

## **SAFEGUARDING POLICY**

### **Incorporating our Child Protection Policy**

*This document has been reviewed with reference to the documents Keeping Children Safe in Education 2020, The Prevent Duty, Departmental advice for schools and childcare providers, July 2015, Working Together to Safeguard Children 2018 and The Children Act 2004. These documents are kept on file in the school.*

*This policy should be read alongside departmental advice:*

*What to do if you are worried a child is being abused, DfE (March 2015),*

*Information Sharing: Advice for practitioners, DfE (July 2018), and*

*non-statutory interim guidance on safeguarding in schools, colleges, and other providers.*

This policy is written in line with our:

- Appointment of Staff and Safer Recruitment Policy
- Online (e-Safety) Policy
- Youth Produced Sexual Imagery (Sexting) Policy
- Preventing Extremism and Radicalisation Policy
- Whistleblowing Policy
- Behaviour Policy
- Anti-bullying Policy
- Missing Children Policy
- Staff Code of Conduct (Behaviour) Policy

These are all available on request from the school office.

## **SCHOOL STATEMENT**

Safeguarding and promoting the welfare of children is defined for the purposes of this policy as 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; and taking action to enable all children to have the best outcomes.

The terms 'child' and 'children' includes everyone under the age of 18.

The Governors and Trustees take seriously their responsibility to protect and safeguard the welfare of children and young people entrusted to the school's care. The Governors and Trustees will ensure that persons with leadership and management responsibilities at the school demonstrate good skills and knowledge appropriate to their role and fulfil their responsibilities effectively so that the independent school standards are met consistently; and actively promote the well-being of pupils according to section 10(2) of the Children Act 2004(a).

The Vine Christian School is a Safeguarding School. We will invoke Child Protection Procedures where necessary.

Our Designated Safeguarding Lead is Mrs. René Esterhuizen. Her role is to provide support and direction to staff members to carry out their safeguarding duties and to liaise closely with other services such as the local Designated Officer, the police, and the Clinical Commissioning Group (CCG), when managing referrals.

Our Deputy Designated Safeguarding Lead is Mrs. Nadine Van der Merwe. Her role is to provide support to the Lead and be available if the Lead is unavailable.

Our Safeguarding Governor and Trustee is Mr. James Neale. His role in Safeguarding is to take leadership responsibility for the school's safeguarding arrangements and to take the lead in dealing with allegations of abuse made against the Head Teacher.

Our Head Teacher is Mrs. René Esterhuizen. Her role in Safer Recruitment is to ensure that the school operates safe recruitment procedures and makes sure that all appropriate checks are carried out on staff and volunteers who work with the children.

All staff members in the school must read the content of the policy. *The Teacher Standards 2012 states that teachers, including head teachers, should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties.*

All staff must undertake a regular course on safeguarding and child protection that must be updated regularly. The School is committed to an on-going training programme on such matters. Yearly updates will be undertaken at the beginning of each school year.

All staff must staff read Part 1 and Annex A "*Further Information*", of *Keeping Children Safe in Education*. *The school has systems in place to assist staff understand and discharge their role and responsibilities*".

The Governors and Trustees recognise the need to build constructive links with childcare agencies, and will work with social care, the police, health services and other services to promote the welfare of children and protect them from harm.

The Governors and Trustees are committed to:

- Listening to, relating effectively and valuing children and young people whilst ensuring their protection within school activities.
- Ensuring safeguarding is taught 'as part of providing a broad and balanced curriculum', including online safety.
- Employing the expertise of the staff when reviewing safeguarding policies and providing opportunities for staff to contribute to and shape safeguarding arrangements and the child protection policy.
- Encouraging and supporting parents/carers
- Ensuring that staff members are given support and training.
- Ensuring all staff have an awareness of safeguarding issues that can put children at risk of harm - behaviours linked to issues such as drug taking, alcohol abuse, deliberately missing education and sexting put children in danger.
- Having a system for dealing with concerns about possible abuse
- Maintaining good links with the statutory childcare authorities
- Ensuring the DSL and staff are aware of and follow local safeguarding partnership arrangements so that the school contributes to multi-agency working in line with statutory guidance, *Working Together to Safeguard Children*.

Where a child is suffering significant harm, or is likely to do so, action will be taken to protect that child. Action will also be taken to promote the welfare of a child in need of additional support, even if they are not suffering harm or are at immediate risk.

Everyone who encounters children, and their families has a role to play in safeguarding children. Anyone working in the school is particularly important as they can identify concerns early and provide help for children, to prevent concerns from escalating; they form part of the wider safeguarding system for children. For a description of this system, see *Working Together to Safeguard Children, 2018*.

All staff members have a responsibility to provide a safe environment in which children can learn. They have a responsibility to identify children who may need extra help or who are suffering, vulnerable, or are likely to suffer, significant harm. Staff have a responsibility to review and monitor the list of these students on a regular basis and all

staff members then have a responsibility to take appropriate action, working with other services as needed, including **Early Help**.

## **EARLY HELP**

**Early Help** is used to describe the process of acting early and as soon as possible to tackle problems emerging for children, young people, and their families. Effective help can occur at any point in a child or young person's life. Staff should be able to identify the vulnerable children in the school who need this level of support. These children should be identified and monitored. Staff need to understand the difference between a safeguarding concern and a child in immediate danger or at significant risk of harm, as part of identifying vulnerable learners. The DSL will lead when early help is appropriate.

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

- is disabled and has specific additional needs.
- has special educational needs (whether they have a statutory Education, Health and Care Plan or not).
- is a young carer.
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups.
- is frequently missing/goes missing from care or from home.
- is at risk of modern slavery, trafficking, or exploitation.
- is at risk of being radicalised or exploited.
- is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse.
- is misusing drugs or alcohol themselves.
- has returned home to their family from care; and
- is a privately fostered child.

In addition to working with the Designated Safeguarding Lead, staff members should be aware that they might be asked to support social workers to take decisions about individual children.

All staff members should make themselves aware of the systems within the school that support safeguarding, which are explained in the staff induction. This includes the school's safeguarding and child protection policy; the staff code of conduct; and the designated safeguarding lead.

Staff members should be aware of the signs of abuse and neglect so that they are able to identify cases of children who may need help or protection. Knowing what to look for is vital to the early identification of abuse and neglect. If staff members are unsure, they should always speak to children's social care.

Staff members should be aware of any signs of extremist views of any kind in our school, whether from internal sources –students, staff or Governors and Trustees, or external sources - school community, external agencies, or individuals. Our students see our school as a safe place where they can explore controversial issues safely and where our teachers encourage and facilitate this – we have a duty to ensure this happens.

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

A child going missing from an education setting is a potential indicator of abuse or neglect. Staff members should follow the school's procedures for dealing with children who go missing, particularly on repeat occasions. They should act to identify any risk of abuse and neglect, including sexual abuse or exploitation. More information can be found in this policy about children who run away or go missing from home or care.

If staff members have concerns about a child, they should raise these with the school's Designated Safeguarding Lead, **immediately**. This also includes situations of abuse that may involve staff members. The safeguarding lead will usually decide whether to make a referral to children's social care, although any staff member can refer their concerns to children's social care directly. Where a child and family would benefit from co-ordinated support from more than one agency (for example education, health, housing, police) an inter-agency assessment will be conducted. These assessments, undertaken by a lead professional (a teacher, special educational needs co-ordinator, General Practitioner (GP), family support worker, and/or health visitor), will identify what help the child and family require to prevent needs escalating to a point where intervention would be needed via a statutory assessment under the Children Act 1989.

A concern is when you are troubled about a child's welfare and you have reasonable cause to suspect a child is suffering, or likely to suffer, significant harm. It involves the child's safety and well-being.

**If, at any point, there is a risk of immediate serious harm to a child, the DSL should be informed immediately, who will make a referral to children's social care instantly. However, anybody can make a referral in a serious situation, but please inform the DSL if you do so. If the child's situation does not appear to be improving, the staff member with concerns should press for re-consideration. Concerns should always lead to help for the child at some point.**

It is important for children to receive the right help at the right time to address risks and prevent issues escalating. Research and Serious Case Reviews have repeatedly shown the dangers of failing to take effective action. Poor practice includes failing to act on and refer the early signs of abuse and neglect, poor record keeping, failing to listen to the views of the child, failing to re-assess concerns when situations do not improve, sharing information too slowly and a lack of challenge to those who appear not to be taking action.

## **CONTEXTUAL SAFEGUARDING**

**All** staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside of these environments. **All** staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

Assessments of children should consider the wider environmental factors affecting the child's life that may pose a threat to their safety and/or welfare. As much contextual information as possible should be provided as part of the referral process. More information can be found at <https://contextualsafeguarding.org.uk/>

## **SAFER WORKING PRACTICES**

The school has regard to the *Guidance for Safer Working Practices 2015* underpinning principles as follows:

- The welfare of the child is paramount.
- Staff should understand their responsibilities to safeguard and promote the welfare of pupils.
- Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Staff should work, and be seen to work, in an open and transparent way.
- Staff should acknowledge that deliberately invented/malicious allegations are extremely rare and that all concerns should be reported and recorded.
- Staff should discuss and/or take advice promptly from the headteacher if they have acted in a way which may give rise to concern.
- Staff should apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief, and sexual orientation.
- Staff should not consume or be under the influence of alcohol or any substance, including prescribed

medication, which may affect their ability to care for children.

