

# Child Protection and Safeguarding Policy and Procedure



Olive AP Academy  
THURROCK

Olive Academies

Olive AP Academy - Thurrock (OA-Th)	Document control table
Title	Child Protection and Safeguarding Policy
Date approved	15 July 2020
Approved by	OA MAT board
Date of next review	July 2021 (unless legislation updates are required earlier)
Updates/revisions included:	<p>Changes made in July 2020 to reflect KCSIE 2020, to come into force on 1 September 2020 including:</p> <ul style="list-style-type: none"> <li>• 1.2 Definition of safeguarding expanded to specifically mention 'mental and physical health'</li> <li>• 1.6 Added statement on contextual safeguarding</li> <li>• 5.2 &amp; Appendix C 15.5- clarified roles</li> <li>• 6.3 reference to RSE</li> <li>• 9.5 – added greater detail on allegations against staff highlighting includes supply staff and listing allegations that need to be responded to</li> <li>• 12.1 added reference to NPCC – when to call the police document</li> <li>• 12.2 added detail about the need for trustees and senior leaders to understand local arrangements</li> </ul> <p>Appendix A</p> <ul style="list-style-type: none"> <li>• 5.4 Updated role of DSL to include ref to needs of those with social workers</li> </ul> <p>Appendix B</p> <ul style="list-style-type: none"> <li>• Removed section on breast ironing – referred to in Honour based abuse</li> <li>• Updated sections on child sexual exploitation and child criminal exploitation county lines – 3.4 &amp; 3.7, 3.8</li> <li>• Updated section on operation encompass (3.9)</li> <li>• Added a section on mental health 3.10</li> <li>• 3.16 Changed honour based violence to 'abuse' to recognise non-violent forms of abuse</li> <li>• 3.17 Included definition of terrorism</li> <li>• 3.21 more detail on upskirting</li> <li>• 6.7 to indicate role of trustees in ensuring data protection principles adopted</li> <li>• 15.10 – additional considerations for supply staff</li> </ul>
<p>Academies: Ensure local contacts and procedures are correct for each academy and please notify OA central should these change.</p>	

## Key contacts

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<b>Safeguarding lead on MAT trustee board</b>	Rosemary Leeke	Rosemary.leeke@oliveacademies.org.uk
<b>Chair of Academy Advisory Board (AAB)</b>	Ashlie Hughes	a.hughes.scs@osborne.coop
<b>AAB lead safeguarding member</b>	Jeanette Lowe	Jeanette.lowe@camden.gov.uk
<b>Local Authority Designated Officer (LADO)</b>		01375 652732 LADO@thurrock.gcsx.gov.uk
<b>Referrals into Early Help and Social Care</b>	Early help service	Thurrock MASH 01375 652 802
<b>Referrals into Early Help and Social Care</b>	Emergency Duty Service – after hours, weekends and public holidays	Thurrock MASH 01375 372468

# Contents

## **Child Protection and Safeguarding policy**

### **Appendix A: The role of the Designated Safeguarding Lead**

### **Appendix B: Child Protection and Safeguarding procedure**

1. Definitions
2. Categories of abuse
3. Specific safeguarding issues
4. Recognition – what to look for
5. Allegations of abuse made against other children
6. What action to take if you have concerns about a child
7. Dealing with a disclosure made by a child advice for all members of staff
8. Discussing concerns with the family and the child advice for the DSL
9. Early help for children and families
10. Children’s Social Care led responses to concerns about a child
11. Information sharing and consent
12. Record keeping
13. Professional challenge and disagreements
14. Safer recruitment
15. Procedure for managing allegations of abuse made against academy staff members

### **Appendix C: Allegations against staff: guidance flow chart**

### **Appendix D: Flow Chart for managing concerns about a child**

### **Appendix E: Further Information**

### **Appendix F: Safeguarding concern form – Only to be used if no CPOMS login**

# Child Protection and Safeguarding Policy

## COVID-19 NOTE

Keeping Children Safe in Education (KCSIE) remains in force throughout the response to coronavirus (COVID-19). In line with non-statutory guidance from the DfE, OA has in place additional safeguarding procedures to take into account any additional/different processes that might need to be carried out during this period. These are available on the academy website and the academy Designated Safeguarding Lead (DSL) and headteacher will ensure staff are aware of any changes in guidance and procedures on an ongoing basis. Any questions about these procedures should be directed to the DSL or headteacher.

## 1. INTRODUCTION

- 1.1. Safeguarding children is everyone's responsibility. Everyone who comes into contact with children and families has a role to play.
- 1.2. Safeguarding and promoting the welfare of children is:
  - protecting children from maltreatment
  - preventing impairment of children's mental and physical health or development
  - ensuring that children grow up in circumstances consistent with the provision of safe and effective care
  - taking action to enable children to have the best outcomes.
- 1.3. Child protection is the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.
- 1.4. Our pupils' welfare is our paramount concern. The Olive Academies Multi Academy Trust (MAT) board and the academy advisory board (AAB) will ensure that our academy safeguards and promotes the welfare of pupils and works together with other agencies to ensure that our academy has adequate arrangements to identify, assess and support those children who are suffering or likely to suffer harm.
- 1.5. Our academy is a community and all those directly connected, staff members, MAT board and AAB members, parents, families and pupils, have an essential role to play in making it safe and secure.
- 1.6. 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.

## **2. OUR ETHOS**

- 2.1 We believe that our academy should provide a caring, positive, safe and stimulating environment that promotes the social, physical and moral development of the individual child.
- 2.2 We recognise the importance of providing an environment within our academy that will help children feel safe and respected. We recognise the importance of enabling children to talk openly and to feel confident that they will be listened to.
- 2.3 We recognise that all adults within the academy, including permanent and temporary staff, volunteers and AAB members, have a full and active part to play in protecting our pupils from harm.
- 2.4 We will work with parents to build an understanding of the academy's responsibilities to ensure the welfare of all children, including the need for referrals to other agencies in some situations.

## **3. SCOPE**

- 3.1 In line with the law, this policy defines a child as anyone under the age of 18 years.
- 3.2 This policy applies to all members of staff in our academy, including all permanent, temporary and support staff, governors, volunteers, contractors and external service or activity providers.
- 3.3 Equality - some children's circumstances mean they are more vulnerable to abuse and/or less able to easily access services. To the best of our knowledge we feel that this policy covers all children and young people and takes into account the needs of any group or individual within our academy community. The academy would modify the policy to meet the needs of any new pupil/family/staff member, if needed.

## **4. THE LEGAL FRAMEWORK**

- 4.1 Section 157 of the Education Act 2002 places a duty on governing bodies of free schools and academies to make arrangements for ensuring that their functions relating to the conduct of the academy are exercised with a view to safeguarding and promoting the welfare of children who are pupils at the academy.
- 4.2 Under section 10 of the Children Act 2004, all maintained educational establishments, further education colleges and independent schools, including free schools and academies, are required to cooperate with the local authority to improve the well-being of children in the local authority area.
- 4.3 Under section 14B of the Children Act 2004, the Local Safeguarding Children Partnership can require an academy or further education institution to supply information in order to perform its functions. This must be complied with.
- 4.4 This policy and the accompanying procedure have been developed in accordance with statutory guidance and local safeguarding procedures in each local authority where our academies are based. Statutory guidance includes:
  - Working Together to Safeguard Children: A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children, July 2018
  - Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges, September 2020
  - SET (Southend, Essex and Thurrock) Safeguarding ProceduresOA also follows: 'Guidance for safer working practice for those working with children and young people in education settings' May 2019

## **5. ROLES AND RESPONSIBILITIES**

- 5.1 The academy's lead person with overall responsibility for child protection and safeguarding is the Designated Safeguarding Lead (DSL). The DSL's responsibilities are described in Appendix A.

The DSL will be on our academy's leadership team and their role of DSL will be explicit in their job description. This person should have the appropriate authority and be given the time, funding, training, resources and support to provide advice and support to other staff on child welfare and child protection matters, to take part in strategy discussions and inter-agency meetings – and/or to support other staff to do so – and to contribute to the assessment of children. The DSL's lead responsibility will not be delegated.

The academy has a Designated Teacher who is responsible for promoting the educational achievement of children who are looked after and who will work with the virtual educational establishment head to discuss how available funding can be best used to support the progress of looked after children and meet the needs identified in the child's personal education plan.

- 5.2 The case manager for dealing with allegations of abuse made against academy staff members is the headteacher. The case manager for dealing with allegations against the headteacher is the executive headteacher or CEO who will also report to the MAT lead safeguarding trustee. The AAB safeguarding lead will also be informed as appropriate. The procedure for managing allegations is detailed in Appendix B.
- 5.3 The headteacher will ensure that the policies and procedures adopted by the AAB are fully implemented and sufficient resources and time are allocated to enable staff members to discharge their safeguarding responsibilities.
- 5.4 The AAB is collectively responsible for advising on safeguarding and checking that safeguarding arrangements are fully embedded within the academy's ethos and reflected in the academy's day-to-day practice. The AAB also nominates a lead member who is responsible for championing good practice within the academy.
- 5.5 The OA MAT board is ultimately accountable for ensuring the safety of the children at the academy and approving this policy on an annual basis. The MAT board identifies a lead Trustee for safeguarding who carries out safeguarding visits to the academies and reports to the board on safeguarding matters across the Trust.
- 5.6 All staff members, AAB members, volunteers and external providers should know how to recognise signs and symptoms of abuse, how to respond to pupils who disclose abuse and what to do if they are concerned about a child.

## **6. SUPPORTING CHILDREN**

- 6.1 We recognise that children who are abused or witness violence are likely to have low self-esteem and may find it difficult to develop a sense of self-worth. They may feel helpless, humiliated and some sense of blame. Our academy may be the only stable, secure and predictable element in their lives.
- 6.2 We accept that the behaviour of a child in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn.

