

# Brighter Futures Academy Trust

## Safeguarding Policy



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## 1. Introduction

- 1.1 The academy is committed to safeguarding and promoting the welfare of pupils by providing a secure environment in which children can learn in safety.
- 1.2 This policy, of which the core elements are prevention, protection and support, is designed to ensure that the actions of any member of staff in our academy are both transparent and in full accordance with our aims.
- 1.3 By giving clear direction about the expected behaviour of staff, and their individual responsibilities when managing safeguarding concerns the policy forms a fundamental part of the academy's approach to providing excellent pastoral care over and above the academic support afforded to our pupils.

## 2. Purpose and scope

- 2.1 The Education Act 2002 remains the primary legislation to which schools and academies must have regard in furtherance of their duties.
- 2.2 Section 175 of the Education Act 2002 requires governing bodies of maintained schools and FE colleges to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children. Similarly, regulations made in accordance with Section 157 of that Act state that independent schools (the definition of which includes academies and free schools) must make arrangements to safeguard and promote the welfare of pupils.
- 2.3 This policy is principally written in accordance with the documents 'Keeping Children Safe in Education' (KCSIE) 2018, 'Working Together to Safeguard Children' 2018 and, for additional context, has drawn on the content of the document 'Sexual violence and sexual harassment between children in schools and colleges: Advice for governing bodies, proprietors, headteachers, principals, senior leadership teams and designated safeguarding leads' 2018.
- 2.4 Compliance with the content of this policy does not exempt any relevant individual from the absolute requirement to familiarise themselves with (by reading and understanding) the content of KCSIE 2018.
- 2.5 This policy must be read in conjunction with (in addition to those documents further identified in Section 17 of this policy) the following academy policies: Code of Conduct; Code of Safe Working Practice; Disciplinary; E-safety; Recruitment; Social Media; and Whistleblowing.
- 2.6 The policy is applicable to all staff and associates of the academy, including governors, trainees, volunteers and visitors.

## 3. Definitions

- 3.1 Throughout this policy reference may be made to 'children', 'young people' and 'pupils' (or 'students'). These terms are effectively interchangeable, and all refer to persons under the age of 18 years studying at the academy. However, the principles of this document apply to professional behaviours towards all pupils, **including those over the age of 18 years.**
- 3.2 The government has defined 'safeguarding' as:

*The process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully.*

- 3.3 Safeguarding, and promoting the welfare of children, represents a significantly broader term than child protection. Child protection is merely one element of safeguarding and refers to activities undertaken to prevent children suffering (or being likely to suffer) significant harm.
- 3.4 Reference in this policy to 'staff' or 'adults' includes: teachers; support staff; governors; trainees; volunteers; and anyone working in, or on behalf of, the academy, whether in a paid or unpaid capacity.
- 3.5 Reference in this policy to the term 'Designated Safeguarding Lead' (or DSL) means the senior member of staff who has been allocated lead responsibility for safeguarding within school.
- 3.6 The DSL will work collaboratively with the local team of safeguarding partners\* and will ensure that all staff working with children are able to recognise signs which may indicate possible abuse or harm and will know how to act appropriately when indicated.
- \*The local safeguarding boards previously in existence have now been replaced by a team of three safeguarding partners, comprising the local authority; a clinical commissioning group for an area within the local authority; and the chief officer of police for a police area in the local authority area.*
- 3.7 The local team of safeguarding partners is now responsible for working together to safeguard and promote the welfare of local children, including identifying and responding to their needs.
- 3.8 Reference in this policy to the term 'allegation' means any information that suggests a teacher or member of staff (including volunteers) has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he or she **may** pose a risk of harm to children.

- 3.9 In relation to children at risk of abuse and neglect, including sexual abuse or exploitation, grooming and/or radicalisation, the following definitions are detailed in KCSIE 2018.

### 3.10 **Contextualisation**

KCSIE 2018 contains additional wording in relation to contextual safeguarding, by which it is meant that assessments of children should be holistic in considering the wider environmental factors affecting their life as these may contribute to the risks to their safety and welfare

### 3.11 **Abuse**

This is defined as representing a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (such as via the internet – abuse can take place wholly online, or technology may be used to facilitate offline abuse). Children may be abused by an adult or adults or by another child (or children), the latter representing peer on peer abuse (further discussed and defined below).

Abuse may be sub-divided into the following categories:

### 3.11.1 **Neglect**

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

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

This is not an exhaustive list and it must be recognised that it is not the role of academy staff to make an assessment of whether children or young people have suffered harm.

All members of staff (not only the Designated Safeguarding Lead) have a duty to report any concerns about harm in accordance with the guidelines and procedures of the local team of safeguarding partners.

### 3.11.2 **Physical Abuse**

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

### 3.11.3 **Emotional Abuse**

Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child though it may occur alone.

### 3.11.4 **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, and irrespective of whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may

also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

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

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of eighteen (including those aged sixteen and seventeen who can legally consent to have sex, or indeed to marry) into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. CSE does not always involve physical contact; it can also occur through the use of technology.

The above definition may also include human trafficking (for sexual purposes) and forced marriage. In CSE there is an imbalance in the relationship as the perpetrator holds some kind of power over the victim. CSE can involve varying degrees of coercion, intimidation or enticement, sexual bullying, cyberbullying and grooming. It is important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse and indeed it may occur without the child or young person's immediate knowledge.

### 3.11.6 **Sexting**

Whilst professionals may refer to 'sexting' there is no precise legal definition of this term, although it may be regarded as the production and/or sharing of sexual photos and videos of and by young people who are under the age of eighteen. Creating and sharing sexual photos and videos of persons under the age of eighteen is illegal and therefore causes the greatest complexity for schools and other agencies when responding to this issue, which presents a range of risks which need careful management.