- Staff should be aware that breaches of the law and other professional guidelines could result in disciplinary action being taken against them, criminal action, and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity, or for acts of serious misconduct prohibition from teaching by the Teaching Regulation Agency (TRA).
- Staff and managers should continually monitor and review practice to ensure this guidance is followed.
- Staff should be aware of and understand their establishment's child protection policy, arrangements for managing allegations against staff, staff behaviour policy, whistle blowing procedure and their local authority safeguarding procedures.

Staff should make themselves familiar with the following school documents and policies:

- Staff Handbook
- Anti-Harassment and Bullying Policy
- Appointment of Staff Policy, incorporating Equal Opportunities in Employment Policy
- Code of Conduct Policy
- Grievance Procedure
- Management of Staff Absence Policy
- Staff Appraisal and Capability Policy
- Staff Discipline Policy
- Whistleblowing Policy
- Data Protection Policy
- Fire Safety Policy
- First Aid Policy
- Food Hygiene Policy
- Health and Safety Policy
- Intimate Care and Toileting Policy
- Risk Assessment Policy
- Anti-bullying Policy
- Behaviour Policy
- Complaints Procedure
- Confidentiality Policy
- Equal Opportunities Policy
- Exclusions Policy
- Late and Uncollected Children Policy
- Looked After Children
- Missing Child Policy
- Misuse of Substances and Drugs Policy
- Physical Interventions Policy (include the use of Reasonable Force)
- School Trips and Educational Visits Policy
- SEND Policy
- Sex and Relationship Policy
- Online Safety

Please refer to our Online (e-Safety) Policy.

There is also a wealth of information, with links, to help schools and parents keep children safe online in KCSIE 2020 Annex C, which includes how to support keeping children safe online when they are learning at home.

## **KEY TRAINING AREAS**

Timescale for training

Induction Training (mandatory)	Before starting at the school
Child Protection Awareness training for whole staff including Safeguarding (statutory)	Every two years with refresher training every other year
Designated Safeguarding Lead Training (statutory)	Every two years with refresher training every other year
Safer Recruitment Training (statutory)	Every two years
Training about Preventing Terrorism (statutory)	Annually
Training for School Governors (non-statutory)	Annually
Female Genital Mutilation	Every two years
Child Sexual Exploitation	Every two years
E Safety	Annually
Mental Health Awareness Training for whole staff	TBC

## **IMPORTANT CONTACT DETAILS:**

Safeguarding incidents could happen anywhere, and staff should be alert to possible concerns being raised in this school.

Safeguarding concerns about adults in the school should be made to the Designated Safeguarding Lead or to the Head Teacher.

Safeguarding concerns about independent school proprietors should go straight to the local Designated Officer - the DO.

To contact the following staff members please call the school office in the first instance: 0118 9886464.

Mrs. René Esterhuizen - the Designated Safeguarding Lead Person for Child Protection

Mrs. Nadine Van der Merwe - the Designated Deputy Lead Person for Child Protection

Mr. James Neale: 07447 056055 – Safeguarding Governor

Mrs. René Esterhuizen - The Head Teacher and Safer Recruitment Officer

All staff members may raise concerns directly with Children's Social Care services.

The school will work with the local Designated Officer (DO) as deemed appropriate. The DO provides advice and guidance to employers and voluntary organisations that have concerns about a person working or volunteering with children and young people who may have behaved inappropriately, or you have received information that may constitute an allegation.

For further advice or help contact:

- The NSPCC Helpline: 0808 800 5000
- The NSPCC whistle-blowing helpline: 0800 028 0285
- The Police: 101 to report crime and other concerns that do not require an emergency response; 999 when there is danger to life or when violence is being used or threatened.

## **TIMESCALES**

An Initial Assessment should be initiated by the DSL or Deputy DSL within 24 hours of receipt of a referral and completed in a maximum of **10 working days**. However, this may depend on the case and the other agencies involved.

An initial assessment is deemed to be completed once the assessment has been discussed with the child and family (or caregivers) and the DSL or Deputy DSL has viewed and authorised the assessment.

The initial assessment period may be very brief if the criteria for initiating Local Authority involvement are met, i.e. it is suspected that the child is suffering, or is likely to suffer significant harm and a strategy discussion should take place.

Any extension to the timescale should be authorised by the DSL or Deputy DSL, with reasons recorded and any delay must be consistent with the welfare of the child.

See Referral Flowchart

## **CHILD PROTECTION POLICY**

The Governors and Trustees recognise that many children and young people today are the victims of neglect, and physical, sexual, and emotional abuse, including extremism and radicalisation. Accordingly, the Governors and Trustees have adopted the policy contained in this document, (hereafter “the policy”).

The policy sets out agreed guidelines relating to the following areas:

- The Prevent Duty
- Definitions of abuse
- Responding to allegations of abuse, including those made against teachers in the school.
- Appointing teachers/assistants
- Supervision of activities and practice issues
- Helping victims of abuse
- Working with offenders
- Safer Recruitment including the level of DBS checks that will be undertaken for volunteers and Trustees.

## **THE PREVENT DUTY**

From Wednesday 1 July 2015, all schools and childcare providers must have due regard to the need to prevent people being drawn into terrorism.

The Governmental definition of extremism is:

***‘Vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs; and/or calls for the death of members of our armed forces, whether in this country or overseas’.***

Schools and EYFS providers have a critical part to play. In England, the Early Years Foundation Stage (EYFS) accordingly places clear duties on providers to keep children safe and promote their welfare. To protect children in our care, we must be alert to any safeguarding and child protection issues in the child’s life at home or elsewhere.

As a school and EYFS provider, we are expected to demonstrate activity in the following areas:

- Assessing the risk of children being drawn into terrorism.
- Demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies.

- Ensure that their safeguarding arrangements consider the policies and procedures of the local authority, the police, and the health service.
- Make sure that staff have training that gives them the knowledge and confidence to identify children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism.
- Expected to ensure children are safe from terrorist and extremist material when accessing the internet.

The school holds a separate Preventing Extremism and Radicalisation Policy regarding this.

The full Government Prevent Strategy can be viewed at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/97976/prevent-strategy-review.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97976/prevent-strategy-review.pdf)

The full Government Prevent Duty (2015) can be viewed at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/439598/prevent-duty-departmental-advice-v6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf)

## **THE ROLE OF THE CURRICULUM**

We will work to ensure that our pupils will be skilled and equipped to be resilient and resist involvement in extreme or radical activities. Therefore, we recognise the need to build resilience in our pupils to make them less vulnerable.

We will therefore provide a broad and balanced curriculum within which we aim to support pupils, Spiritual, Moral, Social and Cultural development (SMSC). SMSC development is promoted through all our subjects, including the ethos of our school where development of positive attitudes and values is central to everything we do.

Values underpinning public life in the UK have been summarised as democracy, the rule of law, individual liberty, mutual respect, and the tolerance of those with different faiths and beliefs. It is important that our pupils understand this through different approaches using a balanced and broad curriculum. This supports our pupils to be responsible citizens and prepares for an adult life living and working in Britain which is diverse and changing.

Our goal is to build mutual respect and understanding and to promote the use of dialogue not violence as a form of conflict resolution. We will achieve this by using a curriculum that includes:

- Citizenship programmes
- Open discussion and debate
- Work on anti-violence and a restorative approach addressed throughout curriculum.
- Focussed educational programmes.

We will also work with local partners, families, and communities in our efforts to ensure our school understands and embraces our local context and values in challenging extremist views and to assist in the broadening of our pupil's experiences and horizons. We will help support students who may be vulnerable to such influences as part of our wider safeguarding responsibilities and where we believe a pupil is being directly affected by extremist materials or influences, we will ensure that that pupil is offered mentoring.

## **SIGNIFICANT HARM**

Some children are in need because they are suffering or likely to suffer significant harm. The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children. Decisions about significant harm should be informed by a careful assessment of the child's circumstances and discussion between statutory agencies and with the child and family.

## **INDICATORS OF ABUSE**

The following definitions of child abuse are taken from the document '*Keeping Children Safe in Education*'.

## **Abuse**

A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. They may be abused by an adult or adults or another child or children.

## **Physical Abuse**

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

## **Emotional Abuse**

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

## **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 the child is aware of what is happening or not. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education (*see paragraph 29, KCSIE*).

## **Neglect**

The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, because of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing, and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate caregivers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## **SPECIFIC SAFEGUARDING ISSUES**

### **Learners with SEN and Disabilities**

Learners with SEN and disabilities have additional safeguarding vulnerabilities:

- Disabled children are at significantly greater risk of physical, sexual, and emotional abuse and neglect than non-disabled children.
- Disabled children at greatest risk of abuse are those with behaviour/conduct disorders. Other high-risk groups include children with learning difficulties/disabilities, children with speech and language difficulties, children with health-related conditions and deaf children.

- Disabled children are more likely to be abused by someone in their family compared to non-disabled children. Most disabled children are abused by someone who is known to them.
- Bullying is a feature in the lives of many disabled children.
- Disabled children are more likely to experience the negative aspects of social networking sites than non-disabled children.
- Disabled children (and severely disabled children even more so) may disclose less frequently, and delay disclosure more often compared to typically developing children. Disabled children are most likely to turn to a trusted adult they know well for help such as family, friend, or teacher.

Disabled children are at greater risk of abuse and significant barriers can exist to their safeguarding and wellbeing. Understanding a child's needs, building on their strengths, overcoming the barriers, and developing innovative solutions for meeting the challenges will not only enhance the child's wellbeing and protection from abuse but will provide learning that may also be of benefit for non-disabled children. Disabled children have an equal right to protection from abuse.