6.3 Our academy will support all pupils by ensuring that pupils are taught about safeguarding. This includes:

- ensuring the content of the curriculum includes social and emotional aspects of learning including through Relationships and Sex Education;
- ensuring a comprehensive curriculum response to e-safety, enabling children and parents to learn about the risks of new technologies and social media and to use these responsibly;
- ensuring that child protection is included in the curriculum to help children stay safe, recognise when they do not feel safe and identify who they might or can talk to;
- providing pupils with a number of appropriate adults to approach if they are in difficulties;
- supporting the child's development in ways that will foster security, confidence and independence;
- encouraging development of self-esteem and self-assertiveness while not condoning aggression or bullying;
- ensuring repeated hate incidents, e.g. racist, homophobic or gender- or disability-based bullying, are considered under child protection procedures;
- liaising and working together with other support services and those agencies involved in safeguarding children; and
- monitoring children who have been identified as having welfare or protection concerns and providing appropriate support;
- ensuring that all staff are aware of the early help process, and understand their role in it, including acting as the lead professional where appropriate;
- ensuring that all staff understand the additional safeguarding issues of children with special educational needs and disabilities and how to address them;
- monitoring attendance patterns and reviewing and responding to them as part of welfare and protection procedures.

## **7. CHILD PROTECTION AND SAFEGUARDING PROCEDURE**

- 7.1 We have developed a structured procedure in line with Thurrock's procedures <https://www.thurrock.gov.uk/childrens-care-professionals-processes/child-protection-procedures> which will be followed by all members of the academy community in cases of suspected abuse. This is detailed in Appendix B.
- 7.2 In line with the procedures, the local early help service at the local authority will be notified as soon as there is a significant concern.
- 7.3 The name of the DSL will be clearly advertised in the academy, with a statement explaining the academy's role in referring and monitoring cases of suspected abuse.
- 7.4 We will ensure all parents and carers are aware of the responsibilities of staff members to safeguard and promote the welfare of children and act in the best interests of children by publishing the policy and procedures on our website and by referring to them in our introductory academy materials.

## **8. RECORD KEEPING**

- 8.1 All child protection and welfare concerns, discussions and decisions made will be recorded in writing and kept in line with each academy area's local safeguarding partnership guidance and are outlined in Appendix B.
- 8.2 We will continue to support any pupil leaving the academy about whom there have been concerns by ensuring that all appropriate information, including child protection and welfare concerns, is forwarded under confidential cover to the pupil's new academy as a matter of priority.

## **9. SAFER WORKFORCE AND MANAGING ALLEGATIONS AGAINST STAFF AND VOLUNTEERS**

- 9.1 We will prevent people who pose risks to children from working in our academy by ensuring that all individuals working in any capacity at our academy have been subjected to safeguarding checks in line with the statutory guidance Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges, September 2020.
- 9.2 We will ensure that agencies and third parties supplying staff provide us evidence that they have made the appropriate level of safeguarding checks on individuals working in our academy. We will also ensure that any agency worker presenting for work is the same person on whom the checks have been made.
- 9.3 Every job description and person specification will have a clear statement about the safeguarding responsibilities of the post holder.
- 9.4 We will ensure that at least one member of every interview panel has completed safer recruitment training.
- 9.5 We have a procedure in place to handle allegations against members of all staff including supply staff and volunteers in line with Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges, September 2020. This procedure is detailed in Appendix B and C and should be followed where it is alleged that anyone working in the academy, including supply teachers and volunteers has:
  - behaved in a way that has harmed a child, or may have harmed a child;
  - possibly committed a criminal offence against or related to a child;
  - 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 they may not be suitable to work with children, for example if a member of staff is involved in domestic violence at home but where no children were involved – we need to consider what triggered these actions and whether a child at school could trigger a reaction thereby putting them at risk.

## **10. STAFF INDUCTION, TRAINING AND DEVELOPMENT**

- 10.1 All new members of staff, including newly-qualified teachers and teaching assistants, will be given an induction that includes basic child protection training on how to recognise signs of abuse, how to respond to any concerns, e-safety and familiarisation with the safeguarding and child protection policy, staff code of conduct, Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges, Part One, and Annex A, and other related policies. We will ensure that staff understand the difference between a safeguarding concern and a child in immediate danger or at risk of significant harm. All staff will be required to sign that they have read Part One as outlined above.



- 10.2 The DSL will undergo updated child protection training every two years. In addition to this their knowledge and skills should be updated regularly, and at least annually, to keep up with developments relevant to the role.
- 10.3 All staff members of the academy will receive annual appropriate safeguarding and child protection training (whole-academy training) which is regularly updated. The DSL will provide briefings to the academy on any changes to child protection legislation and procedures and relevant learning from local and national serious case reviews as required, but at least annually.
- 10.4 Staff members who miss whole-academy training will be required to undertake other relevant training to make up for it, e.g. by joining another academy's whole-academy training.
- 10.5 The nominated AAB lead for safeguarding and child protection will complete safeguarding training prior to or soon after appointment to the role; this training will be updated every three years.
- 10.6 We will ensure that staff members provided by other agencies and third parties, e.g. supply teachers and contractors, have received appropriate child protection training commensurate with their roles before starting work. They will be given the opportunity to take part in whole-academy training if it takes place during their period of work for the academy.
- 10.7 The academy will maintain accurate records of staff induction and training.

## **11. CONFIDENTIALITY, CONSENT AND INFORMATION SHARING**

- 11.1 We recognise that all matters relating to child protection are confidential.
- 11.2 The headteacher or the DSL will disclose any information about a pupil to other members of staff on a need-to-know basis, and in the best interests of the child.
- 11.3 All staff members must be aware that they cannot promise a child to keep secrets which might compromise the child's safety or well-being.
- 11.4 All staff members have a professional responsibility to share information with other agencies in order to safeguard children.
- 11.5 All our staff members who come into contact with children will be given appropriate training to understand the purpose of information sharing in order to safeguard and promote children's welfare.
- 11.6 We will ensure that staff members are confident about what they can and should do under the law, including how to obtain consent to share information and when information can be shared without consent. This is covered in greater detail in Appendix B.

## **12. MULTI-AGENCY WORKING**

- 12.1 We will develop and promote effective working relationships with other agencies, including agencies providing early help services to children, the police and Children's Social Care. We will contribute to multi-agency working in line with statutory guidance Working Together to Safeguard Children. In each area where our academies are based we will work with the three safeguarding partners (the local authority; clinical commissioning group; and police area) and follow the local arrangements set out by the partners.

The website **NPCC – when to call the police** should help designated safeguarding leads understand when they should consider calling the police and what to expect when they do.

12.2 It is important to recognise that schools have a pivotal role to play in multi-agency safeguarding arrangements. As outlined above, MAT trustees and the AAB for each academy should ensure that the academy contributes to multi-agency working in line with the statutory guidance. It is important that senior leaders and trustees make themselves aware of and follow local arrangements.

### **13. CONTRACTORS, SERVICE AND ACTIVITY PROVIDERS AND WORK PLACEMENT PROVIDERS**

13.1 We will ensure that contractors and providers are aware of our academy's safeguarding and child protection policy and procedures. We will require that employees and volunteers provided by these organisations use our procedure to report concerns.

13.2 We will seek assurance that employees and volunteers provided by these organisations and working with our children have been subjected to the appropriate level of safeguarding check in line with Keeping Children Safe in Education. If assurance is not obtained, permission to work with our children or use our academy premises may be refused.

13.3 When we commission services from other organisations, we will ensure that compliance with our policy and procedures is a contractual requirement.

### **14. WHISTLEBLOWING AND COMPLAINTS**

14.1 We recognise that children cannot be expected to raise concerns in an environment where staff members fail to do so.

14.2 We will ensure that all staff members are aware of their duty to raise concerns, where they exist, about the management of child protection, which may include the attitude or actions of colleagues. If necessary, they will speak with the headteacher, the MAT Trustee for safeguarding or with the Local Authority Designated Officer. Should staff not feel able to raise concerns they can call the NSPCC whistleblowing helpline on 0800 028 0285.

14.3 We have a clear reporting procedure for children, parents and other people to report concerns or complaints, including abusive or poor practice.

14.4 We will actively seek the views of children, parents and carers and staff members on our child protection arrangements through surveys, questionnaires and other means.

14.5 Further information and support for staff is available in Appendix C: managing allegations, our code of conduct, and our whistleblowing policy.

## **15. SITE SECURITY**

- 15.1 All staff members have a responsibility to ensure our buildings and grounds are secure and for reporting concerns that may come to light.
- 15.2 We check the identity of all visitors and volunteers coming into the academy. Visitors are expected to sign in and out in the office visitors' log and to display a visitor's badge while on the academy site. OA has a system of blue and red lanyards to differentiate between those who can be on site unattended and those who need to be supervised by another adult at all times. Any individual who is not known or identifiable will be challenged for clarification and reassurance.
- 15.3 The academy will not accept the behaviour of any individual, parent or anyone else, that threatens academy security or leads others, child or adult, to feel unsafe. Such behaviour will be treated as a serious concern and may result in a decision to refuse the person access to the academy site.

## **16. QUALITY ASSURANCE**

- 16.1 We will ensure that systems are in place to monitor the implementation of and compliance with this policy and accompanying procedures. This will include periodic audits of child protection files and records by the DSL.
- 16.2 We will complete an audit of the academy's safeguarding arrangements at frequencies recommended by the Local Safeguarding Children Partnership, using an experienced external auditor. We will also carry out regular internal audits.
- 16.3 The academy's senior management and the trust board will ensure that action is taken to remedy without delay any deficiencies and weaknesses identified in child protection arrangements.

## **17. POLICY REVIEW**

- 17.1 This policy and the procedures will be reviewed every academic year. All other linked policies will be reviewed in line with the policy review cycle.
- 17.2 The DSL will ensure that staff members are made aware of any amendments to policies and procedures.

