



**Tollbar MAT**  
Family of Academies

## Child Protection and Safeguarding Policy and Procedures

Date reviewed:	April 2021	
Approved by:	Board	June 2021(tbc)
Next review due by:	April 2022	

**TFA**

## Contents

1	Aims.....	3
2	Legislation and statutory guidance .....	3
3	Definitions .....	4
4	Equality statement.....	4
5	Roles and responsibilities.....	5
6	Confidentiality.....	6
7	Recognising abuse and taking action .....	7
8	Notifying parents .....	13
9	Students with special educational needs and disabilities.....	14
10	Students with a social worker .....	14
11	Looked-after and previously looked-after children .....	14
12	Mobile phones and cameras .....	15
13	Complaints and Concerns About Academy Safeguarding Policies .....	15
14	Record Keeping .....	15
15	Training.....	16
16	Monitoring arrangements .....	17
17	Links with other policies .....	17
	Appendix 1: types of abuse.....	18
	Appendix 2: safer recruitment and DBS checks – policy and procedures.....	20
	Appendix 3: allegations of abuse made against staff.....	24
	Appendix 4: specific safeguarding issues.....	29

## 1 Aims

The Academy aims to ensure that:

Appropriate action is taken in a timely manner to safeguard and promote children's welfare

All staff are aware of their statutory responsibilities with respect to safeguarding

Staff are properly trained in recognising and reporting safeguarding issues

## 2 Legislation and statutory guidance

This policy is based on the Department for Education's statutory guidance, [Keeping Children Safe in Education](#) (January 2021) and [Working Together to Safeguard Children](#) (2018), and the [Governance Handbook](#). We comply with this guidance and the procedures set out by our local safeguarding children board.

This policy is also based on the following legislation:

Section 175 of the [Education Act 2002](#), which places a duty on academies and local authorities to safeguard and promote the welfare of students

[The School Staffing \(England\) Regulations 2009](#), which set out what must be recorded on the single central record and the requirement for at least one person on a Academy interview/appointment panel to be trained in safer recruitment techniques

Part 3 of the schedule to the [Education \(Independent Academy Standards\) Regulations 2014](#), which places a duty on academies and independent academies to safeguard and promote the welfare of students at the Academy

[The Children Act 1989](#) (and [2004 amendment](#)), which provides a framework for the care and protection of children

Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](#), which places a statutory duty on teachers to report to the Police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18

[Statutory guidance on FGM](#), which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM

[The Rehabilitation of Offenders Act 1974](#), which outlines when people with criminal convictions can work with children

Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#), which defines what 'regulated activity' is in relation to children

[Statutory guidance on the Prevent duty](#), which explains academies' duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism.

The Childcare (Disqualification) and Childcare (Early Years Provision free of charge) (Extended Entitlement) (Amendment) Primary Academies Regulations 2018 (referred to in this policy as the "2018 Childcare Disqualification Regulations" and Childcare Act 2006 which set out who is disqualified from working with children.

This policy also meets requirements relating to safeguarding and welfare in the [Early years foundation stage \(EYFS\) statutory framework](#).

This policy also complies with our Funding Agreement and Articles of Association.

### 3 Definitions

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

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

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

**Abuse** is a form of maltreatment of a child, and may involve inflicting harm or failing to act to prevent harm. Appendix 1 explains the different types of abuse.

**Neglect** is a form of abuse and is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Appendix 1 defines neglect in more detail.

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

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

The following 3 **safeguarding partners** are identified in Keeping Children Safe in Education (and defined in the Children Act 2004, as amended by chapter 2 of the Children and Social Work Act 2017). They will make arrangements to work together to safeguard and promote the welfare of local children, including identifying and responding to their needs:

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

### 4 Equality statement

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

We give special consideration to children who:

- Have special educational needs or disabilities (see Section 9)
- Are young carers
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
- Have English as an additional language
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence  
Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers
- Are at risk due to either their own or a family member's mental health needs
- Are Looked After or previous Looked After (see Section 11).

## 5 Roles and responsibilities

Safeguarding and child protection is everyone's responsibility. This policy applies to all staff, volunteers and governors in the Academy and is consistent with the procedures of the 3 safeguarding partners in North East Lincolnshire and Lincolnshire. Our policy and procedures also apply to extended Academy and off-site activities.

### 5.1 All staff

All staff will read and understand part 1 and Annex A of the Department for Education's statutory safeguarding guidance, **Keeping Children Safe in Education**, and review this guidance at least annually.

All staff will be aware of:

- Our systems which support safeguarding, including this Child Protection and Safeguarding Policy, the staff behaviour policy and the role of the designated safeguarding lead (DSL) and deputies, the Behaviour Policy and the safeguarding response to children who go missing from education.
- The early help process and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment.
- The process for making referrals to local authority Children's Services and for statutory assessments that may follow a referral, including the role they might be expected to play.
- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals.
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), indicators of being at risk from or involved with serious violent crime, FGM and radicalisation.

Section 15 and appendix 4 of this policy outline in more detail how staff are supported to do this.

### 5.2 The designated safeguarding lead (DSL)

The DSL is a member of the leadership team and takes on the lead responsibility for child protection and wider safeguarding.

During term time, the DSL will be available during Academy hours for staff to discuss any safeguarding concerns.

When the DSL is absent, the (deputy/deputies) – will act as cover.

DSL Tollbar Academy is Mrs S Sykes. The Deputy is Mr G Cookson.

DSL Cleethorpes Academy is Miss L Ciechanowski. The Deputy is Mrs A Allenby.

DSL Reynolds Academy is Miss L Waring. The Deputy is Mrs R Scott.

DSL Somercotes Academy is Mr B French. The Deputy is Mr S West.

DSL Theddlethorpe Academy is Mrs S Cook. The Deputy is Mrs N Bull.

DSL Pilgrim Academy is Miss K Plumtree. The Deputy is Mrs C France.

DSL Louth Academy is Mrs T Webb. The Deputy is Mrs H Naylor.

The DSL will be given the time, funding, training, resources and support to:

- Provide advice and support to other staff on child welfare and child protection matters.
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so.
- Contribute to the assessment of children.

- Refer suspected cases, as appropriate, to the relevant body (local authority Children's Services, Channel programme, Disclosure and Barring Service, and/or Police), and support staff who make such referrals directly.

The DSL will also keep the Principal informed of any issues, and liaise with local authority case managers and designated officers for child protection concerns as appropriate.

The full responsibilities of the DSL and Deputies are set out in their job description.

### **5.3 The Governing Body**

The Governing Body will approve this policy at each review, and hold the Principal to account for its implementation.

The Governing Body will appoint a link governor to monitor the effectiveness of this policy in conjunction with the full Governing Body. This is always a different person from the DSL.

The Chair of Governors will act as the 'case manager' in the event that an allegation of abuse is made against the Principal, where appropriate (see appendix 3).

All Governors will read Keeping Children Safe in Education.

Section 15 of this policy has information on how governors are supported to fulfil their role.

### **5.4 The Principal**

The Principal is responsible for the implementation of this policy, including:

Ensuring that staff (including temporary staff) and volunteers are informed of this policy as part of their induction.

Communicating this policy to parents when their child joins the Academy and via the Academy website.

Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent.

Ensuring that all staff undertake appropriate safeguarding and child protection training and update this regularly.

Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see appendix 3).

Primary Academies

Ensuring the relevant staffing ratios are met, where applicable.

Making sure each child in the Early Years Foundation Stage is assigned a key person.