### **Children Missing from Education**

A child going missing from education is a potential indicator of abuse or neglect. School staff should follow the school'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, and to help prevent the risks of their going missing in future.

The school has a ***Child Missing from Education*** policy, written in accordance with the *Children Missing Education Statutory Guidance for Local Authorities - September 2016*, which we will abide by concerning this area.

The school has in place appropriate safeguarding policies, procedures and responses for children who go missing from education, particularly on repeat occasions.

In the case of a child being withdrawn from the school and their whereabouts being unknown, the school will endeavour in the first place to contact the parents or guardians.

If no communication is received within a week, the school will contact the LEA to enquire whether they have any information regarding the child. If the LEA do not have any facts about the whereabouts of the child, we will consult with the LEA about the next step which may involve handing the case over to the local Children's Services.

If this is the case, a note will be made in the Admissions Register stating that the child's whereabouts is unknown and that they have been referred to the LEA. This will be updated if any relevant information is received.

### **Child Sexual Exploitation and Child Criminal Exploitation**

Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. The abuse can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence. Victims can be exploited even when activity appears consensual, and it should be noted exploitation as well as being physical can be facilitated and/or take place online. More information include definitions and indicators are included in Annex A of KCSIE 2020.

**The school holds the following document on file if ever the need arises for such information: "Child Sexual Exploitation Definition and Guide Feb 2017" and KCSIE (Annex A).**

## **Peer-on-Peer Abuse**

Peer-on-peer abuse:

- features physical, emotional, sexual, and financial abuse of young people by their peers,
- can impact any young person, although the characteristics/experiences of some can be exploited by their peers, or missed by services, making them more vulnerable to abuse than others.
- is influenced by the nature of the environments in which young people spend their time - home, school, peer group and community - and is built upon notions of power and consent.
- power imbalances related to gender, social status within a group, intellectual ability, economic wealth, social marginalisation etc., can all be used to exert power over a peer.
- can affect any child/young person, sometimes vulnerable children are targeted. For example:
  - ✓ Those living with domestic abuse or intra-familial abuse in their histories.
  - ✓ Young people in care
  - ✓ Those who have experienced bereavement through the loss of a parent, sibling, or friend.
  - ✓ Black and minority ethnic children are under identified as victims but are over identified as perpetrators.
  - ✓ Those with SEND
- hinges upon young people's experiences of power, and ultimately the notion of consent
- concepts of abuse are built upon notions of 'power' and therefore 'consent', not to be confused with the age of consent to sexual activity:
  - ✓ young people over the age of consent (16- and 17-year-olds) can be abused by their peers.
  - ✓ Many young people who abuse their peers are themselves below the age of consent.
- abuse is abuse and should never be tolerated or passed off as "banter" or "part of growing up".
- both girls and boys experience peer-on-peer abuse however they are likely to experience it differently i.e., girls being sexually touched/assaulted or boys being subject to homophobic taunts/initiation/hazing type (rituals and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group) violence.
- involves someone who abuses a 'vulnerability' or power imbalance to harm another and have the opportunity or be in an environment where this is possible.
- While perpetrators of peer-on-peer abuse pose a risk to others they are often victims of abuse themselves.

*Above information is based on information in [Practitioner Briefing: What is peer on peer abuse? MsUnderstood Partnership \(2015\)](#)*

## **Forms of Peer-on Peers Abuse**

This can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

## **Actions the school will take.**

The school deals with a wide continuum of children's behaviour on a day-to-day basis and most cases will be dealt with via school-based processes. These are outlined in the following policies:

- Behaviour & Anti-Bullying Policy
- Online (e-Safety) Policy
- Attendance Policy
- Relationships and Sex Education Policy

The school will also act to minimise the risk of peer-on-peer abuse by ensuring the establishment provides a safe environment, promotes positive standards of behaviour, has effective systems in place where children can raise concerns and provides safeguarding through the curriculum via PSHE and other curriculum opportunities. This may include targeted work with children identified as vulnerable or being at risk and developing risk assessment and targeted work with those identified as being a potential risk to others.

### **Action on serious concerns**

The school recognises that children may abuse their peers physically, sexually, and emotionally; this will not be tolerated or passed off as 'banter' or 'part of growing up'. The school will take this as seriously as abuse perpetrated by an adult and address it through the same processes as any safeguarding issue. We also recognise that children who abuse others are also likely to have considerable welfare and safeguarding issues themselves.

Peer to peer abuse may be a one-off serious incident or an accumulation of incidents. Staff may be able to easily identify some behaviour/s as abusive however in some circumstances it may be less clear. In all cases the member of staff should discuss the concerns and seek advice from the Designated Safeguarding Lead (DSL).

When an allegation is made by a student against another student, members of staff should consider if the issues raised indicate that the child and /or alleged perpetrator may have emerging needs, complex/serious needs or child protection concerns.

**Any suspicion or allegations that a child has been sexually abused or is likely to sexually abuse another child (or adult) should be referred immediately to the DSL, who will refer to the local Designated Officer (DO) or the Police, straightaway.**

However, staff may refer directly to the DO or police, but please inform the DSL if you do so.

All allegations **should** be discussed with the local Designated Officer (DO) on **the day** the allegation is made known to the school and advice sought from the DO.

Considerations for cases where peer on peer abuse is a factor include:

- What is the nature, extent, and context of the behaviour including verbal, physical, sexting and/or online abuse? Was there coercion, physical aggression, bullying, bribery or attempts to ensure secrecy? What was the duration and frequency? Were other children and /or adults involved?
- What is the child's age, development, capacity to understand and make decisions (including anything that might have had an impact on this i.e., coercion), and family and social circumstances?
- What are the relative chronological and developmental age of the two children and are there any differentials in power or authority?
- Is the behaviour age appropriate or not? Does it involve inappropriate sexual knowledge or motivation?
- Are there any risks to the child themselves and others i.e., other children in school, in the child's household, extended family, peer group, or wider social network?

The school will use resources on such issues to address these matters in PSHE.

**Resources on peer-on-peer pressure can be found at:**

<http://www.msunderstood.org.uk/assets/templates/msunderstood/style/documents/MSUPB01.pdf>

## **Child on Child Sexual Violence and Sexual Harassment**

All staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

All staff should be aware of the associated risks and understand the measures in place to manage these. Advice for schools and colleges is provided in the Home Office's Preventing youth violence and gang involvement and its Criminal exploitation of children and vulnerable adults: county lines guidance.

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, likely, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that **all** victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk.

Staff should be aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up.
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts, and genitalia, flicking bras, and lifting skirts. Dismissing or tolerating such behaviours risks normalising them.

### **Sexual Violence**

It is important that school staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003/105 which sets out a full definition for the following:

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

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

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

### **Sexual Harassment**

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

Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, and calling someone sexualised names.
- sexual “jokes” or taunting.

- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (the school will consider when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos, or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - non-consensual sharing of sexual images and videos.
  - sexualised online bullying.
  - unwanted sexual comments and messages, including, on social media; and
  - sexual exploitation; coercion and threats

Robust guidance on this matter may be found in [Keeping Children Safe in Education Part 5](#), and in the DfE guidance [Sexual Violence and Sexual Harassment between Children in Schools and Colleges](#). This document covers:

- What sexual violence and harassment is
- Schools' and colleges' legal responsibilities
- A whole school or college approach to safeguarding and child protection.
- How to respond to reports of sexual violence and sexual harassment.

### **Organised Abuse**

Organised abuse is sexual abuse where there is more than a single abuser and the adults concerned appear to act in concert to abuse children and/or where an adult uses an institutional framework or position of authority to recruit children for sexual abuse.

### **Female Genital Mutilation**

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

**Teachers have a specific legal duty to act** with regards to concerns about female genital mutilation (FGM) and must personally report to the police a disclosure that FGM has been carried out (in addition to liaising with the DSL). However, all staff should speak to the DSL where there are concerns.

The school will access the following documents if ever the need arises for such information, as referred to in Annex A of KCSIE:

- 'Multi-Agency Statutory Guidance on Female Genital Mutilation'
- 'FGM Mandatory Reporting Fact Sheet' and
- 'FGM - Mandatory Reporting of Female Genital Mutilation – procedural information',

The London Safeguarding Children Board's information on 'Safeguarding Children at Risk of Abuse through Female Genital Mutilation' will also be taken into account: [http://www.londoncp.co.uk/chapters/sg\\_ch\\_risk\\_fgm.html](http://www.londoncp.co.uk/chapters/sg_ch_risk_fgm.html)

### **Mental Health**

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

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

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

If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following their child protection policy, and speaking to the designated safeguarding lead or a deputy.

See [KCSIE 2020, paragraph 38 for advice and guidance on Preventing and Tackling Bullying, and Mental Health and Behaviour in Schools](#), and [links to other resources](#).

## **Radicalisation**

Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups. Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces. There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. It can happen in many ways and settings. Specific background factors may contribute to vulnerability, which are often combined with specific influences such as family, friends or online, and with specific needs for which an extremist or terrorist group may appear to provide an answer. The internet and the use of social media has become a major factor in the radicalisation of young people.

As with managing other safeguarding risks, staff should be alert, to changes in children's behaviour, which could indicate that they may need help or protection. School staff should use their professional judgement in identifying children who might be at risk of radicalisation and act proportionately which may include making a referral to the Channel programme.

