

# **Child Protection and Safeguarding Policy 2020-21**

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## 1. Important Contacts for each Academy

Specific responsibility	Name(s)	Contact details	Training renewal date
The Designated Senior Lead for Child Protection is:	Mrs Rebecca Watson (Vice Principal)	<a href="mailto:Rebecca.watson@kps.woodard.co.uk">Rebecca.watson@kps.woodard.co.uk</a> (0191) 258 5995/ (0191) 258 9150 EXT: 176/179	See training document
The Deputy Designated Senior Lead for Child Protection is/are:	Mr Phil Nicholson (Vice Principal)  Designated Persons:  Miss Caroline Smith Mr Philip Sanderson Mr Paul Robertson Mrs Kayleigh Pearson Mrs Sasha Davies Mr Matthew McAteer Mrs Vanessa Stewart Mrs Sarah Taylor Mrs Louise Tatum	<a href="mailto:Phil.Nicholson@kps.woodard.co.uk">Phil.Nicholson@kps.woodard.co.uk</a> (0191) 258 5995 EXT: 132	See training document
The E-Safety Officer is:	Mr Nik Kelsey	<a href="mailto:Nikolaus.Kelsey@kps.woodard.co.uk">Nikolaus.Kelsey@kps.woodard.co.uk</a>	See training document
The Academy Council Lead for safeguarding is:	Mrs Alison Smith	<a href="mailto:acclerk@kps.woodard.co.uk">acclerk@kps.woodard.co.uk</a>	See training document
The responsibility for the progress of Children Looked After lies with:	Mrs Kayleigh Pearson  Mrs Rebecca Watson (SLT link)	<a href="mailto:Kayleigh.pearson@kps.woodard.co.uk">Kayleigh.pearson@kps.woodard.co.uk</a>  (0191) 258 5995/ (0191) 258 9150 EXT: 154/122	See training document
Local Safeguarding Children Board (LSCB) academy contact:	North Tyneside Front Door	0345 2000109	
Prevent/Channel/Radicalisation Referrals:	North Tyneside Front Door	0345 2000109 (unless it's an emergency) or Prevent Team, Special Branch, Northumbria Police Direct Line: 01661 863108, 07764 978 181,	

Safer School Partnership Officer:	N/A	N/A	
Mandatory Reporting of FGM:	Via DSL	0345 2000109	
Reporting a child missing from education:	Via DSL	0345 2000109	
Reporting Child Sexual Exploitation:	Via DSL	High Risk: Police on 999 or 101 Low Risk: 0345 2000109	
Social Services:	North Tyneside Front Door	0345 2000109	
Multi agency partners (local authority, clinical commissioning group for the area within the LA and the chief officer of police for the police area in the LA	MASH team via North Tyneside Front Door	0345 2000109	
Safer Recruitment Trained Staff			
NSPCC Whistleblowing helpline	NSPCC	0800 028 0285	
Local Authority Designated Officer	LADO via North Tyneside Front Door	0345 2000109	
If you are concerned about the welfare or safety of a child and do not work in the academy, you should report your concerns to:			

## 2. Introduction

Safeguarding is the action taken to promote the welfare of children and protect them from harm.

Safeguarding means:

- Protecting children from abuse and maltreatment
- Preventing harm to children's health and development
- Ensuring children grow up with the provision of safe and effective care
- Taking action to enable all children and young people to have the best outcomes.

Child protection is part of the safeguarding process. It focuses on protecting individual children suffering from or likely to suffer, significant harm. This includes child protection procedures which detail how to respond to concerns about a child. Safeguarding is the responsibility of everyone. Everyone who comes into contact with children and young people has a role to play.

We believe that our academy should provide a caring, positive, safe and stimulating environment that promotes rounded development of each child.

This policy applies to all employees, volunteers and visitors, but specifically:

- Permanent staff, both teaching and non-teaching
- Temporary agency workers, contractors and casual workers
- Visitors to the site whether for lettings, events, training or conferences
- Woodard Academies Trust central staff
- Central Government, Local Authority and peripatetic staff
- Woodard Academies Trust, trustees and Academy Councillors
- Parents, volunteers and other community visitors.

## 3. Legislation and statutory guidance

The following safeguarding legislation and guidance has been considered when drafting this policy:

- Keeping Children Safe in Education (2020)
- Working Together to Safeguarding Children (2018)
- What to do if you're worried a child is being abused (2015)
- The Teacher Standards 2012
- The Safeguarding Vulnerable Groups Act 2006
- Section 157 of the Education Act 2002
- The Education (Independent School Standards) Regulations 2014

WAT Safeguarding Policy should be read alongside key Trust or academy policies /guidance which will interrelate, such as:

**Trust policies:**

- Disciplinary Procedure and Code of Conduct
- Safer Recruitment Procedure
- Whistleblowing
- ICT Acceptable Use Policy

**Academy policies/procedures/guidance or curriculum requirements such as:**

- Behaviour Management Policy
- Attendance Policy
- ICT Acceptable Use guidance
- Positive Handling Policy (where restraint is used)
- Relationship and Sex Education Curriculum polices

## **4. Definitions**

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

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

The following three safeguarding partners are identified in Keeping Children Safe in Education (and defined in the Children Act 2004, as amended by chapter 2 of the Children and Social Work Act 2017). They will make arrangements to work together to safeguard and promote the welfare of local children, including identifying and responding to their needs:

- The local authority (LA)
- A clinical commissioning group for an area within the LA
- The chief officer of police for a police area in the LA area

**Child protection** is part of this definition and refers to activities undertaken to prevent children suffering, or being likely to suffer, significant harm.

**Abuse** is a form of maltreatment of a child and may involve inflicting harm or failing to act to prevent harm.

**Neglect** is a form of abuse and is the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development.

**Sexting** (also known as youth produced sexual imagery) is the sharing of sexual imagery (photos or videos) by children.

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

**DSL (Designated Safeguarding Lead)** refers to the person in the academy who has lead responsibility for child protection and safeguarding children. All staff, via their child protection training, must be made aware of, and understand the role of the DSL.

**Staff** refers to all teaching and non-teaching staff, permanent and temporary, who have contact with children. It includes volunteers, student teachers and those on ITT programmes.

**A child** is defined as everyone under 18. (There are a number of different laws across the UK that specify age limits in different circumstances. These include child protection, age of consent and age of criminal responsibility.) This policy covers those in education and training in the academic year

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Adopted by Board December 2020

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following their 18<sup>th</sup> birthday and attending an academy for education, training or work experience are. See Guidance for safer working practice for those working with children and young people in education settings, October 2015.

**Age of consent** (the legal age for sexual activity) in the UK is 16 years old. Laws are in place to protect children, not to prosecute under-16s who have mutually consenting sexual activity but will be used if there is abuse or exploitation involved. To help protect younger children, the law says anyone under the age of 13 can never legally give consent. This means that anyone engaging in sexual activity with a child who is 12 or younger will be subject to penalties set out under the Sexual Offences Act 2003.

The law also gives extra protection to children who are 16 to 17 years old. It is illegal to:

- Take, show or distribute indecent photographs
- Pay for or arrange sexual services
- For a person in a position of trust (for example, teachers) to engage in sexual activity with anyone under the age of 18.

The age of criminal responsibility for children is 10 years old. Criminal responsibility is based on when a child is considered capable of committing a crime and old enough to stand trial and be convicted of a criminal offence.

Children's wishes - most guidance for Children and Young People's Services (like safeguarding and health care) emphasise how important it is to listen to the wishes of the child. However, authorities have a duty to act in the best interests of the child which may mean contradicting their wishes. Legislation in England asks that due consideration is given to the wishes and feelings of a child as far as reasonable before making decisions on what services to provide or action to take.

**Safeguarding** also relates to wider aspects of academy life including:

- Children's health and safety
- The use of reasonable force
- Meeting the needs of children with medical conditions
- Providing first aid
- Educational visits
- Intimate care – appropriate to the age of the child
- Internet or on-line safety
- Appropriate arrangements to ensure school security

## 5. Equality statement

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

We give special consideration to children who:

- Have special educational needs and/or disabilities (SEND)
- Are young carers
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality



- Have English as an additional language
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers
- Are at risk due to either their own or a family member’s mental health needs
- (CLA) or child who is previously looked after or adopted

## 6. Roles and responsibilities

The responsibility of all adults:

- Have an effective system in place to ask our children what they want from an effective child protection system.
- Establish and maintain an environment where children feel secure, are encouraged to talk and are listened to.
- Be aware of the signs of abuse and maintain an attitude of “*It could happen here*” with regards to child protection.
- Ensure that children know that there are adults in the school whom they can approach if they are worried about anything, whether in school, at home, or in general.
- Know what to do if a child tells them they are being abused or neglected.
- Know how and where to record their concerns and report these to the Designated Safeguarding Lead, as soon as possible.
- If a child is in immediate danger, know how to refer the matter to Children’s Social Care and/or the police immediately.
- Support pupils on a Child Protection Plan and notify the Designated Safeguarding Lead of any child on a Child Protection Plan who has an unexplained absence.
- Actively plan opportunities within the curriculum for children to develop the skills they need to assess and manage risk appropriately and keep themselves safe.
- Read and understand *Part 1 of Keeping Children Safe in Education September 2020* and be alert to signs of abuse and know to whom they should report any concerns or suspicions.
- Participate in safeguarding training as part of the induction process.
- Receive safeguarding and child protection updates as required, but at least annually, to provide staff with relevant skills and knowledge to safeguard children.
- Ensure that they know who the Designated and Deputy Safeguarding Lead(s) is/are and how to contact them.
- Be aware of the ‘Early Help’ process and understand their role in it.
- Immediately refer to the Principal if they have concerns about another member of staff.
- Immediately refer to the Chair of Governors and/or the Local Authority Designated Officer where the concerns are about the Principal.
- Responsibilities of governance
- The Board of Trustees has identified a trustee, [Rev Andrew Day], with responsibility to monitor safeguarding across all academies through regular reporting from academy councils and central staff and through liaising with link safeguarding councillors and chairs.
- The Academy Council has appointed a councillor with responsibility for Safeguarding in the school.

In line with WAT's scheme of delegation, overall strategic responsibility for safeguarding rests with the board of trustees, with identified strategic functions delegated to academy councils. The academy council has overall responsibility to monitor the effectiveness of safeguarding within each academy.

The role of the safeguarding councillor is to provide support and challenge to the DSL and the leadership of the school on how they manage safeguarding so that the safety and wellbeing of the children can continuously improve. The role includes:

- understanding the requirements of the Governance Handbook and Keeping Children Safe in Education 2020 supporting and challenging the DSL on the standards of safeguarding at the school
- confirming that consistent and compliant safeguarding practice takes place across the school
- reporting to the academy council about the standard of safeguarding in the school

[Please see Appendix 1 - The role of the Safeguarding Councillor, supported by central WAT staff](#)

### **Responsibility of The Designated Safeguarding Lead (DSL)**

The designated safeguarding lead takes **lead responsibility** for safeguarding and child protection (including online safety) in the school. The DSL duties include:

- ensuring child protection policies are known, understood and used appropriately by staff
- working with the academy council to ensure that the Trust's child protection policies are reviewed annually and that the procedures are reviewed regularly
- acting as a source of support, advice and expertise for all staff on child protection and safeguarding matters
- acting as a point of contact with the three safeguarding partners
- making and managing referrals to children's social care, the police, or other agencies
- taking part in strategy discussions and inter-agency meetings
- liaising with the "case manager" and the designated officer(s) at the local authority if allegations are made against staff
- making staff aware of training courses and the latest local safeguarding arrangements available through the local safeguarding partner arrangements
- transferring the child protection file to a child's new school
- In this academy, any individual can contact the DSL if they have concerns about a child. Whilst the activities of the DSL can be delegated to appropriately trained deputies the ultimate lead responsibility for child protection remains with the DSL; this lead responsibility should not be delegated. The DSL has responsibility for leading and managing all aspects of safeguarding in the academy.

[\[Please see Appendix 2 – Roles and responsibilities of the DSL\]](#)

## **7. Staff training**

All staff and academy councillors should undertake safeguarding refresher training at least annually (including updates as relevant.) Training may be delivered by the DSL or may be virtual. Newly-appointed staff and new volunteers - particularly those who join mid-year and so miss any initial whole

staff training - must receive safeguarding training as part of their induction. This includes reading KCSiE, the staff code of conduct and the WAT safeguarding policy. All staff and Academy Councillors are required to complete the Educare modules on Safeguarding and Prevent as a minimum. Other modules may also be undertaken or stipulated by the individual academy. Staff with specific roles (such as pastoral staff, DDSLs) should undertake regular safeguarding training which is relevant to their role, such as FGM, CME, CSE. Training on how to use the school's on-line system for child protection (CPOMS, Gordian) will be given to all new staff and as refresher training, as required.

