



King's High School

Forced Marriage Policy

Policy:	<i>Forced Marriage</i>
Applies to:	<i>King's High School Staff and Pupils</i>
Authors:	<i>C Renton, Deputy Head</i>
Approved by:	<i>KHS Committee, June 2016</i>
Reviewed:	<i>1 July 2019; 1 July 2020</i>
Signed:	<i>S Burley, Deputy Head</i>

Objective

King's High School regards the coercion involved in forced marriage to be abusive, and is opposed to all practices of a coercive and abusive nature. We believe in promoting the rights of children and young people to participate in decisions that affect them. All pupils are entitled to receive effective protection regardless of their cultural and ethnic origins.

This policy conforms to the Multi-agency statutory guidance for dealing with forced marriage: The Right to Choose, produced by HM Government (June 2014) and Keeping Children Safe in Education (September 2018) and the procedures outlined within each will be followed.

Children's rights

The practice and threat of forced marriage, and the severe emotional pressure and the physical violence which often accompanies it, infringes a number of children's rights as set out in the United Nations Convention on the Rights of the Child (1989).

Defining forced marriage

It is important to distinguish between a forced marriage and an arranged marriage. A forced marriage is a marriage conducted without the full and free consent of one or both parties, where violence, threats or any other form of coercion is used to cause a person to enter into marriage. Threats can be physical or emotional or psychological and range from emotional pressure from family members, to threatening behaviour, abduction or imprisonment, and physical violence. By contrast, in an arranged marriage, families often take a leading role in arranging marriages for their children, but the prospective spouses have the right to say 'no' at any point. Consent¹ should be freely given, and cannot be regarded as freely given in this country unless the person is aged 16 or above. The tradition of arranged marriages should be respected on this basis. A common misconception is that forced marriage has a religious basis. Forced marriage is not a religious phenomenon: all major world religions require the freely given consent of both parties to a marriage.

King's High accepts that forced marriage is a practice that exists within the UK, and that crosses national borders and that it can be part of "honor-based violence" to protect or defend the honour of the family and or the community. Victims can be male or female and come from a variety of cultural backgrounds.

Potential warning signs or indicators

Individuals facing forced marriage may appear anxious, depressed and emotionally withdrawn with low self-esteem. In an educational setting indicators include absence and persistent absence; request for extended leave or failure to return from visits to country of origin; fear about forthcoming school holidays; surveillance by siblings or cousins; decline in behaviour, performance or punctuality; poor exam performance; withdrawal from school by parents or guardians; not allowed to attend extra-curricular activities; sudden announcement of engagement; prevention from going on to further/higher education.

¹ **Capacity to consent to marriage:** If a person does not consent or lacks capacity to consent to a marriage, that marriage must be viewed as a forced marriage whatever the reason for the marriage taking place. Capacity to consent can be assessed and tested but is time and decision-specific Mental Capacity act 2005.

King's High aims to create an 'open environment' where pupils feel safe and confident that they can come and discuss any problems they are facing. Pupils are informed in year group meetings, assemblies and PSHE lessons that they can always tell someone and they will be listened to and their concerns taken seriously.

The response to incidents of forced marriage

King's High School accepts that forced marriage places pupils at risk in several ways and can have a number of serious harmful consequences. Any concerns raised by a pupil to a member of staff must be passed immediately to the **designated safeguarding lead/Child Protection Officer (DSL/CPO)**. Where a member of staff is concerned about a pupil because they are exhibiting concerning behavior (potential warning signs or indicators) then the member of staff should discuss it with the DSL/CPO.

When the DSL/CPO is made aware they will immediately make contact with the Safeguarding Children Manager/LADO and liaise with Warwickshire Social Services Department 'Children's Duty Team' to seek advice and assistance.² In accordance with the guidelines, front-line staff dealing with cases of forced marriage will consult with the practice guidelines issued by the Forced Marriage Unit, 'Multi-agency Practice guidelines: Handling Cases of Forced Marriage'.

The family or any members of the community will not be contacted until agreed by the Safeguarding Children Manager/LADO.

A member of staff can of course make a referral themselves to the Safeguarding Children Manager/LADO.

The Forced Marriage (Civil Protection) Act 2007

The Forced Marriage (Civil Protection) Act 2007 contains civil measures to enable a person who is being forced into marriage or has been forced into marriage or a relevant third party to apply to the court for a Forced Marriage Protection Order.

Criminal prosecution can be brought under a variety of offences including false imprisonment, assault, battery, kidnapping, child cruelty offences where the victim is under 16, child sexual offences, threats to kill, and other abusive or threatening behaviour causing a child to fear for their personal safety.

The Children Act 1989 provides for care and protection orders to be made by the courts for a child under the age of 18 to be placed in the care of a local authority. Local authorities have duties and powers to provide accommodation for young people where it is necessary to safeguard their welfare.

Contacts for advice:

Forced Marriage Unit
G/58 Old Admiralty Building
Tel: 020 7008 0151
Email fm@fco.gov.uk

Or the
Global Response Centre:
020 7008 1500

Additional information can be found at www.forcedmarriage.net

² KHS staff know that it is not their role to investigate allegations of abuse of a student, to collect evidence or data to support the claim of forced marriage but just to pass what information has been raised to them to the designated Child Protection Officer, who then follows Child Protection procedures and contacts WSCB LADO (Dealing with Cases of Forced Marriage: Guidance for Educational Professionals (2005))