## **Honour-Based Abuse**

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

## **Actions**

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

**teachers**<sup>104</sup> that requires a different approach.

Some common triggers for HBA include:

- Refusing an arranged marriage
- Having a relationship outside the approved group
- Loss of virginity
- Pregnancy
- Spending time without the supervision of a family member
- Reporting domestic violence

'Honour-based Abuse' is intended to 'protect or defend family honour' by preventing and punishing a person's violations of family or community 'norms'. A child who is at risk of honour-based abuse is at significant risk of

physical harm (including being murdered) and/or neglect and may also suffer significant emotional harm through the threat of abuse or witnessing abuse directed towards a sibling or other family member.

According to the Metropolitan Police Service, an honour-based crime might be committed against someone who:

- becomes involved with a boyfriend or girlfriend from a different culture or religion.
- wants to get out of an arranged marriage.
- wants to get out of a forced marriage.
- Wears clothes or takes part in activities that might not be considered traditional within a particular culture.

The perceived immoral behaviour which could precipitate a murder includes:

- Inappropriate make-up or dress.
- The existence of a boyfriend.
- Kissing or intimacy in a public place.
- Pregnancy outside of marriage.
- Being a victim of rape.
- Inter-faith relationships.

Children sometimes truant from school to obtain relief from being policed at home by relatives. They can feel isolated from their family and social networks and become depressed, which can on some occasions lead to self-harm or suicide.

Families may feel shame long after the incident that brought about dishonour occurred, and therefore the risk of harm to a child can persist. This means that the young person's new boy/girlfriend, baby (if pregnancy caused the family to feel 'shame'), associates or siblings may be at risk of harm.

## **OTHER SAFEGUARDING ISSUES**

### **Specific Issues**

Staff need to be aware of the following specific issues.

Guidance and practical support on these specific safeguarding issues will be sought from expert and professional organisations, when needed, using the NSPCC and GOV.UK websites. Links to **Additional Advice and Support** may be found on pages 94-96 of KCSIE, which signpost schools towards further information on specific safeguarding issues.

- Bullying including cyberbullying - see our 'Online (e-Safety) **Policy**'.
- Children with special educational needs and disabilities (See KCSIE 2020, page 31)
- Children requiring mental health support (See KCSIE 2020, page 28)
- Children who need a social worker (Child in Need and Child Protection Plans) (See KCSIE 2020, page 28)
  
- Domestic violence and abuse – *see the following sources for help identifying the signs of domestic abuse:*
  - ✓ NSPCC: UK domestic-abuse signs symptoms effects
  - ✓ Refuge: what is domestic violence/effects of domestic violence on children
  - ✓ SafeLives: young people and domestic abuse
  
- Drugs
- Fabricated or induced illness
- Faith abuse
- Forced marriage.
- Gangs and youth violence
- Gender-based violence/violence against women and girls (VAWG)

- Hate – see Appendix I of our Anti-Bullying Policy
- Homelessness – the DSL should be aware of the contact details and referral routes of the Local Housing Authority to enable them to raise concerns. Referrals to the Local Housing Authority should not replace referrals to children’s social care where a child is being harmed or at risk of harm. Schools should recognise that for 16- and 17-year-olds homelessness may not be family-based, and the DSL should ensure appropriate referrals to children’s services are made where necessary. Advice on homelessness can be found in KCSIE page 86 or page 21 of Part 1/Annex A.
- Looked after children and previously looked after children (See KCSIE 2020, page 29)
- Private fostering - staff and volunteers should remain alert to, and when it comes to their attention report to the LA, information which suggests a child is being privately fostered. They should then notify the LA to allow the LA to check the arrangements are safe.
- Sexting – See our ‘Youth-Produced Sexual Imagery **Policy**’.
- Teenage relationship abuse
- Trafficking
- Upskirting – this 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. It is now a criminal offence.

### **Alternative Provision**

- If the school places a pupil with an alternative provision provider, they remain responsible for the safeguarding of that pupil and should be satisfied that the provider meets the needs of the pupil. The provider should provide written confirmation that appropriate safeguarding checks have been carried out on those working at the establishment.

### **Adults Who Supervise Children on Work Experience**

- When organising work placements, the school will ensure that the placement provider has policies and procedures in place to safeguard pupils.

**Children staying with Host Families (Homestay) – See Annex E KCSIE**

### **Sharing Safeguarding/Child Protection Information with a New School or College**

When a pupil with child protection issues moves school, the DSL should consider whether it is appropriate to share any information with the new school or college in advance of a pupil leaving, in addition to the child protection file. The DfE gives the example of information that would allow the new school or college to continue supporting a victim of abuse and have the appropriate support in place for the pupil’s arrival.

### **Recognising and Responding to Abuse**

The following signs may or may not be indications that abuse has taken place, but the possibility should be considered.

### **Physical Signs of Abuse**

- Any injuries not consistent with the explanation given for them.
- Injuries that occur to the body in places that are not normally exposed to falls, rough games, etc.
- Injuries which have not received medical attention.
- Neglect – under nourishment, failure to grow, constant hunger, stealing or gorging food, untreated illnesses, inadequate care, etc.
- Reluctance to change for or participate in games or swimming.
- Repeated urinary infections or unexplained tummy pains.
- Bruises, bites, burns, fractures etc which do not have an accidental explanation.
- Cuts/ scratches/ substance abuse

## **Indicators of Possible Sexual Abuse**

- Any allegations made by a child concerning sexual abuse.
- Any allegations made by a child concerning female genital mutation.
- Child with excessive preoccupation with sexual matters and detailed knowledge of adult sexual behaviour, or who regularly engages in age-inappropriate sexual play.
- Sexual activity through words, play or drawing.
- Child who is sexually provocative or seductive with adults
- Inappropriate bed-sharing arrangements at home
- Severe sleep disturbances with fears, phobias, vivid dreams, or nightmares, sometimes with overt or veiled sexual connotations.
- Eating disorders – anorexia, bulimia

## **Emotional Signs of Abuse**

- Changes or regression in mood or behaviour, particularly where a child withdraws or becomes clinging. Also, depression/ aggression, extreme anxiety
- Nervousness, frozen watchfulness
- Obsessions or phobias
- Sudden under-achievement or lack of concentration
- Inappropriate relationships with peers and/ or adults
- Attention-seeking behaviour.
- Persistent tiredness
- Running away/ stealing/ lying

## **WHAT TO DO IF YOU SUSPECT THAT ABUSE MAY HAVE OCCURRED**

1. You must report concerns as soon as possible to Mrs. René Esterhuizen, the Designated Safeguarding Officer (DSL), who is nominated by the Governors and Trustees to act on their behalf in referring allegations or suspicions of neglect or abuse to the statutory authorities. She may also be required by conditions of the School Insurance Policy to immediately inform the Insurance Company. In the absence of the DSL, the matter should be brought to the attention of Mrs. Nadine Van der Merwe (hereafter the “Deputy DSL”). In all instances telephone 0118 988 6464

If the suspicions in any way involve the DSL or Deputy DSL, then the report should be made to the Safeguarding Governor who should contact the local Designated Officer (DO).

2. Staff should only involve those who need to be involved when a child tells them he/she is being abused or neglected. Suspicions will not be discussed with anyone other than those nominated above.
3. Although members of the school are expected to use the procedure stated in step 1, it is, of course, the right of any individual as a citizen to make direct referrals to the child protection agencies or seek advice from a reputable safeguarding agency. Please inform the DSL immediately, if you do so. If, however, you feel that the DSL or Deputy DSL have not responded appropriately to your concerns, then it is open to you to contact the relevant organisation direct. We hope that by making this statement that we demonstrate the commitment of the school to effective child protection.

## **ALLEGATIONS OF PHYSICAL INJURY OR NEGLECT**

If a child has a physical injury or symptom of neglect, the DSL will:

1. Contact the local Designated Officer (DO) for advice in cases of deliberate injury or where concerned about the child’s safety. The school in these circumstances should not inform the parents.
2. Where emergency medical attention is necessary it will be sought immediately. The DSL will inform the doctor of any suspicions of abuse.

3. In other circumstances speak with the parent/ carer and suggest that medical help/ attention be sought for the child. The doctor (or health visitor) will then initiate further action, if necessary.
4. If appropriate, the parent/ carer will be encouraged to seek help from the Local Authority.
5. Where the parent/ carer is unwilling to seek help, if appropriate, the DSL will offer to go with them. If they still fail to act, the DSL should, in cases of real concern, contact the local Safeguarding Children Partnership for advice.

## **ALLEGATIONS OF SEXUAL ABUSE**

In the event of allegations or suspicions of sexual abuse, the DSL will:

- Contact the Police Child Protection Team directly. The DSL will NOT speak to the parent (or anyone else).
- If, for any reason, the DSL is unsure whether to follow the above, then advice from the local Designated Officer (DO) will be sought and followed.
- Under no circumstances will the DSL attempt to carry out any investigation into the allegation or suspicions of sexual abuse. The role of the DSL is to collect and clarify the precise details of the allegation or suspicion and to provide this information to the *DO*, whose task it is to investigate the matter under Section 47 of the Children Act 1989
- Whilst allegations or suspicions of sexual abuse will normally be reported to the DSL, the absence of the DSL or Deputy DSL should not delay referral to the *DO*.
- Exceptionally, should there be any disagreement between the person in receipt of the allegation or suspicion and the DSL or Deputy DSL as to the appropriateness of a referral to the *DO*, that person retains a responsibility as a member of the public to report serious matters to the *DO*, and should do so without hesitation.
- The Governors and Trustees will support the DSL or Deputy DSL in their role and accept that any information they may have in their possession will be shared in a strictly limited way on a need-to-know basis.