## **18. LINKED POLICES AND PROCEDURES**

- 18.1 The following policies and procedures are relevant for the child protection and safeguarding policy and procedure.
- Whistleblowing policy
  - Managing allegations (appendix B&C of this policy)
  - Anti-Bullying policy
  - Behaviour policy
  - Positive handling and de-escalation policy
  - ICT and online safety policy
  - Health and Safety policy and other linked policies and risk assessments

# Appendix A

## The role of the Designated Safeguarding Lead

### 1. MANAGING REFERRALS

- 1.1 Refer all cases of suspected abuse to local authority Children's Social Care and to the Police if a crime may have been committed.
- 1.2 Liaise with the headteacher about safeguarding issues relating to individual children, especially ongoing enquiries under section 47 of the Children Act 1989.
- 1.3 Act as a source of support, advice and expertise to staff members on matters of child protection and safeguarding.
- 1.4 Liaise with agencies providing early help services and coordinate referrals from the academy to targeted early help services for children in need of support. Monitor any cases referred to early help and consider referral to children's services where the situation does not improve.
- 1.5 Refer cases to the Channel programme where there is a radicalisation concern as required.

### 2. RECORD KEEPING

- 2.1 Keep written record of child protection and welfare concerns in line with local safeguarding partnership guidance.
- 2.2 Ensure a stand-alone file is created as necessary for children with safeguarding concerns.
- 2.3 Maintain a chronology of significant incidents for each child with safeguarding concerns.
- 2.4 Ensure such records are kept confidentially and securely and separate from the child's educational record.
- 2.5 When a child leaves our academy, the DSL will make contact with the DSL at the new educational establishment and will ensure that the child protection file is forwarded in an appropriately agreed manner. We will retain evidence to demonstrate how the file has been transferred; this may be in the form of a written confirmation of receipt from the receiving academy and/or evidence of recorded delivery. Where a parent elects to remove their child from the academy roll to home educate, the academy will make arrangements to pass any safeguarding concerns to the relevant department within the local authority.

### 3. INTER-AGENCY WORKING AND INFORMATION SHARING

- 3.1 Cooperate with Children's Social Care for enquiries under section 47 of the Children Act 1989.
- 3.2 Attend, or ensure other relevant staff members attend, child protection conferences, core group meetings and other multi-agency meetings, as required.
- 3.3 Liaise with other agencies working with the child, share information as appropriate and contribute to assessments.

## **4. TRAINING**

- 4.1 Undertake appropriate training, updated every two years, and update knowledge and skills at least annually in order to
  - be able to recognise signs of abuse and how to respond to them, including special circumstances such as child sexual exploitation, female genital mutilation, fabricated or induced illness;
  - be aware of responsibilities under the Prevent duty;
  - understand the assessment process for providing early help and intervention;
  - have a working knowledge of how the local authority conducts initial and review child protection case conferences and contribute effectively to these; and
  - be alert to the specific needs of children in need (as specified in section 17 of the Children Act 1989), those with special educational needs, pregnant teenagers and young carers.
- 4.2 Ensure each member of staff has access to and understands the academy's safeguarding and child protection policy and procedures, including providing induction on these matters to new staff members.
- 4.3 Organise whole-academy child protection training for all staff members regularly and provide updates at least annually. Ensure staff members who miss the training receive it by other means, e.g. by joining another academy's training.
- 4.4 Link with each local area's safeguarding partnership to identify appropriate training opportunities for relevant staff members.
- 4.5 Ensure the academy allocates time and resources every year for relevant staff members to attend training.
- 4.6 Encourage a culture of listening to children and taking account of their wishes and feelings in any action the academy takes to protect them.
- 4.7 Maintain accurate records of staff induction and training.

## **5. AWARENESS RAISING**

- 5.1 Review the safeguarding and child protection policy and procedures annually in partnership with OA central who will recommend the policy to the OA MAT board for approval.
- 5.2 Make the safeguarding and child protection policy and procedures available publicly and raise awareness of parents that referrals about suspected abuse may be made and the role of the academy in any investigations that ensue.
- 5.3 Provide updates to the academy on any changes to child protection legislation and procedures and relevant learning from local and national serious case reviews, at least annually.
- 5.4 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 leadership staff. This could include ensuring that 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.

## **6. QUALITY ASSURANCE**

- 6.1 Monitor the implementation of and compliance with policy and procedures, including periodic audits of child protection and welfare concerns files (at a minimum once a year).
- 6.2 Complete an audit of the academy's safeguarding arrangements at frequencies recommended by the Local Safeguarding Children Partnership.
- 6.3 Provide regular reports to the governing body detailing changes and reviews to policy, training undertaken by staff members and the number of children with child protection plans and other relevant data.
- 6.4 Take lead responsibility for remedying any deficiencies and weaknesses identified in child protection arrangements.

# **Appendix B: Child Protection and Safeguarding Procedure**

## **1. DEFINITIONS**

- 1.1 Abuse, including neglect, is a form of maltreatment. A person may abuse or neglect a child by inflicting harm or by failing to prevent harm. Children may be abused within their family, in an institutional or community setting, by those known to them, or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children.
- 1.2 Children are any people who have not yet reached their 18th birthday; a 16-year-old, whether living independently, in further education, in the armed forces or in hospital, is a child and is entitled to the same protection and services as anyone younger.
- 1.3 Child protection is part of safeguarding and promoting the welfare of children and refers to activity undertaken to protect specific children who are suffering, or likely to suffer, significant harm.
- 1.4 Early help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years to teenage years.
- 1.5 Harm is ill treatment or impairment of health and development, including impairment suffered from seeing or hearing the ill treatment of another.
- 1.6 Safeguarding children is the action we take to promote the welfare of children and protect them from harm. Safeguarding and promoting the welfare of children is defined in Working Together to Safeguard Children: A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children (July 2018) as:
  - protecting children from maltreatment;
  - preventing impairment of children's mental and physical health and 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.
- 1.7 Significant harm is the threshold that justifies compulsory intervention in the family in the best interests of the child. Section 31 of the Children Act 1989 states 'where the question of whether harm suffered by a child is significant turns on the child's health or development, his health or development shall be compared with that which could reasonably be expected of a similar child.'

## **2. CATEGORIES OF ABUSE**

2.1 Emotional abuse is the persistent emotional maltreatment of a child such that it causes severe and persistent adverse effects on the child's emotional development. It may involve:

- making a child feel worthless, unloved or inadequate
- making a child feel that they are only there to meet another's needs
- inappropriate age or developmental expectations
- overprotection and limitation of exploration, learning and social interaction
- seeing or hearing the ill treatment of another, e.g. domestic abuse
- making the child feel worthless and unloved - high criticism and low warmth
- serious bullying (including cyberbullying)
- exploitation or corruption.

Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

2.2 Neglect is the persistent failure to meet a child's basic physical or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance misuse. Once a child is born, it may involve a parent failing to:

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

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

2.3 Physical abuse may involve hitting, shaking, throwing, poisoning, burning, 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.

2.4 Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. Activities may involve physical contact, including penetration of any part of the body, or non-penetrative acts. They may include non-contact activities, such as involving children looking at or in the production of sexual images, including on the internet, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Child sexual exploitation is also sexual abuse; it involves children and young people receiving something, for example accommodation, drugs, gifts or affection, as a result of them performing sexual activities, or having others perform sexual activities on them. It could take the form of grooming of children, e.g. to take part in sexual activities or to post sexual images of themselves on the internet.

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

### **3. SPECIFIC SAFEGUARDING ISSUES**

- 3.1 Academy staff members need to be aware of specific safeguarding issues and be alert to any risks. This section provides information about specific issues such as child sexual exploitation, female genital mutilation, children who harm other children, private fostering, etc, and links to further information are available at the end of the list.
- 3.2 The government website, GOV.UK, has broad government guidance on a variety of issues. The following is not a comprehensive list and staff members should refer to Annex A in Keeping Children Safe in Education and search the GOV.UK website and local LSCB procedures for advice on other issues.

- child missing from education
- child sexual exploitation (CSE)
- child criminal exploitation (CCE)
- county lines
- children and the court system (when children are appearing as witnesses)
- children with family members in prison
- bullying including cyberbullying – refer to OA's anti-bullying policy
- domestic abuse
- online safety
- fabricated or induced illness
- faith abuse
- FGM (Female Genital Mutilation)
- forced marriage
- gangs and youth violence
- gender-based violence/violence against women and girls (VAWG)
- so-called 'honour-based' abuse
- homelessness
- mental health
- private fostering
- preventing radicalisation and the Prevent duty
- self-harm and suicidal behaviour
- sexting
- peer on peer abuse, and sexual violence/harassment between children
- trafficking

Further information is provided on some of the above categories in the following pages and sources of information for all are provided on page 82 of Keeping Children Safe in Education 2020.

If you are concerned about a child experiencing any of the above, you should discuss this with your Designated Safeguarding Lead.



- 3.3 **Children missing from education:** All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should be aware of their academy's unauthorised absence and children missing from education procedures.

All educational establishments must inform the local authority of any pupil who fails to attend the academy regularly, or has been absent without the academy's permission for a continuous period of 10 school days or more, at such intervals as are agreed between the academy and the local authority (or in default of such agreement, at intervals determined by the Secretary of State).

Where reasonably possible, the academy should hold more than one emergency contact for each pupil. This goes beyond the legal minimum requirement but is good practice to ensure the academy always has more than one option to contact a responsible adult when a safeguarding/welfare concern arises.

- 3.4 **Child sexual exploitation:** Child sexual exploitation (CSE) involves exploitative situations, contexts and relationships where young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) as a result of engaging in sexual activities. Sexual exploitation can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks out exploitation is an imbalance of power in the relationship. The perpetrator always holds some kind of power over the victim which increases as the exploitative relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming. However, it is also important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

Teachers and academy staff are more likely to see victims on a regular basis than almost any other professional. They will notice recurrent or prolonged absences and significant changes in behaviour. Recording a chronology will enable these patterns to be identified. They are key to identifying children at risk and raise concerns at an early stage, to potentially halt the grooming process before sexual exploitation has begun. Teachers will highlight concerns about missing children as they may be at risk of child sexual exploitation.