## **6 Confidentiality**

- Timely information sharing is essential to effective safeguarding.
- Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children.
- The Data Protection Act (DPA) 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe.
- If staff need to share 'special category personal data' the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information without consent if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.
- Staff should never promise a child that they will not tell anyone about a report of abuse, as this may not be in the child's best interests.

- The government's Information Sharing Advice for Safeguarding Practitioners includes 7 'golden rules' for sharing information, and will support staff who have to make decisions about sharing information.
- If staff are in any doubt about sharing information, they should speak to the designated safeguarding lead (or deputy).
- Confidentiality is also addressed in this policy with respect to record-keeping in section 14, and allegations of abuse against staff in appendix 3.

## **7 Recognising abuse and taking action**

Staff, volunteers and governors must follow the procedures set out below in the event of a safeguarding issue. In this and subsequent sections, you should take any references to the DSL to mean the DSL or deputy(ies).

### **7.1 If a child is suffering or likely to suffer harm, or in immediate danger**

Make a referral to Children's Services and/or the Police immediately if you believe a child is suffering or likely to suffer harm, or in immediate danger. Anyone can make a referral. Tell the DSL (see section 5.2) as soon as possible if you make a referral directly.

#### **North East Lincolnshire**

MASH (Including out of hours)

Tel: 01472 326292

#### **Lincolnshire**

Safeguarding of Children Concerns

Tel: 01522 782111

Out of hours (safeguarding referrals)

01522 782333

### **7.2 If a child makes a disclosure to you**

If a child discloses a safeguarding issue to you, you should:

- Listen to and believe them. Allow them time to talk freely and do not ask leading questions.
- Stay calm and do not show that you are shocked or upset.
- Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner.
- Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret.
- Write up your conversation as soon as possible in the child's own words. Stick to the facts, and do not put your own judgement on it.
- Sign and date the write-up and pass it on to the DSL. Alternatively, if appropriate, make a referral to Children's Services and/or the Police directly (see 7.1), and tell the DSL as soon as possible that you have done so.

### **7.3 If you discover that FGM has taken place or a student is at risk of FGM**

The Department for Education's Keeping Children Safe in Education explains that FGM comprises "all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs".

FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as 'female genital cutting', 'circumcision', or 'initiation'.

Possible indicators that a student has already been subjected to FGM, and factors that suggest a student may be a risk, are set out in appendix 4.

**Any teacher** who discovers (either through disclosure by the victim or visual evidence) that an act of FGM appears to have been carried out on a student under 18 must immediately report this to the police, personally. This is a statutory duty, and teachers will face disciplinary sanctions for failing to meet it.

Unless they have been specifically told not to disclose, they should also discuss the case with the DSL and involve Children's Services as appropriate.

**Any other member of staff** who discovers that an act of FGM appears to have been carried out on a **student under 18** must speak to the DSL and follow our local safeguarding procedures.

The duty for teachers mentioned above does not apply in cases where a pupil is at risk of FGM or FGM is suspected but is not known to have been carried out. Staff should not examine students.

**Any member of staff** who suspects a student is at risk of FGM or suspects that FGM has been carried out must speak to the DSL and follow our local safeguarding procedures.

#### **7.4 If you have concerns about a child (as opposed to believing a child is suffering or likely to suffer from harm, or is in immediate danger)**

Figure 1 on page 10 illustrates the procedure to follow if you have any concerns about a child's welfare.

Where possible, speak to the DSL first to agree a course of action.

If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to a member of the senior leadership team and/or take advice from local authority Children's Services. You can also seek advice at any time from the NSPCC helpline on 0800 800 5000. Share details of any actions you take with the DSL as soon as practically possible.

Make a referral to local authority Children's Services directly, if appropriate (see 'Referral' below). Share any action taken with the DSL as soon as possible.

#### **Early help**

If early help is appropriate, the DSL will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner.

The DSL will keep the case under review and the Academy will consider a referral to local authority Children's Services if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

#### **Referral**

If it is appropriate to refer the case to local authority Children's Services or the Police, the DSL will make the referral or support you to do so.

If you make a referral directly (see section 7.1), you must tell the DSL as soon as possible.

The local authority will make a decision within 1 working day of a referral about what course of action to take and will let the person who made the referral know the outcome. The DSL or person who made the referral must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

If the child's situation does not seem to be improving after the referral, the DSL or person who made the referral must follow local escalation procedures to ensure their concerns have been addressed and that the child's situation improves.



## 7.5 If you have concerns about extremism

If a child is not suffering or likely to suffer from harm, or in immediate danger, where possible speak to the DSL first to agree a course of action.

If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to a member of the senior leadership team and/or seek advice from local authority Children's Services. Make a referral to Children's Services directly, if appropriate (see 'Referral' above). Inform the DSL or deputy as soon as practically possible after the referral.

Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include Channel, the government's programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority Children's Services.

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, which academy staff and governors can call to raise concerns about extremism with respect to a student. You can also email [counter.extremism@education.gov.uk](mailto:counter.extremism@education.gov.uk). Note that this is not for use in emergency situations.

In an emergency, call 999 or the confidential anti-terrorist hotline on 0800 789 321 if you:

- Think someone is in immediate danger
- Think someone may be planning to travel to join an extremist group
- See or hear something that may be terrorist-related.

## 7.6 If you have a mental health concern

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.

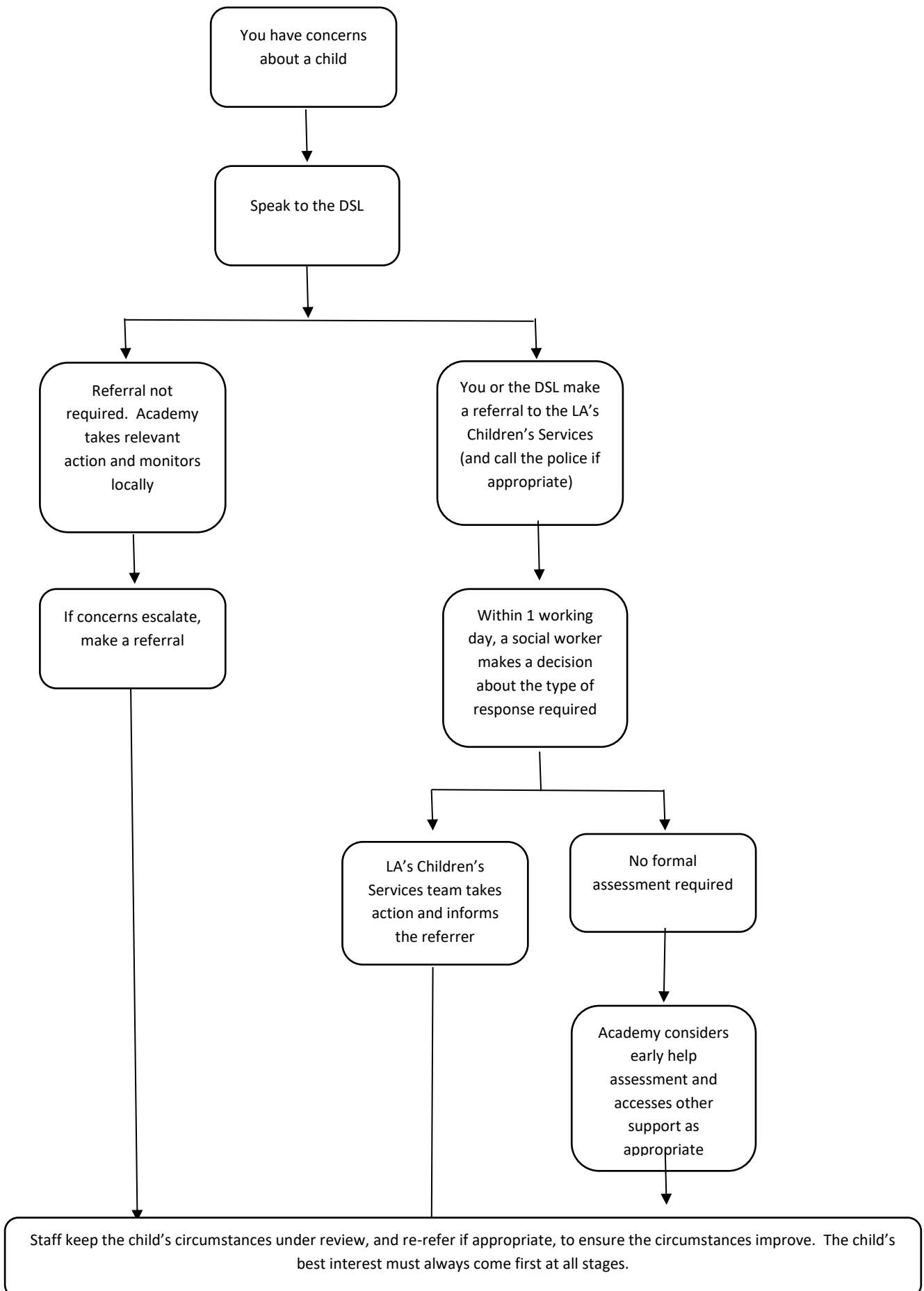
Staff will be alert to behavioural signs that suggest a child may be experiencing a mental health problem or be at risk of developing one.