## **8. Staff/pupil relationships**

Staff are aware that inappropriate behaviour towards pupils is unacceptable and that it is a criminal offence for them to engage in any sexual activity with a pupil under the age of 18. We provide our staff with advice regarding their personal online activity and we have clear rules regarding electronic communications and online contact with pupils. It is considered a serious disciplinary issue if staff breach these rules. Our Staff Code of Conduct sets out our expectations of staff and is signed by all staff members. Additionally, staff should:

- Not spend time alone with children, especially away from others, unless there is a justified need for privacy/confidentiality. Meetings with individual children should take place as openly as possible. If privacy is needed, the door should be left partly open where appropriate and other staff be present or informed of the meeting.
- Understand that physical contact should usually only be made to restrain youngsters in danger of hurting either themselves or someone else. Where Positive Handling (restraint) is used in a school, staff are expected to have been trained and a school-level Positive Handling policy should be in place. Staff should use professional judgement when making physical contact with a distressed child, for example.
- Not take children alone in a car journey, however short. Where this is unavoidable, it should be with the full knowledge and consent of the parents or carers, and someone in charge of the activity. Staff should be able to state the purpose and anticipated length of the route and will have checked insurance liability.
- Not contact or meet with children outside organised activities unless it is with the knowledge and consent of parents and someone in charge of the activity.
- Not give children your personal phone number or contact them/befriend them via social media.

## **9. Identifying concerns and dealing with a disclosure from a child**

All WAT schools use a cloud-based system for logging, storing and sorting safeguarding concerns actions and additional information. These systems are CPOMS or Gordian and allow DSLs to immediately receive flags and concerns from staff. Staff are encouraged to log even small concerns (ie not full disclosures) on the system as many minor concerns from a range of staff can allow DSLs to build a bigger picture around a child. Such concerns or observations might include:

- Sudden changes in behaviour and attitude
- Withdrawal and lack of interaction with peers
- On-going friendship issues
- Appearing hungry on arrival, repeatedly not having the necessary equipment

- Frequent lateness
- Inappropriate conversations including sexualised language at a young age
- Marks on the skin, bruises that are not explained
- Having large amounts of cash and/or expensive equipment in school

Any conversations, actions or observations that could be part of wider safeguarding jigsaw should be logged, with full information (dates, times, staff involved, etc.) If a member of staff has concerns about a child, but the child has not disclosed an issue, the member of staff could start a conversation with a very open question, such as: *"I've noticed you've been quiet lately. Is everything OK?"* DSLs, together with other key pastoral staff will have access to relevant pupils on the on-line system and will check updates daily. DSLs and pastoral staff will also log actions that have been taken around a child causing concern so that staff are made aware. Staff should never feel that information that is passed on 'disappears into a black hole.'

If a child chooses to tell a member of staff directly about alleged abuse (makes a disclosure,) there are a number of actions that the staff member must undertake to support the child:

- The key facts should be established in language that the child understands and the child's words will be used in clarifying/expanding what has been said.
- Listen to what is being said without displaying shock or disbelief.
- Reassure the child and let them know that they were right to inform you.
- Acknowledge how hard it was for the child to tell you.
- Accept what is being said.
- Allow the child to talk freely.
- Do not criticise the perpetrator, the child might have a relationship with them.
- No promises should be made to the child, for example to keep secrets.
- Stay calm and actively listen with the utmost care to what the child is saying.
- Question normally without pressure and only using open questions such as *"Is there anything else you want to tell me?"* Leading questions should be avoided and questioning should not be extensive.
- Be careful not to ask questions like *"Why didn't you tell me before?"* Instead you could ask *"Have you spoken to anyone else about this?"*
- Staff should not put words in the child's mouth but note the main points carefully.
- Make some brief notes at the time or immediately afterwards.
- As soon as possible a more detailed record should be logged on CPOMS (or Gordian) using the on-line template. It must be signed and dated, including the time the conversation with the child took place, include an outline of what was said with any comment on the child's body language, etc.
- Inform the child what has to be done next and who has to be told (the DSL as part of agreed procedure).
- Avoid making promises such as *"I'll stay with you"* or *"it'll be ok"*
- The DSL must be immediately informed, unless the disclosure has been made to them.
- The DSL and/or Safeguarding and Child Protection team will engage with the relevant agencies and parents if doing so will not put the child at further risk.

## 10.Supporting Children

We recognise that a child who is abused or who witnesses violence may feel helpless and humiliated, may blame themselves, and find it difficult to develop and maintain a sense of self-worth. Our academy may provide the only stability in the lives of children who have been abused or who are at risk of harm.

The academy will support all children by:

- Encouraging self-esteem and self-assertiveness, through the curriculum as well as our relationships, whilst not condoning aggression or bullying.
- Promoting a caring, safe and positive environment within the academy.
- Liaising and working together with all other support services and those agencies involved in the safeguarding of children.

### **Supporting children with Special Educational Needs and Disabilities (SEND)**

It should be recognised that children who have special educational needs and disabilities may be more vulnerable to abuse. It is important to pay attention to the child protection and safeguarding needs of children with SEND. For example, the special educational need may mean that it is more difficult for the children to communicate a concern. Or children with physical disabilities and need of intimate care may be more vulnerable to inappropriate touching or treatment from an adult providing their care. They may also be more vulnerable to bullying and peer-on-peer abuse.

Children with SEN and disabilities can face additional safeguarding challenges and therefore staff should be aware of the following:

- It is easy to make assumptions that indicators of possible abuse such as changes in behaviour and mood, and injury relate to the child's disability - without further exploration.
- It is easy to make assumptions that children with SEND are more prone to peer group isolation than other children.
- There is potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs.
- Children with SEND may experience greater communication difficulties.

To address these additional challenges, schools and colleges should consider extra pastoral support for children with SEN and disabilities.

Further guidance can be obtained as follows:

- DfE: SEND Code of Practice  
<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>
- NSPCC: 'We have the right to be safe' – protecting disabled children from abuse  
<https://www.nspcc.org.uk/globalassets/documents/research-reports/right-safe-disabled-children-abuse-report.pdf>

### **Mental health**

Schools have an important role to play in supporting the mental health and wellbeing of their pupils. All staff are aware that mental health problems can be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Staff are also aware that where children have suffered adverse childhood experiences those experiences can impact on their mental health, behaviour and education.

Where staff are concerned that a child's mental health is also a safeguarding concern, they should inform the DSL.

## **11.Special Circumstances**

### **Looked after children**

The most common reason for children becoming looked after is as a result of abuse or neglect. The school ensures that staff have the necessary skills and understanding to keep looked after children safe. Appropriate staff have information about a child's looked after status and care arrangements, including the level of authority delegated to the carer by the authority looking after the child. The designated teacher for looked after children and the DSL have details of the child's social worker and the name and contact details of the local authority's virtual head for children in care.

### **Children who have a social worker**

Children may need a social worker due to safeguarding or welfare needs. Local authorities will share this information with us, and the DSL will hold and use this information to inform decision about safeguarding and promoting the child's welfare.

### **Work Experience**

The school has detailed procedures to safeguard pupils undertaking work experience, including arrangements for checking people who provide placements and supervise pupils on work experience which are in accordance with statutory guidance.

### **Children staying with host families**

The school may make arrangements for pupils to stay with host families, for example during a foreign exchange trip or sports tour. When we do, we follow the guidance set out in the statutory guidance to ensure hosting arrangements are as safe as possible.

Schools cannot obtain criminal record information from the Disclosure and Barring Service about adults abroad. Where pupils stay with host families abroad we will agree with the partner schools a shared understanding of the safeguarding arrangements. Our Designated Safeguarding Lead will ensure the arrangements are sufficient to safeguard our pupils and will include ensuring pupils understand who to contact should an emergency occur or a situation arise which makes them feel uncomfortable. We will also make parents aware of these arrangements.

Some overseas pupils may reside with host families during school terms and we will work with the local authority to check that such arrangements are safe and suitable.

### **Private fostering arrangements**

A private fostering arrangement occurs when someone other than a parent or a close relative cares for a child for a period of 28 days or more, with the agreement of the child's parents. It applies to children under the age of 16, or aged under 18 if the child is disabled. By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify children's services as soon as possible.

Where a member of staff becomes aware that a pupil may be in a private fostering arrangement they will tell the DSL and the school will notify the local authority of the circumstances.

## 12.Types of Abuse

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

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

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

Emotional abuse may involve:

- Conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person
- Not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate
- Age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction
- Seeing or hearing the ill-treatment of another
- Serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children

**Sexual abuse** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve:

- Physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing
- Non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet)

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

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

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

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

## **Domestic abuse**

Domestic abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse, between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. It can include psychological, physical, sexual, financial and emotional abuse.

Children can witness and be adversely affected by domestic violence and exposure to it can have long lasting negative impact on children.

Where police have been called to a domestic abuse incident where children are in the household and experienced that incident, the police will inform the DSL. This ensures that the school has up to date safeguarding information about the child.

All staff are aware of the impact domestic abuse can have on a child. If any of our staff are concerned that a child has witnessed domestic abuse, they will report their concerns immediately to the DSL.

If police are called to an incident of domestic abuse and any children in the household have experienced the incident, the police will inform the key adult in school (usually the designated safeguarding lead) before the child or children arrive at school the following day. This is the procedure where police forces are part of Operation Encompass. The DSL will provide support according to the child's needs and update records about their circumstances.

## **Homelessness**

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare.

The DSL will be aware of contact details and referral routes into the local housing authority so they can raise/progress concerns at the earliest opportunity (where appropriate and in accordance with local procedures).

## **Child sexual exploitation (CSE)**

CSE is a type of sexual abuse in which children are sexually exploited for money, power or status.

Children or young people may be tricked into believing they are in a loving, consensual relationship. They might be invited to parties and given drugs and alcohol. They may also be groomed online. Some children and young people are trafficked into or within the UK for the purpose of sexual exploitation. Sexual exploitation can also happen to young people in gangs.

Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example, being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

If staff are concerned that a child is being sexually exploited the DSL should be informed.

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



County lines is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons; and the response to tackle it involves the police, the National Crime Agency, a wide range of Government departments, local government agencies and VCS (voluntary and community sector) organisations.

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of “deal line”. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

CCE is common within county lines and occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child. The victim may have been criminally exploited even if the activity appears consensual. Child Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology.

A child’s involvement in county lines activity often leaves a trail or signs. A child may exhibit some of the signs below. Some potential indicators of county lines involvement and Criminal Exploitation are listed below, with those at the top of particular concern:

- child seems to withdraw from family life
- sudden loss of interest in school or change in behaviour. Decline in attendance or academic achievement (although it should be noted that some children will maintain a good attendance record to avoid coming to notice)
- being emotionally 'switched off', but also containing frustration / rage
- starting to use new or unknown slang words
- holding unexplained money or possessions
- staying out unusually late without reason, or breaking parental rules consistently
- sudden change in appearance – dressing in a particular style or 'uniform' like that of other children they hang around with, including a particular colour
- dropping out of positive activities
- new nickname
- unexplained physical injuries, and / or refusal to seek / receive medical treatment for injuries
- graffiti style 'tags' on possessions, school books, walls
- constantly talking about another person who seems to have a lot of influence over them
- breaking off with old friends and hanging around with one group of people
- associating with known or suspected gang members, closeness to siblings or adults in the family who are gang members
- starting to adopt certain codes of group behaviour e.g. ways of talking and hand signs
- going missing and being found many miles from home with no explanation
- expressing aggressive or intimidating views towards other groups of young people, some of whom may have been friends in the past
- being scared when entering certain areas concerned by the presence of unknown youths in their neighbourhoods.

## **Serious Youth Violence**

A gang can be defined as a group of people who associate together or act as an organised body. In the context of gangs and youth violence, a gang is likely to be a relatively durable, predominantly street-based group of people who see themselves (and are seen by the others) as a discernible group who engage in criminal activity and violence, lay claim over territory, have some form of identifying structural feature and who are in conflict with other, similar gangs.