On this basis, government advice introduces the alternative phrase 'youth produced sexual imagery', to be used in preference to 'sexting'. This is to ensure clarity about the issues this advice is intended to address. The practice is best described as 'youth produced sexual imagery' because:

- 'youth produced' includes young people sharing images that they, or another young person, have created of themselves
- 'sexual' is clearer than 'indecent' in that a judgement of whether something is 'decent' is both a value judgement and dependent on context
- 'imagery' covers both still photos and moving videos

### 3.11.7 **Female genital mutilation (FGM)**

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and represents a form of child abuse with long lasting harmful consequences. Professionals in all agencies and individuals need to be alert to the possibility of a girl being at risk of FGM or having already suffered from FGM. Victims of FGM are more likely to come from a community that is known to practice FGM.

The FGM Act 2003 (section 74 of Serious Crime Act 2015) places a statutory duty upon teachers (and certain other professionals) to report to the police where they discover, either through disclosure or visual evidence (although this does **not** mean that teachers should be examining pupils) that FGM has been carried out on a girl under 18 years. Failure to report such cases will lead to disciplinary action. In reality the teacher should consider and discuss the case with the Designated Safeguarding Lead and involve the Local Authority Designated Officer (LADO) as appropriate.

Professionals should note that girls at risk of FGM may not yet be aware of the practice (or that it may be conducted on them) so sensitivity must always be shown when approaching the subject. Warning signs that FGM may be about to take place or may have already taken place may be found in the Multi-Agency Practice Guidelines, which outline additional considerations for schools (in common with colleges and universities) – see [www.gov.uk/government/publications/female-genital-mutilation-guidelines](http://www.gov.uk/government/publications/female-genital-mutilation-guidelines).

### 3.11.8 Radicalisation

Children are vulnerable to extremist ideology and radicalisation, and similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of a school's or college's safeguarding approach. Under the **Prevent duty** all schools have a duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard' to the need to prevent people from being drawn into terrorism. This is known as the Prevent duty, on which the DfE has published guidance for schools.

The school has clear procedures in place for protecting pupils at risk of radicalisation and will ensure that staff have a general understanding of the risks affecting pupils in addition to providing guidance in how to identify those pupils and how to support them.

The school will undertake the following requirements:

- assess the risk of pupils being drawn into terrorism (which includes support for extremist ideals that are part of terrorist ideology)
- will ensure that their safeguarding arrangements take into account the policies and procedures of the local team of safeguarding partners
- will ensure that the Designated Safeguarding Lead undertakes appropriate Prevent awareness training and provide advice and support to other staff members on protecting pupils from the risk of radicalisation
- ensure that pupils are safe from terrorist and extremist material by putting in place suitable filtering mechanisms for accessing the internet, and in addition teach pupils about online safety.

### 3.11.9 The Channel programme

The Channel programme focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for schools to make referrals if they are concerned on this account.

The local authority will have a Channel panel in place which is chaired by the authority and which includes the police. The school will make a referral to the Channel panel where a pupil is identified as being vulnerable to being drawn into terrorism, and where appropriate and necessary consent is obtained, the pupil will be supported throughout this process. The school will co-operate with the local Channel panel.

### 3.11.10 **Sexual violence and sexual harassment**

KCSIE 2018 has added the above terms (which are probably self-explanatory) to the list of safeguarding issues as likely markers of abuse.

### 3.11.11 **Criminal activity**

Once again, a definition of the above term would probably be superfluous, but KCSIE 2018 has added a reference (of which staff should be aware) to unexplained 'missing episodes' (from school) as not infrequently being indicative of involvement in so-called 'county lines' criminal activity related to illicit drug distribution.

### 3.11.12 **Peer on peer abuse**

Abuse of a child (or children) by another child (or children) is defined in KCSIE 2018 as peer on peer abuse. This can manifest as multiple forms of abuse such as: bullying (including cyberbullying); physical abuse; sexual violence and harassment; sexting; and initiation type violence and/or rituals.

KCSIE 2018 specifies that all staff members require to be made aware of, and remain vigilant to prevent, peer on peer abuse which (although not stated as such in the document) is the form of abuse that they are most likely to be in a position to encounter and address in a constructive manner.

### 3.11.13 **Other definitions**

This policy is not designed to function as a dictionary, and provision of additional definitions (without limitation) would render it impractically lengthy, but should further, more detailed, definitions be desired for additional terms such as domestic abuse, forced marriage and relationship abuse (none of which terms are legally applicable to children under the age of 16) these can be accessed directly from KCSIE 2018.

However, for the sake of clarity, the following brief definitions are offered.

### 3.11.14 **Domestic violence and abuse**

This is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those **aged 16 or over** who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to, the following elements:

- psychological
- physical
- sexual
- financial
- emotional.

Additional resources are available to help schools identify the signs of domestic abuse. These include the following online links:

- [NSPCC: UK domestic-abuse signs symptoms effects](#)
- [Refuge: what is domestic violence/effects of domestic violence on children](#)
- [SafeLives: young people and domestic abuse](#)



### 3.11.15 **Forced marriage**

A forced marriage is one which is entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Such threats can be physical and/or emotional and/or psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities can use religion and culture as a way to coerce a person into marriage, and schools and colleges can play an important role in safeguarding children from forced marriage.