If you have a mental health concern about a child that is also a safeguarding concern, take immediate action by following the steps in section 7.4.

If you have a mental health concern that is **not** also a safeguarding concern, speak to the DSL to agree a course of action.

**Figure 1: procedure if you have concerns about a child's welfare (as opposed to believing a child is suffering or likely to suffer from harm, or in immediate danger)**

(Note - if the DSL is unavailable, this should not delay action. See section 7.4 for what to do.)



## **7.7 Concerns about a staff member or volunteer**

If you have concerns about a member of staff (including a supply teacher or volunteer), or an allegation is made about a member of staff (including a supply teacher or volunteer) posing a risk of harm to children, speak to the Principal. If the concerns/allegations are about the Principal, speak to the Chair of Governors.

The Principal/Chair of Governors will then follow the procedures set out in appendix 3, if appropriate.

Primary Academies - where appropriate, the Academy will inform Ofsted of the allegation and actions taken, within the necessary timescale (see appendix 3 for more detail).

## **7.8 Allegations of abuse made against other students**

We recognise that children are capable of abusing their peers. Abuse will never be tolerated or passed off as “banter”, “just having a laugh” or “part of growing up”.

We also recognise the gendered nature of peer-on-peer abuse (ie that it is more likely that girls will be victims and boys perpetrators). However, all peer-on-peer abuse is unacceptable and will be taken seriously.

Most cases of students hurting other students will be dealt with under the MAT’s Behaviour Policy, but this Child Protection and Safeguarding Policy will apply to any allegations that raise safeguarding concerns. This might include where the alleged behaviour:

- Is serious, and potentially a criminal offence
- Could put students in the Academy at risk
- Is violent
- Involves students being forced to use drugs or alcohol
- Involves sexual exploitation, sexual abuse or harassment, such as indecent exposure, sexual assault, upskirting or sexually inappropriate pictures or videos (including sexting).

If a student makes an allegation of abuse against another student:

- You must record the allegation and tell the DSL, but do not investigate it
- The DSL will contact the local authority Children’s Services team and follow its advice, as well as the Police if the allegation involves a potential criminal offence
- The DSL will put a risk assessment and support plan into place for all children involved (including the victim(s), the child(ren) against whom the allegation has been made and any other affected) with a named person they can talk to if needed
- The DSL will contact Young Minds Matter (YMM), if appropriate.

We will minimise the risk of peer-on-peer abuse by:

- Challenging any form of derogatory or sexualised language or behaviour, including requesting or sending sexual images
- Being vigilant to issues that particularly affect different genders - for example, sexualised or aggressive touching or grabbing towards female students, and initiation or hazing type violence with respect to boys
- Ensuring our curriculum helps to educate students about appropriate behaviour and consent
- Ensuring students know they can talk to staff confidentially
- Ensuring staff are training to understand that a student harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy.

## 7.9 Sexting

### Your responsibilities when responding to an incident

If you are made aware of an incident involving sexting (also known as 'youth produced sexual imagery'), you must report it to the DSL immediately.

You must **not**

- View, copy, print, share, store or save the images and videos yourself, or ask a student to share or download it. If you have already viewed the images and videos by accident, you must report this to the DSL
- Delete the imagery or ask the student to delete it
- Ask the student(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL's responsibility)
- Share information about the incident with other members of staff, the student(s) it involves or their, or other, parents and/or carers
- Say or do anything to blame or shame any young people involved

You should explain that you need to report the incident, and reassure the student(s) that they will receive support and help from the DSL.

### Initial review meeting

Following a report of an incident, the DSL will hold an initial review meeting with appropriate Academy staff. This meeting will consider the initial evidence and aim to determine:

- Whether there is an immediate risk to student(s)
- If a referral needs to be made to the Police and/or Children's Services and recorded in line with the procedures set out in the Child Protection Policy
- If it is necessary to view the images and videos in order to safeguard the young person (in most cases, images and videos should not be viewed)
- What further information is required to decide on the best response
- Whether the images and videos have been shared widely and via what services and/or platforms (this may be unknown)
- Whether immediate action should be taken to delete or remove images from devices or online services
- Any relevant facts about the students involved which would influence risk assessment
- If there is a need to contact another school, college, setting or individual
- Whether to contact parents or carers of the students involved (in most cases parents should be involved).

The DSL will make an immediate referral to Police and/or Children's Services if:

- The incident involves an adult
- There is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs)
- What the DSL knows about the imagery suggest the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent
- The imagery involves sexual acts and any student in the imagery is under 13
- The DSL has reason to believe a student is at immediate risk of harm owing to the sharing of the images and videos (for example, the young person is presenting as suicidal or self-harming)

If none of the above apply then the DSL, in consultation with the Principal and other members of staff as appropriate, may decide to respond to the incident without involving the Police or Children's Services.

## **Further review by the DSL**

If at the initial review stage a decision has been made not to refer to Police and/or Children's Services, the DSL will conduct a further review.

They will hold interviews with the students involved (if appropriate) to establish the facts and assess the risks.

If at any point in the process there is a concern that a student has been harmed or is at risk of harm, a referral will be made to Children's Services and/or the Police immediately.

## **Informing parents**

The DSL will inform parents at an early stage and keep them involved in the process, unless there is a good reason to believe that involving them would put the student at risk of harm.

## **Referring to the Police**

If it is necessary to refer an incident to the Police, this will be done through dialing 101.

## **Recording incidents**

All sexting incidents and the decision made in responding to them will be recorded. The record-keeping arrangements set out in section 14 of this policy also apply to recording incidents of sexting.

## **Curriculum coverage**

Students are taught about the issues surrounding sexting as part of our Careers and Personal Development lessons and as part of their Relationships and Sex Education programme. Teaching covers the following in relation to sexting:

- What it is
- How it is most likely to be encountered
- The consequences of requesting, forwarding or providing such images, including when it is and is not abusive
- Issues of legality
- The risk of damage to people's feelings and reputation

Students also learn the strategies and skills needed to manage:

- Specific requests or pressure to provide (or forward) such images
- The receipt of such images
- This information on sexting is also shared with students so they are aware of the processes the Academy will follow in the event of an incident.

