguarding Leads attend update training every two years to ensure their skills and expertise are up to date; and ensure that targeted funding for this work is used solely for this purpose;
8. Contribute to an inter-agency approach to safeguarding and child protection by developing effective and supportive liaison with other agencies;
9. Use the curriculum to teach children about safeguarding and raise their awareness and build confidence so that pupils have a range of contacts and strategies to identify risk, know who they can talk to about anything causes them concern and understand the importance of protecting others;
10. Provide clear policy statements for parents, staff and children and young people on this and on both positive behaviour policies and the school's approach to bullying;

11. Have a clear understanding of the various types of bullying and child-on child abuse – face to face, online, physical, verbal, sexual, prejudice based and indirect – and act promptly and firmly to combat it, making sure that pupils are aware of the school’s position on this issue and who they can contact for support;
12. Have a clear understanding of the signs and impact of racist, disability, homophobic, transphobic and teenage relationship abuse; and a clear commitment to identifying and challenging those forms of abuse in order to safeguard children and maintain the safeguarding culture of the school;
13. Take particular care that pupils with SEN, disabilities and/or mental health difficulties in mainstream and special schools, who may be especially vulnerable to abuse, are supported effectively with particular attention paid to ensuring that those with communication difficulties are enabled to express themselves to a member of staff with appropriate communication skills;
14. Have a clear policy about the handling of allegations of abuse by members of staff, ensuring that all staff are fully aware of the procedures and that they are followed correctly at all times, using the guidance set out in *Keeping Children Safe in Education 2023* and Warwickshire Safeguarding inter-agency child protection procedures;
15. Have a written whole school safeguarding policy, which is produced, owned and regularly reviewed by all school staff, taking into account the views of children, parents/carers and governors, and which clearly outlines the school’s position and positive action in respect of the aforementioned standards;
16. Ensure that specified information is passed on in a timely manner to the Local Authority and Warwickshire Safeguarding for monitoring purposes;
17. Have a Single Central Record in place that fully complies with the guidance in *Keeping Children Safe in Education 2023*.

## Reference Documents

**Keeping Children Safe in Education (DfE 2023)**

Working Together to Safeguard Children (DfE 2018)

Warwickshire Safeguarding inter-agency safeguarding procedures –

<https://www.safeguardingwarwickshire.co.uk/safeguarding-children/i-work-with-children-and-young-people/interagency-safeguarding-procedures>

Child Protection Record Keeping Guidance (WCC Education Safeguarding Service)

What to do if You’re Worried a Child is being Abused 2015 – Advice for Practitioners (HMG 2015)

Children missing education – Statutory guidance for local authorities (DfE 2016)

Sexting in schools and colleges: responding to incidents and safeguarding young people (UK Council for Child Internet Safety 2017)

## **Further Information, Advice and Support**

For advice and support about any safeguarding matter in school, please contact:

Education Lead on 01926 418608 or email

[MASHeducationlead@warwickshire.gov.uk](mailto:MASHeducationlead@warwickshire.gov.uk)

For strategic advice and support about safeguarding matters in school, please contact:

The Headteacher Coach on 01926 413625 or email:

[carllewis@warwickshire.gov.uk](mailto:carllewis@warwickshire.gov.uk)

(This email is not monitored)

## **Integrated Safeguarding Training**

For information about a range of integrated safeguarding training courses, please contact:

Heidi Saunders (Targeted Support Officer and Training Lead)

07879113776

[heidisaunders@warwickshire.gov.uk](mailto:heidisaunders@warwickshire.gov.uk)

Sophie Morley (Training Administrator)

01926 742601

[sophiemorley@warwickshire.gov.uk](mailto:sophiemorley@warwickshire.gov.uk)