Some of the following signs may be indicators of sexual exploitation:

- children who appear with unexplained gifts or new possessions
- children who associate with other young people involved in exploitation
- children who have older boyfriends or girlfriends
- children who suffer from sexually transmitted infections or become pregnant
- children who suffer from changes in emotional well-being
- children who misuse drugs and alcohol
- children who go missing for periods of time or regularly come home late
- children who regularly miss academy

Due to the nature of the grooming methods used by their abusers, it is very common for children and young people who are sexually exploited not to recognise that they are being abused. Practitioners should be aware that young people particularly aged 17 and 18 may believe themselves to be acting voluntarily and will need practitioners to work with them so they can recognise that they are being sexually exploited.

As much as possible it is important that the young person is involved in decisions that are made about them.

Further guidance is available here:

[www.gov.uk/government/publications/what-to-do-if-you-suspect-a-child-is-being-sexually-exploited](http://www.gov.uk/government/publications/what-to-do-if-you-suspect-a-child-is-being-sexually-exploited)

[www.gov.uk/government/publications/safeguarding-children-and-young-people-from-sexual-exploitation-supplementary-guidance](http://www.gov.uk/government/publications/safeguarding-children-and-young-people-from-sexual-exploitation-supplementary-guidance)

- 3.5 **Children and the court system:** All staff should be aware that any child involved in legal proceedings should be made known to the Designated Safeguarding Lead. Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. Where there is a family break up making child arrangements via the family courts following separation can be stressful and entrench conflict in families.
- 3.6 **Children with family members in prison:** Approximately 200,000 children have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. Staff must inform the Designated Safeguarding Lead if they know a child has a family member in prison.
- 3.7 **Child Criminal Exploitation (CCE):** CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology.

CCE can include children being forced to work in cannabis factories, being coerced into moving drugs or money across the country (county lines), forced to shoplift or pickpocket, or to threaten other young people. Some of the following can be indicators of CCE:

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

Staff must inform the Designated Safeguarding Lead if they have concerns about a child.

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

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move [and store] drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in a number of locations including schools, further and higher educational institutions, pupil referral units, special educational needs schools, children’s homes and care homes.

Children are often recruited to move drugs and money between locations and are known to be exposed to techniques such as ‘plugging’, where drugs are concealed internally to avoid detection. Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

One of the ways of identifying potential involvement in county lines are missing episodes (both from home and school), when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism should be considered. If a child is suspected to be at risk of or involved in county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation.

Further information on the signs of a child’s involvement in county lines is available in guidance published by the Home Office.

3.9 **Domestic abuse:** The cross-government definition of domestic violence and abuse is: ‘Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.’ The abuse can encompass, but is not limited to:

- psychological;
- physical;
- sexual;
- financial; and
- emotional.

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

Advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

NSPCC: UK domestic-abuse signs, symptoms and effects

Refuge: what is domestic violence/effects of domestic violence on children

Safelives: young people and domestic abuse

**Operation Encompass** operates in the majority of police forces across England. It helps police and schools work together to provide emotional and practical help to children. The system ensures that when police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the police will inform the key adult (usually the designated safeguarding lead) in school before the child or children arrive at school the following day. This ensures that the academy has up to date relevant information about the child's circumstances and can enable support to be given to the child according to their needs. Police forces not signed up to Operation Encompass will have their own arrangements in place.

- 3.10 **Mental Health:** All staff should also 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.

The Department for Education has published advice and guidance on Preventing and Tackling Bullying, and Mental Health and Behaviour in Schools. In addition, Public Health England has produced a range of resources to support secondary school teachers to promote positive health, wellbeing and resilience among young people including its guidance Promoting children and young people's emotional health and wellbeing. Its resources include social media, forming positive relationships, smoking and alcohol. See the website Rise Above for links to all materials and lesson plans.

- 3.11 **Online safety (use of ICT, the internet, mobile technology and social media):** The academy has an ICT and online safety policy and social media policy which includes guidance for all pupils in relation to online safety and using the internet and social media. There are appropriate filtering and monitoring systems in place. Staff are encouraged to report their concerns if they believe that children are using the internet, mobile technology or social media inappropriately (e.g. sexting). In these instances, the DSL should contact local authority children's services for advice on how to proceed with regards to talking to parents and carers about online safety. In some extreme cases the police may become involved if a child is at risk of exploitation due to their use of the internet or social media. Consequently, staff must report concerns in a timely way so that advice and support can be sought.

For further information see Keeping Children Safe in Education Annex C and the DFE's Teaching online safety in school.

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

**FGM mandatory reporting duty for teachers:** Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found via the weblink: [Mandatory reporting of female genital mutilation: procedural information](#).

Teachers **must** personally report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the teacher has good reason not to, they should still consider and discuss any such case with the academy’s designated safeguarding lead (or deputy) and involve children’s social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures. The following weblink is a useful summary of the FGM mandatory reporting duty: [FGM Fact Sheet](#).

- 3.13 **Forced marriage:** A forced marriage is one in which at least one participant does not (or cannot) consent to the marriage and pressure or abuse is used. It is recognised in the UK as a serious abuse of human rights.

The pressure put on people to marry against their will can be physical (including threats of violence, actual physical violence and sexual violence) or emotional and psychological (e.g. shame and coercion). Financial abuse can also be a factor.

Whilst it is unlikely that primary-age pupils will be the victims of forced marriage, they may disclose that older siblings or parents are at risk.

Further information on the role of educational establishments can be found on pages 35-36 of [Multi-agency guidelines: Handling cases of forced marriage](#). Academy staff can contact the Forced Marriage Unit on 020 7008 0151 or email [fm@fco.gov.uk](mailto:fm@fco.gov.uk) for advice or information.

- 3.14 **Homelessness:** Being homeless or being at risk of becoming homeless presents a real risk to a child’s welfare. The designated safeguarding lead has contact details and referral routes into Thurrock Housing department so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. There should always be a referral to the Local Authority if a child has been harmed or is at risk of harm.

In most cases staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it is also recognised that in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children’s services will be the lead agency for these young people and the designated safeguarding lead will ensure appropriate referrals are made based on the child’s circumstances.

3.15 **Private fostering:** Parents and carers often fail to notify schools about private fostering arrangements even though they are legally required to notify the local authority's children's services department. Often this is because they are unaware of the requirements. They believe that this is a private family arrangement which does not concern anybody else. This lack of awareness means that many privately fostered children remain hidden and can be vulnerable, as in the case of Victoria Climbié who was a privately fostered child.

**Private fostering definition -** Private fostering occurs when a child under 16 (or 18 if the child is disabled) is cared for and lives with an adult who is not a relative for 28 days or more. This could be a step parent (by marriage or civil partnership), grandparent, step grandparent, brother, sister, uncle or aunt.

Private fostering is a private arrangement made by the parent(s), (or those with parental responsibility) for someone to care for their child because they are unable to do so (permanently or temporarily). This may be due to a number of reasons such as parental ill health, a parent going abroad or in to prison, a child being brought to the UK to study English or the relationship between the child and parent has broken down.

Academy staff play an essential role in identifying privately fostered children. If you know a child is being privately fostered you should advise the parent/carer that they have a legal obligation to report the arrangement to Children's Social Care at least six weeks before it happens or within 48 hours if the arrangement is current having been made in an emergency.

3.16 **So-called 'honour-based' abuse:** 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. Staff need to be alert to the possibility of a child being at risk of HBA, or already having suffered HBA and should speak with the designated safeguarding lead or their deputy should they be concerned.

3.17 **Preventing radicalisation:** children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of the academy's safeguarding approach.

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

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

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

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation

can occur through many different methods (such as social media) and settings (such as the internet).

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children's behaviour which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead (or deputy) making a referral to the Channel programme.

### **The Prevent duty**

All schools and colleges are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the Prevent duty.

The Prevent duty should be seen as part of schools' and colleges' wider safeguarding obligations. Designated safeguarding leads and other senior leaders should familiarise themselves with the Revised Prevent duty guidance: for England and Wales, especially paragraphs 57-76 which are specifically concerned with schools (and also covers childcare). The guidance is set out in terms of four general themes: Risk assessment, working in partnership, staff training, and IT policies.

### **Additional support**

The DFE has published advice for schools on the Prevent duty. The advice is intended to complement the Prevent guidance and signposts other sources of advice and support. Educate Against Hate, a website launched by the Government has been developed to support and equip school and college leaders, teachers, and parents with information, tools and resources (including on the promotion of fundamental British values) to help recognise and address extremism and radicalisation in young people. The platform provides information on and access to training resources for teachers, staff and school and college leaders, some of which are free such as Prevent e-learning, via the Prevent Training catalogue.

**Channel** is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for schools to make referrals if they are concerned that an individual might be vulnerable to radicalisation. An individual's engagement with the programme is entirely voluntary at all stages. Guidance on Channel is available via the website: Channel guidance, and an awareness e-learning programme is available for staff via the link.

The school or college's Designated Safeguarding Lead (and any deputies) should be aware of local procedures for making a Channel referral. As a Channel partner, the school or college may be asked to attend a Channel panel to discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required.

- 3.18 **Self-harm and suicidal behaviour:** Self harm, self-mutilation, eating disorders, suicide threats and gestures by a child must always be taken seriously and may be indicative of a serious mental or emotional disturbance.

Refer to the Thurrock Local Safeguarding Partnership Child Protection and Safeguarding Procedures for guidance on recognition and reporting.

3.19 **Sexting:** The term 'sexting' relates to the sending of indecent images, videos and/or written messages with sexually explicit content. These are created and sent electronically. They are often 'shared' via social networking sites and instant messaging services. This academy will not tolerate sexting, it is inappropriate and illegal amongst young people and can have extremely damaging and long-lasting consequences. Sexting is unacceptable behaviour. The misuse of electronic communication, such as sexting, inappropriate comments on social media platforms, being the object of cyber-bullying and online grooming are all potential safeguarding concerns. We have a responsibility to work with parents and carers in ensuring that all pupils are fully aware of the dangers and possible repercussions of sexting.

Detail on handling sexting and nude selfie incidents and a concern form is provided in our online safety policy.