## **8 Notifying parents**

Where appropriate, we will discuss any concerns about a child with the child's parents. The DSL will normally do this in the event of a suspicion or disclosure.

Other staff will only talk to parents about such concerns following consultation with the DSL.

If we believe that notifying the parents would increase the risk to the child, we will discuss this with Children's Services before doing so.

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

## **9 Students with special educational needs and disabilities**

We recognise that students with special educational needs (SEN) and disabilities can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group, including:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
- Students being more prone to peer group isolation than other students
- The potential for students with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
- Communication barriers and difficulties in overcoming these barriers.

We offer extra pastoral support for students with SEN and disabilities.

## **10 Students with a social worker**

Students may need a social worker due to safeguarding or welfare needs. We recognise that a child's experiences of adversity and trauma can leave them vulnerable to further harm as well as potentially creating barriers to attendance, learning, behaviour and mental health.

The DSL and all members of staff will work with and support social workers to help protect vulnerable children.

Where we are aware that a student has a social worker, the DSL will always consider this fact to ensure any decisions are made in the best interests of the student's safety, welfare and educational outcomes. For example, it will inform decisions about:

Responding to unauthorised absence or missing education where there are known safeguarding risks

The provision of pastoral and/or academic support.

## **11 Looked-after and previously looked-after children**

We will ensure that staff have the skills, knowledge and understanding to keep looked-after children and previously looked-after children safe. In particular, we will ensure that:

- Appropriate staff have relevant information about children's looked after legal status, contact arrangements with birth parents or those with parental responsibility, and care arrangements
- The DSL has details of children's social workers and relevant virtual school heads.

We have an appointed designated teacher in each Academy who is responsible for promoting the educational achievement of looked-after children and previously looked-after children in line with statutory guidance. The designated teacher is appropriately trained and has the relevant qualifications and experience to perform the role.

As part of their role, the designated teacher will:

- Work closely with the DSL to ensure that any safeguarding concerns regarding looked-after and previously looked-after children are quickly and effectively responded to
- Work with virtual school heads to promote the educational achievement of looked-after and previously looked-after children, including discussing how pupil premium plus funding can be best used to support looked-after children and meet the needs identified in their personal education plans.

## **12 Mobile phones and cameras**

Staff are allowed to bring their personal phones to the Academy for their own use, but will limit such use to non-contact time when students are not present. Staff members' personal phones will remain in their bags or cupboards during contact time with students.

Staff will not take pictures or recordings of students on their personal phones or cameras.

We will follow the Data Protection Act 1998 when taking and storing photos and recordings for use in the Academy.

“Any images or videos of students will only be taken and used for sound educational reasons. Parental consent for use of photographs can be found on SIMS. Photographs for Academy use should only be taken using Academy-provided equipment and stored in an appropriate location on the Academy network. Where students need to produce images they must use Academy cameras and be kept under close supervision. Images must not be uploaded to any external web-service or sent to anyone outside the Academy without prior authorisation from the Information & Communications Officer and Principal of the Academy.

“Photographs of students or their work must not be taken on personal devices without the express consent of the Safeguarding officer who reserves the right to refuse such requests for any reason. The ICS department has a large number of cameras capable of capturing both still and video, and acquiring these for loan is a straightforward process that can be completed at any helpdesk, or on sites without a permanent helpdesk, by prior arrangement with a member of the ICS team or from designated person(s) on-site.”

## **13 Complaints and Concerns About Academy Safeguarding Policies**

### **13.1 Whistleblowing**

The term ‘whistleblowing’ is most commonly used when an employee (or ex-employee) disclosed malpractice within an organisation in the public interest. Malpractice can include fraud, corruption, bribery, dishonesty, financial irregularities, serious maladministration arising from the deliberate commission of improper conduct, unethical activities (which may be of a criminal nature) and dangerous acts or omissions which create a risk to health, safety or the environment, criminal offences or failure to complete with a legal or regulatory obligation.

For further information see ‘Whistleblowing Policy and Procedure’.

## **14 Record Keeping**

We will hold records in line with our records retention schedule.

All safeguarding concerns, discussions, decision made and the reasons for those decision, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them.

Safeguarding records relating to individual children will be retained for a reasonable period of time after they have left the Academy.

In addition:

- Appendix 2 set out our policy on record-keeping specifically with respect to recruitment and pre-employment checks
- Appendix 3 sets out our policy on record-keeping with respect to allegations of abuse made against staff.

## **15 Training**

### **15.1 All Staff**

All staff members will undertake safeguarding and child protection training at induction, including on whistleblowing procedures, to ensure they understand the Academy's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect. This training will be regularly updated and will be in line with advice from the 3 safeguarding partners.

All staff will have training on the Government's anti-radicalisation strategy, Prevent, to enable them to identify children at risk of being drawn into terrorism and to challenge extremist ideas.

Staff will also receive regular safeguarding and child protection updates (for example, through emails and staff meetings) as required, but at least annually.

Contractors who are provided through a private finance initiative (PFI) or similar contract will also receive safeguarding training.

Volunteers will receive appropriate training, if applicable.

### **15.2 The DSL and Deputies**

The DSL and deputies will undertake child protection and safeguarding training at least every 2 years.

In addition, they will update their knowledge and skills at regular intervals and at least annually (for example, through e-bulletins, meeting other DSLs, or taking time to read and digest safeguarding developments).

They will also undertake Prevent awareness training.

### **15.3 Governors**

All governors receive training about safeguarding, to make sure they have the knowledge and information needed to perform their functions and understand their responsibilities.

As the chair of governors may be required to act as the 'case manager' in the event that an allegation of abuse is made against the headteacher, they receive training in managing allegations for this purpose.

### **15.4 Recruitment - interview panels**

At least one person conducting any interview for a post at the Academy will have undertaken safer recruitment training. This will cover, as a minimum, the contents of the Department for education's statutory guidance, Keeping Children Safe in Education, and will be in line with local safeguarding procedures.



## **Primary Academies**

### **15.5 Staff who have contact with pupils and families**

All staff who have contact with children and families will have supervisions which will provide them with support, coaching and training, promote the interests of children and allow for confidential discussions of sensitive issues.

### **16 Monitoring arrangements**

This policy will be reviewed annually by Tollbar MAT. At every review, it will be approved by the Board of Directors.

### **17 Links with other policies**

This policy links to the following policies and procedures:

- Behaviour Policy
- Professional Code for Employees
- Complaints Policy
- Health and Safety Policies
- Attendance Policy & Procedures
- E-Safety for Information & Communications Systems Policy
- Equal Opportunities Policy - Students
- Sex & Relationship Education Policy
- Whistleblowing Policy & Procedures
- Curriculum Policy
- Privacy Notices
- Data Protection Policy
- Physical Contact by Staff During Physical Education Policy

**These appendices are based on the Department for Education's statutory guidance, Keeping Children Safe in Education**

## **Appendix 1: types of abuse**

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

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

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

Emotional abuse may involve:

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

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

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

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

### **Emotional abuse**

- Sexting as the distribution of inappropriate images can result in children witnessing and hearing the ill-treatment of others
- Sexting and the distribution of inappropriate images can also result in serious bullying (including cyber-bullying) causing children to frequently feel frightened or in danger, or the exploitation or corruption of children
- Sexting and the distribution of inappropriate images is a form of sexual abuse. The perpetrators of this can be adult males and females as well as other children.