The Forced Marriage Unit has published multi-agency guidelines, with a dedicated section focusing on the role of schools and colleges. If they need advice or information, school and college staff can contact the Forced Marriage Unit by telephone: 020 7008 0151 or by email: [fmf@fco.gov.uk](mailto:fmf@fco.gov.uk).

## **4. School responsibilities**

4.1 The academy works closely with social care, police and health services to safeguard and promote the welfare of all pupils by providing a safe and secure environment in which pupils can learn. All pupils are given the best opportunity to talk freely to any member of staff if they have any worries or concerns.

4.2 The academy will support all pupils by:

- ensuring the content of the curriculum includes social and emotional aspects of learning
- ensuring a comprehensive curriculum response to e-safety, enabling children and parents/carers to learn about the risks (as well as the benefits) of new technologies and social media and how to use these responsibly
- ensuring that child protection is included in the curriculum to help children stay safe, recognise when they do not feel safe and identify who they might or can talk to
- ensuring (in relation to staff appointments) that at least one person conducting an interview has completed safer recruitment training
- signposting pupils to (a number of) appropriate adults who may be approached if the pupil is experiencing difficulties
- promoting the child's development in ways that will foster security, confidence and independence
- encouraging development of self-esteem and self-assertiveness whilst not condoning aggression or bullying
- ensuring repeated hate incidents (including racist, homophobic, gender or disability-based bullying) are addressed under child protection procedures
- liaising and working constructively with other support services and agencies involved in the safeguarding of children
- monitoring children who have been identified as having welfare or protection concerns (including those perceived to be at risk of radicalisation) and ensuring that they are provided with appropriate support
- maintaining up-to-date details of numbers on which family members can be contacted in an emergency (and it is now considered good practice for more than one emergency contact number to be held for each child).

- 4.3 The academy will support staff by the provision of regular training to help them to recognise, and act appropriately upon, any signs which might indicate issues relating to safeguarding or child protection.
- 4.4 This will include ensuring that all staff know how to respond to any disclosure from a pupil (or a third party) which might potentially identify a safeguarding or child protection issue.
- 4.5 A senior member of staff has been appointed to be the academy's Designated Safeguarding Lead (DSL). This person will direct and support other staff in managing safeguarding concerns, including ensuring that all staff working with children are aware of signs which may indicate possible abuse or harm.
- 4.6 The DSL is also responsible for ensuring that school protocols and procedures are followed, including the requirement to ensure that, where children leave the school or college, their child protection file is transferred to the new school or college as soon as possible, and that this file is transferred separately from the main pupil file. The DSL must ensure secure transit of this file **and** must obtain (and record) confirmation of receipt by the new school or college.
- 4.7 It is a matter for individual schools and colleges as to whether they choose to have one or more deputy designated safeguarding leads. Any deputies should be trained to the same standard as the designated safeguarding lead and the role should be explicit in their job description. Although the DSL may delegate elements of his or her role to appropriately trained deputies the ultimate responsibility for safeguarding and child protection cannot be delegated and remains with the Designated Safeguarding Lead.
- 4.8 The DSL (and any appointed deputies) will undertake refresher child protection training every 2 years and whole school staff training will also be updated as appropriate.
- 4.9 The academy has additionally nominated a (named) governor to be responsible for child protection issues.
- 4.10 The academy will ensure that all members of staff (including governors) will undergo appropriate enhanced DBS and prohibition checks in accordance with legislation (full details are provided within the academy's Recruitment Policy).
- 4.11 In relation to volunteers, the extent of such checks is dependent upon the degree of supervision in place and it is not appropriate for all such individuals to be subject to a blanket obligation to submit to a DBS check. It is, however, appropriate for a risk assessment to be undertaken by the school to determine the need for such a check and a record should be kept of both the date of this assessment and the outcome.
- 4.12 In relation to governance, it is now strongly recommended (and is a statutory requirement for academies, independent and free schools) that all governors appointed after 3 September 2018 are subject to both an enhanced DBS check **and** a section 128 check to ensure they are not barred from teaching (persons who are barred from teaching are also prohibited from taking part in the management of educational establishments).
- 4.13 Within our academy a culture will be promoted which enables all staff members to raise, without fear of repercussion, any concerns they may have about the management of safeguarding and/or child protection in the school. This may include raising concerns about decisions taken by colleagues or their actions (or inactions) in relation to individual children. If concerned, staff members should raise such matters with the DSL and/or the headteacher.

- 4.14 All staff should know how to recognise and act upon indicators of abuse or potential abuse involving children, should know how to address concerns about a child's welfare and should be clear as to the identity of the academy's DSL and any appointed deputy or deputies.
- 4.15 In relation to peer on peer abuse the academy will take positive steps to reduce incidences and minimise risk by investigating, dealing with and fully documenting all allegations as and when they arise and by ensuring that all staff are aware that there will be zero tolerance of abuse of this nature.
- 4.16 All staff will be advised how to access up to date child protection training.
- 4.17 The academy will maintain up-to-date details of numbers on which family members can be contacted in an emergency (and it is now considered good practice for more than one such emergency contact number to be held for each child).
- 4.18 The academy's induction programme for new members of staff will include basic safeguarding information relating to:
- signs and symptoms of abuse (including peer on peer abuse)
  - how to manage a disclosure from a child
  - how to record concerns
  - who should be passed relevant information.
- 4.19 The academy's induction programme will also ensure that all staff are familiar with the academy's Safeguarding Policy and Behaviour Policy and that they have read and understood Part 1 and Annex A (as a minimum) of Keeping Children Safe in Education 2018.
- 4.20 The academy will ensure volunteers and governors (in addition to all members of staff) will know how to respond to a pupil who discloses abuse (or what to do when such concerns are raised by a third party).
- 4.21 The academy will ensure that all members of staff, volunteers and governors will similarly know what action to take in the event of being alerted to concerns in relation to potential radicalisation and will be familiar with recommended procedures to be followed.
- 4.22 The academy will ensure that staff feel able to raise concerns about poor or unsafe practice and potential failures in the academy's safeguarding practices. In this context, the academy recognises that where a staff member feels, having raised the issue with senior management, that their genuine concerns are not being addressed, they may wish to consider whether it is appropriate to raise their concerns under whistleblowing procedures.
- 4.23 In the event of a school placing a pupil with an alternative provider, the school remains responsible for the safeguarding of that pupil and should satisfy themselves that appropriate safeguarding checks have been carried out on those working in that establishment.
- 4.24 Similarly, in the event of sending pupils on work experience, the school is responsible for ensuring that the provider of such experience has appropriate safeguarding policies and procedures in place.