3.20 **Peer on peer abuse:** Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to) bullying (including cyberbullying / online bullying); sexual violence and sexual harassment; upskirting which typically involves taking a picture under a person's clothing without them knowing; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

**Sexual violence and sexual harassment between children:** 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, in all likelihood, 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. Evidence shows girls, children with SEND and LGBT children are at greater 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 up skirts. Dismissing or tolerating such behaviours risks normalising them.

Staff must inform the Designated Safeguarding Lead if they have concerns about a child.

Further advice on sexual violence and sexual harassment between children in schools and colleges can be found here: [www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges](http://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges)

3.21 **Upskirting:** The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and/or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any gender can be a victim.



3.22 **Serious Violence:** 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 engagement, 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 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.

#### **4. RECOGNITION - WHAT TO LOOK FOR**

4.1 Staff members should refer to the detailed information about the categories of abuse and risk indicators in each local area's safeguarding partnership procedures for further guidance.

4.2 In an abusive relationship, the child may:

- appear frightened of their parent(s)
- act in a way that is inappropriate to their age and development, although full account needs to be taken of different patterns of development and different ethnic groups.

4.3 In an abusive relationship, the parent or carer may:

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

4.4 Serious case reviews have found that parental substance misuse, domestic abuse and mental health problems, sometimes referred to as the 'toxic trio', if they coexist in a family could mean significant risks to children. Problems can be compounded by poverty, frequent house moves or eviction.

4.5 Staff should be aware that children with special educational needs and disabilities can face additional safeguarding challenges including:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability
- children with special educational needs and disabilities are particularly vulnerable to bullying and often show no outward signs
- communication issues can be a barrier to effective safeguarding.

## **5. ALLEGATIONS OF ABUSE MADE AGAINST OTHER CHILDREN**

5.1 At our academy we believe that all children have a right to attend the academy and learn in a safe environment. Children should be free from harm by adults in the academy and other pupils.

We recognise that some pupils will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under the academy's Behaviour Policy.

### **5.2 Safeguarding allegations**

It is important to remember that peer-on-peer abuse does not occur in a vacuum. It occurs in a society where there are structures and norms that shape young people's views, experiences and behaviours, as well as responses to them. Consequently there are different issues of gender that will need to be considered when responding to allegations made against pupils by others in the academy, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is likely that to be considered a safeguarding allegation against a pupil, some of the following features will be found.

The allegation:

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

### **5.3 Examples of safeguarding issues against a pupil could include:**

Physical Abuse

- violence, particularly pre-planned
- forcing others to use drugs or alcohol

Emotional Abuse

- blackmail or extortion
- threats and intimidation

Sexual Abuse

- indecent exposure, indecent touching or serious sexual assaults
- forcing others to watch pornography or take part in sexting

Sexual Exploitation

- encouraging other children to attend inappropriate parties
- photographing or videoing other children performing indecent acts

In areas where gangs are prevalent, older pupils may attempt to recruit younger pupils using any or all of the above methods. Young people suffering from sexual exploitation themselves may be forced to recruit other young people under threat of violence.

#### 5.4 **Minimising the risk of safeguarding concerns towards pupils from other pupils**

We will provide a developmentally appropriate PSHE and RSE syllabus which develops pupils' understanding of acceptable behaviour and keeping themselves safe. We will:

- have systems in place for any pupil to raise concerns with staff, knowing they will be listened to, believed and valued.
- deliver targeted work on assertiveness and keeping safe to those pupils identified as being at risk.

On occasion, some pupils will present a safeguarding risk to other pupils. The academy should be informed that the young person raises safeguarding concerns, for example, they are coming back into the academy following a period in custody or they have experienced serious abuse themselves.

These pupils will need an individual risk management plan to ensure that other pupils are kept safe and they themselves are not laid open to malicious allegations. There is a need to balance the tension between privacy and safeguarding.

#### 5.5 **What to do**

When an allegation is made by a pupil against another pupil, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern the DSL should be informed.

A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances.

The DSL should contact Children's Social Care to discuss the case. It is possible that Children's Social Care are already aware of safeguarding concerns around this young person. The DSL will follow through the outcomes of the discussion and make a statement of referral where appropriate.

The DSL will make a record of the concern, the discussion and any outcome and keep a copy in the files of both pupils' files.

If the allegation indicates a potential criminal offence has taken place, the police should be contacted at the earliest opportunity and parents informed (of both the pupil being complained about and the alleged victim).

Where neither Children's Social Care nor the police accept the complaint, a thorough academy investigation should take place into the matter using the academy's usual disciplinary procedures. In situations where the academy considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan. The plan should be monitored and a date set for a follow-up evaluation with everyone concerned.

### **6. WHAT ACTION TO TAKE IF YOU HAVE CONCERNS ABOUT A CHILD**

#### **6.1 It is the responsibility of staff to report and record their concerns as soon as possible.**

**We actively encourage a 'never do nothing' attitude if staff have a concern about a child and promote discussion with the DSL if in any doubt. It is not their responsibility to investigate or decide whether a child has been abused.**

6.2 Key points for staff to remember for taking action are:

- if an emergency take the action necessary to help the child, for example, call 999
- RECORD your concern on CPOMs. If you do not have access to CPOMs please complete the safeguarding concern form which can be found on the safeguarding noticeboard and on the shared drive, and in appendix F, then return this to the DSL.
- do not start your own investigation
- share information on a need-to-know basis only – do not discuss the issue unnecessarily with colleagues, friends or family.
- seek support for yourself if you are distressed.

### 6.3 **If you are concerned about a pupil's welfare**

There will be occasions when staff may suspect that a pupil may be at risk but have no 'real' evidence. The pupil's behaviour may have changed, their artwork could be bizarre, they may write stories or poetry that reveal confusion or distress, or physical but inconclusive signs may have been noticed. In these circumstances, staff will give the pupil the opportunity to talk. The signs they have noticed may be due to a variety of factors, for example, a parent has moved out, a pet has died, a grandparent is very ill. It is fine for staff to ask the pupil if they are OK or if they can help in any way.

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

### 6.4 **Records and monitoring**

#### **Why recording is important**

Our staff will be encouraged to understand why it is important that recording is timely, comprehensive and accurate and what the messages are from serious case reviews in terms of recording and sharing information.

#### **Cause for concerns forms**

Any concerns about a child will be recorded ASAP and definitely within 24 hours. All records will provide a factual and evidence based account and there will be accurate recording of any actions. Records will be signed, dated and, where appropriate, witnessed.

At no time will staff take photographic evidence of any injuries or marks to a child's person. The body map will be used instead in accordance with recording guidance.

It may be appropriate for the DSL to open a secure safeguarding file and start a chronology page. This will help in building patterns and decision making.

We will feedback to the staff member any actions, however this will be on a need to know basis. It may not be appropriate for staff members to know every detail of the child's life.

### 6.5 **The safeguarding file**

The establishment of a safeguarding file is an important principle in terms of storing and collating information about children which relates to either a safeguarding concern or an accumulation of welfare concerns which are outside of the usual range of concerns in ordinary life events.

It needs to be borne in mind that what constitutes a 'concern' for one child may not be a 'concern' for another and the particular child's circumstances and needs will differ e.g. a child subject to a child protection plan, looked after child or Child in Need may be looked at differently to a child recently bereaved, parental health issues etc. We will therefore use professional judgement when making this decision as will have clear links and discussions between pastoral staff and DSLs.

This file will be kept separately from the main pupil file and will be held securely only to be accessed by appropriately trained people. The main file will have a marker to signify that a separate file exists for that child.

The academy will keep written records of concerns about children even where there is no need to refer the matter to external agencies immediately. Each child will have an individual file i.e. no family files.

All incidents/episodes will be recorded e.g. phone calls to other agencies, in the chronology with more detail and analysis in the body of the file. This will help build a picture and help the DSL in analysis and action, which may include no further action, monitoring, whether a CAF should be undertaken, or whether a referral should be made to other agencies - MASH.

In cases where there is multi agency involvement - meetings and plans, actions and responsibilities shall be clarified and outcomes recorded.

Files will be made available for external scrutiny for example by a regulatory agency or because of a serious case review or audit.

Records will be kept up to date and reviewed regularly by the DSL to evidence and support actions taken by staff in discharging their safeguarding arrangements.

The file can be non-active in terms of monitoring i.e. a child is no longer LAC, subject to a child protection plan. If future concerns then arise it can be re-activated and indicated as such on the front sheet and on the chronology as new information arises.

If the child moves to another school, the file will be securely sent or taken to the DSL at the new establishment/school and a written receipt will be obtained. There will be a timely liaison between each school's DSL to ensure a smooth and safe transition for the child. We will retain a copy of the chronology to evidence actions, in accordance with record retention guidance.

## **6.6 Referral to Children's Social Care**

The DSL will make a referral to Children's Social Care if it is believed that a pupil is suffering or is at risk of suffering significant harm. This is best done with reference to the local Common Assessment Framework. If there is already a social worker assigned to this case, for safeguarding reasons, the social worker should be contacted.

The pupil (subject to their age and understanding) and the parents will be told that a referral is being made, unless to do so would increase the risk to the child.

If the situation does not appear to be improving the academy will press for reconsideration and if necessary follow the local safeguarding partnership's professional disagreement procedure.

Any member of staff can refer to other agencies in exceptional circumstances i.e. in an emergency or when there is a genuine concern that action has not been taken.

## 6.7 Confidentiality and sharing information

Trustees should ensure relevant staff have due regard to the relevant data principles, which allow them to share and withhold personal information as provided for in the Data Protection Act 2018 and the GDPR. This includes:

- being confident of the processing conditions which allow staff to store and share information for safeguarding purposes, including information which is sensitive and personal, and should be treated as 'special category personal data'.
- understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This includes allowing practitioners to share information without consent where there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner but if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.
- for schools, not providing pupils' personal data where the serious harm test under the legislation is met. For example, in a situation where a child is in a refuge or another form of emergency accommodation, and the serious harms test is met, they must withhold providing the data in compliance with schools' obligations under the Data Protection Act 2018 and the GDPR. Where in doubt schools should seek independent legal advice.