## **HOW TO RESPOND TO A CHILD WANTING TO TALK ABOUT ABUSE**

It is not easy to give precise guidance, but the following may help:

### **General Points**

- Show acceptance of what the child says (however unlikely the story may sound)
- Keep calm.
- Look at the child directly.
- Be honest.
- Tell the child you will need to let someone else know – do not promise confidentiality.
- Even when a child has broken a rule, they are not to blame for the abuse.
- Be aware that the child may have been threatened or bribed not to tell.
- Never push for information. If the child decides not to tell you after all, then accept that and let them know that you are always ready to listen.

### **Helpful things you may say or show.**

- “I believe you”.
- Show acceptance of what the child says.
- “Thank you for telling me”.
- “It’s not your fault”.
- “I will help you”.

### **Do not say.**

- “Why didn’t you tell anyone before”.

- “I can’t believe it!”
- “Are you sure this is true?”
- Never make false promises
- Never make statements such as “I am shocked, don’t tell anyone else”.

**Do not ask leading questions or ‘interrogate’.**

Instead ask questions such as:

- Who: “Tell me who was there when this happened?”
- What: “Can you tell me more about what happened”
- When: “Can you tell me when this happened?”
- Where: “Can you describe to me where this happened?”
- How: “Can you explain to me how this happened?”

**Concluding**

- Again, reassure the child what you are going to do next and that you will let them know what happens (the DSL might have to consider referring to the *Children, Schools and Families department* or the Police to prevent a child or young person returning home if the school considers them to be seriously at risk of further abuse)
- Contact the person in the school responsible for coordinating child protection concerns or contact [the Children, Schools and Families department / Police/ NSPCC](#).
- Consider your own feelings and seek pastoral support if needed.

**WHAT TO DO ONCE A CHILD HAS TALKED TO YOU ABOUT ABUSE**

**The Procedure**

- Make notes as soon as possible (preferably within one hour of the child talking to you), writing down exactly what the child said and when she/he said it, what you said in reply and what was happening immediately beforehand (e.g., a description of the activity). Record dates and times of these events and when you made the record. Keep all hand-written notes, even if subsequently typed. Such records should be kept safely for an indefinite period.
- Use the form “Responding to abuse – worker’s action sheet”.
- Report your discussion as soon as possible to the DSL. If the latter is implicated report to the Deputy DSL. If all are implicated, report to the Safeguarding Governor, who should contact the local Designated Officer (DO).
- You should not discuss your suspicions or allegations with anyone other than those nominated in the above point.
- Once a child has talked about abuse the DSL should consider whether it is safe for a child to return home to a potentially abusive situation. On rare occasions, it might be necessary to take immediate action to contact the *DO* and/ or Police to discuss putting into effect safety measures for the child so that they do not return home.

**WORKING WITH OFFENDERS**

The Governors and Trustees in their commitment to the protection of all children will meet with the individual and discuss boundaries that the person will be expected to keep.

Offenders will be expected to sign a contract stipulating boundaries and will involve the person’s family and partner who will need to be informed.

## **HELPING VICTIMS OF ABUSE – THE CHILD’S WISHES**

As a Christian school, we are committed to supporting victims of abuse, and encouraging them in their faith.

The school will ensure the child’s wishes or feelings are considered when determining what action to take and what services to provide to protect individual children through ensuring there are systems in place for children to express their views and give feedback. Staff members should not promise confidentiality to the child and always act in the **best interests** of the child.

## **ARRANGEMENTS FOR SUPERVISION OF GROUP/ CHILDREN’S ACTIVITIES**

### **Practical Issues**

- A register of children or young people attending the activity should be kept, and a register of helpers.
- A log of each activity, recording any unusual events with each teacher/assistant recording what they witnessed should be kept.
- Incidents such as fights and what action the teacher/assistant took should be recorded in the logbook.
- Accidents and injuries should be recorded in a separate accident book and parents and older children should be asked to sign this.
- No person under 16 years of age should be left in charge of any children of any age. Nor should children or young people attending school be left alone at any time.

### **Boundaries**

- All staff members should treat all children/young people with dignity and respect in attitude, language used and actions.
- Respect the privacy of children, avoid questionable activity.
- If you invite a child to your home, ensure this is with the knowledge of the Principal and that a parent is aware.
- Ensure that all transport arrangements have parental approval and are with the knowledge of the leadership.
- Only staff members assigned to a group should be allowed into rooms. Other adults should not have free access. Ensure you note anybody else who is there for a specific reason in the logbook.

## **OFF-SITE VISITS**

Appropriate risk assessments must be in place prior to any off-site visit taking place.

Any overnight visit will explicitly set out sleeping arrangements; the role and responsibility of each adult, whether employed or volunteers; on/off duty arrangements; clear expectations about boundaries and interactions with children/young people; and expectations around smoking/drinking by adult.

Safeguarding concerns or allegations will be responded to following the school safe-guarding procedures. The member of staff in charge of the visit will report any safeguarding concerns to the Designated Safeguarding Lead and Head teacher/Principal, who will pass to the local Designated Officer (DO) if appropriate. In an emergency, the staff member in charge will contact the police and/or social care.

## **POLICY ON SUSPICIONS OR ALLEGATIONS OF CHILD ABUSE INVOLVING SCHOOL STAFF**

Staff, including volunteers, must be aware that they may be vulnerable to accusations of abuse and must, therefore, be sensitive to a child’s reaction to physical contact and react appropriately. During their daily contact with the children, all staff must be aware of the following:

- It is the policy of The Vine Christian School not to kiss the pupils.
- Staff should not touch a child in such a way or on parts of the body that might be considered indecent.
- Staff should avoid restraining children, except under certain circumstances when it is unavoidable (See Policy on Restraint).

- Staff should always maintain professional standards of behaviour and appropriate boundaries in relationships between themselves and the pupils, themselves, and the parents.
- A member of staff, who feels that they may be at risk of being accused of behaving inappropriately, should request the presence of another member of staff.
- No form of corporal punishment should ever be used, nor its use ever threatened.

When it is necessary to restrain a child to prevent injury to themselves, others, or property, only the minimum force should be used and injury to the child concerned should be avoided. Any arm or hands should never be placed around a child's neck.

If there is an allegation or suspicion of misconduct about a member of staff, the Head Teacher must be informed immediately. Failure to do so may result in disciplinary action.

If the allegation or suspicion in any way involves the DSL or Deputy DSL, then the report should be made to the Safeguarding Governor, [07899 920742](tel:07899920742), who should contact the local Designated Officer (DO) on 0118 974 6141 or email at [LADO@wokingham.gov.uk](mailto:LADO@wokingham.gov.uk) and give as much information as you can.

The school is required to inform the Disclosure and Barring Service as soon as investigations are completed, any person, whether employed, contracted, a volunteer, or a student, whose services are no longer used because he or she is considered unsuitable to work with children.

The address for referrals is DBS customer services, PO Box 3961, Royal Wootton Bassett SN4 4HF - Telephone 03000 200 190. Failure by the school to make such a report could constitute an offence, leading to the school being removed from the DfE's register of Independent Schools (legislation from The Education (Provision of Information by Independent Schools) (England) Regulations 2003. Compromise Agreements cannot apply in this connection.

The school will also make a referral to the Disclosure and Barring Service (DBS) if a person in regulated activity has been dismissed or removed due to safeguarding concerns or would have been had they not resigned.

Schools and colleges have a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- the harm test is satisfied in respect of 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
- the individual has been removed from working (paid or unpaid) in regulated activity or would have been removed had they not left.

A person satisfies the harm test if they may harm a child or vulnerable adult or put them at risk of harm. It is something a person may do to cause harm or pose a risk of harm to a child or vulnerable adult. (*See <https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs#what-is-the-harm-test>*).

The Teaching Regulation Agency (TRA) will also be informed if staff are sacked due to safeguarding issues <https://teacherservices.education.gov.uk/>

Regard must be given to the section 'Allegations of Abuse Made Against Teachers and Other Staff', in the document 'Keeping Children Safe in Education', which is on file in the school office. This should be used in respect of all cases in which it is alleged that a teacher or member of staff (including supply staff and volunteers) in a school or college that provides education for children under 18 years of age 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.

- Behaved or may have behaved in a way that indicates he or she may not be suitable to work with children.

This is due to the principle of transferrable risk where an individual is involved in an incident outside of school which did not involve children but could have an impact on their suitability to work with children. For example, domestic violence at home – even if no children were involved, could a child trigger the same reaction, and thereby be put at risk.

### **ALLEGATIONS AGAINST PUPILS**

The School's policies on behaviour, bullying, discipline, and sanctions should be read in conjunction with this policy and will also apply to this situation. Bullying should be treated as a child protection concern when there is reasonable cause to suspect that a child is suffering or likely to suffer significant harm. A pupil against whom an allegation of abuse has been made may be suspended from the School during the investigation if it is in the interests of a child who might otherwise be at risk, in the interests of the pupils at large or to allow the investigation to proceed more effectively.

### **POLICY FOR CHILDREN LOOKED AFTER**

The school recognises that children looked after/ children in care are one of the most vulnerable groups of children so need more frequent observational assessment to meet their needs. All staff will be made aware of anyone in the school who is looked after so that the child can be supported adequately. On admission, it will be established who has parental responsibility so that statutory requirements are met.

The Governing body will ensure that staff have the skills, knowledge and understanding to keep looked after children or previously looked after children safe. Appropriate staff will have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility. Information about the child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her will be available for all staff involved, including the designated safeguarding lead having details of the child's social worker.