Social economic conditions worsening among some of the most deprived communities increases the appeal to criminal lifestyle choices among children. Children may be attracted to gangs for the following reasons:

- protection
- support
- financial gain
- sense of belonging
- reputation
- they are groomed/ recruited
- peer pressure
- to gain status and respect
- territory
- for excitement
- for money from crime
- to escape negative situations at home such as neglect or abuse
- some children may not even see themselves as being part of a gang.

The signs of involvement in gang and youth violence are similar in many respects to those identified for Child Criminal Exploitation plus, the following:

- Using slang or unknown terms
- Holds unexplained money or possessions or cannot explain where large sums of money have gone (financial exploitation)
- Stays out unusually late without reason
- Sudden change in appearance, for example, dressing in a particular style or 'uniform' like that of other young people they hang around with, including a particular colour
- Dropped out of positive activities
- New nickname/ Unexplained physical injuries
- Constantly talking about another young person or adult who seems to have a lot of influence over them
- Broken off with old friends and hangs around with one group of people; Increased use of social networking sites
- Started adopting certain codes of group behaviour e.g. ways of talking and hand signs
- Expressing aggressive or intimidating views towards other groups of young people, some of whom may have been friends in the past
- Signs of sexual exploitation e.g. pregnancy, abortion (perhaps forced), sexually transmitted infections and injuries
- Signs of psychological effects of exploitation – depression and suicide attempts for example.

It is important to recognise that girls as well as boys can become involved in gang and youth violence. Girls who are gang members, or who are in some way related to a gang member (friend, cousin, etc.) can be at risk of emotional, physical and sexual violence. They may not realise that what they are being pressured, or choose, to do is wrong, or may feel helpless and scared of what might happen to them if they seek help. Staff who believe a child may be at risk should contact the DSL.

## Online Safety

A broad definition of an on-line incident: 'All fixed and mobile technologies, including all types of social media, that children may encounter, now and in the future, which allows them access to content and communications that could raise issues or pose risks to their wellbeing and safety'.

[\[Please also refer to Appendix 4 On-line safety guidance\]](#)

- Incidents of an on-line safety breach will be monitored daily by internal IT Teams and referred to senior leaders using on-line monitoring system, such as 'e-safe Smoothwall'
- Where there is a data breach the matter will be referred to the Trust's Data Protection Officer
- The concerns should be communicated with parents of both the victim and perpetrator, where appropriate to do so
- Concerns must be passed onto the relevant agencies where appropriate.

## Sexting

'Sexting' refers to the sending or posting of sexual images of children via mobile phones and other devices or over the internet. It is also known as 'youth produced sexual imagery'.

All sexting incidents will be managed as follows:

- The incident will be referred to the DSL immediately and the DSL will discuss it with the appropriate staff. If necessary, the DSL may also interview the children involved.
- 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 a child at risk of harm.
- At any point in the process, if there is a concern a young person has been harmed or is at risk of harm we will refer the matter to the police and/or children's social care.

## 'Honour-based' abuse (HBA)

So-called 'honour-based' abuse (HBA) encompasses crimes which have been committed to protect or defend the honour of the family and/or the community, including Female Genital Mutilation (FGM), forced marriage, and practices such as breast ironing. All forms of so-called HBA are abuse (regardless of the motivation) and should be handled and escalated as such. If in any doubt staff should speak to the DSL. If staff have a concern regarding a child that might be at risk of HBA they should speak to the DSL who will use existing national and local protocols for multiagency liaison with police and children's social care.

## Female genital mutilation (FGM)

Female genital mutilation (FGM) is the partial or total removal of external female genitalia for non-medical reasons. It is also known as female circumcision, cutting or Sunna. There are no medical reasons to carry out FGM; it is a criminal offence and used to control female sexuality and can cause severe and long-lasting damage to physical and emotional health. Religious, social or cultural reasons are sometimes given for FGM.

A girl or woman who has been a victim of FGM may:

- Have difficulty walking, sitting or standing
- Spend longer than normal in the bathroom or toilet

- Have unusual behaviour after an absence from the academy
- Be particularly reluctant to undergo normal medical examinations
- Ask for help but may not be explicit about the problem due to embarrassment or fear.

If staff have a concern they should immediately speak with the DSL, as well as liaising with the police, who will use existing local and national protocols for multi-agency liaison with police and children's social care.

### **Forced Marriage**

Forced marriage occurs when a young person (almost always female) is forced into a marriage that they do not want with someone they have not chosen, following coercion, intimidation, threats and possibly physical and sexual abuse:

- These young women may also become victims of what is termed "honour-based violence"
- Concerns around forced marriage should be referred to the DSL, at which time the student should be spoken with
- The police should also be contacted
- Parents do not need to be informed and social services should likewise be contacted in line with the safeguarding of the student
- The student should be informed that no contact will be made with parents

The Forced Marriage Unit has published Multi-agency guidelines, with pages 32-36 focusing on the role of schools. School staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email [fmufco.gov.uk](mailto:fmufco.gov.uk).

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/322310/HMG\\_Statutory\\_Guidance\\_publication\\_180614\\_Final.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/322310/HMG_Statutory_Guidance_publication_180614_Final.pdf)

### **Preventing Radicalisation**

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

**Extremism** is vocal or active opposition to fundamental British values, such as democracy, the rule of law, individual liberty, and mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces

**Terrorism** is an action that:

- Endangers or causes serious violence to a person/people
- Causes serious damage to property
- Seriously interferes or disrupts an electronic system

The use or threat of terrorism is intended to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

Schools have a duty to prevent children from being drawn into terrorism. The DSL will undertake Prevent awareness training and make sure that staff have access to appropriate training to equip them to identify children at risk.

Staff will assess the risk of children in our school being drawn into terrorism. This assessment will be based on an understanding of the potential risk in our local area, in collaboration with our local safeguarding partners and local police force.

Within the school, internet filtering is in place which helps pupils to stay safe online, alerting staff to any potentially concerning searches.

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period. Staff will be alert to changes in pupils' behaviour.

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

- Refusal to engage with, or becoming abusive to, peers who are different from themselves
- Becoming susceptible to conspiracy theories and feelings of persecution
- Changes in friendship groups and appearance
- Rejecting activities they used to enjoy
- Converting to a new religion
- Isolating themselves from family and friends
- Talking as if from a scripted speech
- An unwillingness or inability to discuss their views
- A sudden disrespectful attitude towards others
- Increased levels of anger
- Increased secretiveness, especially around internet use
- Expressions of sympathy for extremist ideologies and groups, or justification of their actions
- Accessing extremist material online, including on Facebook or Twitter
- Possessing extremist literature
- Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations

Children who are at risk of radicalisation may have low self-esteem, or be victims of bullying or discrimination. It is important to note that these signs can also be part of normal teenage behaviour – staff should have confidence in their instincts and seek advice if something feels wrong.

Staff should **always** inform the DSL if they have concerns

### **Bullying and children who physically or mentally harm other children**

The Equality Act 2010 requires all Academies to have due regard of the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it.

Bullying can be defined as behaviour by an individual or group, usually repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages or the internet), and is often motivated by prejudice against particular groups, or because a child is adopted or has caring responsibilities.

It might be motivated by actual differences between children, or perceived differences. It can take the form of physical or verbal harassment and involves an imbalance of power (a group of children can gang up on a victim or someone who is physically bigger or more aggressive can intimidate someone else, for instance).

Bullying behaviour can include name-calling, teasing, insulting someone (particularly about their weight or height, race, sexual orientation, religion or other personal traits), pushing, hitting, or excluding someone. Relationships between children can and do break down from time to time. To minimise the number of times these differences lead to bullying requires each individual to respect others.

Bullying can be by a single person or by a group (or gang). "Bullying" usually, but not exclusively, has three common elements:

- It is deliberately hurtful
- It is repeated, often over a long period of time
- It is difficult for those being bullied to defend themselves.

The damage inflicted by bullying is often underestimated and can cause considerable distress to children to the extent that it affects their health and development. In the extreme it can cause significant harm, including self-harm.

#### **Safeguarding of children who have been bullied:**

- If there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm because of bullying, the academy will consult and refer such instances immediately to a senior member of the pastoral staff.
- Even when safeguarding is not an issue, the academy staff may consult and work with external agencies to support pupils/students who are being bullied, or involved in bullying behaviour
- The academy will take seriously any complaints of bullying and will deal with these complaints in line with the local academy behaviour policy.
- Any incident where a child has been the subject of an assault, theft or harassment must be reported to the police at the earliest opportunity via the DSL.
- When there is suspicion or an allegation of a child having been sexually abused or being likely to sexually abuse another child, it should be referred immediately to Children's Social Care or the Police via the DSL and under local procedures.

#### **Cyber-bullying**

The academy has a duty of care to all children and staff to ensure they are safe to work, learn and develop unimpeded by fear. Where bullying is found to have taken place by any means, whether on-site or off-site, including cyber-bullying, or sexting, robust action shall be taken to protect the wellbeing of children and staff.

- If children feel they are being bullied by email, text or online, they should talk to their trusted adult.

- Never send any bullying or threatening message.
- Serious bullying should be reported to a member of staff; in some cases the academy will inform the police - for example, threats of a physical or sexual nature (via sexting for example).
- Keep and save any bullying emails, text messages or images.
- If you can, make a note of the time and date bullying messages or images were sent, and note any details about the sender.
- Children should be taught not to reply to bullying or threatening text messages or emails - this could make matters worse. It also lets the 'bully' know that they have found a 'live' phone number or email address. They may get bored quite quickly if they are ignored.
- Children should be taught not forward abusive texts or emails or images to anyone - which could be breaking the law. Messages should be kept as evidence.
- Children must be taught never to give out passwords to mobile or email accounts
- The academy will monitor internet use.
- Pupils should be taught that sending abusive or threatening messages is against the law.

*Please also refer to the individual academy's Acceptable Use policy*

### **Peer on peer abuse**

Instances of peer on peer abuse have unfortunately increased in recent years. This term refers specifically to child-on-child sexual violence and sexual harassment. Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure. It is crucial that all staff involved in dealing with such accusations remain calm and considered so that an appropriate response to any reports may be actioned.

Peer on peer abuse, is most likely to include, but may not be limited to:

- Bullying (including cyberbullying)
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- Sexual violence, such as rape, assault by penetration and sexual assault
- 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
- Up-skirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm – (this is a criminal offence)
- Sexting
- Initiation/hazing-type violence and rituals.

Any decisions will be made on a case-by-case basis, with the DSL taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police as required.

The academy's initial response to a report from a child is important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

Each academy must also address the issue of peer on peer abuse in their local policies against bullying.

[\[Please see Appendix 5 Peer-on-Peer abuse\]](#)

## **Modern Slavery and human trafficking**

Trafficking involves transporting, recruiting or harbouring people for the purpose of exploitation, using violence, threats or coercion. When children are trafficked, no violence, deception or coercion needs to be involved, trafficking is merely the act of transporting or harbouring them for exploitative work. When away from their families, they are at the mercy of their employers”

**Anti-Slavery** <https://www.antislavery.org/>

Woodard Academies Trust has a Modern Slavery Statement published on its website and academy websites. This section in the Child Protection and Safeguarding Policy addresses issues around child slavery and trafficking.

The Modern Slavery Act 2015 makes the prosecution of traffickers easier by consolidating the existing slavery offences, it has increased sentences for slavery offences, bans the prosecution of victims of slavery for crimes they were forced to commit by their traffickers, such as drug production or petty thefts and introduced ‘child trafficking advocates’ to better protect trafficked children. It requires UK businesses to publicly report on how they tackled slavery in their global supply chains and established an independent Anti-Slavery Commissioner to overlook the UK’s policies to tackle slavery.

### **Children are trafficked for:**

- child sexual exploitation
- criminal activity, including: cannabis cultivation, street crime, such as pick pocketing, begging and bag theft, county lines, benefit fraud, immigration fraud and forced marriage.
- domestic servitude, including: cleaning; childcare; cooking.
- forced labour, including working in: restaurants; nail bars; factories; agriculture.
- illegal adoption.
- unreported private fostering arrangements (for any exploitative purpose).

### **The following signs are indicators that a child may be a modern slave or trafficked:**

- They appear to be under the control of someone else and reluctant to interact with others
- they do not have personal identification
- they have few personal belongings, wear the same clothes every day or wear unsuitable clothes for school
- they may not be able to move around freely
- they may be reluctant to talk to strangers or the authorities
- they appear frightened, withdrawn, or show signs of physical or psychological abuse
- they are dropped off and collected for school always in the same way, especially at unusual times, i.e. very early or late.