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

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

Provide adequate food, clothing and shelter (including exclusion from home or abandonment)  
Protect a child from physical and emotional harm or danger  
Ensure adequate supervision (including the use of inadequate care-givers)  
Ensure access to appropriate medical care or treatment

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

## Appendix 2: safer recruitment and DBS checks – policy and procedures

We will record all information on the checks carried out in the Academy's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

### New staff

When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state

Individuals who have lived or worked outside the UK **must** undergo the same checks as all other staff in schools or colleges. This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK. In addition, schools and colleges **must** make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. These checks could include, where available:

- [Criminal records checks for overseas applicants](#) - Home Office guidance can be found on [GOV.UK](#) and for teaching positions
- Obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. Advice about which regulatory or professional body applicants should contact is available from the UK National Information Centre for the United Kingdom, [UK ENIC](#).

Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability. Where this information is not available schools and colleges should seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment. Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, schools and colleges should consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment. Further information can be found in DfE Guidance: [Recruit teachers from overseas](#).

### Primary Academies

We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

We will ask for written information about previous employment history and check that information is not contradictory or incomplete.

We will seek references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments. The references requested will ask specific questions about the suitability of the applicant to work with children.

**Regulated activity** means a person who will be:

- Responsible, on a regular basis in an Academy or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unsupervised unpaid, work regularly in an Academy or college where that work provides an opportunity for contact with children; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

### **Existing staff**

If we have concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult:

We believe the individual has engaged in relevant conduct; or  
The individual has received a caution or conviction for a relevant offence, or there is reason to believe the individual has committed a listed relevant offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or  
The 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and  
The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left.

### **Agency and third-party staff**

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

### **Contractors**

We will ensure that any contractor, or any employee of the contractor, who is to work in the academies has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

An enhanced DBS check with barred list information for contractors engaging in regulated activity  
An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors.

We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the Academy.

### **Primary Academies**

For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

### **Trainee/student teachers**

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

### **Primary Academies**

In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

### **Volunteers**

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment

### **Primary Academies**

- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

### **Governors**

All trustees, local governors and members will have an enhanced DBS check without barred list information. They will have an enhanced DBS check with barred list information if working in regulated activity.

- All proprietors, trustees, local governors and members will also have the following checks:
- A section 128 check (to check prohibition on participation in management under section 128 of the Education and Skills Act 2008). [Section 128 checks are only required for local governors if they have retained or been delegated any management responsibilities].
- Identity

- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK
- All governors will also have the following checks:
  - Identity
  - Right to work in the UK
  - Other checks deemed necessary if they have lived or worked outside the UK

### **Staff working in alternative provision settings**

- Where we place a student with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

### **Students staying with host families**

Where the Academy makes arrangements for students to be provided with care and accommodation by a host family to which they are not related (for example, during a foreign exchange visit), we will request enhanced DBS checks with barred list information on those people.

Where the Academy is organising such hosting arrangements overseas and host families cannot be checked in the same way, we will work with our partner academies abroad to ensure that similar assurances are undertaken prior to the visit.

### **Appendix 3: allegations of abuse made against staff**

This section of this policy applies to all cases in which it is alleged that a current member of staff or volunteer has:

- Behaved in a way that has harmed a child, or may have harmed a child, or
- Possibly committed a criminal offence against or related to a child, or
- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

It applies regardless of whether the alleged abuse took place in the Academy. Allegations against a teacher who is no longer teaching and historical allegations of abuse will be referred to the Police.

We will deal with any allegation of abuse against a member of staff or volunteer very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

Our procedures for dealing with allegations will be applied with common sense and judgement.

#### **Suspension of the accused until the case is resolved**

Suspension will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

- Redeployment within the Academy so that the individual does not have direct contact with the child or children concerned
- Providing an assistant to be present when the individual has contact with children
- Redeploying the individual to alternative work in the Academy so that they do not have unsupervised access to children
- Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted
- Temporarily redeploying the individual to another role in a different location, for example to an alternative Academy or other work for the Multi Academy Trust.

#### **Definitions for outcomes 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 prove or disprove the allegation (this does not imply guilt or innocence)
- Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made.

#### **Procedure for dealing with allegations**

In the event of an allegation that meets the criteria above, the principal (or chair of governors where the principal is the subject of the allegation) will work with the designated safeguarding lead for the Academy and the designated safeguarding lead for the Trust – the 'case manager' – will take the following steps:



- Immediately discuss the allegation with the Local Authority Designated Officer (LADO) - North East Lincolnshire: Jill Alderson (tel 01472 325464 or 01472 326118), Lincolnshire: Paul Fisher and Rachael Powis (tel 01522 554674). This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the Police and/or Children's Services. (The case manager may, on occasion, consider it necessary to involve the Police before consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the LADO as soon as practicably possible after contacting the Police)
- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the LADO (and the Police or Children's Services, where necessary). Where the Police and/or Children's Services are involved, the case manager will only share such information with the individual as has been agreed with those agencies.
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the Academy is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the LADO, Police and/or Children's Services, as appropriate.
- If immediate suspension is considered necessary, agree and record the rationale for this with the LADO. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the Academy and their contact details.
- If it is decided that no further action is to be taken in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the LADO what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation.
- If it is decided that further action is needed, take steps as agreed with the LADO to initiate the appropriate action in the Academy and/or liaise with the Police and/or Children's Services as appropriate.
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and consider what other support is appropriate.
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with Children's Services and/or the Police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice.
- Keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including whether the disciplinary process is being used (in confidence).
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child.

## **Primary Academies**

We will inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere), and any action taken in respect of the allegations. This notification will be made as soon as reasonably possible and always within 14 days of the allegations being made.

If the Academy is made aware that the Secretary of State has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the Teaching Regulation Agency.

Where the Police are involved, wherever possible the Directors of the Academy Trust will ask the Police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the Academy's disciplinary process, should this be required at a later point.

## **Additional considerations for supply staff**

If there are concerns or an allegation is made against someone not directly employed by the Academy, such as supply staff provided by an agency, we will take the actions below in addition to our standard procedures.

- We will not decide to stop using a supply teacher due to safeguarding concerns without finding out the facts and liaising with our LADO to determine a suitable outcome
- The governing body will discuss with the agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the Academy, while the Academy carries out the investigations
- We will involve the agency fully, but the Academy will take the lead in collecting the necessary information and providing it to the LADO as required
- We will address issues such as information sharing, to ensure any previous concerns or allegations management meeting or by liaising directly with the agency where necessary)

When using an agency, we will inform them of our 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.

## **Timescales**

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week.
- If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days.
- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days.

## **Specific actions**

### **Action following a criminal investigation or prosecution**

The case manager will discuss with the LADO whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the Police and/or Children's Services.

## **Conclusion of a case where the allegation is substantiated**

If the allegation is substantiated and the individual is dismissed or the Academy ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager and the Academy's personnel adviser will discuss with the LADO whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the case manager and personnel adviser will discuss with the LADO whether to refer the matter to the NCTL to consider prohibiting the individual from teaching.

## **Individuals returning to work after suspension**

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending the Academy.

## **Unsubstantiated or malicious allegations**

If an allegation is shown to be deliberately invented, or malicious, the Principal, or other appropriate person in the case of an allegation against the principal, will consider whether any disciplinary action is appropriate against the student(s) who made it, or whether the Police should be asked to consider whether action against those who made the allegation might be appropriate, even if they are not a student.

## **Confidentiality**

The Academy will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the LADO, Police and Children's Services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared.
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality.
- What, if any, information can be reasonably given to the wider community to reduce speculation.
- How to manage press interest if, and when, it arises.