When dealing with looked after children and previously looked after children, the school will work together with all agencies involved and take prompt action when necessary to safeguard these children, who are a particularly vulnerable group.

*The school holds a policy for Children Looked After on file.*

### **CARE LEAVERS**

A **care leaver** is defined as a person aged 25 or under, who has been looked after by a local authority for at least 13 weeks since the age of 14; and who was looked after by the local authority at school-leaving age or after that date.

If the need arises, the Designated Safeguarding Lead will liaise as necessary with the local authority Personal Advisor appointed to guide and support the care leaver, regarding any issues of concern affecting the care leaver.

### **PHYSICAL INTERVENTION POLICY AND USE OF REASONABLE FORCE**

The school holds a Physical Intervention Policy, which includes the use of reasonable force.

### **PHOTOGRAPHY AND IMAGES**

To protect children, we will:

- Seek parental consent for photographs to be taken or published (for example, on our website or in newspapers or publications)
- Only use school equipment
- Only take photos and videos of children to celebrate achievement.

- Use only the child's first name with an image.
- Ensure that children are appropriately dressed.
- Encourage children to tell us if they are worried about any photographs that are taken of them.

The school will issue a statement that where parents are taking photographs of children related to school events these are to be for personal use only (these are not to be shared on social media for example).

## **EXTERNAL VISITORS/CONTRIBUTORS/SPEAKERS**

Visitors with a professional role, such as the school nurse, social worker, educational psychologist, or members of the Police will have had the appropriate vetting checks undertaken by their own organisation. Any professionals visiting the school should provide evidence of their professional role and employment details (an identity badge for example). If felt necessary, the school will contact the relevant organisation to verify the individual's identity.

The school has a separate policy for visiting speakers.

## **AGENCY STAFF**

The school will check that any agency staff member attending the school is the same person that the agency has provided the vetting checks for.

If staff supplied by an employment business have lived outside the UK, the employment business must have made additional checks for the appropriate countries, and the school will get written confirmation to that effect from the employment business.

## **SAFER RECRUITMENT**

The school will follow the procedures as laid out in the school's 'Appointment of Staff and Safer Recruitment Policy'. A summary follows:

Before employing a teacher, the school will take all reasonable steps to establish whether the individual is subject to a teacher prohibition order and, if so, prevent their employment.

The school will verify a candidate's identity, preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available.

Enhanced DBS checks will be undertaken for all staff, including volunteers who are carrying out relevant, unsupervised activities with the students, and all Governors and Trustees.

When responding to questions from the school about their criminal record, staff do not need to provide details about any protected cautions or protected convictions.

Those in regulated activity will need an enhanced DBS certificate with barred list check (*See point 26*). A **supervised** volunteer who regularly teaches or looks after children **is not in regulated activity**.

A separate barred list check (List 99 check) will be obtained if an individual will start work in regulated activity before the DBS certificate is available.

A Prohibition from Teaching Check will be completed for *everyone* engaged in 'teaching work', (*see point 27*) whether a qualified teacher or not; and recorded on the Single Central Record, to ensure they are not prohibited from teaching, using **Teacher Services** (<https://www.gov.uk/guidance/teacher-status-checks-information-for-employers>).

Even people with QTS, **MUST** have this prohibition check entered into the Single Central Record. The Teacher Service's system will be used to verify any award of QTS and the completion of an induction/probation.

All leaders and managers, including Trustees and Governors are now required to have a **section 128 Management Check** – This will be included on the school’s SCR showing that checks have been according to section 128. This will also be done using Teacher Services (as point 7).

Note: Section 128 directions will show on an enhanced DBS check with barred list information, provided that **‘children’s workforce independent schools’** is specified in the parameters of the check.

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools or colleges - *see paragraphs 154 and 160 KCSIE 2020 (Jan. 2021 update)*.

This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK. In addition, the school will make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. These checks could include, where available:

- criminal records check for overseas applicants - Home Office guidance can be found on GOV.UK, and for teaching positions.
- obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked.

*Advice about which regulatory or professional body applicants should contact is available from the National Recognition Information Centre for the United Kingdom, UK NARIC.*

Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability. Where this information is not available the school will seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment. Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, the school will consider the circumstances that led to the restriction or sanction being imposed when considering a candidate’s suitability for employment.

*Further information can be found in DfE Guidance:*

*Recruit teachers from overseas.* All steps taken will be well documented.

The applicant’s right to work in the UK will be checked and evidence kept on record.

As part of our Safeguarding Policy employment will not be offered without the applicant supplying evidence of a full employment history, including information on any gaps.

Two professional references will be requested, for all staff, including volunteers, which go back 5 years, from senior persons and not just colleagues; character and/or pastoral references will only be requested where appropriate or relevant. Where possible, references will be obtained prior to interviews to allow any concerns to be explored with the referee and discussed with the candidate.

The criteria for NOT appointing children’s workers are:

- Previous offences against children
- If the Governors and Trustees have reservations about an individual’s behaviour, lifestyle, attitudes, and spiritual commitment.
- If the Governors and Trustees have any reasons to doubt a worker’s suitability for the job.

All new staff will be expected to read the school Code of Conduct Policy and all policies concerning Child Protection

and Safeguarding as part of their Induction Process, including the behaviour policy, the safeguarding response to children who go missing from education, and the identity of the DSL and Deputy DSL.

All new staff will need to complete a Basic Awareness Course on Safeguarding and Child Protection, renewable every three years.

The school will keep this information on all staff members as to whether the following checks have been carried out or certificates obtained, and the date on which the checks were completed, in a single central record.

Staff are to be informed at interview that the school may review the DBS automatic updates yearly, with prior consent from staff, or ask for a signed declaration regarding any convictions, cautions, reprimands, or warnings which have been recorded on a police central record, (includes 'spent' and 'unspent' convictions) or if any information is held locally by police forces that are grounds to be considered relevant, since their last declaration. This includes any information that may be held on the DBS's children and adults barred list.

If an applicant's criminal record check reveals details of past cautions and/or convictions the following procedures will be followed:

- If the certificate simply confirms what the applicant has already disclosed, and we have already taken this information into account when making the offer of employment, we will confirm the offer of employment.
- If our decision to recruit an applicant depends upon approval from a senior staff member, we shall ensure that the decision maker has all the relevant information to hand to make a fair and balanced decision. This may include the applicant's initial disclosure, a disclosure statement, and any other relevant information they may have provided in the interim that may inform a risk assessment.
- If the certificate reveals information that we were not expecting or that the applicant had not previously disclosed, further consideration may be necessary. *See the 'Appointment of Staff and Safer Recruitment Policy'.*

At least one person conducting an interview will have completed safer recruitment training.

Should the school take on Trainee/Student Teachers written confirmation will be obtained from the provider that it has carried out all pre-appointment checks that the school would otherwise be required to perform.

### **Disqualification**

Under section 76(3) schools are prohibited from employing a disqualified person in connection with relevant childcare provision in the settings set out in the relevant offences and orders section of the Disqualification under the Childcare Act 2006, unless the individual in question has been granted a waiver by Ofsted for the role they wish to undertake. An employer commits an offence if they contravene section 76(3), except if they prove that they did not know, and had no reasonable grounds for believing, that the person they employed was disqualified.

### **Disqualification by Association**

Disqualification by Association applies if a person is living in the same household where another person who is disqualified lives or is employed (disqualification 'by association') as specified in regulation 9 of the 2018 regulations. Under the 2018 regulations, schools are no longer required to establish whether a member of staff providing, or employed to work in childcare, is disqualified by association.

However, there is now an expectation for all staff to inform the school where their relationships and associations, both within and outside of the workplace (including online), may have implications for the safeguarding of children in the school.

If your circumstances change you must inform the school.

## **SAFETY MATTERS**

An annual safety review will be held to consider all aspects of safety for children and young people. The school's arrangements to fulfil other safeguarding and welfare responsibilities are as follows:

- Ensure high standards of provision and care for children and learners.
- Actively promote equality and diversity
- Tackle bullying and discrimination immediately.
- Actively promote British values
- Prevent radicalisation and extremism.
- Ensure that all persons know how to complain and understand the process for doing so.
- Ensure that children and learners are protected and feel safe.
- Challenge any discriminatory behaviour and give help and support to children about how to treat others with respect.
- Consistently promote positive behaviour
- Ensure that all children and learners can identify a trusted adult with whom they can communicate about any concerns and know that these adults will listen to them and take their concerns seriously.
- Ensure that written records are made in a timely way and held securely where adults working with children or learners are concerned about their safety or welfare. Those records will be shared appropriately and, where necessary, with consent.
- Make clear risk assessments.
- Oversee the safe use of technology by ensuring that our policies and procedures are adhered to.
- Use an Acceptable Use Agreement
- Carefully select and vet staff and volunteers working with children and learners according to statutory requirements.
- Check all staff using Enhanced DBS checks
- Ensure that all staff have regular Child Protection and Safeguarding Training
- Ensure that the Designated Safeguarding Leads undertake training at two-yearly intervals, and in addition receive an update at least yearly.
- Ensure that the Deputy DSL is trained to the same standards as the DSL.
- Ensure training allows the DSL to “recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online”.
- Ensure that the Designated Safeguarding Lead and Deputy DSL have job descriptions, where their roles are explicit, with clear cover arrangements. DSLs will be drawn from the senior leadership team and will be the persons carrying out the day-to-day work of safeguarding and child protection. Their responsibilities will not be delegated to others. See *Appendix 1*.
- Keep the Single Central Record up to date.
- Regularly review safeguarding policies and procedures to keep all children and learners safe.
- Ensure the school holds more than one emergency contact number for each pupil.