## **5. Staff responsibilities**

- 5.1 All staff are advised to maintain an attitude that 'it could happen here' where safeguarding is concerned (recommended reading: 'The sexual exploitation of children: it couldn't happen here, could it?' Ofsted report published November 2014).
- 5.2 All adults working in the academy (not only employees but also governors, trainees and volunteers) require to be alert to the potential abuse of children, both within their own families and by other perpetrators, including the possibility of abuse by school staff.
- 5.3 All staff should know how to recognise and act upon indicators of abuse or potential abuse involving children (including peer on peer abuse) and should know how to address concerns about a child's welfare. There is a responsibility for all staff members to respond to any suspected or actual abuse of a child in accordance with school procedures (in line with government legislation).
- 5.4 All staff must (as a minimum) read Part 1 and Annex A of the document entitled 'Keeping Children Safe in Education 2018'. It should however be common knowledge that **all** staff members must share in responsibility for ensuring that our buildings and grounds are secure and in reporting any concerns that may come to light.
- 5.5 All staff must be aware that abuse of any sort is never to be tolerated or attributed to 'banter' (particularly between children). All abuse (including peer on peer abuse) is to be addressed seriously and in accordance with the academy's protocols and procedures, which include full documentation of any identified episodes and measures of appropriate support to victims and perpetrators alike.
- 5.6 Additionally, staff should have 'due regard' to the need to prevent children and young people from being drawn into terrorism under the Prevent duty (July 2015). They should always act in the best interests of the child in these circumstances.
- 5.7 Both management and staff should be aware that disqualification 'by association' is now only applicable in domestic premises, rather than educational establishments, and it is no longer appropriate (or justified) to ask staff about convictions or cautions of persons who live or work in the same household as them.
- 5.8 Nonetheless, staff in schools who are working in what is technically childcare (as opposed to education) may still be disqualified on their own account. This can be not only due to DfE sanctions or disqualifications related to offences committed by themselves but also as a result of having had formal proceedings taken against them in respect of (their own) children being taken into care or being subject to a court order or having their own registration for childcare or fostering cancelled (other than for non-payment of fees) or refused.
- 5.9 In terms of childcare, relevant members of staff include those working with children of reception age or younger as well as those working with children between five and eight years old in an out-of-school setting (such as breakfast clubs or afterschool care). An appropriate form for completion by such staff will be found (at Appendix 7: Declaration A) within the academy's Recruitment Policy. (Technically it is not necessary for staff members to complete a form: asking them to self-declare any issues of relevance is deemed acceptable but schools may prefer to document the process.)
- 5.10 Similarly, all educational establishments should be aware of government guidance to the effect that schools should remind **all** staff (not just those working with children under the age of eight) that their 'relationships and associations' (including those online) may have an implication for the safeguarding of pupils, and that if there are concerns that such contacts may be of relevance then the school should be made aware.

5.11 Schools should ensure that staff understand their duty in this regard and should include guidance to this effect in relevant policies (to which purpose this wording is reinforced within the academy's Recruitment Policy)

## **6. Identifying concerns**

6.1 There are various circumstances in which a staff member might be alerted to the increased possibility of abuse. These include (but are not limited to) the following indicators.

6.2 The child may:

- be showing early physical signs of abuse or neglect
- be privately fostered
- appear frightened of their parent(s)/carer(s) or other adults
- act in a way that is inappropriate to their age and development (although full account needs to be taken of different patterns of development and different ethnic groups)
- have one or more inexplicable absences from school
- show signs of being drawn in to anti-social or criminal behaviour, including gang involvement.

6.3 Although by no means conclusive, one or more of the above factors may indicate that the child is at greater risk of being abused and/or may be more likely to be vulnerable to modern slavery, trafficking, exploitation or radicalisation.

6.4 The parent or carer of the child may:

- persistently avoid child health services and treatment of the child's illnesses
- have unrealistic expectations of the child
- frequently complain about or to the child and fail to provide attention or praise
- persistently refuse to allow access on home visits by professionals
- be involved in domestic violence and abuse
- be socially isolated
- be misusing substances.

6.5 Additionally, (in the case of an abusive relationship unrelated to the family unit) the school may be made aware by a parent/carer that they have significant concerns regarding the welfare of a child or young person.

6.6 Looked after children (LAC) (and, to a lesser extent, those who have previously been accorded LAC status) are potentially vulnerable and are statistically at higher risk of abuse. All staff require to be aware of these facts and should be encouraged to maintain a proactive attitude towards children thus identified.

6.7 Those children who have special educational needs and disabilities (SEND) can pose additional difficulties in the identification of safeguarding issues and concerns. Such children are three times more likely to be abused than their peers.