## **Record-keeping**

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case. Such records will include:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken and decisions reached (and justification for these, as stated above).

If an allegation or concern is not found to have been malicious, the Academy will retain the records of the case on the individual's confidential personnel file, and provide a copy to the individual. Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA) for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

## **References**

When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated or malicious or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

## **Learning lessons**

After any cases where the allegations are substantiated, we will review the circumstances of the case with the LADO to determine whether there are any improvements that we can make to the Academy's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified.
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

## **Appendix 4: specific safeguarding issues**

### **Children missing from education**

A child going missing from education, particularly repeatedly, can act as a vital warning sign of a range of safeguarding issues. This might include abuse and neglect, such as sexual abuse or child criminal exploitation or issues such as mental health problems, substance abuse, radicalisation, FGM or forced marriage.

There are many circumstances where a child may become missing from education, but some children are particularly at risk. These include children who:

- Are at risk of harm or neglect
- Are at risk of forced marriage or FGM
- Come from Gypsy, Roma, or other Traveller families
- Come from the families of service personnel
- Go missing or run away from home or care
- Are supervised by the youth justice system
- Cease to attend a school
- Come from new migrant families

We will follow our procedures for unauthorised absence and for dealing with children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. This includes informing the local authority if a child leaves the school without a new school being named, and adhering to requirements with respect to sharing information with the local authority, when applicable, when removing a child's name from the admission register at non-standard transition points.

Staff will be trained in signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns which may be related to being missing, such as travelling to conflict zones, FGM and forced marriage.

If a staff member suspects that a child is suffering from harm or neglect, we will follow local child protection procedures, including with respect to making reasonable enquiries. We will make an immediate referral to Children's Services and the Police, if the child is suffering or likely to suffer from harm, or in immediate danger.

### **Child criminal exploitation**

Child criminal exploitation (CCE) is a form of abuse where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into criminal activity, in exchange for something the victim needs or wants, and/or for the financial or other advantage of the perpetrator or facilitator, and/or through violence or the threat of violence.

The abuse can be perpetrated by males or females, and children or adults. It can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse.

The victim can be exploited even when the activity appears to be consensual. It does not always involve physical contact and can happen online. For example, young people may be forced to work in cannabis factories, coerced into moving drugs or money across the country (County Lines), forced to shoplift or pickpocket, or to threaten other young people.

Indicators of CCE can include a child:

- Appearing with unexplained gifts or new possessions
- Associating with other young people involved in exploitation
- Suffering from changes in emotional wellbeing
- Misusing drugs and alcohol
- Going missing for periods of time or regularly coming home late
- Regularly missing school or education
- Not taking part in education

If a member of staff suspects CCE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to Children's Services and the Police, if appropriate.

### **Child sexual exploitation**

Child sexual exploitation (CSE) is a form of abuse where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator. It may, or may not, be accompanied by violence or threats of violence.

The abuse can be perpetrated by males or females, and children or adults. It can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse.

The victim can be exploited even when the activity appears to be consensual. Children or young people who are being sexually exploited may not understand that they are being abused. They often trust their abuser and may be tricked into believing they are in a loving, consensual relationship.

CSE can include both physical contact (penetrative and non-penetrative acts\_ and non-contact sexual activity. It can also happen online. For example, young people may be persuaded or forced to share sexually explicit images of themselves, have sexual conversations by text, or take part in sexual activities using a webcam. CSE may also occur without the victim's immediate knowledge, for example through others copying videos or images.

In addition to the CSE indicators above, indicators of CSE can include a child:

- Having an older boyfriend or girlfriend
- Suffering from sexually transmitted infections or becoming pregnant

If a member of staff suspects CSE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to Children's Services and the Police, if appropriate.

### **Domestic abuse**

Children can witness and be adversely affected by domestic abuse and/or violence at home where it occurs between family members. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a results. Older children may also experience domestic abuse and/or violence in their own personal relationships.

Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children.

If Police are called to an incident of domestic abuse and any children in the household have experienced the incident, the Police will inform the key adult in school (usually the designated safeguarding lead) before the child or children arrive at the Academy the following day.

The DSL will provide support according to the child's needs and update records about their circumstances.

## **Homelessness**

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

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

Where a child has been harmed or is at risk of harm, the DSL will also make a referral to Children's Services.

## **So-called 'honour-based' abuse (including FGM and forced marriage)**

So-called 'honour-based' abuse (HBA) encompasses incidents or crimes committed to protect or defend the honour of the family and/or community, including FGM, forced marriage, and practices such as breast ironing.

Abuse committed in this context often involves a wider network of family or community pressure and can include multiple perpetrators.

All forms of HBA are abuse and will be handled and escalated as such. All staff will be alert to the possibility of a child being at risk of HBA or already having suffered it. If staff have a concern, they will speak to the DSL, who will activate local safeguarding procedures.

## **FGM**

The DSL will make sure that staff have access to appropriate training to equip them to be alert to children affected by FGM or at risk of FGM.

Section 7.3 of this policy sets out the procedures to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a pupil is at risk of FGM.

Indicators that FGM has already occurred include:

- A student confiding in a professional that FGM has taken place
- A mother/family member disclosing that FGM has been carried out
- A family/student already being known to social services in relation to other safeguarding issues
- A girl:
  - Having difficulty walking, sitting or standing, or looking uncomfortable
  - Finding it hard to sit still for long periods of time (where this was not a problem previously)
  - Spending longer than normal in the bathroom or toilet due to difficulties urinating
  - Having frequent urinary, menstrual or stomach problems
  - Avoiding physical exercise or missing PE
  - Being repeatedly absent from school, or absent for a prolonged period
  - Demonstrating increased emotional and psychological needs - for example, withdrawal or depression, or significant change in behaviour
  - Being reluctant to undergo any medical examinations
  - Asking for help, but not being explicit about the problem
  - Talking about pain or discomfort between her legs

Potential signs that a student may be a risk of FGM include:

- The girl's family having a history of practising FGM (this is the biggest risk factor to consider)
- FGM being known to be practised in the girl's community or country of origin
- A parent or family member expressing concern that FGM may be carried out
- A family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues
- A girl:
  - Having a mother, older sibling or cousin who has undergone FGM
  - Having limited level of integration within UK society
  - Confiding to a professional that she is to have a "special procedure" or to attend a special occasion to "become a woman"
  - Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parent stating that they or a relative will take the girl out of the country for a prolonged period
  - Requesting help from a teacher or another adult because she is aware or suspects that she is at immediate risk of FGM
  - Talking about FGM in conversation - for example, a girl may tell other children about it (although it is important to take into account the context of the discussion)
  - Being unexpectedly absent from school
  - Having sections missing from her 'red book' (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication

The above indicators and risk factors are not intended to be exhaustive.

### **Forced marriage**

Forcing a person into marriage is a crime. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats, or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological.

Staff will receive training around forced marriage and the presenting symptoms. We are aware of the 'one chance' rule, ie we may only have one chance to speak to the potential victim and only one chance to save them.

If a member of staff suspects that a student is being forced into marriage, they will speak to the student about their concerns in a secure and private place. They will then report this to the DSL.

The DSL will:

- Speak to the student about the concerns in a secure and private place
- Activate the local safeguarding procedures and refer the case to the LADO
- Seek advice from the Forced Marriage Unit on 020 7008 0151 or [fm@fco.gov.uk](mailto:fm@fco.gov.uk)
- Refer the student to an education welfare officer, pastoral tutor, learning mentor, or school counsellor, as appropriate.