If you suspect that a child is subject to modern slavery or trafficking report this to the DSL.

## **13.Attendance and Children missing from Education (CME)**

A child running away or going missing from education or home is a potential indicator of abuse or neglect. All staff should follow the academy’s procedures for dealing with children that go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect,



including sexual exploitation, travelling to conflict zones, FGM and forced marriage and to help prevent the risks of their going missing in future. This section must be read in conjunction with the Attendance Policy in each individual academy.

To assist in the tracking of all children, academies are advised to 'where reasonably possible' hold more than one emergency contact number for the children on their roll.

The Trust has a responsibility to accurately monitor and record attendance for all of its children, including those with a medical timetable or those who may be dual rolled in alternative provision. For children who move to being electively home educated (EHE), contact should be made with home to clarify this and contact made with the local authority's Education Welfare Service who should carry out a home visit.

### **Placing a child on-roll and taking a child off-roll**

Academies must place children on the admission register at the beginning of the first day on which the school has agreed, or been notified, that the child will begin attending. If a child fails to attend on the agreed or notified date, the school should notify the local authority at the earliest opportunity to prevent the child from going missing from education.

Where a parent notifies the school that a child will live at another address, all academies are required to record in the admission register:

- the full name of the parent with whom the child will live
- the new address
- the date from when it is expected the child will live at this address.

Where a parent of a child notifies the academy that the child is registered at another academy/school or will be attending a different academy/school in future, academies must record in the admission register:

- the name of the new school
- the date on which the child first attended or is due to start attending that school.

All academies must inform the local authority of any child who fails to attend school regularly or has been absent without the permission of the academy for a continuous period of 10 school days or more, at such intervals as are agreed between the academy and the local authority.

All academies must inform their local authority of any child who is going to be deleted from the admission register where they:

- Have been taken out of the academy by their parents and are being educated outside the school system e.g. home education.
- Have ceased to attend the academy and no longer live within reasonable distance of the academy/school at which they are registered.
- Have been certified by a medical officer as unlikely to be in a fit state of health to attend the academy before ceasing to be of compulsory school age, and neither he/she nor his/her parent has indicated the intention to continue to attend the academy after ceasing to be of compulsory school age.
- Are in custody for a period of more than four months due to a final court order and the proprietor does not reasonably believe they will be returning to the academy at the end of that period.

- Have been permanently excluded.

Where a pupil has not returned to school for ten days after an authorised absence or is absent from school without authorisation for twenty consecutive school days, the pupil can be removed from the admission register when the school and the local authority have failed, after jointly making reasonable enquiries, to establish the whereabouts of the child. This only applies if the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or unavoidable cause.

Reasonable enquiries may include the appropriate person checking with relatives, neighbours, landlords – private or social housing providers – and other local stakeholders who are involved. They should also record that they have completed these procedures. If there is reason to believe a child is in immediate danger or at risk of harm, a referral should be made to children’s social care (and the police if appropriate.)

Where an academy/school notifies a local authority that a child’s name is to be deleted from the admission register, the school must provide the local authority with:

- the full name of the child
- the full name and address of any parent with whom the child lives
- at least one telephone number of the parent with whom the child lives
- the full name and address of the parent with whom the child is going to live, and the date the child is expected to start living there, if applicable
- the name of the child’s destination school and the child’s expected start date there, if applicable
- the ground in regulation 8 under which the child’s name is to be deleted from the admission register.

#### **Children accessing Alternative Provision (AP)**

- Children attending AP should be monitored by key staff and referrals to be placed into Pupil Entitlement Service when attendance drops below 90%
- For children who are in care, the social worker and virtual school must be contacted before AP placements are discussed. Children with social services involvement should have contact with social workers well in advance of any commencement date.

## **14. Confidentiality, information sharing and notifying parents**

We recognise that all matters relating to individual cases of child protection are confidential. The Principal or DSL will disclose about a child to other members of staff on a need to know basis only. However, The Data Protection Act (DPA) 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe.

If staff need to share ‘special category personal data’, the DPA 2018 contains ‘safeguarding of children and individuals at risk’ as a processing condition that allows practitioners to share information without consent if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.

All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.

Staff should never promise a child that they will not tell anyone about a report of abuse, as this may not be in the child's best interests. If staff are in any doubt about sharing information, they should speak to the DSL.

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

If the DSL believes that notifying the parents would increase the risk to the child, he/she will discuss this with the local authority children's social care team before doing so.

In the case of allegations of abuse made against other children, the DSL will normally notify the parents of all the children involved.

[\[Please see Annex 6 Confidentiality guidance\]](#)

## **15.Safer Recruitment**

Every effort will be made to ensure the safe recruitment of staff and all legislation regarding safer recruitment will be followed. This will include:

- Following statutory DBS guidelines re: checks on staff and volunteers (including Enhanced, without Barred List checks, on academy councillors.)
- Requiring a standardised application form. CVs alone are not acceptable.
- Stating clearly on any advertisement or written information relating to employment our commitment to safeguarding children.
- All interview panels will have at least one person who is trained in 'Safer Recruitment' and who can pose relevant safeguarding questions. The name of the person with safer recruitment training will be logged on interview notes and in the appointee's file.
- Safer recruitment questions are asked at interview by a safer recruitment trained individual and gaps and reasons for leaving jobs are challenged.
- Ensuring all relevant pre-employment checks are undertaken before an individual is permitted to start work (e.g. DBS, proof of right to work in the UK, 2 x professional references, prohibition checks, section 128 checks if required, proof of identity, proof of address, check for disqualification under the childcare act for staff in nursery / reception or before or after school clubs).
- Agency workers presenting at the academy need to be checked to ensure they are the same person for whom the agency has provided checks.
- For staff employed through an external agency: ensuring that there is written confirmation to say that the external agency has taken responsibility for safer recruitment checks on the member of staff.
- Maintaining a single, central record of all staff, volunteers and councillors.
- The Trust will follow the recommendations with regard to trainee teachers and contractors as set out in Keeping Children Safe in Education (September 2020.)
- Contractors operating in student circulation areas will be supervised.

### **Disqualification of staff**

Supplementary advice issued by DFE and amended in July 2018, requires that schools must not employ staff who have been disqualified from childcare. Childcare means working with children in EYFS and in Breakfast or After School Clubs attended by children up to the age of 8 years. Staff who are disqualified may apply to Ofsted for a waiver. In such circumstances the staff member can be deployed in any part of the school which does not involve childcare.

The Trust will also require volunteers, supply/agency staff, self-employed people and staff of other schools who work with children under age 8 in the ways described above, to be subject to such checks.

The grounds for disqualification include, in summary:

- Being on the DBS Children's Barred List
- Being cautioned for, convicted of or charged with certain violent and sexual criminal offences against children and adults, at home or abroad
- Being the subject of certain orders relating to the care of children
- Refusal or cancellation of registration relating to childcare or children's homes.

Disqualification occurs as soon as the above criteria are met, for example, as soon as a caution or conviction occurs, even before the person is formally included on the children's barred list.

All staff are required to inform the Principal without delay if they believe they may be disqualified at any subsequent point following appointment.

Staff such as caretakers, cleaners, drivers, transport escorts, catering and office staff, who are not employed to directly provide childcare, are normally not covered by the legislation. We will exercise our judgment about when and whether any such staff are in scope. Anybody involved in any form of health care provision for a child, including school nurses, and local authority staff, such as speech and language therapists and education psychologists are not covered by the legislation. Governors, Academy Councillors and proprietors are not covered by the legislation, unless they directly manage, work or volunteer in a relevant setting/position.

Disqualification can apply to those staff and volunteers who are employed to directly provide childcare, those staff and volunteers directly concerned in the management of childcare and those staff and volunteers that work in Breakfast or After school clubs attended by children up to the age of 8 years.

The childcare disqualification requirements do not extend to academy staff who undertake "transitional" visits to primary schools, other settings or homes. In this capacity, academy staff are "visitors" and the children are supervised by the staff from the school or setting or in the case of the home visit, the parent, guardian or carer.

## **16. Allegations against staff**

If an allegation is made against a member of staff, including supply staff, or a volunteer, the Trust's procedure must be followed. [Our Managing Allegations Against Staff policy can be found in the appendix of this policy.](#)

Allegations made against staff who no longer work at the school will be reported to the police.

## 17. Whistle blowing if you have concerns about a colleague

It is important that all staff and volunteers feel able to raise concerns about a colleague's practice. All such concerns should be reported to the headteacher, unless the complaint is about the headteacher, in which case concern should be reported to the chair of governors.

Staff may also report their concerns directly to children's social care or the police if they believe direct reporting is necessary to secure action.

The Trust's Whistleblowing Policy allows staff to raise concerns or make allegations and for an appropriate enquiry to take place. *It can be found on the WAT Staff Portal.*

### **This policy is reviewed annually**

Adopted by Board of Trustees	<b>December 2020</b>
Review date	<b>September 2021</b>

## APPENDIX 1

### Responsibility of the Academy Council Safeguarding Councillor

As part of the trust’s responsibility to ensure effective processes are in place and to support Academy Councils with more technical aspects of safeguarding, central WAT staff will undertake an annual programme of checks of certain safeguarding processes in each school. Information from these checks will be made available to the board of trustees and to the academy council. This does not preclude councillors from making focused visits around safeguarding but we should avoid unnecessary duplication of meetings and be mindful of the time required of key staff. Therefore, the councillor with responsibility for safeguarding is encouraged to attend WAT visits whenever possible.

	<b>Responsibility of the Academy Council</b>	<b>Responsibility of WAT central staff</b>
1.	<p>The Academy Council creates a <b>culture</b> where safeguarding is a priority, where the welfare of children is viewed as paramount and any member of staff, trainee or volunteer is confident to report safeguarding concerns.</p> <p>Children’s safety and welfare are a key component of the Standards and Safeguarding Committee agendas and of councillor visits into school.</p>	<p>Review minutes of Standards and Safeguarding Academy Council Committee meetings and summarise any key points and actions for the board of trustees.</p> <p><b>Trust level data and trends routinely reported to the Education Committee.</b></p>
2.	<p>Regularly <b>reviewing school-level policies and guidance</b> (ie Attendance, Positive Handling, E-Safety) relating to safeguarding in a timely fashion and that they made available to all staff.</p> <p>Ensure that the central Safeguarding policy is populated with information specific to the academy and is published on the school website.</p>	<p>Review the trust-level Safeguarding policy annually following any KCSiE updates, ensuring that these are included in the policy as appropriate.</p> <p>Ensure that the safeguarding policy is published on the WAT central site.</p>
3.	<p>Ensure the appointment of a <b>Designated Safeguarding Lead (DSL)</b> who is a senior member of staff and who has operational responsibility for safeguarding and child protection. (This should be explicit in the role-holders job description in line with <i>Annex B of Keeping Children Safe in Education 2020</i>.)</p> <p>Review the visibility of DSLs around school for pupils, staff and visitors – <i>are posters displayed? Is information clear? As a pupil, do I know where and how to access support?</i></p>	

	Sample staff voice, especially ITT students and support staff – <i>do they know who the DSL is and the system for reporting a concern?</i>	
4.	<p>Academy Councils should ensure that they understand <b>Child Protection systems</b> (CPOMs or Gordian) and monitor their use with the DSL.</p> <p>Councillors recognise that neither the academy council, nor individual councillors, have a role in pursuing or managing the processes associated with individual cases of child protection.</p> <p>Sample staff voice – <i>what do you do if you're worried about a child's safety? What would you do if you felt a member of staff was acting in a way that concerned you? What if this member of staff was the Principal?</i></p>	<p>Discuss with DSL how child protection records are kept securely and separately from other records, in accordance with GDPR, and are only accessed by relevant staff. Check the robustness of this system and sample an open case (anonymous) to review timely and appropriate actions following reporting.</p> <p>Review CP cross-over with SEND and CLA pupils.</p> <p>Monitor proportion of cases around CSE/CCE and multi-agency actions.</p>
5.	<p>The AC should monitor the school's contribution to <b>inter-agency working</b>, which includes engaging with Early Help and other external agencies in a coordinated manner to provide support to children as soon as needs are identified.</p> <p>The AC should monitor the proportions of children and families who are supported by external agencies and social services and the impact of these.</p>	<p>Routinely collect information around the proportion of children with a social worker, supported by Early Help, on a CP or CiN plan.</p> <p>Discuss anonymous case studies involving inter-agency working, including the DSL's view on system strengths, weaknesses and consequent mitigations (for example, where there is an inadequate CYPS.)</p> <p>With the DSL, review barriers to getting required support from external agencies (for example where CP thresholds are cited as too low.)</p>
6.	<p>The AC should monitor how the school assures that all staff and academy councillors receive relevant <b>safeguarding training</b> at least annually (either face-to-face or on-line via Educare modules.)</p> <p>The AC should monitor how staff joining mid-year are trained and the effectiveness of the safeguarding aspects of the induction process.</p>	<p>Monitor training records around safeguarding:</p> <ul style="list-style-type: none"> <li>• DSL refresher every 2 years</li> <li>• Annual refresher training for all staff</li> <li>• All AC members have a minimum of annual on-line refresher training</li> <li>• All staff have read KCSIE 2020</li> <li>• All staff have Prevent training</li> </ul>