Policy Adopted by Governors and Trustees on 25 November 2018

Policy Last Reviewed on 27 January 2021

Policy Due for Review in September 2021

## **HELP AND SUPPORT**

Our organisation has a legal obligation to protect sensitive information under the Data Protection Act 2018. For more information visit the website of the Information Commissioner’s Office <https://ico.org.uk/>

Advice on e-Safety\* - <http://www.thegrid.org.uk/eservices/safety/index.shtml>

Further guidance\* - <http://www.thegrid.org.uk/info/dataprotection/index.shtml#securedata>

The Information Management Toolkit for Schools is available at:

[https://cdn.ymaws.com/irms.site-ym.com/resource/collection/8BCEF755-0353-4F66-9877-CCDA4BFEEAC4/2016\\_IRMS\\_Toolkit\\_for\\_Schools\\_v5\\_Master.pdf](https://cdn.ymaws.com/irms.site-ym.com/resource/collection/8BCEF755-0353-4F66-9877-CCDA4BFEEAC4/2016_IRMS_Toolkit_for_Schools_v5_Master.pdf)

Safeguarding Children online – free expert advice: <http://www.getsafeonline.org>

Review Online (E-Safety) policy and practice at <https://360safe.org.uk/>

Data Protection Team – email 0118 378 8981

Cloud (Educational Apps) Software Services and the Data Protection Act – Departmental advice for local authorities, school leaders, school staff and governing bodies, October 2015 – this is an advice and information document issued by the Department for Education. The advice is non-statutory, and has been produced to help recipients understand some of the key principles and their obligations and duties in relation to the Data Protection Act 2018 (the DPA), particularly when considering moving some or all of their software services to internet-based “cloud” service provision –

<https://www.gov.uk/government/publications/cloud-software-services-and-the-data-protection-act>

Resources to support schools with online safety:

- Education for a Connected World framework from the UK Council for Child Internet Safety (UKCCIS)
- Guidance from the PSHE Association
- Be Internet Legends by Parent Zone and Google

Numerous organisations are listed in Annex C of KCSIE, that can provide support concerning online safety.

For additional help, email [school.ictsupport@education.gsi.gov.uk](mailto:school.ictsupport@education.gsi.gov.uk)

## **CURRENT LEGISLATION**

### **ACTS RELATING TO MONITORING OF STAFF EMAIL**

#### ***Data Protection Act 2018***

The Act requires anyone who handles personal information to comply with important data protection principles when treating personal data relating to any living individual. The Act grants individual’s rights of access to their personal data, compensation, and prevention of processing. The **Data Protection Act 2018** implements the European Union’s [General Data Protection Regulation](#) (GDPR) in national law, <http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000

<http://www.hms0.gov.uk/si/si2000/20002699.htm>

#### ***Regulation of Investigatory Powers Act 2000***

Regulating the interception of communications and making it an offence to intercept or monitor communications without the consent of the parties involved in the communication. The RIP was enacted to comply with the Human Rights Act 1998. The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000, however, permit a degree of monitoring and record keeping, for example, to ensure communications are relevant to school activity or to investigate or detect unauthorised use of the network. Nevertheless, any monitoring is subject to informed consent, which means steps must have been taken to ensure that everyone who may use the system is informed that communications may be monitored. Covert monitoring without informing users that surveillance is taking place risks breaching data protection and privacy legislation.

<https://www.legislation.gov.uk/ukpga/2000/23>

#### ***Human Rights Act 1998***

<https://www.legislation.gov.uk/ukpga/1998/42>

## **OTHER ACTS RELATING TO ESAFETY**

### **Racial and Religious Hatred Act 2006**

It is a criminal offence to threaten people because of their faith, or to stir up religious hatred by displaying, publishing, or distributing written material which is threatening. Other laws already protect people from threats based on their race, nationality, or ethnic background.

<http://www.legislation.gov.uk/ukpga/2006/1>

### **Sexual Offences Act 2003**

The new grooming offence is committed if you are over 18 and have communicated with a child under 16 at least twice (including by phone or using the Internet) it is an offence to meet them or travel to meet them anywhere in the world with the intention of committing a sexual offence. Causing a child under 16 to watch a sexual act is illegal, including looking at images such as videos, photos, or webcams, for your own gratification. It is also an offence for a person in a position of trust to engage in sexual activity with any person under 18, with whom they are in a position of trust. Schools should already have a copy of *Working Together to Safeguard Children, 2018* document as part of their child protection packs.

<https://www.legislation.gov.uk/ukpga/2003/42>

### **Communications Act 2003 (section 127)**

Sending by means of the Internet a message or other matter that is grossly offensive or of an indecent, obscene, or menacing character; or sending a false message by means of or persistently making use of the Internet for the purpose of causing annoyance, inconvenience or needless anxiety is guilty of an offence liable, on conviction, to imprisonment. This wording is important because an offence is complete as soon as the message has been sent there is no need to prove any intent or purpose.

<http://www.legislation.gov.uk/ukpga/2003/21/section/127>

### **The Computer Misuse Act 1990 (sections 1 – 3)**

Regardless of an individual's motivation, the Act makes it a criminal offence to gain:

- access to computer files or software without permission (for example using another person's password to access files)
- unauthorised access, as above, to commit a further criminal act (such as fraud)
- impair the operation of a computer or program.

UK citizens or residents may be extradited to another country if they are suspected of committing any of the above offences.

<https://www.legislation.gov.uk/ukpga/1990/18>

### **Malicious Communications Act 1988 (section 1)**

This legislation makes it a criminal offence to send an electronic message (e-mail) that conveys indecent, grossly offensive, threatening material or information that is false; or is of an indecent or grossly offensive nature if the purpose was to cause a recipient to suffer distress or anxiety.

<https://www.legislation.gov.uk/ukpga/1988/27>

### **Copyright, Design and Patents Act 1988**

Copyright is the right to prevent others from copying or using work without permission. Works such as text, music,

sound, film, and programs all qualify for copyright protection. The author of the work is usually the copyright owner, but if it was created during employment it belongs to the employer. Copyright infringement is to copy all or a substantial part of anyone's work without obtaining their author's permission. Usually, a licence associated with the work will allow a user to copy or use it for limited purposes. It is advisable always to read the terms of a licence before you copy or use someone else's material. It is also illegal to adapt or use software without a licence or in ways prohibited by the terms of the software licence.

<https://www.legislation.gov.uk/ukpga/1988/48>

### **Public Order Act 1986 (sections 17 – 29)**

This Act makes it a criminal offence to stir up racial hatred by displaying, publishing, or distributing written material which is threatening. Like the Racial and Religious Hatred Act 2006 it also makes the possession of inflammatory material with a view of releasing it a criminal offence.

<https://www.legislation.gov.uk/ukpga/1986/64>

### **Protection of Children Act 1978 (Section 1)**

It is an offence to take, permit to be taken, make, possess, show, distribute or advertise indecent images of children in the United Kingdom. A child for these purposes is anyone under the age of 18. Viewing an indecent image of a child on your computer means that you have made a digital image. An image of a child also covers pseudo-photographs (digitally collated or otherwise). A person convicted of such an offence may face up to 10 years in prison.

<https://www.legislation.gov.uk/ukpga/1978/37>

### **Obscene Publications Act 1959 and 1964**

Publishing an "obscene" article is a criminal offence. Publishing includes electronic transmission.

<https://www.legislation.gov.uk/ukpga/Eliz2/7-8/66> and <http://www.legislation.gov.uk/ukpga/1964/74>

### **Protection from Harassment Act 1997**

A person must not pursue a course of conduct, which amounts to harassment of another, and which he knows or ought to know amounts to harassment of the other.

A person whose course of conduct causes another to fear, on at least two occasions, that violence will be used against him is guilty of an offence if he knows or ought to know that his course of conduct will cause the other so to fear on each of those occasions.

<https://www.legislation.gov.uk/ukpga/1997/40>

## **ACTS RELATING TO THE PROTECTION OF PERSONAL DATA**

### **Data Protection Act 2018**

<http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

### **The Freedom of Information Act 2000**

<https://www.legislation.gov.uk/ukpga/2000/36>

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>

**COUNTER-TERRORISM AND SECURITY ACT 2015 (PREVENT), ANTI-RADICALISATION & COUNTER-EXTREMISM GUIDANCE**

**The school holds the document** *'The Prevent duty Departmental Advice for Schools and Childcare Providers, June 2015'* on file.

## **ROLES AND RESPONSIBILITIES OF THE SCHOOL DESIGNATED SAFEGUARDING LEAD**

The School Designated Safeguarding Lead (DSL) is the first point of contact for any member of the school staff who has a concern about the safety and well-being of a student. The DSL and Deputy DSL are most likely to have a complete safeguarding picture and will be the most appropriate individuals to advise on any safeguarding concerns.

The DSL does not need to be a member of the teaching staff but should be a recognised member of the Senior Management Team with the required status and authority to carry out the requirements of the role. Their appointment will be decided by the governing board or proprietor.

Depending on the size and requirements of the school a Deputy Designated Safeguarding Lead should be available. The Deputy is the first point of contact in the absence of the DSL to avoid any unnecessary delays in responding to a student's needs.

The DSL and Deputy DSL are required to undertake child protection training every two years and should supplement this training by attending workshops where available, at least annually. This training should also help the DSL and Deputy DSL recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online.