6.8 Relevant factors can include:

- the assumption (without further consideration or exploration) that indicators of possible abuse (such as behaviour and mood or even physical injury) are related to the child's disability

- the observation that children with special educational needs and disabilities can be affected to a disproportionate degree by issues such as bullying without necessarily showing any overt signs of this
- commensurate barriers to communication.

6.9 Accordingly, all schools and academies should ensure that their protocols and procedures acknowledge that additional barriers to recognition of abuse and neglect can exist in relation to this group of children and that close liaison between the school's DSL and SENCO will be required in dealing with any issues of abuse.

6.10 Serious case reviews have found that where parental substance misuse, domestic abuse and mental health problems (sometimes referred to as the 'toxic trio') co-exist in a family this could represent a significant risk to children. Problems can also be compounded by poverty or by frequent house moves or eviction, and a holistic approach should be taken in considering the parameters of any individual case where safeguarding issues are a cause for concern.

## **7. Acting on concerns**

7.1 If a child chooses to tell a member of staff about alleged abuse, there are several actions that staff should undertake to initially support the child:

- staff will actively listen with the utmost care to what the child is saying
- staff will stay calm and be available to listen
- the key facts will be established in language that the child is capable of understanding and the child's own words will be used in clarifying/expanding what has been said
- no promises will be made to the child (such as to 'keep secrets')
- staff will question normally without pressurising and only using open questions
- leading questions should be avoided
- questioning should not be extensive
- staff will not put words in the child's mouth but will note the main points carefully
- a full written record will be kept by the staff duly signed and dated, including the time the conversation with the child took place, an outline of what was said, comment on the child's body language etc (see Appendices 3 and 4 for further information on record keeping)
- it is not appropriate for staff to make children write statements about abuse that may have happened to them
- staff will reassure the child and let them know that they were right to inform them and will advise the child that this information will now have to be passed on.

7.2 Most crucially, the Designated Safeguarding Lead will be informed immediately by the member of staff (unless the disclosure has already been made directly to the DSL).

## **8. Child missing from education**

8.1 A child missing from education is a potential indicator of abuse. Staff should be alert to signs and look for individual triggers which could imply the imminence of travel to conflict zones, FGM or forced marriage, or potential involvement in criminal (often drug-related) activity.

8.2 Staff should follow the academy's policy and procedures for children who go missing, particularly when this occurs repeatedly.

- 8.3 The academy must inform the local authority of any pupil who fails to attend school regularly, or who has been absent without permission for a continuous period of ten (school) days or more. The academy will also notify the local authority when a pupil is to be deleted (under the above circumstances) from its admission register.

## **9. Making a referral**

- 9.1 Knowing what to look for is vital to the early identification of abuse, neglect, and radicalisation. Where staff or others need to raise concerns, these can be directed to the headteacher or Designated Safeguarding Lead who will coordinate a response. Concerns can be raised directly with Children's Social Care but contact with the headteacher or DSL is advocated in the first instance.
- 9.2 The DSL (or headteacher) will record concerns and report these, where appropriate, to the relevant agencies. A referral involves giving children's social care or the police information about concerns relating to an individual or family in order that enquiries can be undertaken by the appropriate agency, followed by any necessary action.
- 9.3 If at any point there is concern regarding an imminent risk of serious harm to a child a referral should be made to children's social care immediately. **Anybody can make a referral in these circumstances.**
- 9.4 A child protection conference will be convened by the local authority if a referral has been made and the subsequent investigation findings have confirmed the child to be at risk of harm.
- 9.5 Alternatively, where the child is already subject to a Child Protection Plan, a review conference may be held to monitor the safety of the child and take appropriate action to reduce the risk.
- 9.6 Staff may be required to attend child protection conferences or core group meetings as key professionals in working with the child and as a representative of the academy.

## **10. Consent**

- 10.1 Professionals should seek to discuss any concerns with the family (including the child where appropriate) and where possible seek their agreement to making referrals to the Local Authority Assessment Team.
- 10.2 The parents' consent to make a referral is not required if it is considered that the child is in need of protection, and/or it is felt that to seek consent might be likely to place the child at an increased risk of significant harm. It should, however, be noted that parents will ultimately be made aware of which organisation initiated the referral.
- 10.3 Parents, carers or the child who is involved may not agree to information being shared, but this should not prevent referrals where child protection concerns persist. The reasons for dispensing with obtaining consent from the parents, carer or child (when this is felt to be appropriate) should be clearly recorded and communicated to the relevant representative of the local authority.

## **11. Supporting staff**

- 11.1 Safer recruitment processes will be followed in accordance with our academy policy which incorporates guidance from DfE 'Keeping Children Safe in Education 2018'.
- 11.2 Staff will be given regular advice and guidance on the boundaries of appropriate behaviour. The policy documents Code of Safe Working Practice and Code of Conduct should assist in limiting allegations and/or complaints against staff in relation to abuse of trust.
- 11.3 In the event of any complaint or allegation against a member of staff, the headteacher (or the DSL if the headteacher is not present) should be notified immediately. If the complaint or allegation relates to the headteacher, the chair of governors should additionally be informed without delay.

## **12. Reporting allegations of abuse against staff (including volunteers)**

- 12.1 If any member of staff or volunteer has concerns about the behaviour or conduct of another individual working within our establishment which include perceptions that that individual has:
- behaved in a way that has harmed a child, or may have harmed a child;
  - possibly committed a criminal offence against or related to a child; or
  - behaved towards a child or children in a way that indicates he or she **may** pose a risk of harm to children
- then the nature of the allegation or concern should be reported immediately to the headteacher.
- 12.2 It is important that the matter be dealt with by the headteacher without delay and in accordance with section 12 of this policy. In such instances, it is vital that no member of staff to whom an allegation or concern has been reported should make any attempt to question the child or to investigate the matter further.