### **Preventing radicalisation**

- **Radicalisation** refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups
- **Extremism** is vocal or active opposition to fundamental British values, such as democracy, the rule of law, individual liberty, and mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces
- **Terrorism** is an action that
  - Endangers or causes serious violence to a person/people
  - Causes serious damage to property; or
  - Seriously interferes or disrupts an electronic system



The use or threat of terrorism 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.

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

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

We will ensure that suitable internet filtering is in place, and equip our students to stay safe online at school and at home.

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period.

Staff will be alert to changes in students' behaviour.

The Government website Educate Against Hate and charity NSPCC say that signs that a student is being radicalised can include:

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

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

If staff are concerned about a student, they will follow our procedures set out in section 7.5 of this policy, including discussing their concerns with the DSL.

Staff should **always** take action if they are worried.

Further information on the Academy's measures to prevent radicalisation are set out in other Trust policies and procedures, including E-Safety for Information & Communications Systems Policy.

### **Checking the identity and suitability of visitors**

All visitors will be required to verify their identity to the satisfaction of staff.

If the visitor is unknown to the setting, we will check their credentials and reason for visiting before allowing them to enter the setting. Visitors should be ready to produce identification.

Visitors are expected to sign in at Reception and wear a visitor's badge.

Visitors to the Academy who are visiting for a professional purpose, such as educational psychologists and school improvement officers, will be asked to show photo ID and:

Will be asked to show their DBS certificate, which will be checked alongside their photo ID; or  
The organisation sending the professional, such as the Local Authority or educational psychology service, will provide prior written confirmation that an enhanced DBS check with barred list information has been carried out.

All other visitors, including visiting speakers, will be accompanied by a member of staff at all times. We will not invite into the Academy any speaker who is known to disseminate extremist views, and will carry out appropriate checks to ensure that any individual or organisation using Academy facilities is not seeking to disseminate extremist views or radicalise students or staff.

## **Checks**

The need for a DBS check will be determined as follows:

It is not envisaged that DBS checks will be required where there will be no contact between subcontractors and students; for example, where a building is to be built on an area segregated by a perimeter fence, or where the works will be undertaken outside Academy hours or during Academy holidays. In this case, only supervisory staff will be DBS checked.

However, where a subcontractor is likely to have either frequent or prolonged contact with students then it will be appropriate to obtain a DBS check in addition to measures to supervise contact. For example, a check will be appropriate where a subcontractors' representative (e.g. foreman, site manager, etc) needs to liaise with Academy staff in a day to day basis.

## **Missing students**

Our procedures are designed to ensure that a missing child is found and returned to effective supervision as soon as possible. If a child goes missing, we will:

Use MyEd to contact parents  
If necessary, contact Children's Services and/or the Police.

## **Primary Academies**

### **Procedures for the end of the Academy day**

- Every teacher is responsible for the safety of the pupils in their care until they have been collected by the designated adult.
- At the end of the day, every teacher and the teaching assistant (where there is one) for the class, must accompany their pupils to the relevant exit.
- Pupils must never be allowed to leave the classroom and head towards the designated exit, without the presence of an adult.
- Pupils must never be allowed to leave the building/playground (depending on where your pupils are collected), without the knowledge of the teacher.
- Every child must be collected by a designated adult who is known to the teacher and who is recorded on our internal SIMs system as an adult who has permission to collect that child. A child should never be released to anybody else, even if you know that person. Where somebody arrives stating that they have been given permission to collect, a phone call must be made to the designated adult to verify who is collecting.
- The teacher must wait with any pupils who have not been collected, without fail. If, after, a period of 10 minutes, an adult has not arrived, the teacher should liaise with the pupil office

to make a phone call home. The teacher must never leave the pupil alone on the playground. If the weather conditions are severe, the pupil should wait at the pupil office.

- Every teacher must ensure that every child in their care has been collected and has left the site with an appropriate adult before they return inside.
- If, for any reason, the teacher has to leave (e.g. they have a school club; have an appointment with a parent; have a personal appointment), it is their responsibility to ensure they have arranged for another adult to stay with any children who have not been collected. They must also ensure that they have passed on any relevant information, concerning the collection of the child e.g. who is allowed to collect; have the parents been collected etc.
- If a child has not been collected and the pupil office has not been able to contact home, a member of the senior leadership team must be contacted.
- If a member of the senior leadership team is unable to establish contact over a period of time, they will make a decision as to whether to visit the family home to establish contact; phone social services; phone the police. This decision will be made in conjunction with any relevant information, relating to the individual child.
- Where a member of staff is covering an absent teacher, at the end of the day, it is their responsibility to ensure the above procedures happen.

In addition to the above, specific staff are responsible for doing a final sweep of the playground, on designated days. They must ensure that when their own pupils have left, they also check every area of the playground, particularly those areas, less visible.

Those responsible for the final sweep, should not re-enter the building and shut the doors until they are 100% certain that all pupils have been collected and have left the site. Once inside, the relevant staff must sign a book, held in the pupil office, to confirm that this has been completed.

If at any point, any member of staff sees a child on the playground or around the site, without an adult, at any time 'after hours,' it is their responsibility to approach the child and find out why they are there and who they are supposed to be with. If they are not with an adult, they should be brought into the school and a member of the senior leadership team must be informed.

If anyone is seen on site, who is not a pupil at the school, a member of the senior leadership team must be informed immediately.

It is the duty of all staff, including all support staff, to be vigilant at all times, whenever they are on site, to ensure the safety and well-being of the pupils.

### **After School Clubs:**

In addition to the above, it is the responsibility of anyone running a club, to ensure the following:

Letters have been distributed in advance with a permission slip. The permission slip must include details, stating who will collect the child from the after school club or whether they are to make their own way home. The letter should clearly state when the club is taking place and the finishing time.

A signed permission slip, with the above information must be returned to allow the child to attend the club.

At the end of the club, teachers must follow exactly the same procedures as if it was the end of the school day. If a parent does not collect, it is the responsibility of the teacher to contact home. If nobody collects and parents cannot be contacted, a senior member of staff must be informed.

## **Educational Visits:**

Where a visit/sporting fixture means pupils may not be collected until a later time, the same procedures must be followed.

Pupils must always be collected at the normal exit e.g. if exiting a coach, parents must not just take their children there and then as it is too difficult to ensure pupils have been collected by the designated adult.

## **Children in need**

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

## **Children suffering or likely to suffer significant harm**

Local authorities, with the help of other organisations as appropriate, have a duty to make enquiries under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment, including all forms of abuse and neglect, female genital mutilation or other so-called honour based violence, and extra-familial threats like radicalisation and sexual exploitation.

## **What will the local authority do?**

Within one working day of a referral being made, a local authority social worker should acknowledge receipt to the referrer and make a decision about the next steps and the type of response that is required. This will include determining whether:

- The child requires immediate protection and urgent action is required
- The child is in need, and should be assessed under section 17 of the Children Act 1989
- There is reasonable cause to suspect the child is suffering or likely to suffer significant harm, and whether enquiries must be made and the child assessed under section 47 of the Children Act 1989
- Any services are required by the child and family and what type of services
- Further specialist assessments are required to help the local authority to decide what further action to take
- To see the child as soon as possible if the decision is taken that the referral requires further assessment.

The referrer should follow up if this information is not forthcoming.

If social workers decide to carry out a statutory assessment, staff should do everything they can to support that assessment (supported by the designated safeguarding lead (or deputy) as required.

If, after a referral, the child's situation does not appear to be improving, the referrer should consider following local escalation procedures to ensure their concerns have been addressed and, most importantly, that the child's situation improves.

## **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. DSLs 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 department 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.