	<p>Academy Councils should check how the academy monitors whether all staff (particularly non-teaching staff) are familiar with the contents of <i>Part 1 of Keeping Children Safe in Education 2020</i>.</p> <p>The AC should ask appropriate questions around sufficient resources being directed to safeguarding CPD.</p>	<ul style="list-style-type: none"> <li>• Additional training as appropriate (FGM, CSE, CME CCE, mental health, Positive Handling, etc.)</li> <li>• Paediatric First Aid for KS1</li> <li>• First Aid trained staff</li> <li>• Safer Recruitment</li> </ul> <p>Sample the awareness of staff, particularly support staff</p> <ul style="list-style-type: none"> <li>• Robustness of induction processes (<i>KCSiE, Code of Conduct, SG policy, CP systems, Whistleblowing</i>) particularly those staff/ trainees joining mid-year</li> <li>• Process for whistleblowing / how to raise concerns about another member of staff – how clear are staff?</li> <li>• If staff are clear about the Code of Conduct, including use of mobile phones, video-ing pupils, inappropriate websites, etc.</li> </ul>
7.	The AC is aware of its duties around <b>anti-radicalisation, PREVENT</b> and Channel referrals in conjunction with the police, in particular that the academy community has ‘due regard to the need to prevent people from being drawn into terrorism.’	Routinely collect information (and detail as appropriate) around radicalisation concerns and any referrals.
8.	AC understands its duties around the mandatory reporting of <b>FGM</b> .	Routinely collect information (and detail as appropriate) around FGM concerns and any referrals.
9.	The academy council will engage in <b>succession planning</b> for safeguarding staff and plan for staff changes within the safeguarding team to ensure there is sustained capacity and resilience for the DSL, DDSLs and any support staff linked with safeguarding.	
10.	The academy council recognises that due to the nature of the role, DSLs and pastoral staff may benefit from being offered regular <b>supervision/counselling</b> sessions. These will be offered via the trust, with DSLs invited to attend.	The trust will offer DSLs regular supervision (non-compulsory) and ask for feedback on their effectiveness.
11.	The AC will ensure that a <b>Designated Teacher for Children Looked After</b> must	Meet with and routinely collect information on CLA and post-adopted



	<p>be appointed and trained. The AC recognises that children who are looked after are particularly vulnerable and consequently will monitor the impact of support that these children receive.</p>	<p>children, including attendance, tracking, any additional pastoral support CLA children receive, use of PP grant, different LA links and strength of links with social services.</p>
12.	<p>For <b>e-learning</b>, Academy Councils should be aware of, and monitor the effectiveness of school filters and appropriate monitoring systems in place to safeguard against potentially harmful and inappropriate online material that may be accessed in school</p> <p>By working with parents and carers, academy councils should raise awareness of appropriate filters and monitoring systems whilst the children are accessing the internet at home, to safeguard against potentially harmful and inappropriate online material.</p>	<p>Routinely collect information on school filters, how they are monitored and their effectiveness. Review with DSLs the trigger words and how these are decided upon.</p> <p>Review safety measures in place for on-line learning (Covid) and discuss any concerns about system vulnerability.</p>
13.	<p>ACs understand and monitor how <b>children are taught</b> about keeping themselves safe, including on-line as part of a <b>broad and balanced curriculum</b></p> <p>Academy Councils understand the statutory status of Relationship Education, <b>Relationship and Sex Education (RSE)</b> and Health Education from September 2020 and review how the academy will teach pupils, how it has consulted with pupils and parents and how it is using this feedback.</p> <p>Councillors monitor the <b>PSHE</b> 'offer' and how this supports children to keep themselves safe and make appropriate choices.</p> <p>Councillors should oversee the school's approach to <b>bullying</b> and eradicating bullying.</p> <p>Councillors should ask pupils directly: <i>What does the school teach you about keeping safe? What about on-line safety?</i></p>	<p>Discuss with PSHE coordinator:</p> <ul style="list-style-type: none"> <li>• Format PSHE takes and topics covered</li> <li>• Training for non-specialist staff teaching specialist topics</li> <li>• PSHE as part of the school monitoring and review cycle</li> <li>• RSE is in place, the resources used, outcomes of consultation.</li> <li>• How safeguarding is woven into the wider curriculum</li> <li>• Links between good mental and physical health</li> <li>• How children are taught about homophobia, racism and sexism</li> <li>• Systems around bullying, school trends and actions</li> </ul>

	<p><i>Does the school involve your parents/carers in this? Are you allowed phones in school? Have you had experience of someone being involved in 'sexting'? What have you learnt this year in PSHE?</i></p> <p><i>Can you tell me what constitutes bullying?</i></p> <p><i>What do you do if someone is being bullied? Who is your 'trusted adult' in school?</i></p> <p><i>How does the school teach you about the importance of having good mental and physical health?</i></p>	
14.	<p>ACs should monitor academy actions and responses to children who do <b>not attend</b>, who go missing during the school day or who are repeatedly absent, to help identify the risk of abuse and neglect - including sexual abuse or exploitation - and to help prevent the risk of them going missing in future.</p> <p>ACs should monitor that the academy follows the correct procedure when removing pupil from roll, or adding a pupil to our roll, at non-standard transition points. The term 'off-rolling' is fully understood by the council and not tolerated.</p>	<p>Routinely collect information on absence, persistent absence – particularly where pupils are vulnerable.</p> <p>Check school systems – ie holding more than one parental contact, absence flowchart, links with police/ social services for CME.</p> <p>Discuss proportion of pupils moving mid-year and reasons. Review any pupils who are described as CME.</p>
15.	<p><i>The AC is not required to monitor in detail safer recruitment and HR processes. However, the academy council should oversee how the school creates a culture of <b>safe recruitment</b> and adopts recruitment procedures that help deter, reject or identify people who might abuse children. (Following the procedures set out in <i>Part 3: Safer Recruitment. Keeping Children Safe in Education, September 2020</i>)</i></p> <p>The AC should monitor that sufficient staff and councillors are trained in safer recruitment.</p>	<p>On an annual basis, central HR staff will monitor</p> <ul style="list-style-type: none"> <li>• The format of the SCR and checks done</li> <li>• Robustness of recruitment processes for all staff</li> <li>• GDPR compliance</li> <li>• Induction procedures</li> <li>• Staff files</li> <li>• References for each shortlisted candidate are viewed <u>before</u> interview</li> <li>• At least one member of any appointing panel, including at shortlisting, will have attended safer recruitment training. This</li> </ul>
16.	<p>The academy council oversees the school maintains a <b>single central record</b> in line with <i>Part 3, paragraphs 164 – 173 Keeping Children Safe in Education 2020.</i></p>	

17.	<p>The AC recognises that our school/college has a legal duty to make a <b>barring referral to the DBS</b> regarding anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:</p> <ol style="list-style-type: none"> <li>i. the harm test is satisfied in respect of that individual; the individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence; and</li> <li>ii. the individual has been removed from working (paid or unpaid) in regulated activity or would have been removed had they not left.</li> </ol> <p>The AC supports the school to always check that the person presenting themselves for work from a supply or other agency is the same person on whom the checks have been made.</p>	<p>person will be logged on interview notes.</p> <ul style="list-style-type: none"> <li>• For <b>supply teachers</b>, the school must obtain written notification from any agency or third-party organisation that the agency has carried out the checks. (In respect of the enhanced DBS certificate, written notification confirming that the certificate has been obtained by the employment business - on an individual who will be working at our school.) Where any supply position requires a barred list check, that this has been obtained by the agency or third party prior to our school appointing the individual.</li> <li>• Checks undertaken for <b>trainee or student teachers</b>, ensuring that the school or training provider will undertake all relevant checks.</li> <li>• Disqualification by association (in KS1, 2) -staff are given an opportunity to disclose and encouraged to disclose in the event they have direct association with a convicted offender but are not asked directly.</li> </ul>
18	<p>Academy Councils are aware of their duties under Part 4, KCSiE (2020) – <b><i>Managing allegations made against teachers, other staff, including supply teachers and volunteers.</i></b></p>	<p>Monitor safeguarding incidents or allegations around members of staff or volunteers.</p> <p>Monitor referrals to the LADO.</p> <p>Monitor any parental complaints around safeguarding to the school.</p> <p>Review complaints directly to DfE / Ofsted / LA etc., and take appropriate action as required.</p>

## Appendix 2

### Roles and responsibilities of the DSL

#### 1. The Safeguarding Lead will:

- a. Assist the Academy Council in fulfilling their responsibilities under section 175 or 157 of the Education Act 2002.
- b. Attend initial training for their role and refresh this within two years.
- c. Keep their knowledge and skills updated at least annually.
- d. Ensure that all staff know who the Designated Safeguarding Lead is, their role and how to make contact.
- e. Ensure that all staff understand their responsibilities in relation to signs of abuse and responsibility to refer any concerns to the Designated Safeguarding Lead. In addition, the Designated Safeguarding Lead should ensure that all staff read and understand Part 1 of Keeping Children Safe in Education 2020 and have a record of when this was done.
- f. The DSL will pay particular attention to training staff, trainees and volunteers who have been unable to attend whole-school safeguarding training days or who join mid-year. The DSL will ensure that new staff participate in safeguarding training as part of their induction.

#### 2.

- a. The DSL will ensure that all staff receive safeguarding and child protection updates and changes to procedure to provide them with relevant skills and knowledge to safeguard children. The DSL will also ensure staff, including all senior leaders and Chairs of Governors and Safeguarding Governors, are kept fully aware of any significant changes or updates to local authority child protection and safeguarding procedures, as and when they occur.

#### 3.

- a. Help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children are experiencing, or have experienced, with teachers and school and college leadership staff as necessary.

#### 4.

- a. Liaise with relevant curriculum leads in setting to ensure Relationship Education, Relationship and Sex Education and Health Education is effectively and appropriately considered within all aspects of the curriculum.

#### 5.

- a. Oversee child protection records (on CPOMs or equivalent) for each child where concerns have been raised. When children move to another educational setting, the DSL ensures the receiving school is informed of any concerns and information is transferred.

6. During term time the designated safeguarding lead (or a deputy) should be available on-site during school hours. Where this is not possible, provision should be made to allow contact with the DSL either virtually or by phone.
7. The Designated Safeguarding Lead is expected to:
  - a) Refer cases of suspected abuse to the Local Authority Safeguarding hub /MASH and support staff who make referrals.
  - b) Refer cases to the Channel programme where there is a radicalisation concern, as required and support staff who make referrals to the Channel programme.
  - c) Refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required.
  - d) Refer cases where a crime may have been committed to the police, via MASH as required.
  - e) Liaise regularly with the Principal to inform her/him of issues, actions and provide updates around child protection and safeguarding.
  - f) As required, liaise with the Case Manager and where required, the LADO, in all cases involving allegations against members of staff (both current and former members of staff).
  - g) Liaise effectively with staff (especially pastoral support staff, school nurses, IT Technicians, and SENDCOs and Mental Health Leads) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies; of safety and safeguarding, and when deciding whether to make a referral by liaising with relevant agencies.
  - h) To retain oversight of all Early Help plans, and review level or any change in risk at regular intervals.
  - i) Act as a source of support, advice and expertise for staff and academy councillors
  - j) As well as training all members of staff as above, the DSL and deputies should undergo training to provide them with the skills required to carry out the role. This training must be updated at least every two years. DSLs should be afforded time to allow them to keep up to date with new developments relevant to their roles.
  - k) The DSL and deputies should undertake PREVENT Awareness training and ensure the rest of the staff also do this on at least an annual basis as part of the wider continuous safeguarding training process in operation.