## **13. Dealing with allegations of abuse made against staff (including volunteers)**

- 13.1 In the event of the academy being made aware of any allegations of child abuse against a member of staff (whether initially reported internally or externally) advice should be sought directly (in line with 'Keeping Children Safe in Education 2018') from the Designated Safeguarding Lead who may in turn contact the Local Authority Designated Officer (LADO) and/or the police.
- 13.2 The LADO and/or the police may deem it necessary to arrange for a multi-agency strategy meeting to be held (or at the very least a discussion with, if applicable, the child's case manager) before an investigation is undertaken or disciplinary process (if indicated in relation to a member of staff) is initiated.
- 13.3 Such a meeting (or discussion) will determine the precise nature, content and context of the allegation and the appropriate course of management. Sharing information in this way is vital to ensure that the correct action is taken.
- 13.4 Further investigation may be necessary, in which event the academy may (depending upon available resources) wish to appoint an external investigator to undertake this task.
- 13.5 If (in the event of an allegation being made against an individual) suspension of a member of staff is deemed appropriate, the staff member involved will be afforded support and will be provided with a named contact within the school. In all cases the matter should be dealt with as quickly as possible in accordance with disciplinary process.



13.6 When determining the outcome of investigations into such allegations the following definitions should be used:

- 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 implies neither guilt nor innocence
- unfounded – to reflect cases where there is no evidence or proper basis which supports the allegation being made.

13.7 Further details relating to the handling of suspension and the management of allegations are outlined in the academy's Disciplinary Policy.

13.8 Any allegations made against an employee who is no longer employed by the academy should be referred directly to the police by the DSL or headteacher.

#### **14. Informing parents/carers**

14.1 Parents/carers of a child or children involved should be informed about an allegation if they are not already aware of it. However, where a strategy discussion is indicated, or children's services need to be involved, the parents/carers should not be contacted until those agencies have been consulted and have agreed what information it is acceptable to disclose.

14.2 The deliberations of a disciplinary hearing of any staff member against whom an allegation of abuse has been made, and the information taken into account in reaching a decision. should only be disclosed to the parents or carers of the child after careful consideration of:

- the Human Rights Act 1998 (relating to the duty of confidence)
- the Data Protection Act 2018
- the General Data Protection Regulation (GDPR).

14.3 It may, in certain circumstances, be appropriate to make parents and carers aware of the prohibition on reporting or publishing allegations about teachers under section 141F of the Education Act 2002. Reporting restrictions prevent the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school or college. These restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State publishes information about an investigation or decision in a disciplinary case arising from the allegation.

#### **15. Exit arrangements**

15.1 If a member of staff who is the subject of safeguarding allegations resigns or ceases to provide their services, this will not prevent an allegation being followed up.

15.2 The Disciplinary Policy details guidance in relation to referrals to the Disclosure and Barring Service (DBS) and the Teaching Regulation Agency (TRA) (formerly the National College for Teaching and Leadership or NCTL) in relation to safeguarding issues where a member of staff is dismissed (or resigns before the completion of a disciplinary process).

- 15.3 A referral to DBS (and, in the case of a teacher, to TRA in addition) must be made if any individual has harmed, or poses a risk of harm to, a child or if there is reason to believe the staff member has committed the allegations presented and has been removed from working (whether paid or unpaid) in regulated activity (or would likely have been so removed had they not left). If the accused refuses to co-operate with an investigation and/or participate in any disciplinary proceedings, such process should continue until it reaches a conclusion.
- 15.4 In the event of a settlement agreement being proposed it is **not** appropriate to reach an agreement with any staff member which would prevent the school from making a referral to DBS and/or TRA where the criteria are met. This would result in a criminal offence being committed as the school would be failing to comply with its legal duty to make such referral.

## **16. Children staying with host families ('private fostering')**

- 16.1 Under both the Children Act 1989 and the Safeguarding Vulnerable Groups Act 2006, where a child is provided with care and accommodation by a host family to which they are not related this arrangement could amount to 'private fostering' (as defined by the aforesaid legislation).
- 16.2 Where the child is under 18 years of age and the person providing the care and accommodation is paid to provide that arrangement, or the arrangement is not made by the child's family, the private fostering could amount to 'regulated activity' under the current legislation (regardless of the duration).
- 16.3 If the school is responsible for making the arrangement and has the power to terminate the arrangement, then the school could be regarded as a regulated activity provider. As a regulated activity provider must not knowingly allow a person to carry out a regulated activity whilst barred it is therefore appropriate that where the school is acting in this capacity it should request a DBS certificate with barred list check.
- 16.4 Where the school has not been involved in making the arrangement but a staff member or volunteer becomes aware that a pupil may be in a private fostering arrangement whereby a child under the age of 16 (or 18 if disabled) is provided with care and accommodation by someone to whom they are not related in that person's home, they should raise this in the first instance with the Designated Safeguarding Lead for child protection. The school should notify the local authority of the circumstances and the local authority should check that the arrangement is suitable.
- 16.5 In relation to children staying with families overseas, DBS checks cannot access criminal records held overseas. In such circumstances the school will aim to work with partner schools abroad to ensure that similar assurances are undertaken prior to a visit and will, where necessary, contact the relevant foreign embassy or High Commission of the country in question to establish if similar checks can be carried out in that country.