There is additional guidance: Prevent duty guidance: for further education institutions in England and Wales that applies to colleges.

Educate Against Hate, a website launched by the Her Majesty’s 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**

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 at: Channel guidance, and a Channel awareness e-learning programme is available for staff at: Channel General Awareness.

The Academy’s DSL (and any deputies) should be aware of local procedures for making a Channel referral. As a Channel partner, the Academy 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.

## **Peer on peer abuse**

**All** Staff should be aware that children can abuse other children (often referred to as peer on peer abuse). This is most likely to include, but may not be limited to:

- Bullying (including cyberbullying)
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- Sexual violence, such as rape, assault by penetration and sexual assault
- Sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse
- Upskirting, which typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm
- Sexting (also known as youth produced sexual imagery) and
- Initiation/hazing type violence and rituals.

**All** staff should be clear as to the school's or college's policy and procedures with regards to peer on peer abuse.

If a student makes an allegation of abuse against another student:

You must tell the DSL and record the allegation, but do not investigate it.

The DSL will contact the local authority Children's Services team and follow its advice, as well as the Policy if the allegation involves a potential criminal offence.

The DSL will put a risk assessment and support plan into place for all children involved - both the victim(s) and the child(ren) against whom the allegation has been made - with a named person they can talk to if needed.

The DSL will contact Young Minds Matter (YMM), if appropriate.

We will minimize the risk of peer-on-peer abuse by:

Challenging any form of derogatory or sexualized language or behaviour.

Being vigilant to issues that particularly affect different genders - for example, sexualized or aggressive touching or grabbing towards female students, and initiation or hazing type violence with respect to boys.

(Hazing is the practice of rituals and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group. Hazing is seen in many different type of social groups, including gangs, sports teams, school, military units, and fraternities and sororities).

We constantly develop appropriate strategies in order to prevent the issue of peer on peer abuse rather than manage issues in a reactive way.

We recognize that peer on peer abuse can, and will occur in any setting even with the most stringent of policies and support mechanisms. In which case it is important to continue to recognize and manage such risks and learn to improve and move forward with strategies in supporting our students to talk about any issues and through sharing information with all staff. We share information about anything that is upsetting or worrying them. This is strengthened through a strong and positive Citizenship curriculum that tackles such issues as prejudiced behaviour and gives children an open forum to talk things through.

## **Sexual violence and sexual harassment between children in schools and colleges**

### **Context**

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.

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

### **Sexual violence**

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

#### **Rape**

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

#### **Assault by Penetration**

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

#### **Sexual Assault**

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

#### **What is consent?**

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

#### **Sexual harassment**

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

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

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- Sexual 'jokes' or taunting;
- Physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses the line into sexual violence – it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature and;
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - Non-consensual sharing of sexual images and videos;
  - Sexualised online bullying;
  - Unwanted sexual comments and messages, including, on social media;
  - Sexual exploitation; coercion and threats, and
  - Upskirting.

### **The response to a report of sexual violence or sexual harassment**

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

If staff have a concern about a child or a child makes a report to them, they should follow the referral process as set out in section 7.3. As is always the case, if staff are in any doubt as to what to do they should speak to the designated safeguarding lead (or a deputy).

### **Upskirting**

'Upskirting' typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is now a criminal offence.

### **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 performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries.

Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

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



## **The use of 'reasonable force' in schools and colleges**

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

Departmental advice for schools is available at [Use of Reasonable Force in Schools](#).

The department believes that the adoption of a 'no contact' policy at school or college can leave staff unable to fully support and protect their pupils and students. It encourages headteachers, principals, governing bodies and properties to adopt sensible policies, which allow and support their staff to make appropriate physical contact. The decision on whether or not to use reasonable force to control or restrain a child is down to the professional judgement of the staff concerned and should always depend on individual circumstances.

When using reasonable force in response to risks presented by incidents involving children with SEN or disabilities or with medical conditions, schools and colleges should, in considering the risks carefully, recognise the additional vulnerability of these groups. They should also consider their duties under the Equality Act 2010 in relation to making reasonable adjustments, non-discrimination and their Public Sector Equality Duty. By planning positive and proactive behaviour support, for instance through drawing up individual behaviour plans or more vulnerable children, and agreeing them with parents and carers, schools and colleges can reduce the occurrence of challenging behaviour and the need to use reasonable force.

## **Children and the court system**

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate guides to support children 5-11 year olds and 12-17 year olds.

The guides explain each step of the process and support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online child arrangements information tool with clear and concise information on the dispute resolution service. This may be useful for some parents and carers.

## **Children with family members in prison**

Approximately 200,000 children have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

Similarly, where contractors' staff and subcontractors regularly visit schools to undertake routine maintenance (boilers, electrical tests, etc) then a DBS check will be undertaken in addition to measures to supervise any contact.

All visitors to our setting, including visiting speakers, will be accompanied by a member of staff at all times. We will not invite into the Academy any speaker who is known to disseminate extremist views, and will carry out appropriate checks to ensure that any individual or organisation using Academy facilities is not seeking to disseminate extremist views or radicalise students or staff.

## **Contextual safeguarding**

Safeguarding incidents and/or behaviours can be associated with factors outside the Academy. All staff, but especially the DSL (and deputies) should be considering the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. Children's social care assessments should consider such factors, so it is important that schools and colleges provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse.

## Staff Conduct and Safeguarding Matters

All staff working with children should adopt high standards of personal conduct at all times in order to maintain the confidence and respect of their peers, students and the public in general. This is particularly important if you are socialising in a public place. You must always be aware that you are easily recognised even if you do not recognise other members of the public. You need to be aware of your own actions, what you are discussing and the language you are using. It is of paramount importance that you remain professional both in and out of the workplace. Do not have students as friends on any social media sites. This is to safeguard yourself and the students. If you become aware of the activities of a colleague that breach these instructions, you must report it to the Principal of your Academy immediately. These standards apply to all adults who work at the Academy, all staff are in a position of trust.

### Addendum

Sometimes children come to a teacher to discuss problems or worries which will not necessarily have any 'Child Protection' significance but nevertheless the child is clearly worried or distressed. If you feel there are underlying problems which ought to be addressed, you should persuade the student to speak to a senior member of the Pastoral team. In any case, you should inform the most appropriate person of your concerns. It would not necessarily mean breaking confidentiality. You should not become involved in regular discussions or 'counselling' with a student before consulting a senior member of management.

Child Protection Officer	Mrs V Watts
Deputy Child Protection Officer (Tollbar Academy)	Mr G Cookson

Child Protection Officer	Miss L Ciechanowski
Deputy Child Protection Officer (Cleethorpes Academy)	Mrs A Allenby

Child Protection Officer	Miss L Waring
Deputy Child Protection Officer (Reynolds Academy)	Mrs R Scott

Child Protection Officer	Mr B French
Deputy Child Protection Officer (Somercotes Academy)	Mr S West

Child Protection Officer	Mrs S Cook
Deputy Child Protection Officer (Theddlethorpe Academy)	Mrs N Bull

Child Protection Officer	Miss K Plumtree
Deputy Child Protection Officer (Pilgrim Academy)	Mrs C France

Child Protection Officer	Mrs T Webb
Deputy Child Protection Officer (Louth Academy)	Mrs H Naylor

Nominated Governor for Child Protection (all Academies) – Mrs J Aukett



Please sign and return this page to the Personnel department

Child Protection and Safeguarding Policy and Procedures

I confirm that I have read and understood the Child Protection and Safeguarding Policy and Procedures document. I have retained the original copy issued to me.

Name

Signature

---

Date