## APPENDIX 3

### ALLEGATIONS OF ABUSE AGAINST STAFF

The Trust takes the safeguarding of its pupils very seriously and we recognise that it is extremely important that any allegation made against a member of staff or volunteer is managed quickly and effectively.

All investigating officers should refer to the WAT Disciplinary Management Guidance and the WAT Complaints Policy and seek advice from the DSL, HR and the Local Authority Designated Officer (LADO) throughout the investigation as appropriate. Below outlines framework guidance which will be followed if the reported allegation meets the requirements of the Department for Education statutory guidance for managing allegations set out in Part 4 of Keeping Children Safe in Education 2020. This is where there is a suspected or alleged member of staff (including agency staff, or a volunteer has:

1. behaved in a way that has harmed a child or may have harmed a child (see our Child Protection and Safeguarding Policy for what we mean by 'harm');
2. possibly committed a criminal offence against or related to a child; or
3. behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children.
4. behaved or may have behaved in a way that indicates they may not be suitable to work with children

#### Procedure

##### **A) Reporting an allegation**

- The safety and welfare of our pupils is of paramount importance and so all staff must report their allegations or concerns immediately.
- Allegations made against a member of staff, including agency staff, or a volunteer should be reported to the principal. Allegations involving the principal should be reported to the chair of academy council. The principal or chair of the academy council (as appropriate) will then contact the designated officer at the local authority to consider the nature, content and context of the allegation, share information about the child, the subject of the allegation and agree a course of action. The academy/Trust Designated Safeguarding Lead may also be involved in this discussion. This discussion may include that:
  - no further action is required; or
  - more information is required to determine a course of action; or
  - a strategy discussion should take place; or
  - police or social care should be involved.
- The academy will always attend a strategy meeting if one is arranged. Representatives from other agencies such as health, social care and police may also be invited to the meeting.

##### **B) Investigating an allegation and considering suspension**

- An investigation into the allegation will be undertaken by an appropriate person designated by the principal. This may be an independent advisor or an employee of WAT. The investigator will gather initial information sensitively and without investigating and maintaining confidentiality to enable information sharing and to consider if suspension is appropriate.

- At the appropriate time, the parent of the child and the accused should be informed of the allegation (following the consideration of advice from HR, the LADO and the outcome of any strategy meeting).
- Only the principal is authorised to suspend or to decide to discontinue the use of an agency worker (and only the chair of the academy council is authorised to lift the suspension, measures must be put in place to support their return to work).
- Suspension is not an automatic response to an allegation and careful consideration as to whether there is cause to suspect the child(ren) is/are at risk of harm or the case is so serious it may be grounds for dismissal, full consideration of alternatives and an audit trail of these must be taken. The Management Guidance for Disciplinary must be followed.
- The principal must make the decision taking into account the views of HR, the LADO and any relevant external agencies e.g. police, children’s services.
- Where the member of staff is suspended, they will receive written confirmation within one working day and will be informed of the reason for the suspension.
- The investigating officer will conduct the investigation using the management guidance for disciplinary and will write up a report.
- If the investigating officer deems that a disciplinary hearing is appropriate a hearing will be arranged (see disciplinary policy and procedure and management guidance for disciplinary).
- When determining the outcome of an investigation Part 4 of Keeping Children Safe in Education 2020 states that the following definitions should be used when determining the outcome of the investigation:
  - Substantiated: there is sufficient evidence to prove the allegation
  - Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
  - False: there is sufficient evidence to disprove the allegation
  - Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence
  - Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made
- In no circumstances would the academy / Trust cease to use a member of agency staff due to safeguarding concerns without finding out the facts and liaising with the LADO to determine a suitable outcome.

**C) Supporting those involved**

- The academy will keep parents or carers informed about the progress of the investigation (when permitted). Where there is no criminal prosecution the academy will tell parents or carers the outcome of the investigation. The deliberations of any disciplinary hearing, and the information taken into account in reaching a decision, will not normally be disclosed but the parents or carers of the child will usually be told the outcome in confidence.
- The academy has a duty of care to its employees and will act to minimise the stress inherent in the investigation process.
  - The person who is the subject of the allegation will be informed of the allegation (when the academy is permitted to share this information) and likely course of action as soon as possible, usually after the initial discussion with the designated officer. If external agencies have an objection the academy will work with key stakeholders to agree what information can be disclosed and when.
  - A named representative will be assigned to keep the person who is the subject of the allegation updated on the progress of the case and other school related matters. The

academy will advise the individual of support available to them as well as encouraging them to contact their trade union representative or a colleague.

- Where an allegation is made against a member of agency staff, the employment agency should provide an additional support to that member of agency staff.
- The agency should also be updated on progress if the subject of the allegations is an agency staff member where appropriate.

#### **D) Resignation**

If the individual resigns or the agency staff member or volunteer ceases to provide their service, the investigation into the allegation will be completed. The individual will be given the opportunity to engage with the investigation.

#### **E) Action on conclusion of the case**

If the allegation is substantiated and:

- the employee is dismissed or resigns; or
- we cease to use the agency staff member's services as a result of the allegation; or
- we cease to use the volunteer's services as a result of the allegation; the academy will consider whether a referral to the DBS and/or to the TRA is required.

Where an allegation is found to be false, the academy may refer the case to social services to determine whether the child needs support and/or to understand if there is a safeguarding reason why the false allegation was made:

- The academy's behaviour policy sets out the action that may be taken against pupils who are found to have made malicious allegations against staff or volunteers.
- Where an allegation is made against a member of agency staff the outcome of the investigation will be shared with the supply agency and the LADO.

#### **F) Post incident review**

It is good safeguarding practice for schools to review incidents upon their conclusion so they can learn from them and continue to improve safeguarding at the academy. Where allegations are made against staff, including agency staff or volunteers, the academy may carry out a review at the conclusion of the case.

#### **G) Timescales**

Investigations into allegations against staff, including agency staff or volunteers or volunteers will be concluded as quickly and efficiently as possible to ensure that any risks to the child or other children and stress to the individual is minimised as far as possible. Key stakeholders must be kept up to date regularly.

#### **H) Record keeping**

Allegations found to be malicious will be removed from the employment record of the individual. For all other allegations, a clear and comprehensive summary of the allegation, how it was followed up and resolved and a note of actions taken and decisions reached will be retained on the employment file. A copy will also be provided to the individual. Details of any allegation made by a pupil will be kept in the confidential section of their record.



## Appendix 4

### Online safety guidance

#### Contents

1. Aims
2. Legislation and guidance
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10. Training
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#### 1. Aims

Woodard Academies Trust aims to:

- Have robust processes in place to ensure the online safety of pupils, staff, volunteers and academy councillors;
- Deliver an effective approach to online safety, which empowers us to protect and educate the whole school community in its use of technology;
- Establish clear mechanisms to identify, intervene and escalate an incident, where appropriate.

#### 2. Legislation and guidance

This policy is based on the Department for Education's (DfE) statutory safeguarding guidance, Keeping Children Safe in Education 2020, and its advice for schools on:

- Teaching online safety in schools
- Preventing and tackling bullying and cyber-bullying: advice for senior leaders and school staff
- RSE
- Searching, screening and confiscation

It also refers to the Department's guidance on **protecting children from radicalisation**.

It reflects existing legislation, including but not limited to the **Education Act 1996** (as amended), the **Education and Inspections Act 2006** and the **Equality Act 2010**. In addition, it reflects the **Education Act 2011**, which has given teachers stronger powers to tackle cyber-bullying by, if necessary, searching for and deleting inappropriate images or files on pupils' electronic devices where they believe there is a 'good reason' to do so. The policy also takes into account the National Curriculum computing programmes of study.

### **3. Roles and responsibilities**

#### **3.1 The Academy Council**

The academy council monitors the effectiveness of safeguarding, including online safety. The councillor with responsibility for safeguarding should meet with the DSL to review safeguarding, including on-line safety and how the school monitors internet use by staff and pupils. Councillors should ensure they have read and understood this guidance and agree and adhere to the terms on acceptable use of the trust's ICT systems and the internet.

#### **3.2 The Principal**

The headteacher is responsible for ensuring that staff understand this guidance and that it is being implemented consistently throughout the school.

#### **3.3 The DSL**

Details of the school's DSLs are set out in WAT's Safeguarding policy. The DSL takes lead responsibility for online safety in school, in particular:

- Supporting the headteacher in ensuring that staff understand online safety guidance and that it is being implemented consistently throughout the school
- Working with the headteacher, ICT manager and other staff, as necessary, to address any online safety issues or incidents
- Ensuring that any online safety incidents are logged and dealt with appropriately in line with this guidance
- Ensuring that any incidents of cyber-bullying are logged and dealt with appropriately in line with the school
- Providing regular reports on online safety in school to the headteacher and/or governing board

*This list is not intended to be exhaustive.*

#### **3.4 The ICT manager is responsible for:**

- Putting in place appropriate filtering and monitoring systems, which are updated on a regular basis and keep pupils safe from potentially harmful and inappropriate content and contact online while at school, including any potential extremist material.
- Ensuring that the school's ICT systems are secure and protected against viruses and malware, and that such safety mechanisms are updated regularly.
- Conducting a full security check and monitoring the school's ICT systems, including pupil use of the internet on a weekly basis, reporting any anomalies to the DSL.
- Blocking access to potentially dangerous sites and, where possible, preventing the downloading of potentially dangerous files.

*This list is not intended to be exhaustive.*

#### **3.5 All staff and volunteers**

All staff, including contractors and agency staff, and volunteers (where appropriate) are responsible for:

- Maintaining an understanding of this guidance and implementing it consistently

- Agreeing and adhering to the terms on acceptable use of WAT's ICT systems and Acceptable Use policy
- Working with the DSL to ensure that any online safety incidents are logged and dealt with appropriately
- Ensuring that any incidents of cyber-bullying are dealt with appropriately in line with the school behaviour policy

*This list is not intended to be exhaustive.*

### **3.6 Parents**

Parents are expected to:

- Notify a member of staff or the principal of any concerns or queries regarding this policy
- Ensure their child has read, understood and agreed to the terms on acceptable use of WAT's ICT and Acceptable Use policies.

Parents can seek further guidance on keeping children safe online from the following organisations and websites:

- What are the issues? - **UK Safer Internet Centre**
- Hot topics - **Childnet International**
- Parent factsheet - **Childnet International**

### **3.7 Visitors and members of the community**

Visitors and members of the community who use the school's ICT systems or internet will be made aware of this guidance (within the Safeguarding Policy) where relevant.

## **4. Educating pupils about online safety**

Pupils will be taught about online safety as part of the curriculum:

From September 2020, **Relationships education and health education (KS1-2)** and **Relationships and sex education and health education (KS3-4)** will be part of the national curriculum. Pupils will be taught about on-line safety as part of this.

In **Key Stage 1**, pupils will be taught to:

- Use technology safely and respectfully, keeping personal information private
- Identify where to go for help and support when they have concerns about content or contact on the internet or other online technologies

Pupils in **Key Stage 2** will be taught to:

- Use technology safely, respectfully and responsibly
- Recognise acceptable and unacceptable behaviour
- Identify a range of ways to report concerns about content and contact

By the **end of primary school**, pupils will know:

- That people sometimes behave differently online, including by pretending to be someone they are not.
- That the same principles apply to online relationships as to face-to-face relationships, including the importance of respect for others online including when we are anonymous

- The rules and principles for keeping safe online, how to recognise risks, harmful content and contact, and how to report them
- How to critically consider their online friendships and sources of information including awareness of the risks associated with people they have never met
- How information and data is shared and used online
- How to respond safely and appropriately to adults they may encounter (in all contexts, including online) whom they do not know

In **Key Stage 3**, pupils will be taught to:

- Understand a range of ways to use technology safely, respectfully, responsibly and securely, including protecting their online identity and privacy
- Recognise inappropriate content, contact and conduct, and know how to report concerns

Pupils in **Key Stage 4** will be taught:

- To understand how changes in technology affect safety, including new ways to protect their online privacy and identity
- How to report a range of concerns

By the **end of KS4**, they will know:

- Their rights, responsibilities and opportunities online, including that the same expectations of behaviour apply in all contexts, including online
- About online risks, including that any material someone provides to another has the potential to be shared online and the difficulty of removing potentially compromising material placed online
- Not to provide material to others that they would not want shared further and not to share personal material which is sent to them
- What to do and where to get support to report material or manage issues online
- The impact of viewing harmful content
- That specifically sexually explicit material (e.g. pornography) presents a distorted picture of sexual behaviours, can damage the way people see themselves in relation to others and negatively affect how they behave towards sexual partners
- That sharing and viewing indecent images of children (including those created by children) is a criminal offence which carries severe penalties including jail
- How information and data is generated, collected, shared and used online
- How to identify harmful behaviours online (including bullying, abuse or harassment) and how to report, or find support, if they have been affected by those behavior
- The safe use of social media and the internet will also be covered in other subjects where relevant.
- The school will use assemblies to raise pupils' awareness of the dangers that can be encountered online and may also invite speakers to talk to pupils about this.