## **17. Other policies and procedures**

- 17.1 This policy, together with the following, should be interpreted alongside and in conjunction with other policies regarding the safety and welfare of children, which may include some or all of the following:
- Accessibility Plan
  - Anti-Bullying Policy
  - Attendance Policy

- Behaviour Policy/Written Statement
- Code of Conduct
- Code of Safe Working Practice
- Complaints Procedure Statement
- Disciplinary Policy
- Equality Policy
- E-safety Policy
- Grievance Policy
- Health and Safety Disability Equality Action Plan
- Home School Agreement Document
- Recruitment Policy
- Social Media Policy
- Special Educational Needs Policy
- Whistleblowing Policy

## Appendix 1

### Roles and responsibilities

#### Designated Safeguarding Lead

The Designated Safeguarding Lead (DSL) for child protection is a member of the leadership team who has received (and continues to receive) regular updates on appropriate training and support for this role.

One or more additional members of staff may be appointed as Deputy DSL to provide additional support to ensure that the responsibilities for child protection and safeguarding children are fully embedded within the school ethos and that specific duties are discharged. They will assist the Designated Safeguarding Lead to discharge their duties and will act as cover in their absence. The training of a Deputy DSL will be to the same standards as the DSL and the role will be explicit in their job description.

The Designated Safeguarding Lead will ensure there is a structured procedure within the school to be followed by all members of the school community in cases of suspected abuse.

#### Headteacher

The headteacher of the school will ensure that:

- the policies and procedures adopted by the governing body are fully implemented and are followed by all staff; and that all staff have read (as a minimum) Part 1 and Annex A of 'Keeping Children Safe in Education 2018' as part of their induction programme
- sufficient resources and time are allocated to enable the Designated Safeguarding Lead and other staff to discharge their responsibilities, including taking part in strategy discussions and inter-agency meetings, and contributing to the assessment of children
- all staff and volunteers feel able to raise concerns about poor or unsafe practice in relation to children, and that such concerns are addressed sensitively and effectively in a timely manner.

#### Governing body

The governing body is collectively responsible for ensuring that safeguarding arrangements are fully embedded within the school's ethos and that these are reflected in the day to day safeguarding practices by establishing that the school has effective policies and procedures in place in accordance with this policy and by monitoring compliance with them.

## **Appendix 2**

### **Confidentiality**

It is recognised that all matters relating to child protection are confidential; however, a member of staff must never guarantee confidentiality to a pupil.

Where there is a child protection concern it will be passed immediately to the Designated Safeguarding Lead (DSL) and/or to the Local Authority Designated Officer (LADO).

The headteacher or Designated Safeguarding Lead will take advice from the LADO, the police and children's social care services to agree the following:

- who needs to know and, importantly, exactly what information may be shared
- how to manage speculation, leaks and gossip
- what, if any, information can be reasonably given to the wider community to reduce speculation
- how to manage press interest (as and when such interest should arise)

All staff must be fully aware that it is their professional responsibility to share information with other agencies in order to safeguard children.

## Appendix 3

### Records and monitoring

Any concerns about a child will be recorded in writing as soon as possible. All records will provide a factual and evidence-based account and there will be accurate recording of any action taken. Records will be signed, dated and, when felt appropriate, annotated as witnessed. Any concerns should be both documented (following school protocol) and reported without delay to the appropriate safeguarding services, or to the child's social worker if already appointed.

Staff should, at all times, exercise extreme caution in regard to performing any sort of physical examination or assessment of a child or young person given the potential for misinterpretation by others. Similarly, at no time should any individual teacher/member of school staff take (or be asked to take) photographic evidence of any injuries or marks to a child's person (as this type of behaviour could lead to the staff member's actions being criticised as inappropriate).

A chronology will be kept in the main school file prior to the commencement of a separate (and confidential) concern file (see below). Staff, particularly pastoral staff, will record any minor concerns on the chronology and will take responsibility for alerting the designated lead should the number of concerns rise or, in their professional judgement, become significant.

Safeguarding, child protection and welfare concerns will be recorded and kept in a separate secure file known as a 'concern' file (formerly referred to as a child protection file), which will be securely stored and maintained in a separate location from the main pupil file. The main pupil file should have a red C in the top right-hand corner (or a similar and consistent coding) to denote that a separate file is in existence.

Files will be available for external scrutiny by, for example, a regulatory agency or in the event of a serious case review or audit.

#### Why recording is important

All staff are encouraged to understand why it is important that recording is comprehensive and accurate. Records will be kept up to date and reviewed regularly by the Designated Safeguarding Lead to evidence and support actions taken by staff in discharging their safeguarding responsibilities. Original notes will be retained (and clearly identified as such) as they represent a contemporaneous account. Such records may be important in any criminal proceedings arising from current or historical allegations of abuse or neglect.

The concern file can be active or non-active in terms of monitoring (for instance if a child ceases to be a 'looked after child', or subject to a child protection plan) and the appropriate level of activity can be recorded on the front sheet as a start and end date. If future concerns arise it can be reactivated and indicated as such on the front sheet and on the chronology as new information is added.

If the child moves to another school, the concern file will be sent or taken, as part of the admission/transition arrangements, to the Designated Safeguarding Lead at the new establishment/school.

There will be a timely liaison between each school's Designated Safeguarding Lead to ensure a smooth and safe transition for the child.

#### Recording practice

Timely and accurate recording will take place when there are any issues regarding a child. A record of each and every episode/incident/concern/activity relating to that child, including telephone calls to other professionals, needs to be maintained on a chronology kept within the confidential file for that child. This will include any contact from other agencies who may wish to discuss concerns relating to a child. Actions will be agreed between parties and roles and responsibility of each agency will be clarified and outcomes recorded.