Within OA, staff will only discuss concerns with the DSL, headteacher or MAT lead safeguarding trustee (depending on who is the subject of the concern). That person will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis.

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

However, if we believe that notifying parents could increase the risk to the child or exacerbate the problem, advice will first be sought from Children's Social Care.

The Seven Golden Rules for Safeguarding Information Sharing 2018:

- General Data Protection Regulation (GDPR), Data Protection/Human rights laws are not a barrier.
- Be open and honest (unless unsafe or inappropriate).
- Seek advice (anonymise if necessary).
- Where possible, share with consent and where possible, respect the wishes of those who do not consent (see below for further information).
- Consider safety and wellbeing.
- Necessary, proportionate, relevant, adequate, accurate, timely and secure.
- Keep a record of decision and reason for it.

[www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice](http://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice)

The General Data Protection Regulation (GDPR) and Data Protection Act 2018 do not prevent staff from sharing information with relevant agencies, where that information may help to protect a child. Ideally information sharing will be done in writing so that there is an evidence trail however there may be occasions where this method is too slow. In cases where agencies such as MASH (Multi Agency

Safeguarding Hub) ring the academy requesting information, reception staff will take a message and inform the DSL immediately. The DSL will ensure they can identify who is requesting the information before sharing and then record what has been shared, when, why and with whom.

Child protection records are normally exempt from the disclosure provisions of the Data Protection Act, which means that children and parents do not have an automatic right to see them. If any member of staff receives a request from a pupil or parent to see child protection records, they will refer the request to the headteacher.

Any personal safeguarding information shared with external agencies will be done so securely e.g. by secure email, password protected or recorded delivery.

## **7. DEALING WITH A DISCLOSURE MADE BY A CHILD - ADVICE FOR ALL MEMBERS OF STAFF**

7.1 If a child discloses that he or she has been abused in some way, the member of staff or volunteer should follow this guidance.

- Listen to what is being said without displaying shock or disbelief.
- Only ask questions when necessary to clarify.
- Accept what is being said.
- Allow the child to talk freely – do not put words in the child’s mouth.
- Reassure the child that what has happened is not his or her fault.
- Do not make promises that you may not be able to keep.
- Do not promise confidentiality – it may be necessary to refer the child to Children’s Social Care.
- Stress that it was the right thing to tell.
- Do not criticise the alleged perpetrator.
- Explain what has to be done next and who has to be told.
- Inform the DSL without delay.
- Complete the child protection incident/welfare concern form and pass it to the DSL.
- Dealing with a disclosure from a child and safeguarding issues can be stressful. Consider seeking support for yourself and discuss this with the DSL.

## **8. DISCUSSING CONCERNS WITH THE FAMILY AND THE CHILD - ADVICE FOR THE DESIGNATED SAFEGUARDING LEAD**

8.1 In general, you should always discuss any concerns the academy may have with the child’s parents. They need to know that you are worried about their child. However, you should not discuss your concerns if you believe that this would place the child at greater risk or lead to loss of evidence for a police investigation.

8.2 If you make a decision not to discuss your concerns with the child’s parents or carers this must be recorded in the child’s child protection file with a full explanation for your decision.

8.3 It is important to consider the child’s wishes and feelings, if age appropriate, as part of planning what action to take in relation to concerns about their welfare.

- 8.4 When talking to children, you should take account of their age, understanding and preferred language, which may not be English. It is also important to consider how a disabled child may need support in communicating.
- 8.5 How you talk to a child will also depend on the substance and seriousness of the concerns. You may need to seek advice from Children's Social Care or the police to ensure that neither the safety of the child nor any subsequent investigation is jeopardised.
- 8.6 If concerns have arisen as a result of information given by a child, it is important to reassure the child but not to promise confidentiality.
- 8.7 It is expected that you discuss your concerns with the parents and seek their agreement to making a referral to Children's Social Care, unless you consider that this would place the child at increased risk of significant harm.
- 8.8 You do not need the parents' consent to make a referral if you consider the child is in need of protection, although parents will ultimately be made aware of which organisation made the referral.
- 8.9 If parents refuse to give consent to a referral but you decide to continue, you need to make this clear to Children's Social Care.
- 8.10 If you decide to refer the child without the parents' consent, make sure to record this with a full explanation of your decision.
- 8.11 When you make your referral, you should agree with Children's Social Care what the child and parents will be told, by whom and when.
- 8.12 See section 11 for guidance on information sharing and consent.

## **9. EARLY HELP FOR CHILDREN AND FAMILIES**

- 9.1 Most parents can look after their children without the need of help other than from their family or friends. However, some parents may need additional help from our academy or other services such as the NHS. Providing help early is more effective in promoting the welfare of children than reacting later.
- 9.2 Our academy will work together with other agencies to provide a coordinated offer of early help, in line with Working Together to Safeguard Children and local guidance, to any child who needs it.
- 9.3 We will pool our knowledge within the academy and with other agencies about which families or children need additional support in a range of ways so that we can work out how best to help them. We will use the early help framework within Children's Social Care to identify what level of need the child or their family has.
- 9.4 We will work closely with targeted early help services and Children's Social Care if we feel families need more support and input, or children are at risk of harm, and we will continue to provide support if other services are also needed.

## **10. CHILDREN'S SOCIAL CARE LED RESPONSES TO CONCERNS ABOUT A CHILD**

- 10.1 Once Children's Social Care has accepted our referral as needing a social-care-led response, a senior social work practitioner and their manager will evaluate the concerns to identify the sources and levels of risk and to agree what protective action may be necessary.



- 10.2 The evaluation of concerns and risks involve deciding whether:
- the child needs immediate protection and urgent action is necessary; or
  - the child is suffering, or at risk of suffering, significant harm and enquiries need to be made under section 47 of the Children Act 1989; or
  - the child is in need and should be assessed under section 17 of the Children Act 1989.
- 10.3 We will cooperate with Children’s Social Care and the police in any emergency action they take using their legal powers for immediate protection of the child. This may involve removing the child from their home.
- 10.4 We will participate in any multi-agency discussions (strategy discussions), if invited to do so, and share information about the child and their family to plan the response to concerns.
- 10.5 We will share information about the child and their family for section 47 enquiries and family assessments undertaken by Children’s Social Care.
- 10.6 We will ensure that a relevant staff member participates in all initial and review child protection conferences, if we are invited to attend. The staff member will work together with other agencies to discuss the need for and agree to an outcome-focused child protection plan and will ensure that the child’s wishes and views are considered in their own right in planning.
- 10.7 If we are members of the core group to implement a child protection plan, we will ensure a relevant staff member participates in all core group meetings.
- 10.8 We will ensure that we complete all actions allocated to us as part of the outcome-focused plan, whether a child protection plan or a family support plan, in a timely way.
- 10.9 We will continue to monitor children once their plans are ended to ensure that they are supported and kept safe.

## **11. INFORMATION SHARING AND CONSENT**

- 11.1 It is essential that people working with children can confidently share information as part of their day-to-day work. This is necessary not only to safeguard and protect children from harm but also to work together to support families to improve outcomes for all.
- 11.2 School leaders should ensure that all staff who need to share ‘special category personal data’ are aware that the Data Protection Act 2018 contains ‘safeguarding of children and individuals at risk’ as a processing condition. This allow practitioners to share information without consent, if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.
- 11.3 The academy may have to share information about parents or carers, such as their medical history, disability or substance misuse issues, for investigations of child abuse carried out by Children’s Social Care.
- 11.4 We will proactively seek out information as well as sharing it. This means checking with other professionals whether they have information that helps us to be as well informed as possible when working to support children.
- 11.5 The Data Protection Act 2018 is not a barrier to sharing information. It is there to ensure that personal information is managed in a sensible way and that a balance is struck between a person’s privacy and public protection.
- 11.6 We should be sharing any concerns we have with parents at an early stage, unless this would put a child at greater risk or compromise an investigation. Parents need

to know what our responsibilities are for safeguarding and protecting children and that this involves sharing information about them with other professionals.

- 11.7 Be clear about the purpose of sharing confidential information and only share as much as you need to achieve your purpose.
- 11.8 Try to get consent from parents (or the child, if they have sufficient understanding <sup>1</sup>) to share information, if possible. However, you do not need consent if you have serious concerns about a child's safety and well-being. If you decide to share information without consent, you should record this with a full explanation of your decision.
- 11.9 Consent should not be sought from parents or carers (or the child, if they have sufficient understanding), if:
- it would place a child at increased risk of harm; or
  - it would place an adult at risk of serious harm; or
  - it would prejudice a criminal investigation; or
  - it would lead to unjustified delay in making enquiries about allegations of significant harm to a child; or
  - required by law or a court order to share information.
- 11.10 Consent is not necessary in cases where Children's Social Care are making child protection enquiries under section 47 of the Children Act 1989. Information needs to be shared with Children's Social Care; staff members must make sure to record what information has been shared.
- 11.11 Consent is necessary for:
- Children's Social Care investigations or assessments of concerns under section 17 of the Children Act 1989. Children's Social Care will assume that we have obtained consent from the parents to share information unless we make them aware that there is a specific issue about consent. This must be discussed with a social worker in Children's Social Care.
  - early help assessments. Assessments are undertaken with the agreement of the child and their parents or carers.
- 11.12 If you are in any doubt about the need for seeking consent, get advice from the DSL or from Children's Social Care.
- 11.13 Keep a record of your decision to share information, with or without consent, and the reasons for it. Remember also that it is just as important to keep a record of why you decided not to share information as why you did so.

## **12. RECORD KEEPING**

- 12.1 Good record keeping is an important part of the academy's accountability to children and their families and will help us in meeting our key responsibility to respond appropriately to welfare concerns about children. We will keep our records in line with our information management and retention policies.
- 12.2 All academies use CPOMs for the secure storage and sharing of information related to safeguarding. If staff do not feel confident in the use of CPOMS they should ask for further training from the DSL.

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<sup>1</sup> Children aged 12 or over may generally be expected to have sufficient understanding. Younger children may also have sufficient understanding. All people aged 16 and over are presumed, in law, to have the capacity to give or withhold their consent, unless there is evidence to the contrary.