### **Requirements:**

- To have the skills and ability to identify signs of abuse.
- To know how to refer concerns to the appropriate investigating agencies.
- Maintain detailed and accurate written records of child protection concerns and ensure they are kept securely.
- Offer support, advice and give a level of expertise to all members of the school staff team.
- Ensure that all staff have access to and understand the school Safeguarding and Child Protection Policy and Procedures.
- To be able to provide basic awareness/child protection training as part of the induction for all new staff in the school and be part of any other relevant training.
- Be responsible with the Head Teacher for the annual review and update of the School Safeguarding Policy and the presentation of this to the Governing Body.
- Ensure that a copy of the School Safeguarding and Child Protection Policy is available for any parents who request to see it.
- Ensure that the Head Teacher and Chair of Governors and Trustees are updated on a regular basis about all issues and child protection investigations.
- Ensure that relevant safeguarding files are copied and forwarded appropriately when a child/young person transfers to another school.
- Be part of the team who review and monitor any causes of concern relating to students which are raised in school.

### **Role and Responsibilities:**

*Taken from Annex B KCSIE 2020*

### **Manage referrals.**

The Designated Safeguarding Lead is expected to:

- refer cases of suspected abuse to the local authority children's social care as required.

- support staff who make referrals to local authority children’s social care.
- refer cases to the Channel programme where there is a radicalisation concern as required.
- support staff who make referrals to the Channel programme.
- refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required; and
- refer cases where a crime may have been committed to the Police as required.

## **Work with others**

The Designated Safeguarding Lead is expected to:

- act as a point of contact with the three safeguarding partners.
- liaise with the headteacher or principal to inform him or her of issues- especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations.
- as required, liaise with the “case manager” (as per Part four) and the designated officer(s) at the local authority for child protection concerns in cases which concern a staff member.
- liaise with staff (especially pastoral support staff, school nurses, IT Technicians, and SENCOs, or the named person with oversight for SEN in a college and Senior 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; and
- act as a source of support, advice, and expertise for all staff.

## **Training**

The Designated Safeguarding Lead (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. This training should be updated at least every two years. The Designated Safeguarding Lead should undertake Prevent awareness training. Training should provide designated safeguarding leads with a good understanding of their own role, and the processes, procedures, and responsibilities of other agencies, particularly children’s social care, so they:

- understand the assessment process for providing early help and statutory intervention, including local criteria for action and local authority children’s social care referral arrangements.
- have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so.
- ensure each member of staff has access to, and understands, the school’s or college’s child protection policy and procedures, especially new and part time staff.
- are alert to the specific needs of children in need, those with special educational needs and young carers.
- understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the General Data Protection Regulation.
- understand the importance of information sharing, both within the school and college, and with the three safeguarding partners, other agencies, organisations, and practitioners.
- can keep detailed, accurate, secure written records of concerns and referrals.
- understand and support the school or college with regards to the requirements of the Prevent duty and can provide advice and support to staff on protecting children from the risk of radicalisation.
- can understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school or college.
- can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online.
- obtain access to resources and attend any relevant or refresher training courses; and
- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school or college may put in place to protect them.

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

### **Raise Awareness**

The Designated Safeguarding Lead should:

- ensure the school's or college's child protection policies are known, understood, and used appropriately.
- ensure the school's or college's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this.
- ensure the child protection policy is available publicly and parents know referrals about suspected abuse or neglect may be made and the role of the school or college in this; and
- link with the safeguarding partner arrangements to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements.
- help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children, including children with a social worker, are experiencing, or have experienced, with teachers and school and college leadership staff. Their role could include ensuring that the school or college, and their staff, know who these children are, understand their academic progress and attainment and maintain a culture of high aspirations for this cohort; supporting teaching staff to identify the challenges that children in this group might face and the additional academic support and adjustments that they could make to best support these children.

### **Child protection file**

Where children leave the school or college (including for in-year transfers) the designated safeguarding lead should ensure their child protection file is transferred to the new school or college as soon as possible. This should be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be obtained. Receiving schools and colleges should ensure key staff such as designated safeguarding leads and SENCOs or the named person with oversight for SEN in colleges, are aware as required.

In addition to the child protection file, the designated safeguarding lead should also consider if it would be appropriate to share any information with the new school or college in advance of a child leaving. For example, information that would allow the new school or college to continue supporting victims of abuse and have that support in place for when the child arrives.

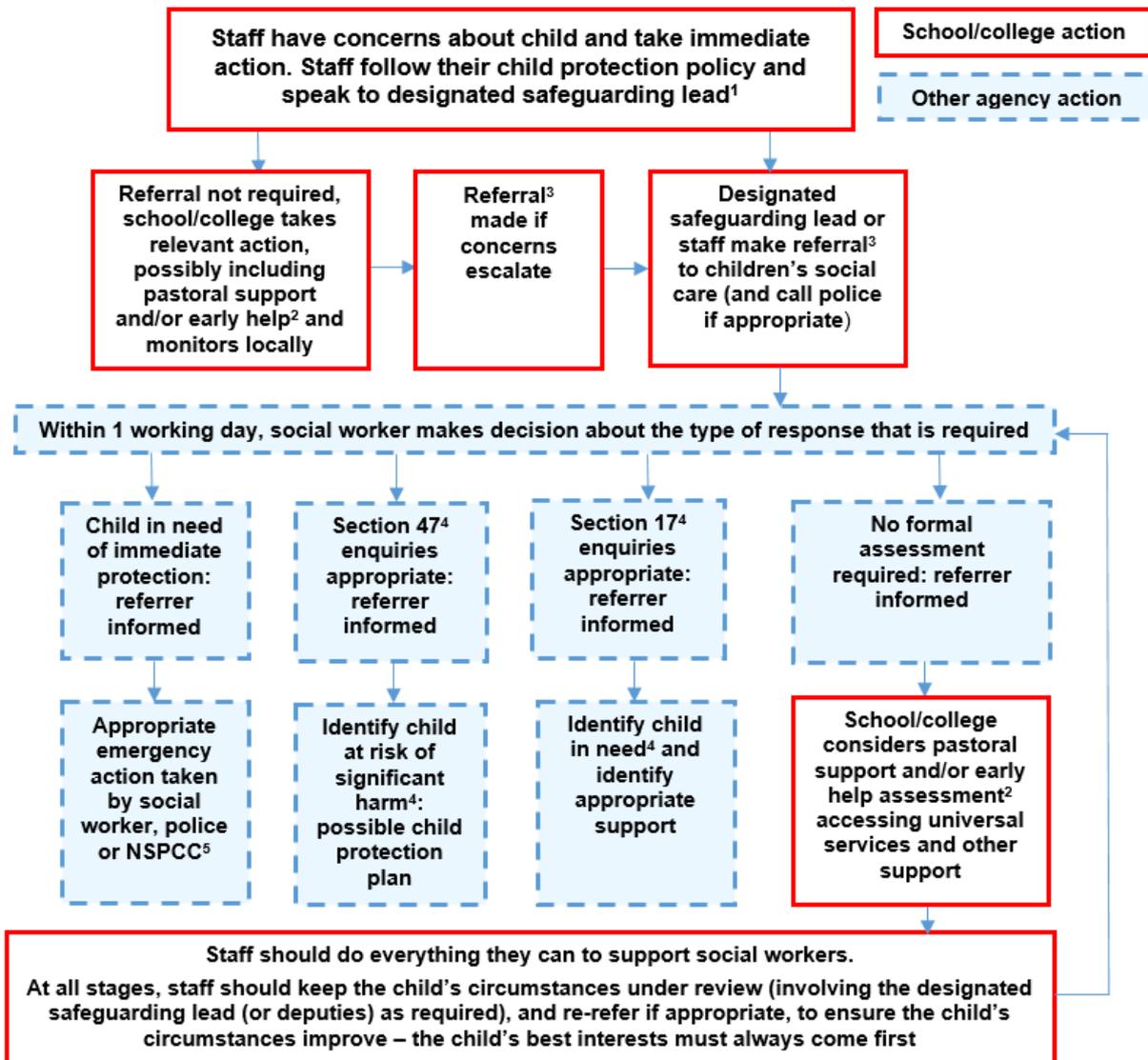
### **Availability**

During term time the Designated Safeguarding Lead (or a deputy) should always be available (during school or college hours) for staff in the school or college to discuss any safeguarding concerns. Whilst the Designated Safeguarding Lead (or deputy) would be expected to be available in person, it is a matter for individual schools and colleges, working with the designated safeguarding lead, to define what "available" means and whether in exceptional circumstances availability via phone and or Skype or other such media is acceptable.

It is a matter for individual schools and colleges and the Designated Safeguarding Lead to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

## Actions where there are concerns about a child.

Please check your own Safeguarding Children Partnership for local advice and change if necessary.



<sup>1</sup>In cases which also involve a concern or an allegation of abuse against a staff member, see Part Four of this guidance.

<sup>2</sup>Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of [Working Together to Safeguard Children](#) provides detailed guidance on the early help process.

<sup>3</sup> Referrals should follow the process set out in the local threshold document and local protocol for assessment. Chapter one of [Working Together to Safeguard Children](#).

<sup>4</sup> Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989. Under section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child is suffering or likely to suffer significant harm, it has a duty to make enquiries to decide whether to take action to safeguard or promote the child's welfare. Full details are in Chapter one of [Working Together to Safeguard Children](#).

<sup>5</sup> This could include applying for an Emergency Protection Order (EPO).