## **5. Educating parents about online safety**

The school will raise parents' awareness of internet safety in letters or other communications home, and in information via our website or virtual learning environment (VLE) in each academy.

Online safety will also be covered during information evenings.

If parents have any queries or concerns in relation to online safety, these should be raised in the first instance with the headteacher and/or the DSL.

Concerns or queries about this policy can be raised with any member of staff or the headteacher.

## **6. Cyber-bullying**

### **6.1 Definition**

Cyber-bullying takes place online, such as through social networking sites, messaging apps or gaming sites. Like other forms of bullying, it is the repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power. (See also the academy behaviour policy.)

### **6.2 Preventing and addressing cyber-bullying**

To help prevent cyber-bullying, we will ensure that pupils understand what it is and what to do if they become aware of it happening to them or others. We will ensure that pupils know how they can report any incidents and are encouraged to do so, including where they are a witness rather than the victim.

The school will actively discuss cyber-bullying with pupils, explaining the reasons why it occurs, the forms it may take and what the consequences can be. Tutors will discuss cyber-bullying with their tutor groups, and the issue will be addressed in assemblies and explicitly in PSHE.

Teaching staff are also encouraged to find opportunities to use aspects of the curriculum to cover cyber-bullying. This includes personal, social, health and economic (PSHE) education, and other subjects where appropriate.

The school also provides information on cyber-bullying to parents so that they are aware of the signs, how to report it and how they can support children who may be affected.

In relation to a specific incident of cyber-bullying, the school will follow the processes set out in the academy behaviour and WAT safeguarding policies. Where illegal, inappropriate or harmful material has been spread among pupils, the school will use all reasonable endeavours to ensure the incident is contained.

The DSL will consider whether the incident should be reported to the police if it involves illegal material and will work with external services if it is deemed necessary to do so.

### **6.3 Examining electronic devices**

School staff have the specific power under the Education and Inspections Act 2006 (which has been increased by the Education Act 2011) to search for and, if necessary, delete inappropriate images or files on pupils' electronic devices, including mobile phones, iPads and other tablet devices, where they believe there is a 'good reason' to do so.

When deciding whether there is a good reason to examine or erase data or files on an electronic device, staff must reasonably suspect that the data or file in question has been, or could be, used to:

- Cause harm, and/or
- Disrupt teaching, and/or
- Break any of the school rules
- If inappropriate material is found on the device, it is up to the staff member in conjunction with the DSL or other member of the senior leadership team to decide whether they should:

- Delete that material, or
- Retain it as evidence (of a criminal offence or a breach of school discipline), and/or
- Report it to the police

Any searching of pupils will be carried out in line with the DfE's latest guidance on **screening, searching and confiscation**.

Any complaints about searching for or deleting inappropriate images or files on pupils' electronic devices will be dealt with through the school complaints procedure.

## **7. Acceptable use of the internet in school**

All pupils, parents, staff, volunteers and councillors are expected to sign an agreement regarding the acceptable use of the school's ICT systems and the internet. Visitors will be expected to read and agree to the school's terms on acceptable use if relevant.

Use of the school's internet must be for educational purposes only, or for the purpose of fulfilling the duties of an individual's role.

We will monitor the websites visited by pupils, staff, volunteers, councillors and visitors (where relevant) to ensure they comply with the above.

## **8. Staff using work devices outside school**

Staff members using a work device outside school must not install any unauthorised software on the device and must not use the device in any way which would violate the trust's terms of acceptable use.

Staff must ensure that their work device is secure and password-protected, and that they do not share their password with others. They must take all reasonable steps to ensure the security of their work device when using it outside school. Any USB devices containing data relating to the school must be encrypted.

If staff have any concerns over the security of their device, they must seek advice from the ICT manager.

Work devices must be used solely for work activities.

## **9. How the school will respond to issues of misuse**

Where a pupil misuses the school's ICT systems or internet, we will follow the procedures set out in the trust's Acceptable Use policy. The action taken will depend on the individual circumstances, nature and seriousness of the specific incident, and will be proportionate.

Where a staff member misuses the school's ICT systems or the internet or misuses a personal device where the action constitutes misconduct, the matter will be dealt with in accordance with staff disciplinary procedures. The action taken will depend on the individual circumstances, nature and seriousness of the specific incident.

The school will consider whether incidents which involve illegal activity or content, or otherwise serious incidents, should be reported to the police.

## **10. Training**

All new staff members will receive training, as part of their induction, on safe internet use and online safeguarding issues including cyber-bullying and the risks of online radicalisation.

All staff members will receive refresher training at least once each academic year as part of safeguarding training, as well as relevant updates as required (for example through emails, e-bulletins and staff meetings).

The DSL will undertake child protection and safeguarding training, which will include online safety, at least every 2 years. They will also update their knowledge and skills on the subject of online safety at regular intervals, and at least annually.

Councillors and staff will be able to access specific training on safe internet use and online safeguarding issues as part Educare modules.

Volunteers will receive appropriate training and updates, if applicable.

More information about safeguarding training is set out in WAT's safeguarding policy

### **11. Links with other policies**

This online safety policy is linked to our:

- Child protection and safeguarding policy
- Behaviour policy
- Staff disciplinary procedures
- Data protection policy and privacy notices
- Complaints procedure
- ICT and internet acceptable use policy

## APPENDIX 5

### Peer on Peer Abuse

#### Responding to reports of sexual violence and sexual harassment from peers

Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure. It is crucial that all staff involved in dealing with such accusations remain calm and considered so that an appropriate response to any reports may be actioned.

It is likely that any decisions will be made on a case-by-case basis, with the designated safeguarding lead (or a deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police as required.

The academy's initial response to a report from a child is important. It is essential that **all** victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

It is imperative that all staff are trained to manage a report. Local policies (and training) will dictate exactly how reports should be managed. However, effective safeguarding practice includes:

- not promising confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the designated safeguarding lead or children's social care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to;
- recognising a child is likely to disclose to someone they trust: this could be anyone on the academy staff. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust. They should be supportive and respectful of the child;
- listening carefully to the child, being non-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc;
- considering the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, it is essential a written record is made;
- only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. Academies should be aware that notes such reports could become assessment by children's social care and/or part of a criminal investigation



- where the report includes an online element, being aware of searching screening and confiscation advice (for schools) and UKCCIS sexting advice (for academies). The key consideration is for staff not to view or forward illegal images of a child. The highlighted advice provides more details on what to do when viewing an image is unavoidable.
- if possible, managing reports with two members of staff present, (preferably one of them being the designated safeguarding lead or a deputy). However, this might not always be possible; and
- informing the designated safeguarding lead (or deputy), as soon as practically possible, if the designated safeguarding lead (or deputy) is not involved in the initial report.

## **Risk Assessment**

When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) should make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment should consider:

- the victim, especially their protection and support;
- the alleged perpetrator; and
- all the other children (and, if appropriate, adult students and staff) at the academy especially any actions that are appropriate to protect them;

Risk assessments should be recorded (written or electronic) and should be kept under review. At all times, the academy should be actively considering the risks posed to all their pupils and students and putting adequate measures in place to protect them and keep them safe.

The designated safeguarding lead (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 risk assessment made by the academy is not intended to replace the detailed assessments of expert professionals. Any such professional assessments should be used to inform the academy's approach to supporting and protecting their pupils and students and updating their own risk assessment.

## **Action following a report of sexual violence and/or sexual harassment**

### **What to consider**

All WAT academies **must** carefully consider any report of sexual violence and/or sexual harassment. The designated safeguarding lead (or deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the academy'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
- 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

significantly older, more mature or more confident? Does the victim have a disability or a learning difficulty?

- if the alleged incident is a one-off or a sustained pattern of abuse
- are there ongoing risks to the victim, other children, adult students or school or academy staff
- other related issues and wider context. (Here Contextual safeguarding needs to be considered.)

The starting point regarding any report should always be that sexual violence and sexual harassment is not acceptable and will not be tolerated. Especially important is not to pass off any sexual violence or sexual harassment as 'banter', 'part of growing up' or 'having a laugh'.

### **Children sharing a classroom: Initial considerations when the report is made**

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 with regard to the victim and close proximity with the alleged perpetrator is likely to be especially distressing. Whilst the academy establishes the facts of the case and starts the process of liaising with children's social care and the police, the alleged perpetrator should be removed from any classes they share with the victim. The academy should also consider how best to keep the victim and alleged perpetrator a reasonable distance apart on academy premises and on transport to and from the academy, 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.

For other reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator and considerations regarding shared classes, sharing academy premises and academy transport, should be considered immediately.

In all cases, the initial report should be carefully evaluated, reflecting the considerations previously mentioned. The wishes of the victim, the nature of the allegations and the protection of all children in the academy will be especially important when considering any immediate actions.

### **Options to manage the report**

As mentioned, it is important that academies consider every report on a case-by-case basis. When to inform the alleged perpetrator will be a decision that should be carefully considered. Where a report is going to be made to children's social care and/or the police, then, as a general rule, the academy should speak to the relevant agency and discuss next steps and how the alleged perpetrator will be informed of the allegations.

However, as per general safeguarding principles, this does not and should not stop the academy taking immediate action to safeguard their children, where required. There are four likely scenarios for academies to consider when managing any reports of sexual violence and/or sexual harassment.

#### **1) Manage internally**

In some cases of sexual harassment, for example, one-off incidents, the academy 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 their behaviour and bullying policies and by providing pastoral support.

Whatever the response, it should be underpinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated.

All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

## **2) Early help**

- In line with 1 above, the academy may decide that the children involved do not require statutory interventions but may benefit from Early Help who should provide support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.
- Full details of the early help process are in Chapter 1 of Working together to safeguard children 2018.
- Multi-agency early help will work best when placed alongside strong academy policies, preventative education and engagement with parents and carers.
- Whatever the response, it should be under-pinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated.
- All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

## **3) Referrals to children's social care**

- Where a child has been harmed, is at risk of harm, or is in immediate danger, academies should make a referral to local children's social care.
- At the referral to children's social care stage, academies will generally inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the child at additional risk). Any such decision should be made with the support of children's social care.
- If a referral is made, children's social care will then make enquiries to determine whether any of the children involved are in need of protection or other services. Where statutory assessments are appropriate, the academy (especially the designated safeguarding lead or a deputy) should be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other children that require support
- Academies should 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 academy. It will be important for the designated safeguarding lead (or a deputy) to work closely with children's social care (and other agencies as required) to ensure any actions the academy takes do not jeopardise a statutory investigation. Risk assessments will help inform any decision. Consideration of safeguarding the victim, alleged perpetrator, any other children directly

involved in the safeguarding report and all children at the academy should be **immediate**.

- In some cases, children's social care will review the evidence and decide a statutory intervention is not appropriate. The academy (generally led by the designated safeguarding lead or a deputy) should be prepared to refer again if they believe the child remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the designated safeguarding lead (or a deputy) should consider other support mechanisms such as early help, specialist support and pastoral support.
- Whatever the response, it should be under-pinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated.
- All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

#### **4) Reporting to the Police**

**Any report to the police will generally be in parallel with a referral to children's social care via the LADO.**

- It is important that the designated safeguarding lead (and their deputies) is clear about the local process for referrals and follow that process.
- Where a report of rape, assault by penetration or sexual assault is made, the starting point is this should be passed on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach.
- At this stage, academies will generally inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a child at additional risk. In circumstances where parents or carers have not been informed, it will be especially important that the academy is supporting the child in any decision they take. This should be with the support of children's social care and any appropriate specialist agencies.
- Where a report has been made to the police, the academy should consult the police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator and their parents or carers. They should also discuss the best way to protect the victim and their anonymity.
- All police forces in England have specialist units that investigate child abuse. The names and structures of these units are matters for local forces. It will be important that the designated safeguarding lead (and their deputies) is aware of their local arrangements.
- 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 academy continue to engage with specialist support for the victim as required.
- Whatever the response, it should be under-pinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerate
- All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

#### **5) Considering bail conditions**

- From April 2017, the use of police bail has been dramatically reduced and will only be used when deemed necessary and proportionate in exceptional circumstances. Consideration will be given to less invasive options to safeguard victims and witnesses and the administration of justice. Therefore, it is less likely that a child attending an academy will be

on police bail with conditions attached if there are alternative measures to mitigate any risk.

- In the absence of bail conditions, when there is a criminal investigation, early engagement and joined up working between the academy, children's social care and the police will be critical to support the victim, alleged perpetrator and other children involved (especially potential witnesses). Where required, advice from the police should be sought in order to help the academy manage their safeguarding responsibilities.
- The term 'Released Under Investigation' or 'RUI' will replace those previously on bail for offences in circumstances that do not warrant the application of bail to either re-attend on a particular date or to include conditions preventing activity or in some cases ensuring compliance with an administrative process.
- Where bail is deemed proportionate and necessary, the academy should work with children's social care and the police to manage any implications and safeguard their children. An important consideration will be to ensure that the victim can continue in their normal routine, including continuing to receive a suitable education.

## 6) Managing any delays in the criminal process

- There may be delays in any case that is being progressed through the criminal justice system. Academies **should not wait** for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator and other children in the academy. The risk assessment process will help inform any decision.
- Whilst protecting children and/or taking any disciplinary measures against the alleged perpetrator, it will be important for the designated safeguarding lead (or a deputy) to work closely with the police (and other agencies as required), to ensure any actions the academy takes do not jeopardise the police investigation.
- If academies have questions about the investigation, they should ask the police. The police will help and support the academy as much as they can (within the constraints of any legal restrictions)

## 7) The end of the criminal process

- If a child is convicted or receives a caution for a sexual offence, the academy should update its risk assessment, ensure relevant protections are in place for all the children at the academy and, if it has not already, consider any suitable action in light of their behaviour policy. If the perpetrator remains in the same academy as the victim, the academy should be very clear as to their expectations regarding the perpetrator now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions the academy thinks are reasonable and proportionate with regard to the perpetrator's timetable.
- Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils or students in the academy. It will be important that the academy ensures both the victim and alleged perpetrator remain protected, especially from any bullying or harassment (including online).
- Where cases are classified as "no further action" (NFA'd) by the police or Crown Prosecution Service, or where there is a not guilty verdict, the academy should continue to offer support to the victim and the alleged perpetrator for as long as is necessary. A not guilty verdict or a decision not to progress with their case will likely be traumatic for the

victim. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. Academies should discuss any decisions with the victim in this light and continue to offer support. The alleged perpetrator is also likely to require ongoing support for what will have likely been a difficult experience.

- All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

## Ongoing response

### Safeguarding and supporting the victim

- The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the victim.
- Consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. Academies should be aware that, by the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and alleged perpetrator.
- The needs and wishes of the victim should be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is reasonably possible. 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 academy is a safe space for them.
- The victim should never be made to feel they are the problem for making a report or made to feel ashamed for making a report.
- Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.
- Support can include:
  - Children and Young People's Independent Sexual Violence Advisors (ChISVAs) provide emotional and practical support for victims of sexual violence. They are based within the specialist sexual violence sector and will help the victim understand what their options are and how the criminal justice process works if they have reported or are considering reporting to the police. ChISVAs will work in partnership with academies to ensure the best possible outcomes for the victim.
- Police and social care agencies can signpost to ChISVA services (where available) or referrals can be made directly to the ChISVA service by the young person or academy.

Contact details for ChISVAs can be found at:

- Rape Crisis and The Survivors Trust.
- Child and adolescent mental health services (CAMHS)
- Rape Crisis Centre's can provide therapeutic support for children who have experienced sexual violence.
- Internet Watch Foundation (to potentially remove illegal images)

It is essential that dialogue is kept open and encouraged. When it is clear that ongoing support will be required, academies should ask the victim if they would find it helpful to have a designated trusted adult (for example, their form tutor or designated safeguarding lead) to talk to about their needs. The choice of any such adult should be the victim's. Academies should respect and support

this choice.

A victim of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. While academies should avoid any action that would have the effect of isolating the victim, in particular from supportive peer groups, there may be times when the victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. This should be because the victim wants to, not because it makes it easier to manage the situation. If required, academies should provide a physical space for victims to withdraw. Victims may not disclose the whole picture immediately. They may be more because the victim wants to, not because it makes it easier to manage the situation. If required, academies should provide a physical space for victims to withdraw.

It may be necessary for academies to maintain arrangements to protect and support the victim for a long time. Academies should be prepared for this and should work with children's social care and other agencies as required.

It is important that the academy do everything they reasonably can to protect the victim from bullying and harassment as a result of any report they have made.

Whilst they should be given all the necessary support to remain in their academy, if the trauma results in the victim being unable to do this, alternative provision or a move to another academy should be considered to enable them to continue to receive suitable education. This should only be at the request of the victim (and following discussion with their parents or carers).

It is important that if the victim does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs. The designated safeguarding lead should take responsibility to ensure this happens (and should discuss with the victim and, where appropriate their parents or carers as to the most suitable way of doing this) as well as transferring the child protection file. Information sharing advice will help support this process.

### **Ongoing Considerations: Victim and alleged perpetrator sharing classes**

Once the academy has made a considered and considered immediate response to a report then the designated safeguarding lead (or a deputy) need to decide what the next steps will be in terms of progressing the report, they should consider again the question of the victim and alleged perpetrator sharing classes and sharing space at academy. This will inevitably involve complex and difficult professional decisions, including considering their duty to safeguard children and their duty to educate them. It is important each report is considered on a case-by-case basis and risk assessments are updated as appropriate. As always when concerned about the welfare of a child, the best interests of the child should come first. In all cases, academies should follow general safeguarding principles as per this guidance.

Where there is a criminal investigation into a rape, assault by penetration or sexual assault, the alleged perpetrator should be removed from any classes they share with the victim. The academy should also consider how best to keep the victim and alleged perpetrator a reasonable distance apart on academy premises and on transport to and from academy where appropriate. This is in the best interests of both children and should not be perceived to be a judgement on the guilt of

the alleged perpetrator. Close liaison with the police is essential to enable the correct decisions to be made.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the academy should take suitable action, if they have not already done so. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and lead to the view that allowing the perpetrator to remain in the same academy would seriously harm the education or welfare of the victim (and potentially other pupils or students).

Where a criminal investigation into sexual assault leads to a conviction or caution, the academy should, if it has not already, consider any suitable sanctions in light of their behaviour policy, including consideration of permanent exclusion. Where the perpetrator is going to remain at the academy, the principle would be to continue keeping the victim and perpetrator in separate classes and continue to consider the most appropriate way to manage potential contact on academy 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.

In all cases, academies should record and be able to justify their decision-making. Reports of sexual assault and sexual harassment will, in some cases, not lead to a report to the police (for a variety of reasons). In some cases, rape, assault by penetration, sexual assault or sexual harassment are reported to the police and the case is not progressed or are reported to the police and ultimately result in a not guilty verdict. None of this means the offence did not happen or that the victim lied. The process will have affected both victim and alleged perpetrator. Appropriate support should be provided to both as required and consideration given to sharing classes and potential contact as required on a case-by-case basis. In all cases, academies should record and be able to justify their decision-making.

All of the above should be considered with the needs and wishes of the victim at the heart of the process (supported by parents and carers as required). Any arrangements should be kept under review.

### **Safeguarding and supporting the alleged perpetrator**

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the alleged perpetrator:

- The academy will have a difficult balancing act to consider. On one hand they need to safeguard the victim (and the wider pupil/student body) and on the other hand provide the alleged perpetrator with an education, safeguarding support as appropriate and implement any disciplinary sanctions.
- Consider the age and the developmental stage of the alleged perpetrator and nature of the allegations. Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them.
- Consider the proportionality of the response. Support (and sanctions) should be considered on a case-by-case basis. An alleged perpetrator 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 should be



taken, as appropriate, from children's social care, specialist sexual violence services and the police.

- It is important that if the alleged perpetrator does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs and where appropriate, potential risks to other children and staff. The designated safeguarding lead should take responsibility to ensure this happens as well as transferring the child protection file. Information sharing advice will help support this process.

**Further information:**

- <https://www.farrer.co.uk/globalassets/news-articles/downloads/peer-on-peer-abuse-toolkit-14.pdf>
- <https://www.educare.co.uk/courses/raising-awareness-of-peer-on-peer-abuse>

## Appendix 6

### CONFIDENTIALITY Guidance for Staff

#### **One-to-one disclosures to members of Academy staff (including voluntary staff):**

All members of staff know the limits of the confidentiality they can offer to both students and parents/carers (see note below) and any required actions and sources of further support or help available both for the student or parent/carer and for the staff member within the academy and from other agencies, where appropriate. All staff should encourage students to discuss difficult issues with their parents/carers and vice versa. However, the needs of the student are paramount and academy staff will not automatically share information about the student with parents/carers unless it is considered to be in the child's best interests. This includes safeguarding files held on pupils where this is not considered to be in the child's best interests.

#### **Disclosures to a counsellor, school nurse or health professional operating a confidential service in the academy.**

Health professionals such as school nurses can give confidential medical advice to students provided they are competent to do so and follow the guidelines for doctors and other health professionals on consent giving (Gillick Competence) and provision of medical advice regarding sexual health to under 16s (Fraser Guidelines). Such professionals are skilled in discussing issues and possible actions with young people and always have in mind the need to encourage students to discuss issues with their parents or carers. However, the needs of the student are paramount and the professional will not insist that a student's parents or carers are informed about any advice or treatment they give although safeguarding will be followed.

#### **Contraceptive advice and pregnancy**

The Department of Health has issued guidance (July 2004) which clarifies and confirms that health professionals owe young people under 16 the same duty of care and confidentiality as older patients in relation to the provision of advice and treatment on contraception, sexual and reproductive health, including abortion. It sets out principles of good practice in providing contraception and sexual health advice to under 16s. The duty of care and confidentiality applies to all under 16s. Whether a young person is competent to consent to treatment or is in serious danger is judged by the health professional on the circumstances of each individual case, not solely on the age of the patient. However, the younger the patient the greater the concern that they may be being abused or exploited. The DH guidance makes it clear that health professionals must make time to explore whether there may be coercion or abuse. Cases of grave concern would be referred through school safeguarding procedures. It is practice at this academy and with the health professionals working within this academy that any sexual activity involving a young person below the age of 13 years is automatically dealt with as a child protection issue, as it is deemed that anyone under 13 years of age is not able to give consent to sexual activity.

#### **Specific procedures to be used when dealing with medical confidences**

- Staff will advise the DSL of any issue or concern and will explain to the student the necessity of the DSL dealing with the issue.
- The DSL will encourage but cannot force the student to talk to and seek the support of a parent. The DSL may offer to help the student in doing this. If the parent is informed by the student, the parent then becomes responsible for any subsequent action and the member of staff no longer has any responsibility for the matter. The DSL will check with the student that the parent has been informed and tell the student that their parent must contact the DSL to discuss (or DSL will contact parent/carer). The DSL will make a written record of any discussion. If the DSL is concerned that the parent has not been informed even though the student claims they have, the DSL will take further advice from professional colleagues as appropriate.
- In the event of a refusal to discuss the concern with a parent, the DSL will put the student in touch with an appropriate health professional e.g. the School Health Advisor or the student's GP. Any subsequent decisions regarding informing the parent then becomes the responsibility of that particular professional.
- Staff may give students general information about contraception but will not recommend a specific form of contraception. Students will be encouraged to seek advice from the local NHS provision for sexual health or speak with the DSL for further signposting. All disclosures about unprotected sex within the preceding 72 hours will be referred to an appropriate source for emergency contraception and advice.
- It is important to be aware that a student may be offered a confidential termination of pregnancy by a medical professional. **This reflects a professional judgement by qualified medical professional which the academy does not have the right to overturn.**
- Any continued pregnancy requires parental support. If a student refuses to inform their parent or fails to seek medical advice Child Protection procedures may then be instigated. In addition, if the girl is under the age of 13 years, it is also a requirement that Social Services and the Police are informed of the pregnancy.

#### **Complex cases:**

Where there are areas of doubt about the sharing of information, we will seek a consultation with the local Safeguarding Children Multi-Agency Partnership or the local Multi-Agency Safeguarding Hub (MASH).

For further information, please see:

**<https://www.fpa.org.uk/factsheets/under-16s-consent-and-confidentiality-sexual-health-services#refs>**