- 12.3 Records should be factual, accurate, relevant, up to date and auditable. They should support monitoring, risk assessment and planning for children and enable informed and timely decisions about appropriate action to take.
- 12.4 All staff members, governors, volunteers, contractors and activity providers should ensure that they record and report safeguarding concerns in line with guidance from the LSCB procedures.
- 12.5 The DSL will ensure that records (be they on CPOMS or in paper format) are maintained appropriately and securely for children with safeguarding concerns and that stand-alone files are created and maintained in line with requirements of the above guidance.

### **13. PROFESSIONAL CHALLENGE AND DISAGREEMENTS**

- 13.1 Working with children and families, and in particular child protection work, is stressful and complex, as well as involving uncertainty and strong feelings. To ensure that the best decisions are made for children, we need to be able to challenge one another's practice.
- 13.2 We will promote a culture within our academy that enables all staff members to raise, without fear of repercussions, any concerns they may have about the management of child protection in the academy. This may include raising concerns about decisions, action and inaction by colleagues about individual children. If necessary, staff members will speak with the Designated Safeguarding Lead, the headteacher, the MAT safeguarding lead trustee or with the Local Authority Designated Officer.
- 13.3 Cooperation across agencies is crucial; professionals need to work together, using their skills and experience, to make a robust contribution to safeguarding children and promoting their welfare within the framework of discussions, meetings, conferences and case management.
- 13.4 If there are any professional disagreements with practitioners from other agencies, the DSL or the headteacher will raise concerns with the relevant agency's safeguarding lead in line with guidance in the Thurrock Local Safeguarding Partnership procedures.
- 13.5 If the academy disagrees with the child protection conference chair's decision, the DSL or the headteacher will consider whether they wish to challenge it further and raise the matter with Children's Services Head of Safeguarding.

### **14. SAFER RECRUITMENT**

- 14.1 Our academy has robust recruitment and vetting procedures to help prevent unsuitable people from working with children.
- 14.2 Our job advertisements and application packs make explicit reference to the academy's commitment to safeguarding children, including compliance with the Disclosure and Barring Service (DBS) process and clear statements in the job description and person specification about the staff member's safeguarding responsibilities.
- 14.3 All staff members who have contact with children, young people and families will have appropriate pre-employment checks in line with Keeping Children Safe in Education: Statutory Guidance for schools and colleges and with the local safeguarding partner procedures.
- 14.4 At least one member on every short listing and interview panel will have completed safer recruitment training. The headteacher is responsible for ensuring that safer recruitment training is kept up to date.

14.5 The headteacher and trust lead for safeguarding are responsible for ensuring that our single central record is accurate and up to date.

## **15. PROCEDURE FOR MANAGING ALLEGATIONS OF ABUSE MADE AGAINST ALL ACADEMY STAFF MEMBERS, INCLUDING SUPPLY STAFF AND VOLUNTEERS**

15.1 Our aim is to provide a safe and supportive environment which secures the well being and very best outcomes for the children at our academy. We do recognise that sometimes the behaviour of adults may lead to an allegation of abuse being made.

15.2 Allegations sometimes arise from a differing understanding of the same event, but when they occur they are distressing and difficult for all concerned. We also recognise that many allegations are genuine and there are some adults who deliberately seek to harm or abuse children.

15.3 We will take all possible steps to safeguard our children and to ensure that the adults in our academy are safe to work with children. We will always ensure that the procedures outlined in Part 4 of Keeping Children Safe in Education are adhered to.

15.4 Staff are also reminded on a regular basis via this policy and the staff code of conduct that their own relationships and associations (including online) may have an implication for the safeguarding of pupils, and if there are concerns about that, then you should inform the DSL or headteacher immediately.

15.5 If an allegation is made or information is received about an adult who works in our setting which indicates that they may be unsuitable to work with children, the member of staff receiving the information should inform the headteacher immediately. Should an allegation be made against the headteacher, this will be reported to the exec headteacher or CEO who will also report to the MAT lead safeguarding trustee and AAB safeguarding lead as appropriate. In the event that neither the headteacher nor exec headteacher or CEO are contactable on that day, the information must be passed to and dealt with by either the member of staff acting as headteacher or the MAT lead trustee for safeguarding.

15.6 The headteacher will follow the flow chart outlined in Appendix C. No member of staff or the AAB will undertake further investigations before receiving advice from Children's Social Care or LADO.

15.7 Any member of staff or volunteer who does not feel confident to raise their concerns with the headteacher or MAT lead safeguarding trustee should follow the guidelines in Appendix C and make the appropriate contact direct.

15.8 If an allegation is made against a teacher the quick resolution of that allegation should be a clear priority to the benefit of all concerned.

15.9 In response to an allegation all other options should be considered before suspending a member of staff: suspension should not be the default option. An individual should be suspended only if there is no reasonable alternative. If suspension is deemed appropriate, the reasons and justification should be recorded by the headteacher and the individual notified of the reasons

15.10 Additional considerations: supply staff

If there are concerns or an allegation is made against someone not directly employed by the trust, such as supply staff provided by an agency, additional actions outlined below will be taken:

- The academy will not decide to stop using a supply teacher due to safeguarding concerns without finding out the facts and liaising with the local authority designated officer to determine a suitable outcome.
- The lead trustee for safeguarding will be informed of any allegations against an individual, where OA's disciplinary procedures do not fully apply, for example, supply teachers, and will ensure that the headteacher discusses with the agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the academy, whilst they carry out their investigation. The trustee for safeguarding will be kept informed of the outcome and consulted as needed.
- The agency will be kept fully informed, but the academy will take the lead in collecting the necessary information and providing it to the local authority designated officer as required.
- The academy will address issues such as information sharing, to ensure any previous concerns or allegations known to the agency are taken into account (for example, as part of the allegations management meeting or by liaising directly with the agency where necessary).

When using an agency, the academy will inform them of the process for managing allegations, and keep them updated about our policies as necessary, and will invite the agency's HR manager or equivalent to meetings as appropriate

#### 15.11 Supporting people:

- The academy together with Children's Social Care and the police, if they are involved, will consider the impact on the child concerned and provide support as appropriate.
- The headteacher will ensure that the child and family are kept informed of the progress of the investigation.
- OA HR support will be contacted at the earliest opportunity for advice in relation to the investigation of any allegation in line with OA's Disciplinary Policy, where appropriate.
- The staff member who is the subject of the allegation will be advised to contact their union, professional association or a colleague for support, (depending on the outcome of the safeguarding strategy meeting which is normally chaired by the LADO).
- OA will ensure that the staff member is provided with appropriate support, if necessary, through occupational health or welfare arrangements.
- The headteacher will appoint a named representative to keep the staff member updated on the progress of the investigation; this will continue during any police or section 47 investigation or disciplinary investigation.

#### 15.12 Specific actions

The following definitions will be used when determining the outcome of allegation investigations:

- Substantiated: there is sufficient evidence to prove the allegation.
- Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.
- False: there is sufficient evidence to disprove the allegation.
- Unsubstantiated: there is insufficient evidence to either to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

Allegations that are found to be malicious should be removed from personnel records; and any that are unsubstantiated, are unfounded or malicious should not be referred to in employer references.

Pupils that are found to have made malicious allegations may have breached school behaviour policies. The school will therefore consider whether to apply an appropriate sanction, which could include temporary or permanent exclusion (as well as referral to the police if there are grounds for believing a criminal offence may have been committed).

#### 15.13 Confidentiality

It is extremely important that when an allegation is made, the school makes every effort to maintain confidentiality and guard against unwanted publicity while as allegation is being investigated or considered. The Education Act 2002 has introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school – these restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State publishes information about an investigation or decision.

The legislation regarding restrictions makes clear that ‘publication’ of material that may lead to the identification of the teacher who is subject to the allegation is prohibited. ‘Publication’ includes ‘any speech, writing, relevant programme or other communication in whatever form’. This could include, for example, a parent publishing details on a social networking site.

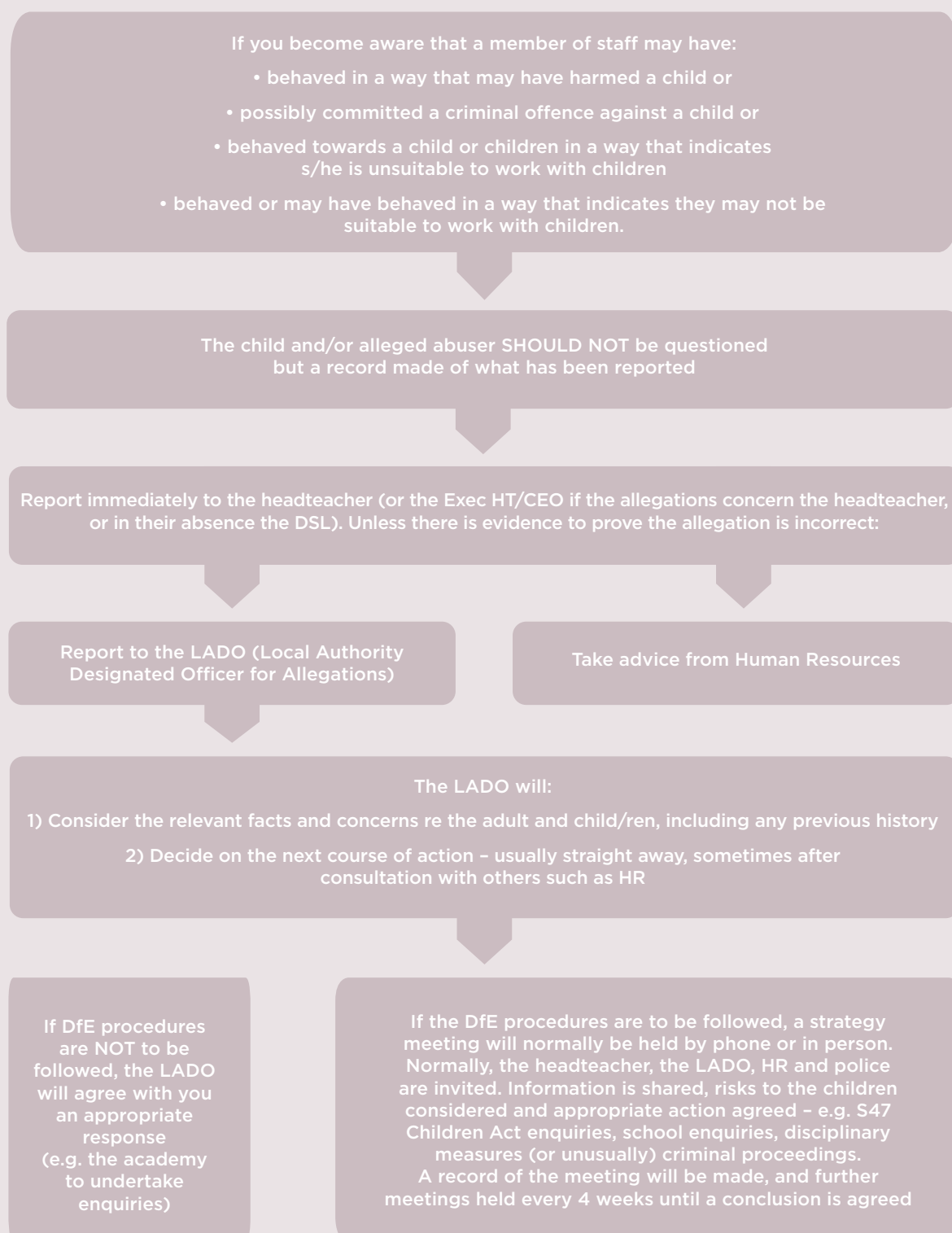
#### 15.14 Managing the situation and exit arrangements