More detailed recording on the record of concern will be signed and dated and may include an analysis, taking account of the holistic needs of the child, and any historical information held on the child's file. Support and advice will be sought from social care as appropriate. In this way a picture will emerge which can be of assistance in promoting an evidence-based assessment and in determining any action that may need to be taken.

Such robust practice across child protection and in safeguarding and promoting the welfare of children will assist the school in the early identification of any concerns and may thus prevent future harm.

The Designated Safeguarding Lead will have a systematic means of monitoring children known or thought to be at risk of harm (through the concern file and through an ongoing dialogue with pastoral staff). They will ensure that staff contribute to assessments of need and will support multi-agency plans for those children.

### **Recording injuries**

When staff notice an injury to a child, they should record the following information in respect of each mark identified (such as red areas, swelling, bruising, cuts, lacerations and wounds, scalds and burns):

- exact site of injury on the body (for instance upper outer arm, left cheek etc)
- size of injury - in appropriate centimetres or inches
- approximate shape of injury (for instance round, square or linear etc)
- colour of injury - if more than one colour, say so
- is the skin broken?
- is there any swelling at the site of the injury, or elsewhere?
- is there a scab/any blistering/any bleeding?
- is the injury clean or is there grit/fluff etc?
- is mobility restricted as a result of the injury?
- does the site of the injury feel hot?
- does the child feel hot?
- does the child feel pain?
- has the child's body shape changed/are they holding themselves differently?

It is essential that the date and time of the recording are stated as well as the name and designation of the person making the record. Any further (objective) comments may be added as required. Ensure First Aid is provided where required (and that this is recorded).

Appendix 4

Safeguarding children database (template)

Name of child	DOB	Form	Home address	Parents/carer contact details	Name of social worker and contact details	Other agencies	Type of plan CP/CIN/EHCP	Dates of conferences, reviews and meetings



**Appendix 5**

**Action plan – areas for improvement**

Name of Establishment:

Completed by:

Date:

<b>Safeguarding area</b>	<b>Safeguarding requirement</b>	<b>Response</b>	<b>Action taken</b>	<b>By whom</b>	<b>Timeline</b>

## Appendix 6

### Auditing of pupil records

#### Auditing the school's record keeping

**Background:** The audit may be undertaken by the Headteacher, Deputy Headteacher, Designated Safeguarding Lead or lead governor for safeguarding (or by any combination of these individuals).

**Purpose:** The aim of such an audit is to ensure that appropriate record keeping for 'children of concern' is maintained.

**Sample:** This may be at least one file from each year group on a yearly basis.

**Confidentiality:** Material in pupil files is often of a very sensitive nature and the highest standards of confidentiality are to be maintained by anyone reading these files.

## Appendix 7

### Checklist for pupil records

To guide an audit of 'concern files' this checklist will help to identify key issues.

	Yes/No	Follow up action/further information
Is there a clear marker on the child's main pupil record to indicate that a concern file is also held? (We recommend that a clear red C is written on the top right-hand corner of the main file. This alerts any member of staff to the existence of a separate concern file.)		
Has all confidential information transferred from the main pupil file to the concern file when it was opened? (Check there are no confidential documents still sitting in the main file.)		
Does the concern file have an up-to-date and accurate 'Front Sheet' giving basic factual information about the child and family?		
Does the file have a brief running chronology of events/concerns? (This chronology would normally be begun in the child's main pupil file and then transferred when the threshold for concern is reached and a 'concern file' is opened.)		
Is every entry in the file timed and dated and does it bear the name and signature of the person who wrote the entry?		
Have staff made use of the 'logging a concern' template or a similar school template to help them record issues?		
Where applicable, have any original contemporaneous notes been kept, in addition to later more formal records?		
Have telephone calls and discussions with other agencies (police, health, social care) been recorded and is it clear from these notes what action is to be taken and by whom?		
Is there evidence that the school's Designated Safeguarding Lead has reviewed the file and discussed the child with relevant staff?		

<p>Is there evidence that school staff have weighed up the information they have about a child of concern, discussed it appropriately with others and then taken appropriate action such as sharing information with another agency, or referral to another agency? Have these actions been followed through?</p>		
<p>If meetings relating to the child and their family have been called did school:</p> <ul style="list-style-type: none"> <li>i. send a report if requested?</li> <li>ii. send a representative?</li> <li>iii. receive minutes of the meeting?</li> <li>iv. complete any actions they were assigned by the meeting?</li> <li>v. ensure that other key people in school were aware of any important issues?</li> </ul>		
<p>If injuries to the child have been noted by school, are the records clear?</p>		
<p>Moving between schools can be a time of risk as children may be leaving a school where they and their family are known well, to attend one where they may not be known.</p> <p>It would be wise to include in the audit a consideration of a child who has 'moved in' recently and one who has 'moved out'.</p> <p>i) If the pupil concerned has transferred in from another school is there evidence that the Designated Safeguarding Lead from this school and previous school discussed the pupil at transfer and that a note was made of that discussion?</p> <p>ii) For a pupil of concern who moved out recently did the Designated Safeguarding Lead make contact with the new Designated Safeguarding Lead at the new school? Is there a note to that effect? Was the pupil's concern file delivered to the new school? Is there evidence that the file was received?</p>		

## Appendix 8

### List of key contacts

Role	Name	Contact details
Designated Safeguarding Lead (DSL)		
Deputy DSL		
Nominated governor for child protection		
Chair of governors		
Local Authority Designated Officer (LADO)		