The academy has a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child, or if there is reason to believe the member of staff has committed one of a number of listed offences, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left. The DBS will consider whether to bar the person. If these circumstances arise in relation to a member of staff at our academy, a referral will be made as soon as possible after the resignation or removal of the individual in accordance with advice from the LADO and/or OA HR. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety and welfare of children, including any in which the person refuses to cooperate with the process.

‘Settlement agreements’ (sometimes known as compromise agreements), by which a person agrees to resign if the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, should not be used in cases of refusal to cooperate or resignation before the person’s notice period expires. Such an agreement will not prevent a thorough police investigation where that is appropriate.

## Appendix C

### Allegations against academy staff: Guidance flow chart



This document is intended for use as a guide. For more detail, please refer to 'Keeping Children safe in education, statutory guidance for schools and colleges', September 2020

# Appendix D

## Flow chart for raising safeguarding concerns about a child

**Safeguarding Trustee:**

**Rosemary Leeke**  
 rosemary.leeke@oliveacademies.org.uk

**Designated Safeguarding Lead:**

**Collette Hunnisett**  
 collette.hunnisett@oliveacademies.org.uk

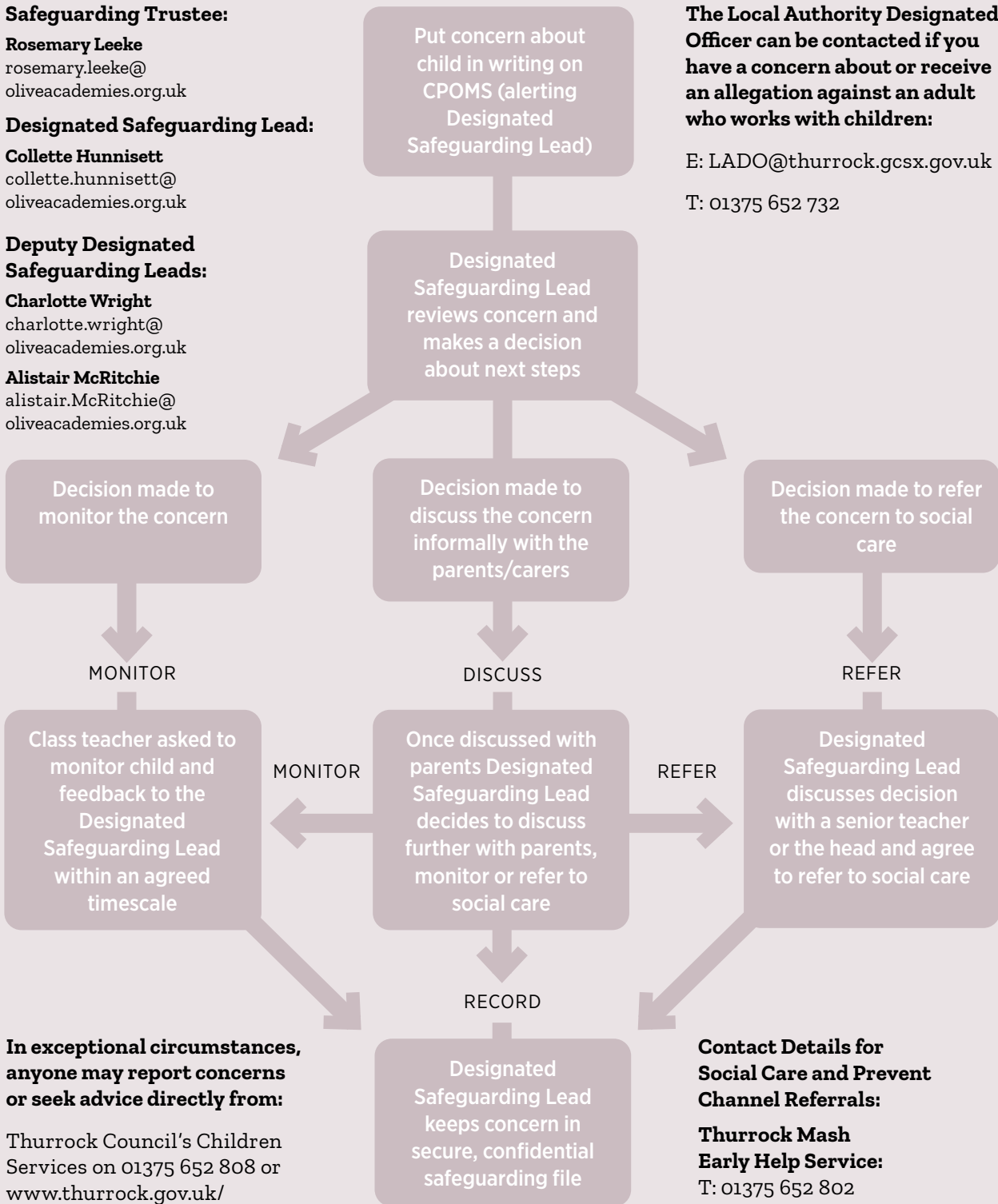
**Deputy Designated Safeguarding Leads:**

**Charlotte Wright**  
 charlotte.wright@oliveacademies.org.uk

**Alistair McRitchie**  
 alistair.McRitchie@oliveacademies.org.uk

**The Local Authority Designated Officer can be contacted if you have a concern about or receive an allegation against an adult who works with children:**

E: LADO@thurrock.gcsx.gov.uk  
 T: 01375 652 732



**In exceptional circumstances, anyone may report concerns or seek advice directly from:**

Thurrock Council’s Children Services on 01375 652 808 or [www.thurrock.gov.uk/keeping-children-safe](http://www.thurrock.gov.uk/keeping-children-safe)

**NSPCC Whistleblowing Helpline 0800 028 0285**

**Contact Details for Social Care and Prevent Channel Referrals:**

**Thurrock Mash Early Help Service:**  
 T: 01375 652 802

**Emergency Duty Service:**  
 T: 01375 372 468



# Appendix E

## FURTHER INFORMATION

1. **Thurrock Local Safeguarding Childrens Partnership**  
[www.thurrocklscp.org.uk/lscp](http://www.thurrocklscp.org.uk/lscp)
2. **Thurrock SET Procedures**  
<https://www.thurrocklscp.org.uk/lscp/professionals/procedures>
3. **Thurrock Child Missing Education protocol**  
[www.thurrock.gov.uk/children-missing-education/overview](http://www.thurrock.gov.uk/children-missing-education/overview)
4. **Thurrock CSE Guidance**  
[www.thurrock.gov.uk/child-sexual-exploitation/form-of-child-abuse](http://www.thurrock.gov.uk/child-sexual-exploitation/form-of-child-abuse)
5. **UKCCIS “Sexting in schools and colleges”**  
[assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/609874/6\\_2939\\_SP\\_NCA\\_Sexting\\_In\\_Schools\\_FINAL\\_Update\\_Jan17.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf)
6. **DfE Guidance: Safeguarding practitioners: information sharing advice 2018**  
[www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice](http://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice)
7. **DfE Statutory guidance: Working together to safeguard children 2018**  
[www.gov.uk/government/publications/working-together-to-safeguard-children--2](http://www.gov.uk/government/publications/working-together-to-safeguard-children--2)
8. **DfE Statutory guidance: Keeping children safe in education**  
[www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2)
9. **DfE: Advice what to do if you are worried that a child is being abused 2015**  
[www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2](http://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2)
10. **LGfL online safety policies**  
[lgfl.net](http://lgfl.net)

## Appendix F (Only to be used in absence of CPOMS)

### SAFEGUARDING CONCERN FORM (ON PINK PAPER - CONFIDENTIAL)

#### CHILD PROTECTION RECORD - Report of a Concern

Olive AP Academy - Suffolk

Name of referrer:		Role of referrer:	
Child Name:			
Date of birth:		Year Group / class:	
Details of concern:	<i>(Use body map if appropriate)</i>		
Reported to:		Role of person reported to:	
Signed:			
Date:			

Action taken:		Advice sought: (from whom and what was advice given)	
Concern / referral discussed with parent / carer?		If not, state reasons why - if yes, note discussion with parent	
Referral made:		If not, state reasons why - if yes, record to whom and any action agreed	
Feedback to referring member of staff:			By whom
Response to / action taken with pupil:			By whom
Name and contact number of key workers:			
Name and contact details of GP:			

Other notes /  
information:

